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PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore [Mr. SHIMKUS].

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 31, 1997.

I hereby designate the Honorable JOHN SHIMKUS to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

Your spirit, O God, that is new every morning and with us until our last day, comes to us as a gentle wind blowing away all our faults and shortcomings and giving us a new beginning and new hope. In spite of all the sadness and disappointments that enter our lives, Your grace is sufficient for our needs and Your love is a balm unto our souls. May Your blessing, gracious God, that refreshes and makes us whole, be with us now and evermore, we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore (Mr. SHIMKUS). The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio [Mr. BROWN] come forward and lead the House in the Pledge of Allegiance.

Mr. BROWN of Ohio led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 167. Concurrent resolution to correct a technical error in the enrollment of H.R. 2160.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2160) ''An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1998, and for other purposes.''

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 672. An act to make technical amendments to certain provisions of title 17, United States Code.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1024. An act to make chapter 12 of title 11 of the United States Code permanent, and for other purposes; and

S. 1149. An act to amend title 11, United States Code, to provide for increased education funding, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain five 1-minutes from each side.

OPPOSE PRESIDENT'S PLAN ON NATIONAL TESTING

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

Mr. GIBBONS. Mr. Speaker, today is Halloween, so let me begin with the first liberal horror story of the day. Our education liberals have come up with another expensive solution for our failing public school system. That is right. They want to use more of your taxpayer dollars to design and implement a national testing plan.

While all parents, including all of us, want to monitor the progress of our children in school, we do not want Washington bureaucrats creating more redtape through a national testing plan. Let us tackle our national education problems by sending the resources and dollars where they will do some good, to the local school districts, down into classrooms, where teachers and parents can apply those resources to teaching children, not lining the pockets of Washington bureaucrats. It is easy as all that.

I urge my colleagues to oppose the President's plan on national testing. This body should concentrate on increasing parental choice and involvement, not national testing.

FEDERAL INVESTIGATION INTO UNION PACIFIC

(Mr. SKELTON asked and was given permission to address the House for 1 minute.)

Mr. SKELTON. Mr. Speaker, the lead story on the radio last evening was the

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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fact that there will be a Federal investigation into the Union Pacific because of its merger and the fact that the employees of Union Pacific are under such stress and fatigue because of the downsizing.

Let me point out that, as a result of testimony and actually visiting with young people in uniform of all services, there are stretches and strains and fatigue. The veterans of America understand this. The military retirees of America understand this. The parents of the young people understand this.

So let us not forget those young people today who are in uniform defending America's interest regardless of whether they be here in the continental United States or ashore somewhere else, the stresses and strains under which they exist. Let us give them a word of encouragement, a word of thanks. Because they are a national treasure.

WHAT A-PLUS ACCOUNTS ARE REALLY ABOUT

(Mr. GUTKNECHT asked and was given permission to address the House for 1 minute.)

Mr. GUTKNECHT. Mr. Speaker, it is against the House rules to question the motives of other Members. But in the last several days, we heard our Democratic colleagues saying that the reason we want to pass A-Plus accounts is to harm public education. Does anybody really believe that?

Eighty-eight percent of America's schoolchildren attend public schools. I went to public schools my entire life. Two of my children graduated from public schools. I believe in public schools. What A-Plus accounts are really about is giving the same kinds of choices to poor families, like those here in Washington DC, that wealthier families have all across America. What is wrong with giving American families, American schoolchildren choices? That is what this is all about. It is about who decides.

Some of our Democratic friends wanted to have bigger bureaucracies here in Washington. They want more of the decisions made in Washington. But look at the Washington schools themselves. We are spending over $10,000 per student per year on the schools here in Washington, and they are arguably among the worst schools in the country.

What we want to do is allow those parents, whether in Washington, DC, or Baltimore or Minneapolis, to have the same kinds of choices that the wealthy people have.

AMERICANS DO NOT TRUST FEDERAL GOVERNMENT

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

Mr. TRAFICANT. Mr. Speaker, poll after poll suggests a growing problem in America. Many Americans do not trust the Federal Government. Pollsters keep trying to figure it out. I believe it is not all that complicated.

In my opinion, the American people in growing numbers do not trust the Federal Government because many Americans believe that the Federal Government does not always tell the truth. The pollsters can constipate all they want over this issue. This is no brain surgery. It is very simple. No truth, no trust. Trust and truth are inseparable.

I yield back Waco, Ruby Ridge, Pan Am 103, and Camelot.

''PORKER OF THE WEEK'' AWARD

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, those redesigned $50 bills are hot off the Bureau of Printing and Engraving presses. But what are we going to do with the more than $217 million in printing errors? That is right, many bills were rejected by the Federal Reserve because the fine concentric lines surrounding the portrait of Ulysses S. Grant were broken. This may seem like a minor flaw to some, but it is a major problem because the Treasury spent $15 million on an international education campaign touting the lines as a special feature added to thwart counterfeiters.

Most likely the only option for the Treasury Department is to destroy the flawed notes and start over. This will cost the taxpayers at least $16.3 million, $8.7 million for the misprinted bills, $360,000 to destroy them, and $7.2 million to reprint them.

If that is not bad enough, the Bureau of Printing and Engraving most recently purchased $50 million in printing equipment that it did not install in its Washington facility because they would have to have major renovation at that facility.

The Bureau of Printing and Engraving gets my ''Porker of the Week'' award.

STILL NO DEBATE ON CAMPAIGN FINANCE SYSTEM

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

Mr. LUTHER. Mr. Speaker, here we are today, with only a week or two left before the scheduled planned adjournment of the House, and still no debate has occurred on cleaning up our campaign finance system in this country.

One of the big arguments used around here to have business as usual and to do nothing is that people do not care, it is not being demanded by the American people. Well, let us get it straight. The American people hired us to come to Washington to figure out what is wrong with the system and to fix it. Nearly everyone knows that the campaign finance system is broken and needs to be repaired, that it needs to be cleaned up.

So let us do our job. Let us do the job we were hired to do by the American people. Let us debate this issue. Let us pass a tough, comprehensive campaign finance reform bill. Mr. Speaker, we must not adjourn this Congress until we have done our job.

PARENTS NEED MORE CHOICE IN PUBLIC SCHOOLS

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

Mr. ROGAN. Mr. Speaker, the next time those opponents of parental choice in education on the other side argue that the Federal Government should be running our public schools instead of giving parents more local control, I hope that they will consider these recently released facts.

Last year, new rigorous exams were given to 130,000 elementary school children. The performance results were dismal. Only 39 percent of 8th graders and 33 percent of 4th graders had any kind of basic understanding in reading and writing. New reports also show that 75 percent of American college students are struggling with high school-level math. One textbook expert said, ''There is no question that every time we adopt a textbook, the reading level of the book is lower than the last.''

Yesterday, the Washington Times did an editorial that hit the nail directly on the head. They said that, ''Phonics is out, whole language is in, spelling primers and spelling bees are passe, invented spelling is the vogue. Self-esteem reigns supreme. The education establishment, the bureaucrats, and the unions still reject rigorous teaching of a rigorous curriculum in favor of the feel-good fuzziness that got us into this mess in the first place.''

Mr. Speaker, we will never correct this deficiency until parents, and not Washington bureaucrats, have the say in the education of our precious children.

SENATOR BOB DOLE SHOULD EXPLAIN HIS INVOLVEMENT WITH CHILE

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, Legal Times this week reports how Bob Dole has gone to great lengths to avoid having to register as a lobbyist or file as a foreign agent. The fact is Senator Dole is clearly working on behalf of Chilean interests against United States salmon farmers in a trade dispute. He has visited salmon farmers in Chile, met with the President in Chile, and met with the Foreign Minister of Chile. At the same time, he is taking sides in the fast-track debate, writing op-ed pieces for the New York Times and speaking outside on the issue.

Legal Times illustrates how former Senator Dole is taking great care not

to cross the line into lobbying or working as a foreign agent. One possible reason is that if Mr. Dole were to cross that line, he would not be able to make his loan to bail out the gentleman from Georgia [Mr. GINGRICH]. If Dole were a lobbyist or a foreign agent, the loan to the gentleman from Georgia [Mr. GINGRICH] would be a violation of the gift ban.

Mr. Speaker, Senator Dole should explain his involvement with Chile to the American people.

EDUCATION IS MATTER OF RIGHT VERSUS WRONG

(Ms. GRANGER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GRANGER. Mr. Speaker, Benjamin Disraeli once said, ''The fate of our Nation depends on the education of our children.'' I rise this morning because I believe we can do a much better job of planning for our Nation's future through education.

That is why I am so pleased that today Congress is considering important education proposals like the Charters School Amendments Act and the Help Scholarships Act. These proposals are part of a positive, profamily education agenda. All are aimed at improving schools. All are aimed at educating children.

As we begin this century, let us begin a renewed commitment. Let us commit ourselves to having schools that are safe and curriculum that is sound. Let us commit ourselves to having teachers who know the subject they are teaching and the name of the child they are teaching it to. And let us commit ourselves to having our children learn to read so they can read to learn for a lifetime.

Mr. Speaker, too often in Washington we talk about issues in terms of politics. But this issue is different. Education is not a matter of right versus left; it is a matter of right versus wrong. And it is always the right time to do the right thing. Let us support these initiatives. Let us support our schools. And let us support our children.

DORNAN-SANCHEZ ELECTION

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, the Republican leadership has spent 10 months and more than $500,000 investigating the election of our colleague, the gentlewoman from California [Ms. SANCHEZ]. This money could have been better spent providing immunizations for 3,000 children or providing prenatal care for 450 pregnant women.

What is most disturbing about this investigation is that the Republican leadership seems to be focusing on this race because it is a seat held by a Democratic Hispanic woman and Hispanic voters might have made the difference in this election. Other closer elections last year for Congress did not result, did not result, in similar investigations. This, unfortunately, is only the latest example of the Republican Party's attempts to suppress Hispanic voting and to intimidate Hispanic voters.

The latest move to turn this investigation back to the Republican Secretary of State in California is clearly another attempt to prolong this partisan witch hunt.

The gentlewoman from California [Ms. SANCHEZ] won this election fair and square. The people of the 46th deserve to have her undivided attention. Let us bring an end to this investigation.

□ 0915

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. FURSE. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgments concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, as a member of Congress whose election in 1994 was won by far smaller a majority than that which Ms. Sanchez won the 46th District race in 1996; and

Whereas, as an immigrant myself who proudly became a U.S. citizen in 1972, I believe that this Republican campaign of intimidation sends a message to new citizens that their voting privilege may be subverted. We should encourage new voters not chill their enthusiasm; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, that unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore [Mr. SHIMKUS]. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Oregon [Ms. FURSE] will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mrs. MINK of Hawaii. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of

California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of usually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now persuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgments concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, due process requires that this intimidation and inquisition of the voters of California's 46th Congressional District end, because to prolong it is to flaunt the basic principles of justice;

Whereas, hundreds of thousands of taxpayers dollars have been spent on this fruitless search; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, that unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Hawaii [Mrs. MINK] will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mrs. MALONEY of New York. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now perusing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgments concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, after 10 months and the expenditure of $500,000, the House investigation has turned up no evidence of fraud and has wasted taxpayer money; and

Whereas the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, that unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from New York [Mrs. MALONEY] will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. SLAUGHTER. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California

met on February 26, 1997 in Washington, D.C., on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, the House Oversight Committee passed a resolution demanding that the U.S. Attorney file criminal charges against private citizens, despite the fact that Congress has no authority to enforce legislation;

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from New York [Ms. SLAUGHTER] will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

□ 0930

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. DELAURO. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana Zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, the continued Sanchez probe unfairly targets Hispanic-Americans and discourages their full participation in the democratic process.

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Connecticut [Ms. DELAURO] will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. VELÁZQUEZ. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan has been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and

charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residence for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas these allegations represent a direct attack on the latino community and an attempt to silence the voice of latino voters,

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from New York (Ms. VELÁZQUEZ) will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. JACKSON-LEE of Texas. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marine barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, Mr. Dornan's unproven allegations and the action's of Republicans have created an enormously chilling effect on the voting rights of Hispanic-Americans and other minority Americans: therefore targeting them unfairly; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and: Now therefore be it

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Texas [Ms. JACKSON-LEE] will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. DANNER. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C., on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and

those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committee's possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make the judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, on September 24, 1997, the House Oversight Committee passed a resolution demanding that criminal charges be brought against private citizens even though Congress lacks criminal enforcement powers and cannot compel compliance with subpoenas; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Missouri [Ms. DANNER] will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

□ 0945

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. CARSON. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

Mr. Speaker, I ask unanimous consent that the form of the resolution appear in the RECORD at this point.

The SPEAKER pro tempore (Mr. SHIMKUS). Is there objection to the request of the gentlewoman from Indiana?

There was no objection.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C., on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Indiana will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. LOFGREN. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas allegations made by the losing candidate, Mr. Dornan, of voter fraud in fact were revealed to be legitimate voters living at a Marine barracks, sisters living at their nunnery as well as the zookeeper at the Santa Ana zoo

Whereas for the first time in any election in the history of the United States the INS has been asked to verify the citizenship of voters, a task that the INS is unable to accomplish with accuracy, precision or certainty with the immigration records available to them.

Whereas the Committee on House Oversight has had nearly a year to present credible evidence of fraud sufficient to change the outcome of the election to the House of Representatives

Whereas the Committee on House Oversight is pursuing a seemingly never ending and apparently unsubstantiated review of this matter reminding observers of the famous Dickens novel ''Bleak House''

And Whereas the House has a right to expect this matter to be resolved professionally as well as promptly and certainly before half of Congresswoman Sanchez' term of office has passed

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly notices.

Pending that designation, the form of the resolution noticed by the gentlewoman from California will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. WOOLSEY. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California, and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C., on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committee's possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, the Oversight Committee has not challenged the results of any other Members' elections, even though many other Members won their election by slimmer margins; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from California will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now persuing a duplicate and dilatory review of materials already in the Committee's possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgments concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas I watched Loretta Sanchez become a marvelous, energetic Representative of the 46th District of California during the five months she shared my apartment with me; and

Whereas continuing this never ending attack on her election is wrong for this woman who wants to serve her constituents to the best of her ability; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, that unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from

Texas will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mrs. KENNELLY of Connecticut. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

Whereas Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman SANCHEZ' election to Congress; and whereas I watched LORETTA SANCHEZ become a marvelous, energetic Representative of the 46th District of California during the 5 months she shared my apartment with me; and whereas continuing this never-ending attempt on her election is wrong, for this woman who wants to serve her constituents to the best of her ability, and whereas the Committee on House Oversight should complete its review of this matter and bring this contest to an end.

Mr. Speaker, I ask unanimous consent that the form of the resolution appear in the RECORD at this point.

The SPEAKER pro tempore. Without objection, the resolution will be included for the RECORD.

There was no objection.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, DC on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, DC; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit; charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas I watched Loretta Sanchez become a marvelous, energetic Representative of the 46th District of California during the five months she shared my apartment with me; and

Whereas continuing this never ending attack on her election is wrong for this woman who wants to serve her constituents to the best of her ability; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and: Now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Connecituct will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. KILPATRICK. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, DC on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, DC; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas The Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgments concerning those votes; and

Whereas the Committee on House Oversight has after nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, as taxpayers of our nation face cuts in Medicare, Medicaid, Legal Services, Section 8 Housing assistance, and other areas of the social safety net have been frayed because of these reductions, close to half a million dollars of the people's money have been spent in an investigation that has resulted in absolutely no proof of fraud, and that the Honorable Loretta Sanchez has been duly seated by the State of California to represent the 46th Congressional District: Now therefore be it

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the

contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Michigan will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mrs. THURMAN. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

Whereas the people of the 46th District of California deserve an end to this uncertainty, and the people of the United States should not have to expend additional funds for an endless investigation.

Mr. Speaker, I ask unanimous consent that the form of the resolution appear in the RECORD at this point.

The SPEAKER pro tempore. Without objection, the remainder of the resolution will be placed in the RECORD.

There was no objection.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United states that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months, and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is not pursuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgments concerning those votes; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgments concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Florida will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. STABENOW. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, the Committee on House Oversight passed a resolution demanding the U.S. attorney to bring criminal charges against a private organization, despite the fact that it is beyond the power of Congress to compel compliance with subpoenas; and whereas the Committee on House Oversight should complete its review of this matter and bring this contest to an end; now therefore be it resolved that unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

Ms. STABENOW. Mr. Speaker, I ask unanimous consent that the form of the resolution appear in the RECORD at this point.

The SPEAKER pro tempore. Without objection, the remainder of the resolution will be placed in the RECORD.

There was no objection.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizens of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now persuing a duplicate and dilatory review of materials already in the Committee possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and it pursuing never ending and unsubstantiated of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, the Committee on House Oversight passed a resolution demanding the U.S. Attorney to bring criminal charges against a private organization, despite the fact that it is beyond the power of Congress to compel compliance with subpoenas; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Michigan will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. HOOLEY of Oregon. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

Whereas the House Oversight Committee has not specified sufficient votes to bring into question the certified 984-vote margin by which LORETTA SANCHEZ won her election, and Mr. Speaker, I ask unanimous consent that the form of the resolution appear in the RECORD at this point.

The SPEAKER pro tempore. Without objection, the remainder of the resolution will be placed in the RECORD.

There was no objection.

The form of the resolution is as follows:

Whereas Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charged of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make the judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, the House Oversight Committee has not specified sufficient votes to bring into question the certified 984-vote margin by which Loretta Sanchez won her election; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Oregon [Ms. HOOLEY] will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

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ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mrs. MEEK of Florida. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, in violation of constitutionally defined separation of powers, principles, the Committee on House Oversight passed a resolution demanding the Department of Justice to bring criminal charges against an organization of private citizens; and then, Mr. Speaker, I ask unanimous consent that the remainder of the resolution be considered as read.

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

There was no objection.

The remainder of the resolution is as follows:

Whereas Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C, on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charged of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the record seized by the

District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make the judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, in violation of Constitutionally-defined separation of powers principles, the Committee on House Oversight passed a resolution demanding the Department of Justice to bring criminal charges against an organization of private citizens; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Florida (Mrs. MEEK) will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. ROYBAL-ALLARD. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas the Committee on House Oversight passed a resolution, House Resolution 244, purporting to demand that criminal charges be brought against an organization of private citizens, despite the fact that Congress has no power to compel compliance with subpoenas; and whereas the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it.

Resolved that unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

Mr. Speaker, I ask unanimous consent that the form of the resolution appear in the RECORD at this point.

The SPEAKER pro tempore. Without objection, the resolution will appear in the RECORD.

There was no objection.

The text of the resolution is as follows:

Whereas Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C, on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make the judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, the House Oversight Committee passed a resolution H.Res 244, purporting to demand that criminal charges be brought against an organization of private citizens, despite the fact that Congress has no power to compel compliance with subpoenas; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from California [Ms. ROYBAL-ALLARD] will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

PROVIDING FOR CONSIDERATION OF H.R. 2746, HELPING EMPOWER LOW-INCOME PARENTS (HELP) SCHOLARSHIPS AMENDMENTS OF 1997 AND H.R. 2616, CHARTER SCHOOLS AMENDMENTS OF 1997

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 288 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 288

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 2746) to amend title VI of the Elementary and Secondary Education Act of 1965 to give parents with low-incomes the opportunity to choose the appropriate school for their children. The bill shall be considered as read for amendment. The bill shall be debatable for two hours equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit.

SEC. 2. After disposition of the bill (H.R. 2746), the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on

the state of the Union for consideration of the bill (H.R. 2616) to amend titles VI and X of the Elementary and Secondary Education Act of 1965 to improve and expand charter schools. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Before consideration of any other amendment it shall be in order to consider the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Goodling of Pennsylvania or his designee. That amendment shall be considered as read, shall be debatable for ten minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. If that amendment is adopted, the committee amendment in the nature of a substitute, as amended, shall be considered as the original bill for the purpose of further amendment. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. (a) In the engrossment of H.R. 2616, the Clerk shall—

(1) add the text of H.R. 2746, as passed by the House, as new matter at the end of H.R. 2616;

(2) conform the title of H.R. 2616 to reflect the addition of the text of H.R. 2746 to the engrossment;

(3) assign appropriate designations to provisions within the engrossment; and

(4) conform provisions for short titles within the engrossment.

(b) Upon the addition of the text of H.R. 2746 to the engrossment of H.R. 2616, H.R. 2746 shall be laid on the table.

SEC. 4. House Resolution 280 is laid on the table.

The SPEAKER pro tempore (Mrs. EMERSON). The gentlewoman from North Carolina [Mrs. MYRICK] is recognized for 1 hour.

Mrs. MYRICK. Madam Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. HALL], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, Wednesday, the Committee on Rules met and reported House Resolution 288, which will provide a rule for consideration of two bills before us today. The first is a closed rule for the consideration of H.R. 2746, the HELP Scholarships Amendments Act of 1997.

That rule provides for 2 hours of debate on the bill, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule provides one motion to recommit.

The second bill in the resolution, H.R. 1616, the Charter Schools Amendments of 1997, will be considered under an open rule. The rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. It further makes in order a Committee on Education and the Workforce amendment in the nature of a substitute as an original bill for the purpose of amendment which shall be considered as read.

A manager's amendment printed in the report of the Committee on Rules, if offered by the gentleman from Pennsylvania [Mr. GOODLING], the chairman, or his designee, is made in order by the rule. That amendment is considered as read, is not subject to amendment or to a division of the question, is debatable for 10 minutes, equally divided between a proponent and an opponent, and if adopted is considered as part of the base text for further amendment purposes.

The Chair may give priority recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. Votes may be postponed during consideration of the bill and reduced to 5 minutes if the postponed vote follows a 15-minute vote. One motion to recommit with or without instructions is provided.

House Resolution 288 further provides in the engrossment of H.R. 2616, the Clerk shall add the text of H.R. 2746 as passed by the House, as a new matter at the end of H.R. 2616, and make conforming and designation changes within the engrossment.

Following engrossment, H.R. 2746 shall be laid on the table. That is, should the HELP Scholarships bill pass today, it will be combined with the Charter Schools bill, provided that it passes, when it is sent to the other body.

The final section of House Resolution 288 provides that House Resolution 280 is laid on the table. House Resolution 280 is a resolution providing for the consideration of the Nuclear Waste Policy Act which was never used. This small provision in House Resolution 288 is a technical committee cleanup procedure and has no bearing on the consideration of H.R. 2746 or H.R. 2616.

Mr. Speaker, I want to be clear about what will happen if this resolution is passed. It will allow for separate consideration of the HELP Scholarships bill and the Charter Schools bill. Each bill would be debated under separate rules. If they both pass, they will be put together in a package and sent to the other body for consideration.

Members will have an opportunity to vote individually on each bill. This resolution merely allows us to take them both up today.

Mr. Speaker, this resolution is not a vote on vouchers as some may lead Members to believe. It is a vote to determine if this body wants to bring these two important bills to the floor for a debate. I hope my colleagues support this resolution so that we can have an important debate about education in America.

During consideration of House Resolution 288 in the Committee on Rules, there was some discussion about the way the HELP Scholarships bill is being brought to the floor. I would like to take this opportunity to explain the reason for this process, and I plan to yield time to the gentleman from California [Mr. RIGGS], the chairman of the Subcommittee on Early Childhood, Youth and Families, which has jurisdiction over this matter, so that he may offer further clarification about the process which brought the HELP Scholarships to the floor.

When the Charter Schools bill was being crafted, the original intent was to add HELP Scholarships to the bill as an amendment. However, the Charter Schools bill evolved as a very bipartisan one, particularly due to the hard work of the gentleman from Indiana [Mr. ROEMER]. Thus, in the spirit of bipartisanship, the decision was made to not offer the HELP Scholarships language as an amendment.

Today we are again going to debate the future of education in America. I believe that it is the duty of all Americans to ensure our children are well educated and prepared for the future. I also believe that low-income families should have the same opportunity to send their children to safe, effective schools as rich families. This is about children.

The crisis in American education today especially affects children in elementary and secondary education. The education system is failing them and leaving too many children unprepared for the future.

Mr. Speaker, I ask my colleagues to consider the following: 40 percent of all 10-year-olds cannot meet basic literacy standards; eighth graders recently placed 28th in the world in math and science skills; over 60 percent of 17-year-olds cannot read as well as they should; and 2,000 acts of violence take

place in schools every day. Children in Los Angeles are taught a drill to protect themselves at the sound of gunfire, and almost one-third of freshmen entering college require some sort of remedial instruction.

We have a moral obligation to fix these problems and without bold new ideas and innovative solutions we never will.

The first bill, H.R. 2746, the Helping Empower Low-Income Parents Scholarships Amendment Act of 1997, is a very controversial issue, but one I wholeheartedly support. The bill empowers low-income parents living in poverty-stricken areas to send their children to the best schools that they see fit. Specifically, it permits State educational agencies and local educational agencies to use their title VI education block grant funds for public and private school choice at the State and local levels, and this is purely voluntary. In order to access these funds, the State legislature must enact school choice legislation. The bill further stipulates that the school choice program would be in low-income communities and be limited to low-income families.

Last week, we passed a bill that allows families to use money from an education savings account for school-related expenses. Many people opposed to the bill said that their opposition was based on the fact that it would not benefit the poor. Well, I did not agree with them on that issue; they now have an opportunity to vote on a bill that is designed specifically for the poor. I hope that they will join me in support of this bill and will empower the very people they claimed to defend last week.

Mr. Speaker, others have raised questions about the constitutionality of HELP Scholarships. As long as the decision about where the funds are spent is in the hands of individual students or parents, and as long as the program does not discriminate, a choice plan is likely to survive a constitutional challenge.

The Federal Government already provides grants to students at private and religious colleges. Pell grants are awarded to college students based on financial needs and Pell grants are accepted at numerous private and religious schools. I have heard many of my colleagues fight hard for Pell grants, and I hope that those same people will come to the floor today and support a similar idea that will allow students based on financial need the same opportunity for elementary and secondary education.

In addition to Pell grants, the Federal Government allows the GI bill to cover tuition at seminaries. That is Federal money going to religious education, not just to a religious school. I do not hear any of my colleagues clamoring to take this ability away from recipients of the GI bill.

I ask my colleagues, is that not Federal money? Is that not money going to private and religious schools? What is the difference?

The best part about programs like HELP Scholarships is that they work. Elementary school students in Milwaukee who participated in the Nation's first school voucher program scored higher in reading and math than those who stayed in public schools.

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The school choice option we are offering today is steadily gaining support across the Nation. A survey conducted by USA Today, CNN, and Gallup poll found that 54 percent of Americans favored vouchers. A majority of the grassroots organizations supporting education vouchers and school choice programs are from minority communities.

A survey conducted by the joint center for political and economic studies found that 57 percent of African-Americans supported school vouchers for public, private, or parochial school. This is not surprising since black children in urban areas are the most endangered by the failures of public education. In fact, support among African Americans for education reform is fast outstripping the growth of enthusiasm among whites.

The argument that public education is the greatest equalizer is unfortunately falling on deaf ears in the poorest neighborhoods. That is where the schools are the worst. Large numbers of public schools in these areas are exclusive and segregated. Ironically, private religious schools in many urban areas are more consistent with the original concept of public education bringing together children of widely differing social and economic backgrounds. The HELP scholarships will allow more of these children to get the quality education they deserve. They very well may be the real equalizer of the future.

This resolution also grants a rule for consideration of H.R. 2616, the Charter Schools Amendment Act of 1997. This is somewhat less controversial. It enjoys broad bipartisan support and also deserves the support of all my colleagues.

Charter schools are innovative public schools which are set free from burdensome regulations and held accountable for their results. Since the inception of charter schools in Minnesota 6 years, ago the idea has swept the Nation. Currently, 29 States, the District of Columbia and Puerto Rico have charter schools. Though this is a new concept, it is helping to transform public education in a way that is beneficial to the children that attend them. Parental satisfaction is high, students are eager to learn, teachers can enjoy their jobs again, administrators are freed from the shackles of suffocating regulation, and more money is getting to the classroom where it belongs.

In light of this success, we need to expand the current program so that we can reach more children in more communities. This bill is a good one that carefully targets the new money. It directs money to those States that provide a high degree of fiscal autonomy, allow for increases in the number of charter schools from year to year and provide for accountability. It also increases the number of years a charter school can get a grant from 3 to 5 years. This bill also stipulates that 95 percent of the Federal charter schools money goes to State and local level. That way we can be sure the Federal bureaucracy is not wasting money that is intended for the kids.

Finally, the bill directs the Secretary of Education to make sure that charter schools are on level ground so that they will receive their fair share of Federal categorical aid such as title I and special education funding. The Secretary is also directed to assist charter schools in accessing private capital.

I am excited about both of the bills this resolution brings to the floor, and I know that many of my colleagues do not share my enthusiasm. They have had philosophical disagreements with the intent of these new and innovative ideas. This resolution accommodates them. It allows for a separate vote on each bill. It allows them to vote their conscience without having to compromise their philosophical beliefs. I urge my colleagues to support House Resolution 288 so that we may have a spirited debate on the important issues facing America's families.

Madam Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Madam Speaker, I yield such time as she may consume to the gentlewoman from Missouri [Ms. MCCARTHY].

(Ms. MCCARTHY asked and was given permission to proceed out of order.)

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. MCCARTHY of Missouri. Madam Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of House.

I ask unanimous consent that the form of the resolution appear in the RECORD at this point.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C., on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be

without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the record seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committee's possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make the judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, on Committee on House Oversight has demanded that the Justice Department bring criminal charges against Hermandad Mexicana Nacional, even through it is beyond the Constitutionally-defined powers of Congress to compel compliance with subpoenas; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Under rule IX a resolution offered from the floor by a Member other than the majority leader or minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Missouri will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Madam Speaker, I yield myself such time as I may consume.

I thank my colleague from North Carolina [Mrs. MYRICK] for yielding this time to me.

This resolution in my opinion is a hybrid rule. It provides for the consideration of H.R. 2746, which is the Helping Empower Low-Income Parents Scholarship Amendments of 1997 under a closed rule. The resolution also provides for the consideration of H.R. 2616, the Charter Schools Amendments of 1997. This is under an open rule.

H.R. 2746 permits title VI education block grant funds to pay for educational vouchers that low-income parents can use at public or private schools. H.R. 2616 authorizes funds to start up charter schools.

As my colleague from North Carolina has described, this rule provides 2 hours of general debate for H.R. 2746, and 1 hour for H.R. 2616.

H.R. 2746 was introduced just 2 days ago. There were no hearings, committee markups, or committee reports. This closed rule effectively guarantees that no Member will have a chance to offer amendments.

Madam Speaker, the use of public money for educational vouchers that can be used in private schools is a very dominant issue facing our country today and facing public education, especially. It is very controversial. Passions run deep on both sides. To consider a bill on this subject with no hearings, no committee action, and no amendments on the House floor shows disrespect for the democratic process and contempt for Members who want to help shape this important legislation.

Madam Speaker, I urge Members to defeat the previous question and if the previous question is defeated, I will offer an amendment to make in order a substitute bill offered by the gentleman from Missouri [Mr. CLAY], ranking minority member of the Committee on Education and the Workforce. Only by defeating the previous question will the gentleman from Missouri [Mr. CLAY] have the opportunity to amend this act.

I urge Members to vote ''no'' on the previous question.

Madam Speaker, I include for the RECORD the following:

TEXT OF PREVIOUS QUESTION AMENDMENT TO H. RES. 288 H.R. 2746 (H.E.L.P.)—H.R. 2616 (CHARTER SCHOOLS)

On page 2, line 13 of H. Res. 288 after ''except'' insert the following:

'' 1) the amendment printed in sec. of this resolution if offered by Representative Clay or his designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read and shall be separately debatable for sixty minutes equally divided and controlled by the proponent and an opponent and 2)''

At the end of the resolution add the following new section:

"Sec. (see accompanying text of Clay substitute)"

Strike Section 3 and renumber Section 4.

Amendment in the Nature of a Substitute to H.R. **2746**

Offered by Mr. Clay of Missouri

Strike all after the enacting clause and insert the following:

TITLE I—GENERAL PROVISIONS

PART 1—PROGRAM AUTHORIZED FINDINGS AND PURPOSE

SEC. 101. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) According to the General Accounting Office, one-third of all elementary and secondary schools in the United States, serving 14,000,000 students, need extensive repair or renovation.

(2) 7,000,000 children attend schools with life safety code problems.

(3) School infrastructure problems exist across the country in urban and nonurban schools; at least 1 building is in need of extensive repair or replacement in 38 percent of urban schools, 30 percent of rural schools, and 29 percent of suburban schools.

(4) Many States and school districts will need to build new schools in order to accommodate increasing student enrollments; the Department of Education has predicted that the Nation will need 6,000 more schools by the year 2006.

(5) Many schools do not have the physical infrastructure to take advantage of computers and other technology needed to meet the challenges of the next century.

(6) While school construction and maintenance are primarily a State and local concern, States and communities have not, on their own, met the increasing burden of providing acceptable school facilities for all students, and low-income communities have had the greatest difficulty meting this need.

(7) The Federal Government, by providing interest subsidies and similar types of support, can lower the costs of State and local school infrastructure investment, creating an incentive for States and localities to increase their own infrastructure improvement efforts and helping ensure that all students are able to attend schools that are equipped for the 21st century.

(b) PURPOSE.—The purpose of this title is to provide Federal interest subsidies, or similar assistance, to States and localities to help them bring all public school facilities up to an acceptable standard and build the additional public schools needed to educate the additional numbers of students who will enroll in the next decade.

SEC. 102. DEFINITIONS.

Except as otherwise provided, as used in this title, the following terms have the following meanings:

(1) COMMUNITY SCHOOL.—The term ''community school'' means a school facility, or part of a school facility, that serves as a center for after-school and summer programs and delivery of education, tutoring, cultural, and recreational services, and as a safe haven for all members of the community by—

(A) collaborating with other public and private nonprofit agencies (including libraries and other educational, human-service, cultural, and recreational entities) and private businesses in the provision of services;

(B) providing services such as literacy and reading programs, senior citizen programs, children's day care services; nutrition services, services for individuals with disabilities, employment counseling, training, and placement, and other educational, health, cultural, and recreational services; and

(C) providing those services outside the normal school day and school year, such as through safe and drug-free safe havens for learning.

(2) CONSTRUCTION.—(A) The term ''construction'' means—

(i) the preparation of drawings and specifications for school facilities;

(ii) erecting, building, acquiring, remodeling, renovating, improving, repairing, or extending school facilities;

(iii) demolition in preparation for rebuilding school facilities; and

(iv) the inspection and supervision of the construction of school facilities.

(B) The term ''construction'' does not include the acquisition of any interest in real property.

(3) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given that term in section 14101(18) (A) and (B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801(18) (A) and (B)).

(4) SCHOOL FACILITY.—(A) The term ''school facility'' means—

(i) a public structure suitable for use as a classroom, laboratory, library, media center, or related facility, whose primary purpose is the instruction of public elementary or secondary students; and

(ii) initial equipment, machinery, and utilities necessary or appropriate for school purposes.

(B) The term ''school facility'' does not include an athletic stadium, or any other structure or facility intended primarily for athletic exhibitions, contests, games, or events for which admission is charged to the general public.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(6) STATE.—The term ''State'' means each of the 50 States and the Commonwealth of Puerto Rico.

(7) STATE EDUCATIONAL AGENCY.—The term ''State educational agency'' has the meaning given that term in section 14101(28) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801(28)).

SEC. 103. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $5,000,000,000 for fiscal year 1998 and such sums as may be necessary for each succeeding fiscal year.

SEC. 104. ALLOCATION OF FUNDS.

(a) ALLOCATION OF FUNDS.—Of the amounts appropriated to carry out this title, the Secretary shall make available—

(1) 49 percent of such amounts for formula grants to States under section 111;

(2) 34 percent of such amounts for direct formula grants to local educational agencies under section 126;

(3) 15 percent of such amounts for competitive grants to local educational agencies under section 127; and

(4) 2 percent of such amounts to provide assistance to the Secretary of the Interior as provided in subsection (b).

(b) RESERVATION FOR THE SECRETARY OF THE INTERIOR AND THE OUTLYING AREAS.—

(1) Funds allocated under subsection (a)(4) to provide assistance to the Secretary of the interior shall be used—

(A) for the school construction priorities described in section 1125(c) of the Education Amendments of 1978 (25 U.S.C. 2005(c)); and

(B) to make grants to American Samoa, Guam, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands, in accordance with their respective needs, as determined by the Secretary.

(2) Grants provided under subsection (b)(1)(B) shall be used for activities that the Secretary determines best meet the school infrastructure needs of the areas identified in that paragraph, subject to the terms and conditions, consistent with the purpose of this title, that the Secretary may establish.

PART 2—GRANTS TO STATES

SEC. 111. ALLOCATION OF FUNDS.

(a) FORMULA GRANTS TO STATES.—Subject to subsection (b), the Secretary shall allocate the funds available under section 104(a)(1) among the States in proportion to the relative amounts each State would have received for Basic Grants under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.) for the most recent fiscal year if the Secretary had disregarded the numbers of children counted under that subpart who were enrolled in schools of local educational agencies that are eligible to receive direct grants under section 126 of this title.

(b) ADJUSTMENTS TO ALLOCATIONS.—The Secretary shall adjust the allocations under subsection (a), as necessary, to ensure that, of the total amount allocated to States under subsection (a) and to local educational agencies under section 126, the percentage allocated to a State under this section and to localities in the State under section 126 is at least the minimum percentage for the State described in section 1124(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6334(d)) for the previous fiscal year.

(c) REALLOCATIONS.—If a State does not apply for its allocation, applies for less than its full allocation, or fails to submit an approvable application, the Secretary may reallocate all or a portion of the State's allocation, as the case may be, to the remaining States in the same proportions as the original allocations were made to those States under subsections (a) and (b).

SEC. 112. STATE ADMINISTRATION.

The Secretary shall award each State's grant to the State educational agency to administer the State grant, or to another public agency in the State designated by the State educational agency if the State educational agency determines that the other agency is better able to administer the State grant.

SEC. 113. ALLOWABLE USES OF FUNDS.

Each State shall use its grant under this part only for 1 or more of the following activities to subsidize the cost of eligible school construction projects described in section 114:

(1) Providing a portion of the interest cost (or of another financing cost approved by the Secretary) on bonds, certificates of participation, purchase or lease arrangements, or other forms of indebtedness issued or entered into by a State or its instrumentality for the purpose of financing eligible projects.

(2) State-level expenditures approved by the Secretary for credit enhancement for the debt or financing instruments described in paragraph (1).

(3) Making subgrants, or making loans through a State revolving fund, to local educational agencies or (with the agreement of the affected local educational agency) to other qualified public agencies to subsidize—

(A) the interest cost (or another financing cost approved by the Secretary) of bonds, certificates of participation, purchase or lease arrangements, or other forms of indebtedness issued or entered into by a local educational agency or other agency or unit of local government for the purpose of financing eligible projects; or

(B) local expenditures approved by the Secretary for credit enhancement for the debt or financing instruments described in subparagraph (A).

(4) Other State and local expenditures approved by the Secretary that leverage funds for additional school construction.

SEC. 114. ELIGIBLE CONSTRUCTION PROJECTS; PERIOD FOR INITIATION

(a) ELIGIBLE PROJECTS.—States and their subgrantees may use funds under this part, in accordance with section 113, to subsidize the cost of—

(1) construction of elementary and secondary school facilities in order to ensure the health and safety of all students, which may include the removal of environmental hazards, improvements in air quality, plumbing, lighting, heating, and air conditioning, electrical systems, or basic school infrastructure, and building improvements that increase school safety;

(2) construction activities needed to meet the requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) or of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

(3) construction activities that increase the energy efficiency of school facilities;

(4) construction that facilitates the use of modern educational technologies;

(5) construction of new school facilities that are needed to accommodate growth in school enrollments; or

(6) construction projects needed to facilitate the establishment of community schools.

(b) PERIOD FOR INITIATION OF PROJECT.—(1) Each State shall use its grant under this part only to subsidize construction projects described in subsection (a) that the State or its localities have chosen to initiate, through the vote of a school board, passage of a bond issue, or similar public decision, made between July 11, 1996 and September 30, 2001.

(2) If a State determines, after September 30, 2001, that an eligible project for which it has obligated funds under this part will not be carried out, the State may use those funds (or any available portion of those funds) for other eligible projects selected in accordance with this part.

(c) REALLOCATION.—If the Secretary determines, by a date before September 30, 2001, selected by the Secretary, that a State is not making satisfactory progress in carrying out its plan for the use of the funds allocated to it under this part, the Secretary may reallocate all or part of those funds, including any interest earned by the State on those funds, to 1 or more other States that are making satisfactory progress.

SEC. 115. SELECTION OF LOCALITIES AND PROJECTS.

(a) PRIORITIES.—In determining which localities and activities to support with grant funds, each State shall give the highest priority to localities with the greatest needs, as demonstrated by inadequate educational facilities (particularly facilities that pose a threat to the health and safety of students), coupled with a low level of resources available to meet school construction needs.

(b) ADDITIONAL CRITERIA.—In addition to the priorities required by subsection (a), each State shall consider each of the following in determining the use of its grant funds under this part:

(1) The age and condition of the school facilities in different communities in the State.

(2) The energy efficiency and the effect on the environment of projects proposed by communities, and the extent to which these projects use cost-efficient architectural design.

(3) The commitment of communities to finance school construction and renovation

projects with assistance from the State's grant, as demonstrated by their incurring indebtedness or by similar public or private commitments for the purposes described in section 114(a).

(4) The ability of communities to repay bonds or other forms of indebtedness supported with grant funds.

(5) The particular needs, if any, of rural communities in the State for assistance under this title.

(c) INELIGIBILITY FOR PART 2 SUBGRANTS.—Local educational agencies in the State that receive direct grants under section 126 shall be ineligible for a subgrant under this part.

SEC. 116. STATE APPLICATIONS.

(a) APPLICATION REQUIRED.—A State that wishes to receive a grant under this part shall submit through its State educational agency, or through an alternative agency described in section 112, an application to the Secretary, in the manner the Secretary may require, not later than 2 years after the date of enactment of this Act.

(b) DEVELOPMENT OF APPLICATION.—The State educational agency or alternative agency described in section 12, shall develop the State's application under this part only after broadly consulting with the State board of education, and representatives of local school boards, school administrators, and business community, parents, and teachers in the State about the best means of carrying out this part.

(c) STATE SURVEY.—(1) Before submitting the State's application, the State educational agency or alternative agency described in section 112, with the involvement of local school officials and experts in building construction and management, shall survey the needs throughout the State (including in localities receiving grants under part 3) for construction and renovation of school facilities, including, at a minimum—

(A) the overall condition of school facilities in the State, including health and safety problems;

(B) the capacity of the schools in the State to house projected enrollments; and

(C) the extent to which the schools in the State offer the physical infrastructure needed to provide a high-quality education to all students.

(2) A State need not conduct a new survey under paragraph (1) if it has previously completed a survey that meets the requirements of that paragraph and that the Secretary finds is sufficiently recent for the purpose of carrying out this part.

(d) APPLICATION CONTENTS.—Each State application under this part shall include—

(1) a summary of the results of the State's survey of its school facility needs, as described in subsection (c);

(2) a description of how the State will implement its program under this part;

(3) a description of how the State will allocate its grant funds, including a description of how the State will implement the priorities and criteria described in section 115;

(4)(A) a description of the mechanisms that will be used to finance construction projects supported by grant funds; and

(B) a statement of how the State will determine the amount of the Federal subsidy to be applied, in accordance with section 117(a), to each local project that the State will support;

(5) a description of how the State will ensure that the requirements of this part are met by subgrantees under this part;

(6) a description of the steps the State will take to ensure that local educational agencies will adequately maintain the facilities that are constructed or improved with funds under this part;

(7) an assurance that the State will use its grant only to supplement the funds that the State, and the localities receiving subgrants, would spend on school construction and renovation in the absence of a grant under this part, and not to supplant those funds;

(8) an assurance that, during the 4-year period beginning with the year the State receives its grant, the average annual combined expenditures for school construction by the State and the localities that benefit form the State's program under this part (which, at the State's option, may include private contributions) will be at least 125 percent of the average of those annual combined expenditures for that purpose during the 8 preceding years; and

(9) other information and assurances that the Secretary may require.

(e) WAIVER OF REQUIREMENT TO INCREASE EXPENDITURES.—The Secretary may waive or modify the requirement of subsection (d)(8) for a particular State if the State demonstrates to the Secretary's satisfaction that that requirement is unduly burdensome because the State or its localities have incurred particularly high level of school construction expenditures during the previous 8 years.

SEC. 117. AMOUNT OF FEDERAL SUBSIDY.

(a) PROJECTS FUNDED WITH SUBGRANTS.—For each construction project assisted by a State through a subgrant to a locality, the State shall determine the amount of the Federal subsidy under this part, taking into account the number or percentage of children from low-income families residing in the locality, subject to the following limits:

(1) If the locality will use the subgrant to help meet the costs of repaying bonds issued for a school construction project, the Federal subsidy shall be not more than one-half of the total interest cost of those bonds, determined in accordance with paragraph (4).

(2) If the bonds to be subsidized are general obligation bonds issued to finance more than 1 type of activity (including school construction), the Federal subsidy shall be not more than one-half of the interest cost for that portion of the bonds that will be used for school construction purposes, determined in accordance with paragraph (4).

(3) If the locality elects to use its subgrant for an allowable activity not described in paragraph (1) or (2), such as for certificates of participation, purchase or lease arrangements, reduction of the amount of principal to be borrowed, or credit enhancements for individual construction projects, the Federal subsidy shall be not more than one-half of the interest cost, as determined by the State in accordance with paragraph (4), that would have been incurred if bonds had been used to finance the project.

(4) The interest cost referred to in paragraphs (1), (2), and (3) shall be—

(A) calculated on the basis of net present value; and

(B) determined in accordance with an amortization schedule and any other criteria and conditions the Secretary considers necessary, including provisions to ensure comparable treatment of different financing mechanisms.

(b) STATE-FUNDED PROJECTS.—for a construction project under this part funded directly by the State through the use of State-issued bonds or other financial instruments, the Secretary shall determine the Federal subsidy in accordance with subsection (a).

(c) NON-FEDERAL SHARE.—A State, and localities in the State, receiving subgrants under this part, may use any non-Federal funds, including State, local, and private-sector funds, for the financing costs that are not covered by the Federal subsidy under subsection (a).

SEC. 118. SEPARATE FUNDS OR ACCOUNTS; PRUDENT INVESTMENT

(a) SEPARATE FUNDS OR ACCOUNTS REQUIRED.—Each State that receives a grant, and each recipient of a subgrant under this part, shall deposit the grant or subgrant proceeds in a separate fund or account, from which it shall make bond repayments and pay other expenses allowable under this part.

(b) PRUDENT INVESTMENT REQUIRED.—Each State that receives a grant, and each recipient of a subgrant under this part, shall—

(1) invest the grant or subgrant in a fiscally prudent manner, in order to generate amounts needed to make repayments on bonds and other forms of indebtedness described in section 113; and

(2) notwithstanding section 6503 of title 31, United States Code, or any other law, use the proceeds of that investment to carry out this part.

SEC. 119. STATE REPORTS.

(a) REPORTS REQUIRED.—Each State receiving a grant under this part shall report to the Secretary on its activities under this part, in the form and manner the Secretary may prescribe.

(b) CONTENTS.—Each report shall—

(1) describe the State's implementation of this part, including how the State has met the requirements of this part;

(2) identify the specific school facilities constructed, renovated, or modernized with support from the grant, and the mechanisms used to finance those activities;

(3) identify the level of Federal subsidy provided to each construction project carried out with support from the State's grant; and

(4) include any other information the Secretary may require.

(c) FREQUENCY.—(1) Each State shall submit its first report under this section not later than 24 months after it receives its grants under this part.

(2) Each State shall submit an annual report for each of the 3 years after submitting its first report, and subsequently shall submit periodic reports as long as the State or localities in the State are using grant funds.

PART 3—DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES

SEC. 121. ELIGIBLE LOCAL EDUCATIONAL AGENCIES

(a) ELIGIBLE AGENCIES.—Except as provided in subsection (b), the local educational agencies that are eligible to receive formula grants under section 126 are the 100 local educational agencies with the largest numbers of children aged 5 through 17 from families living below the poverty level, as determined by the Secretary using the most recent data available from the Department of Commerce that are satisfactory to the Secretary.

(b) CERTAIN JURISDICTIONS INELIGIBLE.—For the purpose of this part, the local educational agencies for Hawaii and the Commonwealth of Puerto Rico are not eligible local educational agencies.

SEC. 122. GRANTEES.

For each local educational agency for which an approvable application is submitted, the Secretary shall make any grant under this part to the local educational agency or to another public agency, on behalf of the local educational agency, if the Secretary determines, on the basis of the local educational agency's recommendation, that the other agency is better able to carry out activities under this part.

SEC. 123. ALLOWABLE USES OF FUNDS.

Each grantee under this part shall use its grant only for 1 or more of the following activities to reduce the cost of financing eligible school construction projects described in section 124:

(1) Providing a portion of the interest cost (or of any other financing cost approved by

the Secretary) on bonds, certificates of participation, purchase or lease arrangements, or other forms of indebtedness issued or entered into by a local educational agency or other unit or agency of local government for the purpose of financing eligible school construction projects.

(2) Local expenditures approved by the Secretary for credit enhancement for the debt or financing instruments described in paragraph (1).

(3) Other local expenditures approved by the Secretary that leverage funds for additional school construction.

SEC. 124. ELIGIBLE CONSTRUCTION PROJECTS; REDISTRIBUTION

(a) ELIGIBLE PROJECTS.—A grantee under this part may use its grant, in accordance with section 123, to subsidize the cost of the activities described in section 114(a) for projects that the local educational agency has chosen to initiate, through the vote of the school board, passage of a bond issue, or similar public decision, made between July 11, 1996 and September 30, 2001.

(b) REDISTRIBUTION.—If the Secretary determines, by a date before September 30, 2001 selected by the Secretary, that a local educational agency is not making satisfactory progress in carrying out its plan for the use of funds awarded to it under this part, the Secretary may redistribute all or part of those funds, and any interest earned by that agency on those funds, to 1 or more other local educational agencies that are making satisfactory progress.

SEC. 125. LOCAL APPLICATIONS.

(a) APPLICATION REQUIRED.—A local educational agency, or an alternative agency described in section 122 (both referred to in this part as the ''local agency''), that wishes to receive a grant under this part shall submit an application to the Secretary, in the manner the Secretary may require, not later than 2 years after the date of enactment of this Act.

(b) DEVELOPMENT OF APPLICATION.—(1) The local agency shall develop the local application under this part only after broadly consulting with the State educational agency, parents, administrators, teachers, the business community, and other members of the local community about the best means of carrying out this part.

(2) If the local educational agency is not the applicant, the applicant shall consult with the local educational agency, and shall obtain its approval before submitting its application to the Secretary.

(c) LOCAL SURVEY.—(1) Before submitting its application, the local agency, with the involvement of local school officials and experts in building construction and management, shall survey the local need for construction and renovation of school facilities, including, at a minimum—

(A) the overall condition of school facilities in the local educational agency, including health and safety problems;

(B) the capacity of the local educational agency's schools to house projected enrollments; and

(C) the extent to which the local educational agency's schools offer the physical infrastructure needed to provide a high-quality education to all students.

(2) A local educational agency need not conduct a new survey under paragraph (1) if it has previously completed a survey that meets the requirements of that paragraph and that the Secretary finds is sufficiently recent for the purpose of carrying out this part.

(d) APPLICABLE CONTENTS.—Each local application under this part shall include—

(1) an identification of the local agency to receive the grant under this part;

(2) a summary of the results of the survey of school facility needs, as described in subsection (c);

(3) a description of how the local agency will implement its program under this part;

(4) a description of the criteria the local agency has used to determine which construction projects to support with grant funds;

(5) a description of the construction projects that will be supported with grant funds;

(6) a description of the mechanisms that will be used to finance construction projects supported by grant funds;

(7) a requested level of Federal subsidy, with a justification for that level, for each construction project to be supported by the grant, in accordance with section 128(a), including the financial and demographic information the Secretary may require;

(8) a description of the steps the agency will take to ensure that facilities constructed or improved with funds under this part will be adequately maintained;

(9) an assurance that the agency will use its grant only to supplement the funds that the locality would spend on school construction and renovation in the absence of a grant under this part, and not to supplant those funds;

(10) an assurance that, during the 4-year period beginning with the year the local educational agency receives its grant, its average annual expenditures for school construction (which, at that agency's option, may include private contributions) will be a least 125 percent of its average annual expenditures for that purpose during the 8 preceding years; and

(11) other information and assurances that the Secretary may require.

(e) WAIVER OF REQUIREMENT TO INCREASE EXPENDITURES.—The Secretary may waive or modify the requirement of subsection (d)(10) for a local educational agency that demonstrates to the Secretary's satisfaction that that requirement is unduly burdensome because that agency has incurred a particularly high level of school construction expenditures during the previous 8 years.

SEC. 126. DIRECT FORMULA GRANTS.

(a) ALLOCATIONS.—The Secretary shall allocate the funds available under section 104(a)(2) to the local educational agencies identified under section 121(a) on the basis of their relative allocations under section 1124 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333) in the most recent year for which that information is available to the Secretary.

(b) REALLOCATIONS.—If a local educational agency does not apply for its allocation, applies for less than its full allocation, or fails to submit an approvable application, the Secretary may reallocate all or a portion of its allocation, as the case may be, to the remaining local educational agencies in the same proportions as the original allocations were made to those agencies under subsection (a).

SEC. 127. DIRECT COMPETITIVE GRANTS.

(a) GRANTS AUTHORIZED.—The Secretary shall use funds available under section 104(a)(3) to make additional grants, on a competitive basis to local educational agencies, or alternative agencies described in section 122.

(b) ADDITIONAL APPLICATION MATERIALS.—Any local educational agency, or an alternative agency described in section 122, that wishes to receive funds under this section shall submit an application to the Secretary that meets the requirements under section 125 and includes the following additional information:

(1) The amount of funds requested under this section, in accordance with ranges or limits that the Secretary may establish based on factors such as relative size of the eligible applicants.

(2) A description of the additional construction activities that the applicant would carry out with those funds.

(3) A description of the extent to which the proposed construction activities would enhance the health and safety of students.

(4) A description of the extent to which the proposed construction activities address compliance with Federal mandates, including providing accessibility for the disabled and removal of hazardous materials.

(5) Information on the current financial effort the applicant is making for elementary and secondary education, including support from private sources, relative to its resources.

(6) Information on the extent to which the applicant will increase its own (or other public or private) spending for school construction in the year in which it receives a grant under this section, above the average annual amount for construction activity during the preceding 8 years.

(7) A description of the energy efficiency and the effect on the environment of the projects that the applicant will undertake and of the extent to which those projects will use cost-efficient architectural design.

(8) Other information that the Secretary may require.

(c) SELECTION OF GRANTEES.—In determining which local educational agencies shall receive direct grants under this part, the Secretary shall give the highest priority to local educational agencies that—

(1) have a need to repair, remodel, renovate, or otherwise improve school facilities posing a threat to the health and physical safety of students, coupled with a low level of resources available to meet school construction needs, and have demonstrated a high level of financial effort for elementary and secondary education relative to their local resources;

(2) have a need to repair, remodel, renovate, or construct school facilities in order to comply with Federal mandates, including providing for accessibility for the disabled and removal of hazardous materials, coupled with a low level of resources available to meet school construction needs, and have demonstrated a high level of financial effort for elementary and secondary education relative to their local resources; and

(3) demonstrate a need for emergency assistance for to repair, remodel, renovate, or construct school facilities, coupled with a low level of resources available to meet school construction needs, and have demonstrated a high level of financial effort for elementary and secondary education relative to their local resources.

(d) MINIMUM ALLOCATIONS.—Of the amount available for competitive awards under section 104(a)(3), the Secretary shall ensure that, in making awards under subsection (a), no less than 40 percent of such amount is available to the local educational agencies described in section 121(a) and no less than 40 percent of such amount is available to the local educational agencies eligible for subgrants under part 2.

(e) ADDITIONAL CRITERIA.—The Secretary may establish additional criteria, consistent with subsections (c) and (d), and with purposes of this title, for the purpose of electing grantees under this part.

SEC. 128. AMOUNT OF FEDERAL SUBSIDY.

(a) AMOUNT OF FEDERAL SUBSIDY.—For each construction project assisted under this part, the Secretary shall determine the amount of the Federal subsidy in accordance with section 117(a).

(b) NON-FEDERAL SHARE.—A grantee under this part may use any non-Federal funds, including State, local, and private-sector funds, for the financing costs that are not covered by the Federal subsidy under subsection (a).

SEC. 129. SEPARATE FUNDS OR ACCOUNTS; PRUDENT INVESTMENT

(a) SEPARATE FUNDS OR ACCOUNTS REQUIRED.—Each grantee under this part shall deposit the grant proceeds in a separate fund or account, from which it shall make bond repayments and pay other expenses allowable under this part.

(b) PRUDENT INVESTMENT REQUIRED.—Each grantee under this part shall—

(1) invest the grant funds in a fiscally prudent manner, in order to generate amounts needed to make repayments on bonds and other forms of indebtedness; and

(2) notwithstanding section 6503 of title 31, United States Code, or any other law, use the proceeds of that investment to carry out this part.

SEC. 130. LOCAL REPORTS.

(a) REPORTS REQUIRED.—(1) Each grantee under this part shall report to the Secretary on its activities under this part, in the form and manner the Secretary may prescribe.

(2) If the local educational agency is not the grantee under this part, the grantee's report shall include the approval of the local educational agency or its comments on the report.

(b) CONTENTS.—Each report shall—

(1) describe the grantee's implementation of this part, including how it has met the requirements of this part;

(2) identify the specific school facilities constructed, renovated, or modernized with support from the grant, and the mechanisms used to finance those activities; and

(3) other information the Secretary may require.

(c) FREQUENCY.—(1) Each grantee shall submit its first report under this section not later than 24 months after it receives it grant under this part.

(2) Each grantee shall submit an annual report for each of the 3 years after submitting its first report, and subsequently shall submit periodic reports as long as it is using grant funds.

TITLE II—LOCAL COMMUNITIES RENEWAL OF PUBLIC SCHOOLS

SEC. 201. SHORT TITLE.

This title may be cited as the ''Assistance to Local Communities in Renewal of Public Schools Act''.

SEC. 202. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) Although the majority of our Nation's elementary and secondary public schools provide high quality education for our children, many schools need additional resources to implement immediate assistance and reform to enable them to provide a basic and safe education for their students.

(2) The Government Accounting Office recently found that ⅓ of all elementary and secondary schools in the United States, serving 14,000,000 students, need extensive repair and renovation.

(3) Recent reform of under-achieving schools in a number of States and school districts demonstrates that parents, teachers, school administrators, other educators, and local officials, given adequate resources and expertise, can succeed in dramatically improving public education and creating high performance schools.

(4) Such reform efforts show that parental and community involvement in those reforms is indispensable to the objective of high quality, safe, and accountable schools.

(5) Despite the successes of such reforms, public schools are facing tremendous challenges in educating children for the 21st century. The elementary and secondary school population will grow by 10 percent by the year 2005, and over the next 10 years, schools will need more than 2,000,000 additional teachers to meet the demands of such expected enrollments.

(6) Almost 7 of 10 Americans support increased Federal assistance to our Nation's public schools, and that support crosses all boundaries, including cities, towns, and rural areas.

(7) When Federal investment in public schools and children has increased, test scores have improved, and high school graduation rates and college enrollments have increased.

(8) The Federal Government should encourage communities that demonstrate a strong commitment to restore and reform their public schools.

(b) PURPOSE.—It is the purpose of this title to assist local communities that are taking the initiative—

(1) to overcome adverse conditions in their public schools;

(2) to revitalize their public schools in accordance with local plans to achieve higher academic standards and safer and improved learning environments; and

(3) to ensure that every community public school provides a quality education for all students.

SEC. 203. DEFINITIONS.

For purposes of this title:

(1) CONSORTIUM.—The term ''consortium'' means a local schools consortium as defined in paragraph (2).

(2) LOCAL SCHOOLS CONSORTIUM.—The term ''local schools consortium'' means the local educational agency in collaboration with a group composed of affected parents, students, and representatives of teachers, school employees and administrators, local business and community leaders and representative of local higher education group working or residing within the boundary of a local educational agency.

(3) PARENT.—The term ''parent'' includes any of the following:

(A) A grandparent.

(B) A legal guardian.

(C) Any other person standing in loco parentis.

(3) PLAN.—The term ''plan'' means a 3-year public schools renewal and improvement plan described in section 504.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(5) STATE.—The term ''State'' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the American Virgin Islands, Guam, and American Samoa.

SEC. 204. PROCEDURE FOR DECLARATION.

(a) IN GENERAL.—A request for a declaration by the President that a ''public schools renewal effort is underway'' shall be made by a local schools consortium.

(b) REQUEST.—The local education agency shall submit the request to the Governor of the State who shall, with or without comment, forward such request to the President not more than 30 days after the Governor's receipt of such request. Such request shall—

(1) include the plan;

(2) describe the nature and amount of State and local resources which have been or will be committed to the renewal and improvement of the public schools; and

(3) certify that State or local government obligations and expenditures will comply with all applicable matching requirements established pursuant to this title.

(c) DECLARATION.—Based on a request made under this title, the President, in consultation with the Secretary, may declare that a ''public schools renewal effort is underway'' in such community and authorize the Department of Education and other Federal agencies to provide assistance under this title.

(d) PROGRESS REPORTS.—The consortium shall—

(1) amend such request annually to include additional initiatives and approaches undertaken by the local educational agency to improve the academic effectiveness and safety of its public school system.

(2) submit annual performance reports to the Secretary which shall describe progress in achieving the goals of the plan.

SEC. 205. ELEMENTS OF RENEWAL AND IMPROVEMENT PLAN.

(a) IN GENERAL.—As part of its request to the President, and in order to receive assistance under this section, a consortium shall submit a plan that includes the elements described in subsections (b) and (c).

(b) ADVERSE CONDITIONS.—The plan shall specify the existence of any of the following factors:

(1)(A) A substantial percentage of students in the affected public schools have been performing well below the national average, or below other benchmarks, including State developed benchmarks in such basic skills as reading, math, and science, consistent with Goals 2000 and title I of the Elementary and Secondary Education Act of 1965; or

(B) a substantial percentage of such students are failing to complete high school.

(2) Some or all of such schools are overcrowded or have physical plant conditions that threaten the health, safety, and learning environment of the schools' populations.

(3) There is a substantial shortage of certified teachers, teaching materials, and technology training.

(4) Some or all of the schools are located where crime and safety problems interfere with the schools' ability to educate students to high academic standards.

(c) ASSURANCES.—The plan shall also include assurances from the local educational agency that—

(1) the plan was developed by the local schools consortium after extensive public discussion with State education officials, affected parents, students, teachers and representatives of teachers and school employees, administrators, higher education officials, other educators, and business and community leaders;

(2) describe how the consortium will use resources to meet the types of reforms described in section 7;

(3) provide effective opportunities for professional development of public school teachers, school staff, principals, and school administrators;

(4) provide for greater parental involvement in school affairs;

(5) focus substantially on successful and continuous improvement in the basic academic performance of the students in the public schools;

(6) address the unique responsibilities of all stake holders in the public school system, including students, parents, teachers, school administrators, other educators, governmental officials, and business and community leaders, for the effectiveness of the public school system especially with respect to the schools targeted for greatest assistance;

(7) provide for regular objective evaluation of the effectiveness of the plan;

(8) the agency will give priority to public schools that need the most assistance in improving overcrowding, physical problems and other health and safety concerns, readiness for telecommunications equipment, and teacher training and the pool of certified teachers;

(9) ensure that funds received under this title shall be used to supplement, not supplant other non-Federal funds;

(10) certify that the combined fiscal effort per student or the aggregate expenditures within the State with respect to the provision of free public education for the fiscal year preceding the fiscal year for which the request for a declaration is made was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second fiscal year preceding the fiscal year for which the request for a declaration is made; and

(11) will address other major issues which the local schools consortium determines are critical to renewal of its public schools.

SEC. 206. ALLOWABLE FEDERAL ASSISTANCE.

(a) IN GENERAL.—To provide assistance under this title, the President may—

(1) direct the Department of Education, with or without reimbursement, to use the authority and the resources granted to it under Federal law (including personnel, educational equipment and supplies, facilities, and managerial, technical, and advisory services) in support of State and local assistance efforts;

(2) direct any other Federal agency to provide assistance as described in paragraph (1);

(3) coordinate such assistance provided by Federal agencies; and

(4) provide technical assistance and advisory assistance to the affected local educational agency.

(b) DISTRIBUTION OF ASSISTANCE FUNDS.—

(1) IN GENERAL.—At the direction of the President, the Secretary shall distribute funds and resources provided pursuant to a declaration under this title to local educational agencies selected for assistance under this title.

(2) EXISTING PROCEDURES.—The Secretary shall determine the best method of distributing funds under this Act through personnel and existing procedures that are used to distribute funds under other elementary and secondary education programs.

(c) PROHIBITION.—No provision of this title shall be construed to authorize any action or conduct prohibited under the General Education Provisions Act.

SEC. 207. USE OF ASSISTANCE.

Assistance provided pursuant to this title may be used only to carry out a plan, and to effectuate the following and similar types of public school reforms:

(1) STUDENT-TARGETED RESOURCES.—

(A) Increasing and improving high-quality early childhood educational opportunities.

(B) Providing comprehensive parent training so that parents better prepare children before they reach school age.

(C) Establishing intensive truancy prevention and dropout prevention programs.

(D) Establishing alternative public schools and programs for troubled students and dropouts, and establishing other public school learning ''safety nets''.

(E) Enhancing assistance for students with special needs (including limited English proficient students, English as a second language, and students with disabilities).

(2) CLASSROOM FOCUSED SCHOOL DEVELOPMENT.—

(A) Establishing teacher and principal academies to assist in training and professional development.

(B) Establishing effective training links for students with area colleges and universities.

(C) Establishing career ladders for teachers and school employees.

(D) Establishing teacher mentor programs.

(E) Establishing recruitment programs at area colleges and universities to recruit and train college students for the teaching profession.

(F) Establishing stronger links between schools and law enforcement and juvenile justice authority.

(G) Establishing stronger links between schools and parents concerning safe classrooms and effective classroom activities and learning.

(H) Establishing parent and community patrols in and around schools to assist safe schools and passage to schools.

(I) Implementing research-based promising educational practices and promoting exemplary school recognition programs.

(J) Expanding the time students spend on school-based learning activities and in extracurricular activities.

(3) ACCOUNTABILITY REFORMS.—

(A) Establishing high learning standards and meaningful assessments of whether standards are being met.

(B) Monitoring school progress and determining how to more effectively use school system resources.

(C) Establishing performance criteria for teachers and principals through such entities as joint school board and union staff improvement committees.

(D) Establishing promotion and graduation requirements for students, including requirements for reading, mathematics, and science performance.

(E) Providing for strong accountability and corrective action from a continuum of options, consistent with State law and title I of the Elementary and Secondary Education Act of 1965.

SEC. 208. DURATION OF ASSISTANCE.

Assistance under this title may be provided for each of fiscal years 1998 through 2000.

SEC. 209. REPORT.

Not later than March 31, 2000, the Secretary shall submit a report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate assessing the effectiveness of this title in assisting recipient local schools consortia in carrying out their plans submitted under this title.

SEC. 210. AUTHORIZATION OF APPROPRIATIONS; MATCHING REQUIREMENT.

(a) AUTHORIZATION.—There are authorized to be appropriated to carry out this title—

(1) for fiscal year 1998, $250,000,000; and

(2) for fiscal year 1999, $500,000,000; and

(3) for fiscal year 2000, such sums as may be necessary.

(b) MATCHING REQUIREMENT.—

(1) IN GENERAL.—Federal funds expended or obligated under this title shall be matched (in an amount equal to such amount so expended or obligated) from State or local funds.

(2) OTHER FEDERAL RESOURCES.—The Secretary shall, by regulation and in consultation with the heads of other Federal agencies, establish matching requirements for other Federal resources provided under this title.

(3) WAIVER.—Based upon the recommendation of the Secretary, the President may waive paragraph (1) or (2).

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. TECHNICAL EMPLOYEES.

For purposes of carrying out this title, the Secretary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, may appoint not more than 10 technical employees who may be paid without regard to the provisions of chapter 51 and subchapter IV of chapter 5 of that title relating to classification and General Schedule pay rates.

SEC. 302. WAGE RATES

(a) PREVAILING WAGE.—The Secretary shall ensure that all laborers and mechanics employed by contractors and subcontractors on any project assisted under this title are paid wages at rates not less than those prevailing as determined by the Secretary of Labor in accordance with the Act of March 3, 1931, as amended (40 U.S.C. 276a et seq.). The Secretary of Labor has, with respect to this section, the authority and functions established in Reorganization Plan Numbered 14 of 1950 (effective May 24, 1950, 64 Stat. 1267) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).

(b) WAIVER FOR VOLUNTEERS.—Section 7305 of the Federal Acquisition Streamlining Act of 1994 (40 U.S.C. 276d–3) is amended—

(1) in paragraph (5), by striking out the ''and'' at the end thereof;

(2) in paragraph (6), by striking out the period at the end thereof and inserting a semicolon and ''and''; and

(3) by adding at the end thereof the following new paragraph:

''(7) title V of the Reading Excellence Act,''.

SEC. 303. NO LIABILITY OF FEDERAL GOVERNMENT.

(a) NO FEDERAL LIABILITY.—Any financial instruments, including but not limited to contracts, bonds, bills, notes, certificates of participation, or purchase or lease arrangements, issued by States, localities, or instrumentalities thereof in connection with any assistance provided by the Secretary under this title are obligations of such States, localities or instrumentalities and not obligations of the United States and are not guaranteed by the full faith and credit of the United States.

(b) NOTICE REQUIREMENT.—Documents relating to any financial instruments, including but not limited to contracts, bonds, bills, notes, offering statements, certificates of participation, or purchase or lease arrangements, issued by States, localities or instrumentalities thereof in connection with any assistance provided under this title, shall include a prominent statement providing notice that the financial instruments are not obligations of the United States and are not guaranteed by the full faith and credit of the United States.

SEC. 304. REPORT TO CONGRESS.

The Secretary shall report on the activities conducted by States and local educational agencies with assistance provided under this title, and shall assess State and local educational agency compliance with the requirements of this title. Such report shall be submitted to Congress not later than 3 years after the date of enactment of this Act and annually thereafter as long as States or local educational agencies are using grant funds.

SEC. 305. CONSULTATION WITH SECRETARY OF THE TREASURY.

The Secretary shall consult with the Secretary of the Treasury in carrying out this title.

Mr. HALL of Ohio. Madam Speaker, I reserve the balance of my time.

Mrs. MYRICK. Madam Speaker, I yield 1 minute to the gentleman from Oklahoma [Mr. WATTS].

Mr. WATTS of Oklahoma. Madam Speaker, I thank the gentlewoman from North Carolina for yielding me the time. I rise in support of the rule for H.R. 2746, the HELP Scholarships Act. I commend my good friend and colleague, the gentlewoman from North Carolina, for her support and leadership on this important legislation. The gentlewoman's reputation as a friend of education is well earned and her support for this measure is very significant.

Every single Member of this Congress shares one common goal with regard to education, that is that we do what is right for all of America's children with regard to their most fundamental right as Americans, their right to a solid education. I just urge my colleagues to allow this rule to pass and urge their support for this rule so that we can debate this very important issue. I look very forward to that debate.

Mr. HALL of Ohio. Madam Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], ranking minority member on the Committee on Rules.

Mr. MOAKLEY. Madam Speaker, I thank my colleague, the gentleman from Ohio [Mr. HALL] for yielding me this time.

Madam Speaker, I rise in strong opposition to this very strange and very confusing rule. For rule watchers, we have got a doozy here today.

To begin with, this rule provides for the consideration of two separate bills, one under a closed rule and one under an open rule. The first bill, the HELP school vouchers bill, has not been considered by any committee, no hearings. It has not been reported out of any committee, Madam Speaker. In fact, it was only introduced 3 days ago and the ink is still wet on it. But if any of my colleagues are thinking about offering any amendment to this steel-clad bill, forget it. The Republican leadership has wrapped this bill up in a completely closed rule, which all of my colleagues know, means they have prohibited any and all amendments.

The other bill to be considered under this rule is the Charter Schools Act. This bill is a bipartisan effort that is supported by many Members on both sides of the aisle. The good news is that this bill will be considered under an open rule. The bad news is that because of the confusing way this ill-fated rule is structured, it may never see the light of day.

Even if it passes by an overwhelming margin, the charter school bill may very well be heading for a veto threat down the road.

So here is the reason why if this strange rule passes, which I hope it will not, the two bills, even though considered and voted upon separately, will be joined together and sent to the Senate for consideration as a single bill.

The final joining of the good bipartisan bill and one dangerous controversial bill, Madam Speaker, is the death knell for charter schools.

By way of this rule, the Republican leadership is effectively singing a very well thought out, bipartisan bill on charter schools by attaching a spur-of-the-moment idea, which will hurt public education and one that the President has promised to veto. Furthermore, even though the President supports the charter schools legislation, it will be vetoed if the HELP voucher bill is attached.

So in the Committee on Rules, I tried to make some sense of this strange legislative cartwheel. I thought that perhaps there was a substantive reason for doing it this way. So during consideration of the measure in the Committee on Rules on Wednesday, I asked my good friend, the chairman of the committee, the gentleman from Pennsylvania [Mr. GOODLING], why was it necessary to join these two bills. Why could we not have taken them out individually?

Madam Speaker, after a pause, he replied, I do not know that I have an answer to that question, I will be perfectly frank with you.

So, Madam Speaker, if it is a mystery to the chairman of the committee who has been chairman for 3 years and a member of the committee for 23 years, if anybody is an expert on education in this House, my friend, the gentleman from Pennsylvania [Mr. GOODLING], is, that means only one thing: Somebody in a higher pay grade than the gentleman from Pennsylvania [Mr. GOODLING] made that decision.

Once again, Madam Speaker, the Republican leadership is putting politics before substance and this time it is the American education system that will pay the price.

Madam Speaker, although I believe improving American education should be our first priority, I am very confused about the way my Republican colleagues are going about it. I urge my colleagues to oppose the rule, oppose the previous question.

Mr. HALL of Ohio. Madam Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. CLAY], ranking minority member of the Committee on Education and the Workforce.

Mr. CLAY. Madam Speaker, I am appalled at the arrogant and dictatorial way that this bill has been brought to the floor. I urge my colleagues to defeat the previous question and defeat this rule.

The majority party has run roughshod over the entire democratic process. A previous Republican speaker this morning said that this is not a vote on vouchers, but it is a vote to permit debate on the issue of vouchers.

□ 1030

How misleading. This rule continues that farce. This bill has never had a public hearing in either the Subcommittee on Early Childhood, Youth and Families or on the full Committee on Education and the Workforce. This bill has never been marked up by the committee. There was no debate, no discussion, no public involvement, no give-and-take. Clearly, Madam Speaker, the doors of democracy have been slammed shut.

And to further stifle legitimate debate on the school voucher issue, the majority proposes, through this rule, to deny all Members of Congress the right to address this bill through a fair amendment process. If ever an issue needed the benefit of public discussion, of debate and of sunshine, it is this voucher issue.

As we look at the many debates surrounding strategies to improve elementary and secondary education, no issue is more contentious, no issue arouses more passion, and no issue divides us more than these proposals to take funds from public schools and give them to private schools in the form of vouchers. It would be a travesty if this rule passes. The Republican Party should be ashamed for playing politics with America's schoolchildren through the manipulation and abuse of House rules.

So I urge my colleagues to defeat the previous question so that we can substitute consideration of this reprehensible voucher bill with legislation that addresses issues that the Republican majority does not care to consider; namely, legislation that will help improve the public schools, where 50 million children go each day to receive an education.

Madam Speaker, I urge all of the Members to vote no on this rule.

Mrs. MYRICK. Madam Speaker, I yield 2½ minutes to the gentleman from New York [Mr. FLAKE].

Mr. FLAKE. Madam Speaker, I do rise today in support of this rule, in large measure because of my concern about, first, the preservation of public education, but more importantly, trying to get the kind of product out of public education that I think the forefathers and those of us who have participated over the years in this whole problem of trying to ensure that every child in America has access to the best possible education.

The 1954 Brown versus Board of Education was a battle about separate but equal schools by definition of those who tried to maintain segregation. In 1997, we realize that schools are separate but unequal. In almost every single statistical base of data that has been put forth, there is a realization that children in the lower tier, and, indeed, public education has two tiers, on the upper tier, people are educated properly, they are given the tools necessary to compete in society, to be able to function in a world that globally is so competitive, if they do not have the tools they cannot survive; and on the lower tier, which is reflective of most of our urban communities of which I serve one of and also serve as a pastor and minister. When I discover there are so many of our young people who have not been given a fair opportunity for competition, it becomes clear to me that we must look at some alternatives that challenges the public system to be able to do the job that it is intended to do.

This is not a question for me about Democrats or Republicans. It is really a question about whether or not we are going to continue to let every child die, arguing that, if we begin to do vouchers, if we do charter schools, what we in fact are doing is taking away from the public system. We say, let them all stay there. Let them all die. It is like saying there has been a plane crash.

But because we cannot save every child, we are not going to save any of our children; we will let them all die, we will not even try to create some means by which we can rescue those that can be rescued, we will assume it will be better for all of them to die than for us to take some of them out.

So my argument is simply this: Let us do what we can, as a people, to ensure in 1997 that which the Supreme Court intended in 1954; and that is to create a system that is not separate and unequal but a system that understands that if we have an integrated community, an integrated society, if it is going to be an integrated society, every child ought to be able to get the best education possible.

I intend next week, after I have retired, to spend my time trying to convince more people to deal with the question of what is not happening, the failure of too many of our children in public education, not again to get rid of it, but to make it better. This is a free market society in which we live. If, indeed, that is correct, let us create some competition, and I believe we will have a better product coming out of the public system.

Mr. HALL of Ohio. Madam Speaker, I yield 3 minutes to the gentleman from California [Mr. MARTINEZ].

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

Mr. MARTINEZ. Madam Speaker, once again, the Republican leadership, with the backing of the extreme religious right, have sought to gag open and free debate through this politically motivated rule.

Today, the Republican leadership is asking Republican Members to support a rule which not only closes off debate on one of the most controversial issues before us today, that issue on voucher education. The issue of private school vouchers is one that has been debated for a long time. But never has a rule like this brought this issue to the floor.

The worst part of it, this rule marries this discriminatory and ill-conceived voucher proposal with the charter school bill, one that is bipartisan. Even though I have concerns about the charter school legislation, I do not appreciate the Republican leadership using that bipartisan bill as a political hockey puck by issuing a rule to marry it with the voucher bill after separate votes on each measure.

Members should know that H.R. 2746, the HELP, or should I say Hurt, Scholarship Act was never marked up in committee, did never receive a hearing. This legislation was created in a political vacuum that leaves us no room for dissenting views or open debate.

Now before us, as the gentleman from Indiana [Mr. ROEMER] has said, we have a discharge petition without benefit of 218 signatures. I guess if we operate as a dictatorship, we will do that.

Madam Speaker, we have before us a rule that continues a ridiculous closed path through the barring of amendments. Members of the House will never get a chance to debate this legislation in a truly open manner, especially since proponents of vouchers are doing the bidding of those conservative forces, such as the Christian Coalition, in rushing this legislation through the process.

I ask the Members to think objectively about the issue and join with myself and my colleague, the gentleman from Missouri [Mr. CLAY] in defeating the previous question. If we do defeat the previous question, we will offer two initiatives, which truly will reinforce our public education system, as the gentleman from New York [Mr. FLAKE] said, making sure that every child in the United States gets a quality education, one that will enable the Federal Government to provide Federal assistance to local schools to develop local-inspired plans to renew their communities' public schools, and the other would provide much needed finance assistance to repair the large number of crumbling schools throughout our Nation.

These proposals truly respond to the needs of our education system, unlike the voucher proposal, which the majority would have us consider. I urge all Members to vote against this rule.

Mrs. MYRICK. Madam Speaker, I yield 4½ minutes to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Madam Speaker, I thank the gentlewoman from North Carolina [Mrs. MYRICK], who is handling the rule, for yielding me the time, and the gentlewoman from Missouri [Mrs. EMERSON], presiding as acting speaker.

I say good morning to my colleagues and to let them know that as the chairman of Subcommittee on Early Childhood, Youth and Families, otherwise known as the Subcommittee on Education, I stand before my colleagues today as the lead author of both measures that will be considered under this rule. Although, I hasten to add how satisfying and gratifying it was to work with my good friend, the gentleman from Indiana [Mr. ROEMER] in truly a collaborative bipartisan effort on the charter school bill.

I also want to say at the outset of my remarks that it is unfortunate and I regard it as beneath the gentleman from California [Mr. MARTINEZ], who I respect professionally and regard as a personal friend, to attack the so-called religious right or Christian Coalition. I think that is a rather specious argument to interject into this debate.

I will just get this off my chest, as well, at the outset just so everybody knows, particularly Americans listening to this debate today, when we talk about bipartisanship, please understand that, like welfare reform, what we are talking about is perhaps half House Democrats supporting the idea of expanded parental choice in public education for these new breed of public schools, these independent charter schools. Maybe half will vote with us. About half voted with us in committee.

Whereas, almost all House Republicans will support the charter school bill, and almost all House Republicans will support the HELP scholarship bill, otherwise called vouchers for low-income families.

Let me explain the linkage here under the rule. Several months ago, before we began deliberation of these two bills, we gave considerable thought and discussion to the idea of offering a low-income parental choice demonstration amendment on the charter school bill. But as that bill evolved into, as I said earlier, a bipartisan effort, thanks in large part to the efforts of the gentleman from Indiana [Mr. ROEMER], out of respect for his efforts and out of deference to the process, the bipartisan process, that had evolved, we decided that we would not offer the low-income parental choice demonstration bill as an amendment. However, we still want to make that linkage on the House floor. And that is why we are going to do that under a single rule making in order both proposals.

I am not the only one making that linkage. Let me quote to my colleagues from a December 17 article in The Washington Post headlined ''Scholarships for Inner-City School Kids,'' and coauthored by Diane Ravitch and William Galston. William Galston happens to be the former domestic policy advisor to President Clinton. Diane Ravitch is a former assistant secretary of education in the Bush administration. And they wrote, ''A number of jurisdictions have experimented with new contracting and management arrangements. Twenty-five States,'' now actually 29 States plus the District of Columbia and Puerto Rico, ''have passed the charter school laws, which allow new or existing public schools to function as independent units free of most regulation.'' And we are trying to expand on those efforts on the floor here today. ''With President Clinton's strong leadership, Federal support,'' Federal taxpayer support, ''for charter school start-ups has risen substantially during the last 4 years.'' And again, we intend to redouble those efforts and build upon the Federal taxpayer assistance that has already been expended for charter schools in States and communities across the country.

But Ms. Ravitch and Mr. Galston go on to write, ''But while all of these efforts are moving in the right direction, we have concluded that for the poorest children, those most at risk of failure,'' and let us be clear where most of those children are, they are in our urban communities, they are too often trapped in failing inner-city school districts, where they have to attend unsafe or underperforming schools, ''for those children most at risk, even stronger measures have to be tried. State legislatures in Wisconsin and Ohio have enacted laws to permit poor children in Milwaukee and Cleveland to receive means-tested scholarships for nonpublic schools.''

And that is what we are trying to do. With the HELP scholarship proposal

here today on the floor, we are trying to expand on the programs in Milwaukee and Cleveland. I will have more to say about those programs later.

But I want to add now that those programs have shown a direct correlation to increased parental involvement, increased parental satisfaction, and what should be the bottom line for all of us, if we are going to approach these issues on a nonpartisan basis or, as the President has said, if we are going to leave partisan politics at the schoolhouse door, what should be the bottom line is that those programs, experimental in nature, have led to a substantial increase in pupil performance. That is the bottom line here.

So Galston and Ravitch were making a linkage. And the bottom line here, as far as I am concerned, the American people want more choice. They have spoken, colleagues. When asked if parents should be allowed more control to choose where their children are educated, two-thirds of the American people say yes. That is why we are on the floor with these two bills today.

Mr. HALL of Ohio. Madam Speaker, I yield 2½ minutes to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Madam Speaker, I rise in strong opposition to the rule, in strong opposition to vouchers, and in very, very strong support of our bipartisan legislation on public charter schools.

Madam Speaker, I think it is appropriate on Halloween that we talk about a ghoulish, strange, scary rule that has brought this particular set of circumstances to the House floor, where we will vote on a very, very weak bill, the voucher bill, that has never had a hearing, that has never been marked up in committee, that has, as I called it in the Committee on Rules, I called it a discharge petition, without 218 votes automatically going to the House floor, without debate.

In the building trade, they have a term for this, Madam Speaker. It is called a cleat, where you have a very, very weak board and you staple or nail a strong board to support that. Well, in this case, the weak board is the voucher school bill, and the strong piece of legislation, the bipartisan piece of legislation, the legislation that is bold and innovative and saves our public schools, every child and every school, is the charter school bill.

I would encourage my colleagues on the right, who are always concerned about Government intervention and Government strings being attached to Government money, I would refer and I would ask unanimous consent to have extraneous material entered into the record, a Wall Street Journal article written by Gerald Seib referencing a Mr. Trowbridge, who says, ''Government vouchers will invite Government interference in private schools.'' ''Government vouchers will invite Government interference in private schools.'' Your Wall Street Journal, your private schools, your argument.

In The Washington Post, there is another article entitled ''A Conservative Case Against School Choice,'' that Government money can come without Government strings attached.

I would encourage my colleagues not to vote for the vouchers, to defeat the rule, to defeat vouchers and vote for the cradle of innovation. Vote for strong, strong public school voice. Vote for creative new ideas that will rescue our public school system, keeping dollars in public schools, and not giving Government strings and Government attachments to our private school system.

Madam Speaker, I include the following for the RECORD:

[From the Wall Street Journal, Sept. 3, 1997]

SCHOOL CHOICE: NO CLOSED BOOK ON RIGHT FLANK

(By Gerald F. Seib)

It's September, so the kids are back in school, the teachers are at the front of the class, and the education debate is about to begin in Washington. It promises to be a lot more interesting than that 7:30 a.m. college calculus class you've tried to forget.

For his part, President Clinton will be stepping out to promote nationally standardized tests, arguing they will help parents gauge schools and force educators to whip them into shape. Conservative Republicans will claw back, arguing, on principle, that standardized tests will only pull the federal government deeper into state and local educational systems.

Meanwhile, surely all those conservatives will be renewing their standard arguments in favor of school choice, including government vouchers to help parents move their kids out of public schools and into private ones. That, after all, is the universal view on the right, isn't it?

Well, not exactly.

Anybody who thinks the conservative book on school choice is closed will be surprised to open the new edition of National Review, a Bible of the right, and find a long essay arguing that conservatives ought to oppose school vouchers. Vouchers, of course, would essentially be government rebates to help parents pay the cost of private schooling. The essay, written by Ronald Trowbridge, a prominent conservative commentator from Hillsdale College in Michigan, reflects a small but significant school of thinking on the right that argues for re-examining the philosophical and political underpinnings of the school-choice debate.

Mr. Trowbridge argues that conservatives ought to oppose school vouchers for the same reason they oppose federally written standard tests: Government vouchers will invite government interference in private schools. This, he writes, already is the view of many grass-roots Republicans and conservatives who oppose vouchers because they ''realize that government money to private schools sooner or later will be followed by government control.''

Mr. Trowbridge is, frankly, a little ticked that conservatives and Republican leaders have given so little attention to this argument on vouchers. ''They are all just raving about choice, and they never suggest there is anything that could possibly be wrong with it,'' he says in an interview.

Aside from the philosophical problem of opening the door to more government involvement in private schools, Mr. Trowbridge worries about the political downside risks for Republicans. Having made the decision to send their children to private schools for their special environment, he argues, a lot of parents won't exactly welcome seeing that environment changed by paving the way for people who weren't willing to make that choice on their own.

That's a practical political concern also voiced by Republican pollster William McInturff. He did a lot of early work in favor of the school-choice issue and generally remains a fan. But at a recent meeting of Republicans in Indiana, Mr. McInturff and his firm warned Republicans that there are limits of school choice as a national policy.

On VOUCHERS, Mr. McInturff worries about a backlash from middle-class parents who have chosen, of their own free will, to take a financial hit to send their kids to parochial or private schools. These parents may see school vouchers as merely a path to let in people who weren't willing to make the same sacrifice on their own, thereby eroding the specialness they thought se important for their kids. ''Those parents think they have made difficult and painful sacrifices to put their kids in those schools,'' Mr. McInturff says.

More broadly, he thinks many parents hear school-choice rhetoric and conclude that it means ''somebody else's school will get fixed, not mine.'' His polling suggests Republicans score better with the public when they stress improving teacher standards, getting parents more involved and forcing more attention to basics in the classroom.

This is a big, broad debate that, far from being settled, is only really beginning. The vehicle for carrying it out this fall will be legislation introduced by Georgia GOP Sen. Paul Coverdell, which calls not for vouchers, but for a kind of first cousin to them. It would allow parents to put as much as $2,000 a year into a tax-free savings account, then withdraw the money for tuition at a private elementary or secondary school.

Some people who don't like vouchers—Mr. Trowbridge, for one—think this is a good alternative, because it doesn't involve a direct payout from the federal government. Others want to go all the way to vouchers, giving even low-income parents a full ''choice'' in picking schools. The Clinton administration will argue against all these variations, on the grounds that they amount to abandoning the public-school system that still educates 90% of American kids. Take notes; there will be a political test in 1998 and 2000.

[From the Washington Post, Sept. 8, 1997]

A CONSERVATIVE CASE AGAINST SCHOOL CHOICE

(By Timothy Lamer)

No issue unites the right as school choice does. The religious right, neocons, culturecons, supply-siders, and libertarians all argue that vouchers will unleash market forces and break the iron grip of the National Education Association. Many on the right also see school choice as a means to promote moral and religious education. But is publicly funded school choice really conservative? In arguing for vouchers, many of my brethren on the right sound a lot like liberals. Some examples:

The Egalitarian Argument. James K. Glassman makes this common argument in a Post column [op-ed. Sept. 3]: ''But there's the matter of justice too. Chelsea Clinton's parents can choose the best school for their child. Why can't the parents of the poorest kids on the most dilapidated, drug-infested block in Washington, Los Angeles or Newark?

Well, from that point of view, does justice demand that the government provide poor families the same choices rich families have in, say, health care? Conservatives have long argued that inequality is a fact of life and

that when governments try to do something about it, they end up harming everyone; that instead of building up the poor, they tear down the wealthy and middle class. Could vouchers harm private schools instead of helping public schools? Conservatives who usually make such arguments against misguided egalitarianism should at least consider the possibility.

The Right-to-a-Subsidy Argument. The Heritage Foundation's Dennis P. Doyle and Fordham University's Bruce C. Cooper argue in another recent Post article [Outlook. Sept. 1] that without school choice, poor children's religious liberties are being violated. In other words, the Constitution obliges taxpayers to send poor children to religious schools if their parents so choose. ''The First Amendment clearly proscribes the establishment of a state church,'' they write. ''But it also guarantees the 'free exercise' of religion.''

''Poor children—compelled by economic necessity to attend government schools—are denied the opportunity to freely exercise their religious beliefs within a school setting,'' they maintain.

This argument—that First Amendment guarantees are not rights protected against government intrusion, but entitlements produced by government spending—is normally employed by extreme liberals, not Heritage Foundation fellows. Do Doyle and Cooper think the government should have to buy printing presses for poor people so they can exercise their freedom of the press? Do they agree with liberals that artists supported by the National Endowment for the Arts have a First Amendment ''right'' to a federal subsidy? Poor people have the right to freely exercise their religion, but they don't have a right to do it with other people's money.

The Every-Other-Civilized-Country-Does-It Argument. Doyle, this time in the American Enterprise, writes, ''In the Netherlands, for example, 70 percent of children attend denominational schools at public expense,'' and ''America is the only civilized country in the world that does not support religious elementary and secondary schools'' with government funds.

Liberals often argue that every other civilized country has high tax rates, statist health care and so forth; therefore the United States should too. Conservatives usually retort that America's unparalleled prosperity is a result of our relative lack of government interference in the economy. We point out that if this country had French-style economic policies it would also have French levels of unemployment.

A similar argument could be made against Doyle. Why is the United States more religious, relatively speaking, than the countries he holds up as models? Perhaps because keeping church and state separate has served to strengthen religion in America.

The Just-Like-Pell-Grants Argument. On his show on the conservative NET channel. Dan Mitchell of the Heritage Foundation recently condemned the ACLU's opposition to school choice: ''What's their rationale? Well, (they say) this is a subsidy to a religious school. Well, now, hold on a second. You have students attending Brigham Young University, Notre Dame University, all sorts of Catholic, Protestant, Jewish—all sorts of religious colleges—with Pell Grants and student loans from the federal government.'' Bob Dole said that the vouchers in his school choice proposal would be ''like Pell Grants.''

If vouchers are like Pell Grants, does that mean they will wildly inflate tuitions at private schools, as Pell Grants and student loans have done at colleges and universities? Will school choice become a sacred-cow program that grows every year and that Republicans can cut only at a steep political price, as Pell Grants and student loans have become? Will vouchers be used by liberals as an excuse to regulate private schools, as student aid has been used to regulate higher education? Shouldn't conservatives be at least a little worried that if vouchers are ''like Pell Grants,'' they just might bear the same sour fruit?

Some on the right (including me) are leery of school choice. For one thing, it looks an awful lot like taxing citizens to advance religious teachings with which they disagree, a type of coercion that should be especially distasteful to religious citizens. And a heavy burden of proof is on those who claim, against the weight of history, that government money can come without government strings attached.

Fears about school choice may turn out to be unwarranted, but the liberal arguments some conservatives use to advance vouchers aren't reassuring.

□ 1045

Mr. HALL of Ohio. Madam Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. SCOTT].

Mr. SCOTT. Madam Speaker, I rise to strongly oppose this undemocratic process in which the voucher bill is being considered today. It is ridiculous that the House will consider a bill which has existed for 1 week, had no hearings, no markups, now being considered under a closed rule, thereby preventing Members from offering amendments.

Madam Speaker, there is one amendment that I would have liked to have had the opportunity to offer, and that would be to ensure that civil rights protections for all students would be available. Any entity that receives Federal aid must comply with Federal civil rights laws and the Justice Department is empowered to enforce those laws. This bill contains a statutory trick that declares private schools receiving vouchers are not recipients of Federal funds and therefore not subject to Federal enforcement of civil rights laws. This provision is in the bill intentionally.

The closed rule protects it from amendments so that we cannot correct the egregious problem or any other problems that exist with the bill. Make no mistake about it, the acceptance of the rule is acceptance of the intentional exclusion of the applicability of Federal civil rights laws.

Madam Speaker, I would also like to have considered amendments that would have informed parents of expenses and special education students of services available to them. But the acceptance of this rule prevents it from being exposed for what it is, bad civil rights policy, bad policy for parents of children who would be lured into this scam, as well as bad policy for the 99 percent of the children who will be left behind in overcrowded, crumbling and unfunded schools.

Madam Speaker, as for the poll that suggested that people supported this, that poll measures only the knee jerk reaction to a sound bite. We ought to put up a graph that shows what happened when people had an opportunity to vote on it on a referendum, after they have been educated about what a bad idea this is. The last 20 times it has been on the ballot it has gone down by margins averaging 3 to 1. Vote no on this rule. It is a bad bill.

Mrs. MYRICK. Madam Speaker, I yield 10 seconds to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Madam Speaker, I just want to make it very clear. We have had extensive hearings in the subcommittee and the full committee on the issue of greater parental choice and competition in education. We had hearings on the charter school bill. We had hearings on the various legislative parental choice proposals, including the one that is on the floor.

Mrs. MYRICK. Madam Speaker, I yield 4 minutes to the gentleman from Missouri [Mr. TALENT].

Mr. TALENT. Madam Speaker, I thank the gentlewoman for yielding me this time. There have been a number of comments this morning, Madam Speaker, about the fact that this bill comes up under an unusual procedure. It does. These are unusual times we live in. There are millions of children trapped in schools, in America's urban core, where they do not learn, where they are not safe, and where their parents know with a terrible certainty that the schools are not going to change.

Madam Speaker, I suggest that the only thing worse than being without opportunity yourself is to know that unless you can do something that you feel you cannot do, your children are not going to escape, your children are not going to have any hope or any opportunity. This bill, the HELP scholarships, offers a hand to these parents. It gives their kids a chance, a modest chance, but a chance at a decent education and a good school. If ever a bill aided the powerless, it is this bill. But, Madam Speaker, if ever a bill offended the powerful, it is also this bill, because there is in this country an establishment, and I speak here without malice, but an establishment that controls millions of dollars, whose power and prestige and position depend on defending the status quo and public education in these poor neighborhoods. That establishment, Madam Speaker, is not fighting this bill because they are afraid it will fail. They are fighting it because they believe it will succeed. They are not fighting this bill because they think it will result in poorer education for these children. They are fighting it because they think it will result in better education for these children if they have the same chance and the same options that all of us would want for our children in those circumstances. That establishment does not want the embarrassment of having it proven that at much less cost, these kids can be educated. It is not some great deficiency with them, but rather the system that has failed them and has failed their parents as well. And so that establishment has supplied enormous and unrelenting

pressure against this bill and against Members of Congress to oppose the bill.

I appreciate those of my colleagues who have been holding out and appreciate those who are going to vote for this rule. I think we are going to pass this rule, and I am grateful to all of my colleagues for that. So, yes, Madam Speaker, this bill is here under an unusual procedure. But the really unusual thing about it is that it is here at all, given the opposition to it. It is only here because of the forbearance and the patience of the gentleman from Pennsylvania [Mr. GOODLING], the chairman of the Committee on Education and the Workforce, because of the persistence of the gentleman from California [Mr. RIGGS], because of the compassion of the gentleman from Oklahoma [Mr. WATTS], and because of the courage of the gentleman from New York [Mr. FLAKE]. To them, to those men who have done so much on behalf of these people who are so powerless, I express my appreciation. I ask all the Members to remember, if we do not represent these people, nobody is going to represent them. Do the right thing, vote for this rule, give these people a chance when the bill comes up for a vote on final passage.

Mr. HALL of Ohio. Madam Speaker, I yield 1 minute to the gentlewoman from California [Ms. WOOLSEY].

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

Ms. WOOLSEY. Madam Speaker, a sound public school system is how we prepare all of our children for the high skilled, high wage jobs that ensure America's leadership in this world marketplace and ensures that these children will earn a livable wage and not be on welfare as adults. Public education is the backbone of our country. It is why we are a great Nation. Public education is available to all. It does not discriminate, and it must be strengthened, not weakened.

Today's rule will profoundly weaken our public schools, forcing charter school supporters to go on record supporting school voucher plans that support a religious school. That, Madam Speaker, flies in the face of providing opportunity to all children. We do not hesitate in thinking that religious schools should be available. What we say is choose your religious school. Do not take it away from our public education system. That is where the real opportunity lies.

Mr. HALL of Ohio. Madam Speaker, I yield 1 minute to the gentlewoman from California [Mrs. TAUSCHER].

Mrs. TAUSCHER. Madam Speaker, I rise today in opposition to this misguided rule and urge my colleagues on both sides of the aisle to vote against it. This rule offers us tricks and treats just in time for Halloween. The rule we are considering this morning provides a complicated procedure whereby two separate bills, one bipartisan on charter schools and one controversial on vouchers can be considered and passed separately before being joined together and sent to the Senate and thereafter to the President for his signature or veto.

The first bill has never been considered, the bill on vouchers, by the authorizing committee. This is quite a trick. The other measure, H.R. 2616, deals with charter schools. It has received great support by a majority of Republicans and Democrats on the Committee on Education and the Workforce. Charter schools are public schools that are created by communities to stimulate reform and provide an alternative to traditional public school systems. In short, charter schools are a real treat for parents and children alike. I strongly oppose vouchers and strongly support charter schools. I urge my colleagues to vote no on this misguided rule.

Mr. HALL of Ohio. Madam Speaker, I yield 1 minute to the gentleman from Florida [Mr. DAVIS].

Mr. DAVIS of Florida. Madam Speaker, the issue before the House today is a fundamental one, and that is how to improve the public education system for our children. There are two stark choices. The first is the voucher, which at best is a huge untested experiment that threatens to significantly undermine our ability to fund our public schools. The other choice is charter schools. Charter schools are one of the most promising reforms taking place in our country today with respect to public education. They are often created by parents, by teachers and by communities who personally know children and care about them.

In my State, Florida, as in many States, many of the children that are enjoying the benefits of charter schools are children with special needs, are children that are at risk. In the 5 schools that have opened in Florida, and certainly with respect to the over 15 yet to come, over half of the children who were underperforming in the traditional public school setting are now performing at at least above average in these schools. These schools are innovative, they are unencumbered by many of the rules plaguing our public school system and they have smaller class sizes. These are positive reforms, not an abandonment of the public school system. We need to support charter schools and defeat vouchers.

Mr. HALL of Ohio. Madam Speaker, I yield 1 minute to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Madam Speaker, I thank the gentleman for yielding me this time. I rise today in strong opposition to this misguided rule and even stronger opposition to this notion about a voucher bill. Traditionally in politics we try to do the most good for the most people.

In America 90 percent of the students attend public schools. The Republicans today would like to do a little good for a few people, and that is why they are advocating a voucher plan that they say will give choice to the underprivileged classes. Let us be candid. Private schools, even if you had a voucher, do not have to take you, so the troubled students from inner cities and the troubled students from poor communities do not automatically get a choice even with their plan. But more importantly, we ought to be assisting public school education, where most students attend school. We need to work on providing repairs for dilapidated schools. We need to expand buildings and build new schools for overcrowded schools. We need to upgrade technology for schools that are behind in the technological age. We have opportunities for innovation and for choice, charter schools. I support that concept. We need to help our local communities in a real way, supporting public education, not through benign paternalism for a few. I urge rejection of the rule.

□ 1100

Mr. HALL of Ohio. Madam Speaker, I yield 1 minute to the gentleman from California [Mr. DOOLEY].

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

Mr. DOOLEY of California. Madam Speaker, I rise in very strong opposition to this rule, and I do so because we have two very important bills which have diametrically opposing objectives and it is senseless for us to consider them in one particular rule.

The voucher bill will, without question, undermine our public education system. It will siphon money out of our public schools, which will ensure that we will see a deterioration in the education that can be afforded to our Nation's children.

Vouchers will certainly undermine what has been one of the most important historical institutions in this country, which has led more to our economic advancement than anything else, our public schools. We cannot afford to go down that path.

But there is a path we must take, and that is embodied in our charter schools bill. We need to unleash the creativity and the innovation in our public schools, and charter schools will provide that incentive.

For all too long, we have standardized the process of education in our public schools. We need to unleash that creativity, and charter schools will release that creativity and innovation.

Mr. HALL of Ohio. Madam Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. ETHERIDGE].

Mr. ETHERIDGE. Madam Speaker, I rise in strong opposition to this latest voucher bill to use taxpayers' money to subsidize private and religious schools, and I urge my colleagues to vote against this rule. It is misguided, it is wrong, and it is not what is in the best interests of the 90 percent of the children in this country who attend public schools every day.

I sought this office because I could not stand by and watch the revolutionary Members of this Congress scapegoat, run down and bad mouth our children and our public schools of this country. This voucher bill is the latest attack on our public schools. Make no doubt about it, it is an attack on our children, their parents and their communities, and I urge Members to vote against it.

Public education is the foundation of a strong America. Our public schools have served as a great equalizer in this country, and now we want to undermine that. We cannot and must not let this happen. We can improve our schools.

This is a defining vote. Members of this House are either for strong public schools, or they are against public schools in this country, and I urge Members to vote against this.

Mr. HALL of Ohio. Madam Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Madam Speaker, I rise in strong opposition to this rule. It is an unfair rule in terms of gagging the consideration of this voucher bill, and, I think, not providing good consideration of it.

Quite frankly, I am appalled at the fact that a bill like this would come to the floor in terms of proposing vouchers. Our whole tradition as a Nation for 200 years has been to build a solid public education system, and that has been the core and the foundation on which our Nation has been so successful.

I do not want to denigrate private schools. These exclusive, elite religious schools do a lot of good. I am a product of such schools. But I am also an educator and worked for years in terms of teaching, and the abandonment of the public school system which is taking place by virtue of trying to hold out this false hope of vouchers is wrong.

The issue here is going to be that we cannot abandon them. This is the abandonment of the public school system, is what this is. That is the message you are sending to hundreds of thousands of students in my State in saying you are going to provide vouchers for a couple hundred here and have a debate.

This is a false hope. This is an abandonment. Do not give up on the kids in this country. Do not give up on the public education. Do not give up on the 200 tradition we have had of building education for democracy. It has been the basis of our success, and we are the most successful culture and society in the history of the world.

What are we about here? Creating false hopes where they do not have room in terms of these, where these schools can exclude individuals when they want to. We know the way the system works for the elite and others.

Yes, the schools work; but the fact is the fundamental thing for the people in this country is to maintain a good public education system and improve it. I have seen charter schools. They were initiated in my district in Minnesota. They work, and they are a good idea, but there are problems with those, too.

So we need to pay attention to those problems. They are right on the front page of the Washington Post today. I can tell you stories about religious activities that have taken place at these charter schools that are questionable.

The governing structural we have in terms of freely elected people that work and set the policies for our public schools in our States and local communities are enormously important. Give them the support they deserve, rather than using them as a political scapegoat.

Mrs. MYRICK. Madam Speaker, I yield 1½ minutes to the gentleman from Florida [Mr. GOSS].

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

Mr. GOSS. Madam Speaker, I thank the distinguished gentlewoman from North Carolina for yielding.

When it comes to educating our kids, Washington does not know best. For too long we have had this top-down approach here that the Federal role in education is what it should be, and who is paying the price for the failure? Our kids are paying the price, and we all know it. They are not receiving the quality education they deserve, parents are certainly not being utilized to their full potential in the education process, and the time has come for change.

I happen to think charter schools represent good change, a unique approach that empowers parents, teachers, students, letting them work together to determine what actually works in education.

Local communities, not Washington politicians or special interests, establish then what the curriculum is going to be and how it works. I think it is a fact, charter schools are cost-effective. They get money to the classroom, they enhance accountability, and are gaining popularity around the country. It is time to deal with that.

The HELP Scholarship Act, to provide real educational opportunities for the poorest of the poor in America, this is a good idea. The real question though is a far more reasonable one: Do you support giving local communities the option, and I say option, of using some Federal dollars on scholarships for their poorest children? Who would say, no? That makes good sense.

I am inclined to support and trust the local folks back home. We vote for them at school board time. They do a pretty good job. I think their judgment deserves to be heard in this.

Madam Speaker, I think it is time that we got the education of our country's children back in the classroom, where it belongs, and out of Washington, DC, the land of special interests and all wisdom.

Mr. HALL of Ohio. Madam Speaker, I yield 2 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

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

Mrs. ROUKEMA. Madam Speaker, I thank the gentleman for yielding me time.

Madam Speaker, I wanted to say as a member of the authorizing committee and a strong, strong supporter of charter schools, I must rise in opposition to this rule. I also want to associate myself with the remarks of my colleague on the committee, the gentleman from Indiana [Mr. ROEMER], who observed that here we are on Halloween with this scary rule. I totally agree with the gentleman.

I cannot support this rule. It is an extraordinary departure from acceptable procedures. We should not have to take into account as we vote on charter schools the fact that this rule will be putting these two bills together as one, making vouchers part of the charter school if it passes. That is the issue here on this vote.

This can only be conceived as a device to drag through vouchers because it has serious opposition and it could not survive on its own in full and open debate and in committee analysis.

I oppose the rule. Support charter schools, but oppose this rule.

Mrs. MYRICK. Madam Speaker, I yield 1 minute to the gentleman from New York, [Mr. SOLOMON], the distinguished chairman of the Committee on Rules.

Mr. SOLOMON. Madam Speaker, there is nothing unusual about this rule. We had the option of putting this rule out, making in order the charter bill and substitute the Watts-Flake amendment to it, or to put them out as two separate bills so that the issues could be separated and Members would have the choice of voting for either or both if they want to. That is a reasonable rule. You ought to come over here and vote for it.

Let me mention on behalf of the gentleman from Michigan [Mr. HOEKSTRA] here that we have had 15 hearings in 13 States and heard over 200 witnesses overwhelmingly expressing support, parents of different socioeconomic backgrounds for more choice.

Let me say in this country, and I think the gentleman from New York [Mr. FLAKE] in New York City said it very, very clearly. We spend billions of dollars on education at the Federal, State, and local level. Even with all these dollars, American children continue to lag behind other nations in most areas of achievement, particularly in the inner cities of this country. We need to stick up for the inner cities of this country.

Isn't it about time we start thinking about the future of these children? I am the father of five and the grandfather of six. We need to give all these children whatever level, whatever their ethnic backgrounds, a future. Come over here and vote for both of these bills.

Mr. HALL of Ohio. Madam Speaker, I yield one minute to the gentlewoman from Texas [Ms. JACKSON-LEE]

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

Ms. JACKSON-LEE of Texas. Madam Speaker, let me say how unfair on the day of Halloween that we play such trickery. It is interesting, all those hearings about the bipartisan part of this, that was charter schools. We do believe in the opportunities for parents and local governments to involve themselves. But there was no consensus on this so-called trickery, Halloween antics and tactics dealing with the voucher program.

What it simply is is a complete abdication and abandonment of our responsibility of the virtues and values of public school education; the very virtue and value of public school education that has trained the dominance of your scientists and doctors, lawyers, teachers, truck drivers, Presidents, and Congress, people of the United States of America.

How tragic, on a day when children have fun, that we come to the well of the House with a false rule that misleads all of us and abandons our children. We need to stand on the side of public education, stand on the side of understanding, and if we take away some $50 million, 90 percent of our students in public school education will suffer. When they said go West, young man and young woman, those circles of wagons built the first public schools. Why should we in 1997 abandon those schools? Vote down this rule. Support charter schools and vote down this helpless rule that deals with taking away money from our children in our public school system.

Mr. HALL of Ohio. Madam Speaker, I yield the balance of my time to the gentleman from Indiana [Mr. ROEMER].

The SPEAKER pro tempore. The gentleman from Indiana is recognized for 2½ minutes.

Mr. ROEMER. Madam Speaker, the gentleman from New York [Mr. SOLOMON], my good friend, who I really like a lot and we kid each other, I respect, has just said that this is not an unusual rule. Let me bring us back to Halloween analogy and talk about Jekyll and Hyde.

Now, we have a rule here, Madam Speaker, that on the one hand we have a bipartisan charter school bill that has strong support on both sides. I believe, with the help of the gentleman from California [Mr. RIGGS] and my help on this side, because it invests in every child, in every public school, with innovation and less regulation. Let us come up with new ideas to save our public education system and let us not encumber those schools with Federal and State bureaucratic dictates that will hinder learning in those schools.

Let us have these schools be cradles of innovation. Let us have these schools be boldly having new ideas come forward to the schools.

On the other hand, we have vouchers. We do not have any markups on this bill in committee, in the Committee on Education and Labor, because they do not have the votes for that bill. I do not think they have the votes for that bill on the House floor.

I strongly encourage my colleagues on both sides of the aisle to vote against the rule, because it is an unfair rule, it unfairly intertwines a very strong bill like charter schools with the vouchers, if vouchers pass. However, the first vote next week will be on vouchers. If we can, in a bipartisan way defeat vouchers, then have a straight up and down vote on charter schools, we will send the Senate the charter school bill.

We will show this country we can work in a bipartisan way to help save our public education system with less regulation, with more bold innovative ideas. We will show this country just as we worked together on balancing the budget, just as we worked together on providing modest tax relief, we are going to work together on bipartisan help in solving education problems for all parents.

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Now, we discovered, Madam Speaker, that the IRS was badly broken. We did not say we were going to fix the IRS for a couple of people; we said we were going to fix the IRS for everybody. Vouchers say we are going to fix schools for just a few thousand people and leave the rest of these schoolchildren in bad public schools.

Let us resurrect, reform, boldly innovate in the public school system. That is what charter schools do, that is what bipartisan legislation we have before us does for every child, for every public school. Let us vote down this rule. Let us defeat vouchers next week, and let us show wide bipartisan support to vote for charter schools.

Mrs. MYRICK. Madam Speaker, I yield 3 minutes to the gentleman from Georgia, Mr. NEWT GINGRICH, the Speaker of the House.

Mr. GINGRICH. Madam Speaker, I thank my friend, the gentlewoman from North Carolina, for yielding time to me.

Madam Speaker, I am delighted to follow my friend, the gentleman from Indiana, because I find his argument so perplexing, and I wanted a chance to chat about it. Fourteen years ago, under President Reagan, the Department of Education published a book called ''A Nation At Risk,'' and said, our schools are in trouble. For 14 years we have heard politicians and bureaucrats promise us, soon we will fix it.

We had a report come out yesterday for the Washington, DC, schools, which spend $10,000 a child. According to the Department of Education, it is the most expensive system in the country. What did it say? It said two things. It said, first of all, if you actually applied standards to second and third graders, standards they have proposed to apply next year, over 40 percent of them would fail.

Now, the children are not failing. The 40 percent who are going to fail are children trapped in a system destroying their future. These same children, in a decent school with decent discipline, with a fair chance, can graduate and go to college, not to prison. But they are trapped, 40 percent. We know that today, from yesterday's paper.

A study just came out that said the longer you are in the D.C. schools, the less likely you are to score at grade level; that literally, the percentage goes up every year. The longer you are in the D.C. public schools, the less likely you are to be able to score at grade level. For $10,000 a year, we are not only trapping these children, we are weakening their likelihood of scoring.

Here is what I am fascinated by. A ''no'' vote on this rule is a vote of fear. What are they afraid of? Are they afraid that the big inner-city schools that are failing will fail? They are already failing. Are they afraid that children might be liberated to go to a school that has discipline? Why would Members oppose that? They say to us, we should help the public schools reform. But that is exactly what the bill of the gentleman from California [Mr. RIGGS] does. It has a charter school provision for the public schools. It does exactly what the gentleman says.

In addition, we say if your local system is so terrible that you believe your child's life will be destroyed and their future will be ruined, you should have the right to choose a scholarship so your child can go to a school that is safe, drug-free, with discipline, and has a chance to learn. What is so frightening about that, that requires a public school to fail so badly, to be such a disaster, that the parent decides to go to the extra effort to make the extra choice?

Yet, those who would vote ''no'' today are voting ''no'' out of fear. They are afraid to give the parents the right to choose. They are afraid to give the children the right to choose.

Mr. CLAY. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from Missouri.

Mr. CLAY. Mr. Speaker, why are the gentlemen there afraid to have a separate vote on these two issues?

Mr. GINGRICH. We have two separate votes. This will come up as an amendment.

Mr. CLAY. On the rule.

Mr. GINGRICH. The votes will be separate. If the gentleman wants to vote against allowing poor children to have the choice of going to a separate school, is going against parents having the right to choose, they will get that vote under this rule.

Mr. ROEMER. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from Indiana.

Mr. ROEMER. I would ask, Mr. Speaker, who I know visits many schools in Washington, I have visited a school called the Options Charter School, where they serve 100 percent minority, 100 percent eligible for free

and reduced lunches. Most of those students are two to three grade levels behind where they should be, and they failed through the D.C. public school system.

We created a charter school there. That is our solution partly, not a panacea or silver bullet, but this Options Charter School, to say we want to help with discipline, with safety, with more parental involvement, with better ratios of students and teachers in these charter schools, and experimentation. That is our solution.

Mr. GINGRICH. OK. But I would say to my friend, first of all, voting for this rule brings that option to the floor, and I will vote with the gentleman on that option. There is no reason to be against this rule if the gentleman wants to help charter schools. This rule brings the charter school bill to the floor.

But what seems to be frightening the gentleman, and I am not sure why the gentleman is frightened, is we also offer an alternative, if in fact there are not charter schools, or there are not enough charter schools, or the school is so terrible.

And I would point out to the gentleman, the President the other day went to Chicago where Mayor Richard Daley is doing a good job. The President said, if you cannot fix the school, fire the principal. If firing the principal does not work, fire the teachers. If that does not work, he said, close the school.

We have an alternative. There are 4,000 slots available today in Washington, DC, for children to go to schools that are private, that have a high graduation rate, that have a high education rate, that have a low drug-use rate, that have a low violence rate. There are 4,000 slots available today. We have an answer when the President closes that school he talked about. I do not know that the gentleman has an answer to that.

Mr. ROEMER. Madam Speaker, if the gentleman will continue to yield, I do have an answer.

Mr. GINGRICH. What is the gentleman's answer?

Mr. ROEMER. My answer is the Democratic Party's model is the Chicago reform system.

Mr. GINGRICH. What happens in a neighborhood——

Mr. ROEMER. You do fire teachers, principals, and you reconstitute schools that are not working. That is what we are doing in Chicago. We are not giving up on the public school system.

Mr. GINGRICH. We are not, either.

If I may reclaim my time, Madam Speaker, I just want to make a point here. I think this particular canard needs to be put down right now. I am a little fed up with Democrats who come in here and say, well, you all do not want to save the public schools.

Let me make two points. First of all, I went to public school. My children went to public school. My wife went to public school. We have lived our personal commitment. I have taught in a public high school. The gentleman from Pennsylvania [Mr. GOODLING] spent years of his career in public schools as a teacher, as a coach, as a counselor, as a principal. We are committed to public school, and we live it. Our children have been there. But we also do not believe children should be destroyed on the altar of a union and children should be destroyed on the altar of a bureaucracy.

Notice what this rule does, because I think the gentleman ought to be fair about this. This rule brings to the floor the charter school bill to help public schools. That is coming to the floor under this rule. So a ''yes'' vote here is not an antipublic school vote. A ''yes'' vote here is a pro public school, pro charter school vote, and a positive vote for those children and those parents trapped in bad neighborhoods that the system has not reformed.

I just want to pose this thought. I had 70 children surrounding me yesterday, 70 children, all of them African-American, all of them from a neighborhood where, for $10,000 a year, their bureaucracy had failed them. I would say to my friends in the Democratic Party, why do they keep the children trapped? What are they so afraid of that they will not give the parents a chance to save their children from jail by giving them a chance to go to a school with discipline, that is drug-free, where they graduate and have a chance to go to college?

Vote ''yes'' on this rule, and let us have an honest up-or-down debate on some very good public school choice and some very good parental choice.

Mr. MORAN of Virginia. Mr. Speaker, I rise today in strong support of this bipartisan bill but with disappointment in the majorities' use of this important legislation to advance their political agenda.

Most of us agree that we need to present some form of alternative for children who do not have access to quality public schools. Charter schools present a viable alternative to traditional public education for all children in the United States. Offering a choice to 2,000 students for whom there is insufficient space in the schools they could afford with vouchers is not a solution.

On Wednesday, the District of Columbia chartering authority interviewed applicants interested in opening 1 of the 20 new charter schools that we authorized last Congress. I am optimistic about these new schools. There are currently 3 charter schools operating in the District. This is fewer than the number of charter applicants approved by the Charter School Board. The other approved charter schools could not open because they lacked sufficient startup funds. This is not the result of District of Columbia financial mismanagement. As my colleagues know from their own States and districts, it has been the case for approved charters nationally. Some 59 percent of charter school operators reported a lack of these funds. With the passage of enabling legislation in more States every legislative session, startup funding needs will only increase. In fiscal year 1997, State requests for charter school funding exceeded appropriations by $24 million. We are addressing this problem in this charter schools amendments bill. We need the increased authorization to meet the $100 million appropriation, and we need the increase in the length of the Federal grant from 3 to 5 years to meet this need.

The need will not be met if we attach a voucher provision to this bill. The HELP Scholarship Act was only introduced into the House 1 week ago. It has not been subjected to committee scrutiny, and no hearings have been held on this bill, cutting out the hearing process and any input from the people on whom it would have the greatest impact. The attachment of this voucher language in conference would clearly compromise the bipartisan nature of the charter school bill. It should be considered on its own merit after appropriate committee scrutiny and approval.

Unlike the HELP Scholarship bill, the Charter School Amendments Act was considered by its committee of jurisdiction, the Education and the Workforce Committee. After committee members had an opportunity to amend the bill, it passed out of committee with a strong, bipartisan majority. I urge my colleagues to vote against the rule to allow attachment of the HELP Scholarship bill in conference. It threatens final passage of this important legislation.

Mr. ADAM SMITH of Washington. Madam Speaker, I rise to oppose this rule to join two bills, H.R. 2746 and H.R. 2616. These bills reflect two fundamentally different concepts of what is needed to improve the education system in our country, and combination is absolutely unacceptable.

H.R. 2746, Helping Empower Lower Income Parents Scholarships, is a voucher bill that will steal money from our public school system. At a time when our public school system is in desperate need of resources to assure all children in this country are given the educational opportunities they deserve, this bill moves us in the wrong direction. Giving a small number of students taxpayer money to attend a private school does nothing to improve our school system as a whole and takes away resources from the 90 percent of the children in our country who attend public schools. This is not the kind of change we need.

H.R. 2616, the Charter School Amendments, is the type of innovation that could improve our public school system and these changes make sense. Charter schools provide for local control and opportunities for innovation in a public school system, while assuring the schools are held accountable to specified standards. All students can take advantage of the opportunities that charter schools provide and these changes encourage the first class schools that we are looking for in our public school system.

Congress must be allowed the opportunity to debate and vote on these two fundamentally different bills separately.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise this morning in opposition to this rule. My colleagues, this is nothing less than an extraordinary rule. This rule provides for consideration of two entirely unrelated pieces of legislation: H.R. 2616, the Charter Schools Amendments Act and H.R. 2746, the Helping Empower Low-Income Parents Scholarships Act. Ironically, although perhaps not unexpectedly, the rule allows amendments to H.R. 2616, a bipartisan bill enjoying broad support,

but requires that H.R. 2746, a controversial and deeply flawed piece of legislation, be considered under a completely closed rule. Finally, although the rule allows for a separate vote on each bill, it requires the Clerk to join them into a single bill before transmittal to the Senate, thus, joining two unrelated bills into one.

This rule is certainly a clever and strategic ploy to give H.R. 2746 some cover as it moves into the Senate. Do we really want the education of our Nation's young people subject to clever political and partisan ploys? Do we really mean to allow the American public education system to be upset by the unfairness and trickery that underlie this rule? Because that is what we are doing with this rule. We are allowing H.R. 2746 to proceed to vote without a chance of amendment. We are allowing it to move to a vote without the opportunity to mediate some of the more troublesome provisions it contains. When you vote on this rule today, I ask my colleagues to remember that this is a vote about our children and the future of the American public education system.

Mr. Speaker, I am compelled to voice my objections to H.R. 2746. The primary point of concern, for myself, and many other members of this body in regard to H.R. 2746, is the school scholarship or vouchers provision included in this revision of title VI of the Education and Secondary Reform Act.

This provision would authorize the distribution of scholarships to low to moderate income families to attend public or private schools in nearby suburbs or to pay the costs of supplementary academic programs outside regular school hours for students attending public schools. However, only certain students will receive these tuition scholarships.

This legislative initiative could obviously set a dangerous precedent from this body as to the course of public education in America for decades to come. If the U.S. Congress abandons public education, and sends that message to localities nationwide, a fatal blow could be struck to public schooling. The impetus behind this legislative agenda is clearly suspect. Instead of using these funds to improve the quality of public education, this policy initiative enriches fiscally successful, local private and public institutions. Furthermore, if this policy initiative is so desirable, why are certain DC students left behind? Is this plan the right solution? I would assert that it is not. Unless all of our children are helped, what value does this grand political experiment have?

I see this initiative as a small step in trying to position the Government behind private elementary and secondary schools. The ultimate question is why do those in this body who continue to support public education with their lip service, persist in trying to slowly erode the acknowledged sources of funding for our public schools? Public education, and its future, is an issue of the first magnitude. One that affects the constituency of every Member of this House, and thus deserves full and open consideration.

School vouchers, have not been requested by public mandate from the Congress. In fact, they have failed every time they have been offered on a State ballot by 65 percent or greater. If a piece of legislation proposes to send our taxpayer dollars to private or religious schools, the highest levels of scrutiny are in order, and an amendment that may correct such a provision is unquestionably germane. Nine out of ten American children attend public schools, we must not abandon them, their reform is our hope.

I would like now to contrast the harm H.R. 2746 would bring to the American public school system to the good that is promised by H.R. 2616. H.R. 2616 is a bill to which we all can, and should, lend our support. H.R. 2616 enjoys broad bipartisan support and encourages innovative approaches to educating the children in our public schools. The key elements of charter schools are that they give parents and teachers the opportunity and flexibility to try innovative approaches to providing a high quality, stimulating education, in exchange for being held accountable for academic results and proper management of funds.

Charter schools have faced a substantial problem, however, in the form of a lack of adequate startup funds. According to the Department of Education's first year report on charter schools, inadequate startup funds are the most commonly cited barrier that charter schools face. Nearly 60 percent of charter schools—both newly established ones and those that had been in operation for a year or two—cited a lack of startup funds and operational funds as a problem. H.R. 2616 answers this problem by authorizing $100 million in fiscal year 1998 for the Federal Charter Schools Program intended primarily to offset the schools startup costs.

My colleagues, I urge you to vote against this extraordinary rule. I urge you to vote no and in so doing signal your opposition to the so-called ''HELP'' Scholarships Act and your support for the Charter Schools Amendment Act.

Mrs. MYRICK. Madam Speaker, I move the previous question on the resolution.

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

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

Mr. CLAY. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 222, nays 195, not voting 16, as follows:

[Roll No. 566]

YEAS—222

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Flake
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NAYS—195

Abercrombie
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre

McKinney
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—16

Ackerman
Cannon
Cubin
Cunningham
Deutsch
Foglietta
Foley
Gallegly
Gephardt
Gonzalez
McIntosh
McNulty
Payne
Schiff
Visclosky
Weldon (FL)

☐ 1143

The Clerk announced the following pair:

On this vote:

Mr. McIntosh for, with Mr. Deutsch against.

Ms. SLAUGHTER changed her vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the resolution.

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

RECORDED VOTE

Mr. HALL of Ohio. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 214, noes 198, not voting 21, as follows:

[Roll No. 567]

AYES—214

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McInnis
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Pastor
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOES—198

Abercrombie
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Bereuter
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Goode
Gordon
Green
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Hoyer
Jackson (IL)
Jackson-Lee (TX)
John
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McHugh
McIntyre
McKinney
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—21

Ackerman
Cubin
Cunningham
Deutsch
Flake
Foglietta
Foley
Gallegly
Gephardt
Gonzalez
Gutierrez
Jefferson
Johnson (WI)
Klink
Lipinski
McIntosh
McNulty
Payne
Schiff
Visclosky
Weldon (FL)

☐ 1201

The Clerk announced the following pair:

On this vote:

Mr. McIntosh for, with Mr. Deutsch against.

Mr. MCHUGH changed his vote from ''aye'' to ''no.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to committee was laid on the table.

LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Madam Speaker, I yield to the gentleman from Texas [Mr. ARMEY], the majority leader, for purposes of inquiring about the schedule for today and next week.

Mr. ARMEY. Madam Speaker, I am pleased to announce that we have had our last vote for the day. I believe all Members will be able to make it back home tonight to see their little angels and saints head out for Halloween.

Next week, the House will meet on Tuesday, November 4, at 10:30 a.m. for morning hour and 12 noon for legislative business. We do not anticipate any recorded votes before 5 p.m. on Tuesday, Election Day.

On Tuesday, November 4, the House will take up a number of bills under suspension of the rules, a list of which will be distributed this afternoon. After suspensions, we will return to H.R. 2746, the HELP Scholarships Act, and H.R. 2616, the Charter Schools Amendment Act.

The House will meet at 10 a.m. on Wednesday and Thursday and at 9 a.m. on Friday to consider the following bills: H.R. 2292, the Internal Revenue Service Restructuring and Reform Act of 1997; H.R. 2195, the Slave Labor Productions Act of 1997; H.R. 967, a bill to prohibit the use of U.S. funds to provide for the participation of certain Chinese officials in international conferences, programs, and activities and to provide certain Chinese officials shall be ineligible to receive visas and excluded from admission into the United States; H.R. 2570, the Forced Abortion Condemnation Act; H.R. 2358, the

Political Freedom in China Act of 1997; H.R. 2232, the Radio Free Asia Act of 1997; H.R. 2605, the Communist China Subsidy Reduction Act of 1997; H.R. 2647, a bill to ensure that commercial activities of the People's Liberation Army of China or any Communist Chinese military company in the United States are monitored; House Resolution 188, a resolution urging the executive branch to take action regarding the acquisition by Iran of C–802 cruise missiles; H.R. 2386, the United States-Taiwan Anti-Ballistic Missile Defense Cooperation Act; and H.R. 2621, the Reciprocal Trade Agreement Authorities Act 1997.

As Members know, Madam Speaker, there are a number of appropriations bills that need to be passed before the House concludes the first session of the 105th Congress. I have always been an optimist, and it is my hope that the House can agree on these important matters by the end of next week, next Friday, Saturday, or Sunday.

I thank the gentleman from Michigan [Mr. BONIOR] for yielding me this time.

Mr. BONIOR. Madam Speaker, reclaiming my time, if the gentleman from Texas [Mr. ARMEY] will bear with me for a second, I have a series of questions I would like to pose to the distinguished majority leader.

A number of resolutions were filed this morning with regard to the Sanchez situation, and I am just wondering when those will be brought up.

Mr. ARMEY. If the gentleman would yield, obviously, we will have to look at that. We will try to reconcile that against the schedule. I would guess it would be Tuesday or Wednesday.

Mr. BONIOR. Second, as the gentleman from Texas [Mr. ARMEY] knows from the long lines on the floor of the House of Representatives, we have up to now 187 Members, bipartisan I might add in nature, who have come and signed a discharge petition on campaign finance reform. I note there is an agreement in the Senate to take up campaign finance reform. I am just wondering if the gentleman from Texas [Mr. ARMEY] could tell us when we will take campaign finance up in the House of Representatives.

Mr. ARMEY. I thank the gentleman for his inquiry. If the gentleman would continue to yield, we are looking at that. We have been having discussions among ourselves and with our colleagues on the other side of the building. I do not have anything to announce at this time.

Mr. BONIOR. Well, I suspect that my friend, the gentleman from Texas [Mr. ARMEY], took note that we had an additional 20 Members sign this week. And I think the movement is moving well. I would just encourage my friend from Texas to seriously consider the large number of Members who are interested in this. One hundred and eighty Democrats have already signed this petition. We are looking forward to a debate on that. All sides, all different perspectives on this issue, can have their say on the floor of the House.

Third, can the gentleman from Texas [Mr. ARMEY] tell me what day we will take up fast track?

Mr. ARMEY. Madam Speaker, it is our intention to do fast track on Friday.

Mr. BONIOR. Reclaiming my time, fourth, I note that in the comments the gentleman from Texas [Mr. ARMEY] has just made, there were a series of bills related to China on the schedule. I am wondering under what structure we are going to consider them.

Are we going to have one rule to consider them all, or are we going to have separate rules on each of the bills that my colleague said we will discuss next week as they relate to China?

Mr. ARMEY. If the gentleman will continue to yield, the Committee on Rules will be meeting earlier next week and they will be working on that in conjunction with the other members of the committee, and the minority will be, I suppose, negotiating that.

Mr. BONIOR. Well, I hope they are brought out here under separate rules and we do not have a package rule situation on these very important bills.

Finally, let me just ask my friend, the gentleman from Texas [Mr. ARMEY], I noted in his comments at the end that he seemed optimistic, and referred to himself that way, that we will be able to finish by the end of the week next week. I am optimistic, as well, and my sense is that that is where we are heading. If the gentleman from Texas [Mr. ARMEY] has any other thoughts on that, I would like to hear them. And if not, does he anticipate an additional continuing resolution to take us into next year?

Mr. ARMEY. It is my belief at this point to continue to talk to all the people related to these conferences on spending bills that we can complete that work by sometime next weekend. I see no reason to depart from that belief. But I must advise the gentleman from Michigan [Mr. BONIOR] that I hold that belief and punctuate it with both a knock on wood and a prayer.

Mr. BONIOR. I will take both. Have a good weekend.

Mr. RIGGS. Madam Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from California.

Mr. RIGGS. Madam Speaker, with the passage of the rule making in order both the HELP scholarships bill, which I know is of genuine interest and even some concern to Members on both sides of the aisle and on both sides of the issue, pro and con, through the majority whip to the majority leader, is it our intention to resume that debate and have the debate on the HELP scholarships bill between 4 and 6 on Tuesday, so Members know they should be back at that time for debate, and that the vote would then occur on the HELP scholarships bill at approximately 6 p.m.?

Mr. ARMEY. Madam Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. The gentleman from California [Mr. RIGGS] is correct.

Let me again reiterate. We will begin the general debate then on the HELP scholarships bill around 4 on Tuesday.

Mr. RIGGS. Madam Speaker, I thank the gentleman from Michigan [Mr. BONIOR] for yielding.

ADJOURNMENT TO TUESDAY, NOVEMBER 4, 1997

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 a.m. on Tuesday, November 4, 1997, for morning hour debates.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

PERSONAL EXPLANATION

Mr. BARRETT of Nebraska. Madam Speaker, on rollcall votes 559 through 565, I was unavoidably detained. Had I been present, I would have voted ''aye'' on all of the votes.

PERSONAL EXPLANATION

Mr. JOHN. Madam Speaker, during rollcall vote No. 554 on H.R. 1270, I also was unavoidably detained. Had I been present, I would have voted ''nay.''

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. HARMAN. Madam Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and whereas, in the 104th Congress, similar challenges were brought in three elections, including one involving the offeror of this resolution, winner of her election by 812 votes, duly certified by the Secretary of State of

California. After 9 months of investigation at a cost of over 100,000 taxpayer dollars, no evidence of fraud being found, the challenge was withdrawn; and whereas, the Committee on House Oversight has had more than ample time to conclude its investigation, conducted at great taxpayer expense: now, therefore, be it

Resolved, That unless the Committee on Oversight has sooner reported a recommendation for its final disposition, the contest of the 46th District of California is dismissed upon the expiration of November 7, 1997.

Madam Speaker, I ask unanimous consent that the text of the entire resolution be printed at this point in the RECORD.

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

There was no objection.

The text of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C., on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charged of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the record seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make the judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, in the 104th Congress, similar challenges were brought in three elections, including one involving the offeror of this resolution, winner of her election by 812 votes, duly certified by the Secretary of State of California. After nine months of investigation at a cost of over $100,000 taxpayer dollars, no evidence of fraud being found, the challenge was withdrawn; and

Whereas by prolonging the contest against Representative Loretta Sanchez, Mr. Robert Dornan has disrupted the proceedings of the House and fractured the comity necessary for Members of Congress to conduct the peoples' business and address by legislation and policy the major challenges facing the United States in the 21st Century; and

Whereas, the Committee on House Oversight has had more than ample time to conclude its investigation, conducted at great taxpayer expense, now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from California [Ms. HARMAN] will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. MCKINNEY. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C., on April 19, 1997 in Orange County, California and has not met since that time; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: Charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charged of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the record seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas some Members of the House Oversight Committee are now seeking a duplicate and dilatory review of materials already in the Committee's possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make the judgments concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, Loretta Sanchez of the Golden State smiles brighter than Bob Dornan even on a cloudy day.

Whereas Loretta Sanchez, a latina from California, has been persecuted for beating B–2 bomber Bob.

Whereas Loretta Sanchez is working to represent all the people of her district regardless of race, color, creed, gender, national origin or sexual orientation,

Whereas the Republican majority has failed to complete the nation's legislative business on time in each of its majority years,

Whereas many feel that the real bottom line in all of this is that Bob Dornan needs to get a life—and a job,

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the

contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

□ 1215

The SPEAKER pro tempore (Mrs. EMERSON). Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Georgia [Ms. MCKINNEY] will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 1997

Mr. STUMP. Madam Speaker, I ask unanimous consent for the immediate consideration in the House of the bill (H.R. 2367) to increase, effective as of December 1, 1997, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 2367

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 ''Veterans' Compensation Cost-of-Living Adjustment Act of 1997''.

SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—The Secretary of Veterans Affairs shall, effective on December 1, 1997, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, as specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) COMPENSATION.—Each of the dollar amounts in effect under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts in effect under sections 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount in effect under section 1162 of such title.

(4) NEW DIC RATES.—The dollar amounts in effect under paragraphs (1) and (2) of section 1311(a) of such title.

(5) OLD DIC RATES.—Each of the dollar amounts in effect under section 1311(a)(3) of such title.

(6) ADDITIONAL DIC FOR DISABILITY.—The dollar amounts in effect under sections 1311(c) and 1311(d) of such title.

(7) DIC FOR DEPENDENT CHILDREN.—The dollar amounts in effect under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—(1) The increase under subsection (a) shall be made in the dollar amounts specified in subsection (b) as in effect on November 30, 1997.

(2) Except as provided in paragraph (3), each such amount shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 1997, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(3) Each dollar amount increased pursuant to paragraph (2) shall, if not a whole dollar amount, be rounded down to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85–857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

(e) PUBLICATION OF ADJUSTED RATES.—At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 1997, the Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b), as increased pursuant to subsection (a).

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. STUMP

Mr. STUMP. Madam 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. STUMP: Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; REFERENCES TO TITLE 38, UNITED STATES CODE.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans' Compensation Rate Amendments of 1997''.

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 2. DISABILITY COMPENSATION.

(a) INCREASE IN RATES.—Section 1114 is amended—

(1) by striking out ''$87'' in subsection (a) and inserting in lieu thereof ''$95'';

(2) by striking out ''$166'' in subsection (b) and inserting in lieu thereof ''$182'';

(3) by striking out ''$253'' in subsection (c) and inserting in lieu thereof ''$279'';

(4) by striking out ''$361'' in subsection (d) and inserting in lieu thereof ''$399'';

(5) by striking out ''$515'' in subsection (e) and inserting in lieu thereof ''$569'';

(6) by striking out ''$648'' in subsection (f) and inserting in lieu thereof ''$717'';

(7) by striking out ''$819'' in subsection (g) and inserting in lieu thereof ''$905'';

(8) by striking out ''$948'' in subsection (h) and inserting in lieu thereof ''$1,049'';

(9) by striking out ''$1,067'' in subsection (i) and inserting in lieu thereof ''$1,181'';

(10) by striking out ''$1,774'' in subsection (j) and inserting in lieu thereof ''$1,964'';

(11) in subsection (k)—

(A) by striking out ''$70'' both places it appears and inserting in lieu thereof ''$75''; and

(B) by striking out ''$2,207'' and $3,093'' and inserting in lieu thereof ''$2,443'' and ''$3,426'', respectively;

(12) by striking out ''$2,207'' in subsection (l) and inserting in lieu thereof ''$2,443'';

(13) by striking out ''$2,432'' in subsection (m) and inserting in lieu thereof ''$2,694'';

(14) by striking out ''$2,768'' in subsection (n) and inserting in lieu thereof ''$3,066'';

(15) by striking out ''$3,093'' each place it appears in subsections (o) and (p) and inserting in lieu thereof ''$3,426'';

(16) by striking out ''$1,328'' and ''$1,978'' in subsection (r) and inserting in lieu thereof ''$1,471'' and ''$2,190'', respectively; and

(17) by striking out ''$1,985'' in subsection (s) and inserting in lieu thereof ''$2,199''.

(b) SPECIAL RULE.—The Secretary of Veterans Affairs may authorize administratively, consistent with the increases authorized by this section, the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85–857 who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

SEC. 3. ADDITIONAL COMPENSATION FOR DEPENDENTS.

Section 1115(1) is amended—

(1) by striking out ''$105'' in clause (A) and inserting in lieu thereof ''$114'';

(2) by striking out ''$178'' and ''$55'' in clause (B) and inserting in lieu thereof ''$195'' and ''$60'', respectively;

(3) by striking out ''$72'' and ''$55'' in clause (C) and inserting in lieu thereof ''$78'' and ''$60'', respectively;

(4) by striking out ''$84'' in clause (D) and inserting in lieu thereof ''$92'';

(5) by striking out ''$195'' in clause (E) and inserting in lieu thereof ''$215''; and

(6) by striking out ''$164'' in clause (F) and inserting in lieu thereof ''$180''.

SEC. 4. CLOTHING ALLOWANCE FOR CERTAIN DISABLED VETERANS.

Section 1162 is amended by striking out ''$478'' and inserting in lieu thereof ''$528.''

SEC. 5. DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES.

(a) NEW LAW RATES.—Section 1311(a) is amended—

(1) by striking out ''$769'' in paragraph (1) and inserting in lieu thereof ''$850''; and

(2) by striking out ''$169'' in paragraph (2) and inserting in lieu thereof ''$185''.

(b) OLD LAW RATES.—The table in subsection (a)(3) is amended to read as follows:

''Pay grade	*Monthly rate*
E–1	$850
E–2	850
E–3	850
E–4	850
E–5	850
E–6	850
E–7	879
E–8	928
E–9	[1]968
W–1	898
W–2	934
W–3	962
W–4	1,017
O–1	898
O–2	928
O–3	992
O–4	1,049
O–5	1,155
O–6	1,302
O–7	1,406
O–8	1,541
O–9	1,651

	rate
O–10	[2] 1,811

''[1] If the veteran served as sergeant major of the Army, senior enlisted advisor of the Navy, chief master sergeant of the Air Force, sergeant major of the Marine Corps, or master chief petty officer of the Coast Guard, at the applicable time designated by section 402 of this title, the surviving spouse's rate shall be $1,044.

''[2] If the veteran served as Chairman or Vice-Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, at the applicable time designated by section 402 of this title, the surviving spouse's rate shall be $1,941.'';

(c) ADDITIONAL DIC FOR CHILDREN.—Section 1311(b) is amended by striking out ''$100'' and all that follows and inserting in lieu thereof ''$215 for each such child.''.

(d) AID AND ATTENDANCE ALLOWANCE.—Section 1311(c) is amended by striking out ''$195'' and inserting in lieu thereof ''$215''.

(e) HOUSEBOUND RATE.—Section 1311(d) is amended by striking out ''$95'' and inserting in lieu thereof ''$104''.

SEC. 6. DEPENDENCY AND INDEMNITY COMPENSATION FOR CHILDREN.

(a) DIC FOR ORPHAN CHILDREN.—Section 1313(a) is amended—

(1) by striking out ''$327'' in paragraph (1) and inserting in lieu thereof ''$361'';

(2) by striking out ''$471'' in paragraph (2) and inserting in lieu thereof ''$520'';

(3) by striking out ''$610'' in paragraph (3) and inserting in lieu thereof ''$675''; and

(4) by striking out ''$610'' and ''$120'' in paragraph (4) and inserting in lieu thereof ''$675'' and ''$132'', respectively.

(b) SUPPLEMENTAL DIC FOR DISABLED ADULT CHILDREN.—Section 1314 is amended—

(1) by striking out ''$195'' in subsection (a) and inserting in lieu thereof ''$215'';

(2) by striking out ''$327'' in subsection (b) and inserting in lieu thereof ''$361'';

(3) by striking out ''$166'' in subsection (c) and inserting in lieu thereof ''$182''.

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall take effect on December 1, 1997.

Mr. STUMP (during the reading). Madam Speaker, I ask unanimous consent that the amendment in the nature 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 Arizona?

There was no objection.

The SPEAKER pro tempore. The gentleman from Arizona [Mr. STUMP] is recognized for 1 hour.

Mr. STUMP. Madam Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. EVANS], pending which I yield myself such time as I may consume.

Madam Speaker, H.R. 2367, as amended, is the cost of living amendment or the COLA bill. The bill increases the rate of compensation for veterans with service-connected disabilities and the rate of dependency and indemnity compensation for the survivors of certain veterans. The rate of increase would follow Social Security Administration figures and be effective December 1, 1997.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I thank the chairman of the committee for introducing this important legislation. I strongly support this bill, which maintains the value of the compensation benefits received by our-service-connected disabled veterans and their families. Because the Nation's economy is strong and the rate of inflation is low, this year's cost of living increase for veterans receiving compensation is correspondingly modest.

Specifically, this legislation codifies a 2.1-percent increase in service-connected compensation benefits. By enacting this bill, we are keeping our promise to our veterans with service-connected disabilities. The 2.1 percent VA compensation cost of living increase provided by this bill is the same rate of increase being provided to beneficiaries of Social Security. I urge my colleagues to support this measure.

Madam Speaker, I reserve the balance of my time.

Mr. STUMP. Madam Speaker, I yield such time as he may consume to the gentleman from New York [Mr. QUINN], the chairman of the Subcommittee on Benefits, for a further clarification of H.R. 2367.

Mr. QUINN. Madam Speaker, I thank the gentleman for yielding me this time.

Madam Speaker, this afternoon I join the gentleman from Arizona [Mr. STUMP] and the gentleman from Illinois [Mr. EVANS] to pass H.R. 2367, a bill that would provide a cost of living increase to 2.3 million veterans who are in receipt of service-connected disability compensation and nearly 330,000 survivors receiving dependency indemnity compensation, DIC. The bill would increase these benefits by 2.1 percent, the same percentage as given to Social Security recipients. I would also note that all the DIC recipients will get a full COLA.

Finally, the bill codifies the 1998 rates in title 38. Madam Speaker, this bill demonstrates the Congress's continuing commitment to keeping veterans benefits in line with the cost of living. This means that disabled veterans and their survivors will be able to maintain their standard of living. The extra money for dependents and clothing allowances will also make a positive contribution.

Madam Speaker, our disabled veterans represent the finest this Nation has to offer. They made a commitment to the Nation and we are keeping our commitment to them.

Finally, Madam Speaker, I want to thank and compliment the gentleman from California [Mr. FILNER], our ranking member on the subcommittee, as well as the gentleman from Texas [Mr. RODRIGUEZ] for their help throughout the hearings.

Mr. EVANS. Madam Speaker, I yield 1 minute to the gentleman from Texas [Mr. RODRIGUEZ], a member of the committee.

Mr. RODRIGUEZ. Madam Speaker, I want to first of all take this opportunity to congratulate the gentleman from Illinois [Mr. EVANS], the gentleman from New York [Mr. QUINN], and the gentleman from Arizona [Mr. STUMP] for their efforts and leadership in this particular area.

I rise today in strong support of this bill to increase veterans disability payments. From December 1, 1997, all 2.3 million veterans and 307,000 survivors receiving compensation payments will see the amount of their disability check increase by 2.1 percent. The boost cannot come any sooner. Today we find many of our Nation's veterans and their families living from paycheck to paycheck. The least we can do for these individuals is to provide them with this opportunity and these cost of living increases. That is the right thing to do, especially after they have given to this country as much as they have.

I want to thank again the members of the committee for their efforts.

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

I would like to thank the gentleman from New York [Mr. QUINN] and the gentleman from California [Mr. FILNER], the chairman and ranking member of the Subcommittee on Benefits, as well as the gentleman from Illinois [Mr. EVANS], the ranking member of the full committee, for all their support on this bill. Their efforts are greatly appreciated by all the veterans.

Mr. FILNER. Madam Speaker, we who serve as members of the Committee on Veterans' Affairs have many responsibilities. Our primary commitment, however, is to those men and women who are disabled while serving on active duty in America's Armed Forces and to their families. Accordingly, I rise in strong support of H.R. 2367, the Veterans' Compensation Cost-of-Living Adjustment Act of 1997.

Under this measure, more than 2½ million service-disabled veterans nationwide, and their surviving spouses, will receive an increase in their disability-related benefits on December 1 of this year. In the great State of California alone, more than 220,000 veterans injured in service to our country will receive this enhanced benefit.

I am privileged to serve on the Veterans' Affairs Committee and to work on behalf of those whose sacrifices have protected the freedoms on which our Nation is founded. We, as free men and women, owe a unique debt to our veterans, and I urge my colleagues to join me in fulfilling this special obligation by supporting H.R. 2367.

Mr. STEARNS. Madam Speaker, I rise today in strong support of H.R. 2367, the Veterans' Cost-of-Living Adjustment Act, which was introduced by Chairman STUMP.

It is fitting and right that our Nation's veterans be given a full COLA for fiscal year 1998. The 2.6 million veterans who receive disability compensation are entitled to this increase in their benefits. After all, these benefits were earned by these men and women in service to their country. They deserve to be compensated because in many cases their earning capacity was diminished due to injuries sustained during their military service.

Many veterans reside in Florida and I know firsthand how difficult it is for many of them to make ends meet. Passage of this bill will offer these valiant men and women who served our country a little more purchasing power. This

legislation also provides a partial compensation to the widows and children of veterans whose deaths were found to be service-connected. This too is fitting and right.

Again, I commend your leadership on this bill, Chairman STUMP, and I am pleased to offer my unqualified support for its passage.

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

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

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

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from Arizona [Mr. STUMP].

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

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: ''A bill to amend title 38, United States Code, to provide a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans''.

A motion to reconsider was laid on the table.

DENYING VETERANS BENEFITS TO PERSONS CONVICTED OF FEDERAL CAPITAL OFFENSES

Mr. STUMP. Madam Speaker, I ask unanimous consent for the immediate consideration in the House of the Senate bill (S. 923) to deny veterans benefits to persons convicted of Federal capital offenses.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 923

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

SECTION 1. DENIAL OF VETERANS BENEFITS

Notwithstanding any other provision of law, a person who is convicted of a Federal capital offense is ineligible for benefits provided to veterans of the Armed Forces of the United States pursuant to title 38, United States Code.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. STUMP

Mr. STUMP. Madam Speaker, in lieu of the committee amendment, 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. STUMP: Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. DENIAL OF ELIGIBILITY FOR INTERMENT OR MEMORIALIZATION IN CERTAIN CEMETERIES OF PERSONS COMMITTING FEDERAL CAPITAL CRIMES.

(a) PROHIBITION AGAINST INTERMENT OR MEMORIALIZATION IN CERTAIN FEDERAL CEMETERIES.—Chapter 24 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 2411. Prohibition against interment or memorialization in the National Cemetery System or Arlington National Cemetery of persons committing Federal or State capital crimes

''(a)(1) In the case of a person described in subsection (b), the appropriate Federal official may not—

''(A) inter the remains of such person in a cemetery in the National Cemetery System or in Arlington National Cemetery; or

''(B) honor the memory of such person in a memorial area in a cemetery in the National Cemetery System (described in section 2403(a) of this title) or in such an area in Arlington National Cemetery (described in section 2409(a) of this title).

''(2) The prohibition under paragraph (1) shall not apply unless written notice of a conviction or finding under subsection (b) is received by the appropriate Federal official before such official approves an application for the interment or memorialization of such person. Such written notice shall be furnished to such official by the Attorney General, in the case of a Federal capital crime, or by an appropriate State official, in the case of a State capital crime.

''(b) A person referred to in subsection (a) is any of the following:

''(1) A person who has been convicted of a Federal capital crime for which the person was sentenced to death or life imprisonment.

''(2) A person who has been convicted of a State capital crime for which the person was sentenced to death or life imprisonment without parole.

''(3) A person who—

''(A) is found (as provided in subsection (c)) to have committed a Federal capital crime or a State capital crime, but

''(B) has not been convicted of such crime by reason of such person not being available for trial due to death or flight to avoid prosecution.

''(c) A finding under subsection (b)(3) shall be made by the appropriate Federal official. Any such finding may only be made based upon a showing of clear and convincing evidence, after an opportunity for a hearing in a manner prescribed by the appropriate Federal official.

''(d) For purposes of this section:

''(1) The term 'Federal capital crime' means an offense under Federal law for which the death penalty or life imprisonment may be imposed.

''(2) The term 'State capital crime' means, under State law, the willful, deliberate, or premeditated unlawful killing of another human being for which the death penalty or life imprisonment without parole may be imposed.

''(3) The term 'appropriate Federal official' means—

''(A) the Secretary, in the case of the National Cemetery System; and

''(B) the Secretary of the Army, in the case of Arlington National Cemetery.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 24 of such title is amended by adding at the end the following new item:

''2411. Prohibition against interment or memorialization in the National Cemetery System or Arlington National Cemetery of persons committing Federal or State capital crimes.''.

(c) EFFECTIVE DATE.—Section 2411 of title 38, United States Code, as added by subsection (a), shall apply with respect to applications for interment or memorialization made on or after the date of the enactment of this Act.

SEC. 2. CONDITION ON GRANTS TO STATE-OWNED VETERAN CEMETERIES.

Section 2408 of title 38, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d)(1) In addition to the conditions specified in subsections (b) and (c), any grant made on or after the date of the enactment of this subsection to a State under this section to assist such State in establishing, expanding, or improving a veterans' cemetery shall be made on the condition described in paragraph (2).

''(2) For purposes of paragraph (1), the condition described in this paragraph is that, after the date of the receipt of the grant, such State prohibit the interment or memorialization in that cemetery of a person described in section 2411(b) of this title, subject to the receipt of notice described in subsection (a)(2) of such section, except that for purposes of this subsection—

''(A) such notice shall be furnished to an appropriate official of such State; and

''(B) a finding described in subsection (b)(3) of such section shall be made by an appropriate official of such State.''.

Mr. STUMP (during the reading). Madam Speaker, I ask unanimous consent that the amendment in the nature 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 Arizona?

There was no objection.

The SPEAKER pro tempore. The gentleman from Arizona [Mr. STUMP] is recognized for 1 hour.

Mr. STUMP. Madam Speaker, I yield 30 minutes to the gentleman from Illinois {Mr. EVANS] pending which I yield myself such time as I may consume.

Madam Speaker, S. 923 is a bill to deny burial in a national cemetery to veterans convicted of capital offenses. During our committee hearings on this measure, and a similar measure which the gentleman from Illinois [Mr. EVANS] and I introduced, we heard testimony from all the major veterans service organizations. Although none of the organizations oppose the concept of the legislation in this area, they all urged the committee to be very careful about taking away earned benefits from veterans who have served their country honorably.

Existing law requires the reduction of compensation benefits to veterans serving prison terms, and there are provisions which revoke all benefits for certain crimes, such as treason or espionage.

Our committee carefully examined a number of proposals which would deny benefits to a certain class of veterans and reached a bipartisan conclusion on the legislation before the House. The committee chose not to limit benefits other than burial in a national cemetery at Arlington or in State veterans cemeteries.

However, the House amendment does expand the types of crimes which could lead to loss of benefits to both State and Federal capital crimes. I want to note the role of the gentleman from

Alabama [Mr. BACHUS] in insisting that the bill address State capital crimes. I would also like to thank the gentleman from Texas [Mr. RODRIGUEZ] for his careful examination of the legislation and for his suggestions regarding veterans who may not stand trial for capital offenses.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of the amendment in the nature of a substitute to this bill offered by the distinguished gentleman from Arizona [Mr. STUMP], the chairman of the Committee on Veterans' Affairs. The amendment is a measured response to a difficult and complex question: Under what circumstances should a veteran who has served our country honorably be denied the privilege of a burial in a cemetery set aside for the repose of veterans?

This bill recognizes that some former members of the Armed Forces have been found guilty of acts so egregious in the eyes of the Nation that they should forfeit their right to burial in a cemetery dedicated to veterans. S. 923, as amended, recognizes the special value of service to our country. It reinforces the general principle of veterans rights earned in service to this Nation may be abridged only in the most extraordinary circumstances, extraordinary circumstances which justify an abridgement of the right to burial in a veterans cemetery are specified in this legislation.

The amendment offered by the gentleman today, which I support, varies from the version passed by the full committee. These changes clarify the intent of the committee to prevent the burial of former military members who engaged in postmilitary service acts so offensive to preclude their burial in those cemeteries which have been set aside for the repose of our Nation's veterans. Veterans who are convicted of Federal capital crimes and of murder in State capital cases will be barred from burial in the National Cemetery Service, Arlington National Cemetery, and any State's veterans cemetery which has received a grant from the Department of Veterans Affairs for such cemetery on or after the date of the enactment of this bill.

Veterans who fled to avoid prosecution or who have lost their life as a result of a Federal and State capital crime which otherwise would have resulted in the sentence of death or life imprisonment as defined by this bill will also be barred from burial in a veterans cemetery. An earlier version of this bill would have denied the burial benefits to veterans who had not been tried by reason of insanity.

As a result of the concerns raised by the distinguished gentleman from Texas [Mr. RODRIGUEZ], it became clear that such a course would be unwise. I want to thank my colleagues on the committee and particularly the gentleman from New York [Mr. QUINN], the chairman of the subcommittee, who worked diligently to address these issues contained in this legislation. I urge my colleagues to support this measure.

Madam Speaker, I reserve the balance of my time.

Mr. STUMP. Madam Speaker, I yield such time as he may consume to the gentleman from New York [Mr. QUINN], the chairman of the subcommittee.

Mr. QUINN. Madam Speaker, I thank the gentleman for yielding me this time. The bill before the House this afternoon reflects an amendment to S. 923 as reported by the House Committee on Veterans' Affairs. As amended, S. 923 would prohibit burial or memorialization in a national cemetery, Arlington National Cemetery or, prospectively, any State cemetery for which a State receives funding from the VA to anyone convicted of a Federal capital crime or any State capital crime involving the loss of one or more lives. It also gives the appropriate Federal and State officials the authority to deny burial to those who are shown by clear and convincing evidence are guilty of such a crime but are unavailable because they have avoided prosecution or died prior to trial. The bill does not affect other burial benefits such as a flag, Presidential certificates, or burial payments.

Madam Speaker, in crafting this bill and this legislation before us, we have adopted the Senate's desire to include all Federal capital crimes but, in recognition of a veteran's honorable service, we have retained the very limited denial of benefits contained in H.R. 2040 introduced by the gentleman from Arizona [Mr. STUMP]. As amended, S. 923 will not distinguish between a crime against a Federal official or a private citizen, Federal or State law.

We believe that the bill amendment strikes a reasonable position, as the gentleman from Illinois [Mr. EVANS], the ranking member, just mentioned, that protects the status of honorable military service while recognizing at the same time the heinous nature of capital crimes.

Madam Speaker, I want to emphasize to all of our colleagues that this bill does not violate constitutional provisions against ex post facto laws, nor does it qualify as a bill of attainder. This bill is an exercise of the Congress' constitutional authority to prescribe eligibility for any veterans benefit and, because we are proscribing a class of persons, this is not a bill of attainder.

Madam Speaker, in closing, I genuinely want to thank our ranking member of the subcommittee, the gentleman from California [Mr. FILNER], the gentleman from Alabama [Mr. BACHUS], the gentleman from Arkansas [Mr. SNYDER], and the gentleman from Texas [Mr. RODRIGUEZ] for their work on this bill.

We scheduled extra meetings in my office and had meetings with the chairman and the ranking member, and, in my estimation, when we had to deal with some very emotional issues, we took a measured, timed approach to end up with a truly bipartisan effort here this afternoon.

I thank my friends and colleagues on both sides of the aisle for their interest and the time they spent. I think we end up with at least a bill we can take to the full Congress.

Mr. EVANS. Madam Speaker, I yield 4 minutes to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Madam Speaker, I thank the gentleman for yielding me this time.

Madam Speaker, I compliment the chairman of the committee and the ranking member of the committee, as well as other Members, the gentleman from Texas [Mr. RODRIGUEZ], the gentleman from New York [Mr. QUINN], and the gentleman from Alabama [Mr. BACHUS], for their efforts in this regard.

Madam Speaker, imagine yourself a member of a family who has a loved one, a veteran who has passed on, who is buried in a national cemetery, either in Arlington or another national cemetery such as the one we have, one of three we have in Missouri. Also imagine that in a plot nearby, a convicted mass murderer, a veteran, is buried.

What would the reaction of you or the family be? Anguish? Disappointment?

This law, that hopefully will pass and be on the books, covers that loophole. I testified before the House Committee on Veterans' Affairs concerning this issue. I recommended then that the present law be changed to prohibit convicted murderers and terrorists from being buried in national cemeteries.

The current law prohibits burial in national cemeteries of veterans who have been convicted of certain crimes. However, the law has a loophole which needs to be closed. The existing law does not prohibit veterans who use weapons of mass destruction against property or persons of the Federal Government or murder of a Federal law enforcement officer or the crime of terrorism from being buried in national cemeteries.

This, of course, was brought to my attention as a result of the mass murder of 168 Americans in Oklahoma City on April 19, 1995, and the subsequent conviction of a man who happened to be a veteran.

Missouri, Madam Speaker, has three national cemeteries, Jefferson City National Cemetery, the Springfield National Cemetery, and Jefferson Barracks National Cemetery, the latter of which is in St. Louis. We should reserve our national cemeteries for individuals who served and sacrificed for love of country, those who in later life would be role models for those who follow them as members of the armed services or as veterans.

The honor that accompanies burial in a national cemetery is a guarded treasure. The men and women who faced unparalleled adversity while serving their

country deserve a patriotic and esteemed burial.

It is with these thoughts in mind that I not only compliment the committee, the chairman and ranking member and those who worked on it, but I endorse it wholeheartedly and urge its passage.

Mr. STUMP. Madam Speaker, I yield 3 minutes to the gentleman from Alabama [Mr. BACHUS], a member of the committee.

Mr. BACHUS. Madam Speaker, I thank the gentleman for yielding me time.

Madam Speaker, I want to commend the chairman of our committee, the gentleman from Arizona [Mr. STUMP], and the gentleman from New York [Mr. QUINN], the chairman of the subcommittee. What they have done through their leadership on this bill is to give us a much better piece of legislation than what we had when it came over from the Senate.

The bill is not to punish; the bill is to protect our veterans. It is to respect our veterans. It is meant to protect them. It is not punitive. This bill does a very fine job of doing that.

When the bill came over from the Senate, the gentleman from Missouri [Mr. SKELTON] talked about a loophole, and I think that is a very good word. I think the gentleman is correct, in that when it came over from the Senate it said that certain people could not be buried in a National Cemetery if they had committed a Federal offense or a Federal capital offense. We agreed with that.

But the Committee on Veterans' Affairs felt we should not set up a preference for someone who commits Federal offenses, nor should there be preferential treatment given to Federal offenses as opposed to State offenses. In other words, if you blew up a Federal building, if you killed a Federal officer, if you committed a murder on an Indian reservation, you would be prohibited from being buried in a national cemetery; but if you blew up a city hall, if you killed a sheriff, if you walked in a McDonald's and killed 20 people, there would be no prohibition on you, a mass murderer, being buried in a national cemetery.

We took care of that simply by saying that all capital offenses were covered. What the gentleman from Arizona [Mr. STUMP] took leadership on is he was interested in respecting our cemeteries, preserving their dignity, thinking about those heroes who are buried there, and our statement to the Nation on who are our heroes.

The Senate bill, I think, was punitive, in that it denied to the widows, to the dependents, all benefits, and that was not what we were after. That is not what we were seeking. We were seeking to protect and to respect, not to be punitive.

The final product I wholly endorse. I originally introduced part of this legislation in response to a lynching of a 19-year-old young man in Mobile County. The bill that came from the Senate would not have addressed this. The people that participated in the military honor guard protested having to participate in honoring a man who had just been executed in the electric chair in Alabama. The Senate bill did not address that; the House bill did.

Madam Speaker, this is a much better bill, and I urge its passage, and I thank the chairman and the subcommittee chairman.

Mr. EVANS. Madam Speaker, I yield the balance of my time to the gentleman from Texas [Mr. RODRIGUEZ], a fighter for veterans and member of the committee.

Mr. RODRIGUEZ. Madam Speaker, I rise today to commend the leadership for taking swift and precise action to prevent violent criminals from being honored in our Nation's veterans' cemeteries.

The bill we are passing today amends earlier provisions which may have unfairly targeted those who would be blamed, veterans' families or veterans who suffer from mental illness. I believe the focus of this bill on actual convicts and veterans who obviously committed the crime with the requisite mental intent protects due process for veterans and their families.

In protecting veterans and veterans' families from the arbitrary elimination of benefits, this legislation strikes the resounding chord that we will not bless criminal veterans with the honor of burial in our national cemeteries.

Madam Speaker, in closing, let me thank the chairman and the ranking member, as well as the gentleman from New York, Chairman QUINN. I think the gentleman did an exceptional job in reaching out to us in a bipartisan manner.

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

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

Madam Speaker, once again I would like to commend the gentleman from New York [Mr. QUINN] and the gentleman from California [Mr. FILNER], the chairman and ranking member of this subcommittee, and also again the gentleman from Alabama [Mr. BACHUS] and the gentleman from Texas [Mr. RODRIGUEZ] and the ranking member of the full committee, the gentleman from Illinois [Mr. EVANS], for all their fine work on this bill. I think we have come up with a very fine product, and I would urge all Members to support it.

Mr. KNOLLENBERG. Madam Speaker, I rise in strong support of S. 923, a bill to deny veterans burial benefits to persons convicted of Federal capital offenses. I would also like to commend the chairman of the House Veterans' Affairs Committee, Mr. STUMP, for his guidance in bringing this important bill before the House.

On June 18, I introduced H.R. 1955 which is similar to the legislation before the House today. As a member of the VA–HUD Appropriations subcommittee, I felt it was necessary and appropriate to introduce this legislation after the Senate passed S. 923 by a vote of 98 to 0.

As pictures of the Oklahoma City bombing were brought into the lives of everyone across this great country, no one watched with more horror than I did. It will always remain ingrained in our hearts, our minds, and our souls.

Like the rest of the Nation, I was saddened more by the fact the person responsible for killing 168 people in the most heinous domestic terrorist act ever committed could receive a hero's burial with taps, a 21-gun salute, and a flag-draped coffin.

S. 923 is the right thing to do. Our Nation's veterans' cemeteries are sacred ground, and they are a solemn and sad reminder of the price our Nation has paid for the freedom we enjoy every day. It is wrong for those veterans and their dependents to live with the thought that someone who has killed so many innocent lives on our own soil could be laid to rest next to these fallen heroes.

I commend Chairman STUMP and the rest of the Veterans' Committee for their diligence on this issue. I would also like to thank the chairman for allowing me to testify before his committee on this very issue. All of us, including myself, who served in our armed services are thankful for his leadership to ensure our Nation's cemeteries remain sacred.

GENERAL LEAVE

Mr. STUMP. Madam 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 S. 923 and H.R. 2367.

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

There was no objection.

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

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from Arizona [Mr. STUMP].

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

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title of the Senate bill was amended so as to read:

An Act to amend title 38, United States Code, to prohibit interment or memorialization in certain cemeteries of persons committing Federal or State capital crimes.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

IN HONOR OF JOHN N. STURDIVANT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. MORELLA] is recognized for 5 minutes.

Mrs. MORELLA. Madam Speaker, I rise today to honor the memory of John Sturdivant, a good friend of mine and a good friend of hundreds of thousands of Federal employees, including those he knew personally and those whom he never met. John died after a courageous struggle with cancer on Tuesday night. His death and the loss of his leadership are devastating blows to his family, his friends, and all Federal employees. I will miss him very much.

As president of the American Federation of Government Employees since 1988, John was an outstanding champion of Federal employees during a time of rapid downsizing and unprecedented attacks against Federal employees.

He was a wonderful ally to have in our fight for Federal employees. We worked together to successfully reform the Hatch Act and give Federal employees the political voice they deserve.

In 1995, we stood together protesting the deleterious and wasteful Government shutdowns. He presented not only compelling arguments against the Government shutdowns, but he also voiced the human costs of the Government shutdown in a very powerful way.

He successfully advocated the use of official time and led the charge against excessive Government privatization. John was there, with me and several of my colleagues, as we successfully fought against proposals to reduce Federal retirement benefits. He did not let partisan politics obstruct his pursuit of fairness for Federal employees. We supported one another, I valued his help, his guidance, and his bipartisan approach to Federal employee issues.

He was a man who was selfless in his dedication to AFGE. Enduring his illness, in and out of the hospital, he continued to speak out powerfully on issues involving our civil service.

I offer condolences to his companion, Peggy Potter, his daughter, Michelle Sturdivant, his mother, Ethiel Jessie, and his brother, stepbrother, and sister. May they be strengthened by his inspiration, his warm personality, and his achievements.

Madam Speaker, I honor the memory and the great accomplishments of John Sturdivant, a man who touched the lives of hundreds of thousands of people, and a man who will be greatly missed by all who knew him and by those for whom he fought, who never had the good fortune to meet him.

□ 1245

AN EXTRAORDINARY MONTH FOR WOMEN IN THE HOUSE AND IN THE COUNTRY

The SPEAKER pro tempore (Mrs. EMERSON). Under a previous order of the House, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized for 5 minutes.

Ms. NORTON. Madam Speaker, this has been an extraordinary month for women in the House and in the country, and I want to say a few words about women in both places; first, about women in the House, and then about two issues that concern women throughout the country.

On October 21 the women of the House, those who belong to the Women's Caucus, and that is virtually all of us, had our first ever gala. That gala was given to raise funds for Women's Policy, Inc., and it was a most successful event, with the President and the First Lady and the Secretary of State all coming to pay tribute to 20 years of achievement by women in Congress.

We set an extraordinary bipartisan example. The gentlewoman from Connecticut, Mrs. NANCY JOHNSON, is the Republican cochair this year. Last year the gentlewoman from New York, Mrs. NITA LOWEY was the Democratic cochair, and the gentlewoman from Maryland, Mrs. MORELLA, was the Republican cochair. They kept the caucus alive and bipartisan, and we were pleased to follow in their wake this year.

The caucus simply gets things done. It gets things done any way it can. Sometimes it is by getting policies changed; sometimes it is by getting laws changed. And what does the caucus have to show for 20 years from the work we have done? More women getting mammograms, and therefore a decrease in breast cancer and cervical cancer; the Pregnancy Discrimination Act; the Violence Against Women Act. It is a roster to be proud of.

But as it turns out, October was the awareness month for two concerns that women across the country have given the caucus as their own priorities, Breast Cancer Awareness Month, and Domestic Violence Month.

The Women's Caucus this very year waged a battle for mammograms for women over 40. This was in the tradition of the Women's Caucus, when it looked as though we were about to get a reversal in policy on that very issue. The science did not support a reversal, and we were able to get it changed based on the science.

We pride ourselves in not getting changes like that not on political grounds, and using the data that is provided us by Women's Policy, Inc., we were able to help turn that decision around. Now women at 40 should get a mammogram every year or every other year.

This is an important issue. It is important to have the focus of women in Congress on it, because since the early seventies the incidence of breast cancer has increased by 1 percent a year, and we do not know why. All we know is that we have to do something about it.

Actually, if mammograms are high quality they can spot breast cancer in women over 50 at a rate of 85 to 90 percent of the incidence of cancer. So we have made a lot of progress.

While we focused on the threat to women at 40, the fact is that I want to remind everybody that it is women who are over 50 who are at greatest risk for breast cancer. If women aged 50 to 69 have regular mammograms, they can reduce their chances of death from breast cancer by one-third, and gradually, by bringing attention to this dreaded disease, we have been able to do something about it.

I do want to put into the record risk factors that are more specific than what we usually hear. These are the risk factors: Having had a previous breast cancer; a specific, identified genetic mutation that may make one susceptible to breast cancer; a mother, a sister, or a daughter, or two or more close relatives with a history of breast cancer, and that could be even cousins; a diagnosis of other types of disease that are pinpointed to predispose one to breast cancer; that is to say, breast disease that predisposes one to breast cancer; dense breast tissue, which makes it difficult to read a mammogram; and having a first child at age 30 or older.

Madam Speaker, this was also Violence Against Women Month. By observing and talking about this terrible epidemic in our country, we are finally bringing it out of its special closet. Some 3 out of every 100 women in this country have been severely assaulted by a partner, that is, not simply a slap, but severely assaulted. They had to go to the emergency room or get medical treatment.

Madam Speaker, I hope what the Women's Caucus has done helps us all to understand the value of the caucus to bring our attention to problems such as these.

THE TRUTH ABOUT VANDALISM AND ILLEGAL PROTEST IN DISTRICT OFFICE OF HON. FRANK RIGGS OF CALIFORNIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. RIGGS] is recognized for 5 minutes.

Mr. RIGGS. Madam Speaker, it is rather unusual circumstances that bring me to the floor to address my colleagues during special orders, but I really feel compelled to make this statement because of some very, I think, one-sided, misleading reports that have appeared in the media recently regarding a protest that occurred at my district office in Eureka, CA, on October 16.

On that day, over 60 protesters stormed my office. They trespassed my office. They threatened, they actually accosted and assaulted my two employees working in the office at the time, both female employees, wonderful, dedicated employees by the names of Julie Rogers and Ronnie Pelligrini, who felt genuinely threatened and frightened for their safety when this incident began.

These protesters, however, four of whom were subsequently arrested, have now gone to the media, along with

their criminal defense attorneys, claiming that they were the victims of improper police conduct or inappropriate use of force by law enforcement. So I want to explain exactly what transpired in my office.

First of all, as I mentioned, the group was led by an individual wearing a ski mask and carrying a walkie-talkie. So imagine for a moment if your workplace, your business, your office, was invaded by somebody wearing a ski mask, and a group of protestors.

As they came in the office, as I mentioned, they jostled my employees, who obviously had no idea what was transpiring at the time, and who were attempting to call for help. They then trashed and vandalized my office, throwing bark and sawdust 6 inches deep on all of the equipment and throughout the office on the floor, and they unloaded and wheeled into my office a gigantic tree stump as part of this protest. When they off-loaded the tree stump in the parking lot, they did it with such a thud that my employees initially thought that some sort of a bomb had gone off outside.

Bear in mind, this was all part of an orchestrated protest, part of a series or ongoing series of protests that have become, unfortunately, a fact of life on California's north coast, but involve the harassment of private law-abiding citizens, intimidation, trespassing, vandalism of personal and commercial property, and resisting arrest.

After all this took place, and this was to protest my role in helping to secure congressional authorization and funding for the protection of living wage jobs in the forest product industry, and 7,500 acres of old growth forestland in my district, in the context of the annual spending bill for the Department of the Interior, they were protesting my role in that because they wanted to preserve, they want to preserve, 60,000 acres of forestland, all of it privately owned in our district, and they would like to add that to the vast tracts of forestland that already is in the public domain, under public ownership.

But as this protest continued, four individuals, one of them a minor, all female, chained themselves to this gigantic tree stump in my office. When the local law enforcement agencies arrived, they refused repeated commands, lawful orders from sworn peace officers, to separate themselves.

It turns out they had stuck their arms in metal sleeves, chained themselves to this tree stump, and law enforcement officers explained to these four protestors that not only were they under arrest, not only were they resisting arrest, but that law enforcement was afraid to cut through these metal sleeves for fear that the sparks might set off a fire in the office, which, as I mentioned, had been littered at that point with sawdust and wood chips everywhere.

So after they gave repeated orders to these protestors to separate, to unchain themselves, and to submit to the custody of law enforcement because they were under arrest, after they repeatedly refused these lawful orders, the peace officers involved, who have a very difficult, dangerous, and dirty job to do, then warned that they might use chemical agents to compel them to surrender to arrest. I am a former law enforcement officer myself. That is opposed to some other manner of peaceful restraint. They thought that was the proper arrest technique to use in this situation.

Even then, after being warned repeatedly, they refused to comply with the orders, so the law enforcement officers at that point applied a little pepper spray in the face area of these protestors, who still refused to comply with the orders of the law enforcement officers, who then finally, as a last resort, used a chemical agent called pepper spray to force them to submit to arrest.

Now these protesters are out there with their criminal defense attorneys saying, and I quote one of the attorneys, ''The abuse of this extremely dangerous and incredibly painful chemical weapon to force obedience of peaceful protesters is not related to any legitimate law enforcement objective.''

I want to conclude by saying that these were not peaceful protesters, these were reckless, wanton lawbreakers. My message to the media is get it right, and tell the rest of the story.

NEED FOR CAMPAIGN FUND-RAISING REFORM HIGHLIGHTED BY SPENDING FOR UPCOMING SPECIAL ELECTIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. SNYDER] is recognized for 5 minutes.

Mr. SNYDER. Madam Speaker, over the last several months we have heard a number of discussions about the problem of large donations in our campaign system. I have been up on the floor, as have many people, discussing that issue.

At one time I had a large blown-up check that we had which had been signed by my friend, Ima Big Donor, made out for $1 billion, with a big sign, ''To any old political party,'' a completely and perfectly legal donation under our current campaign laws. I continue to be optimistic that something will occur in this session of Congress that will deal with campaign finance reform.

But when I go back home and make speeches and people ask me, do you think that you all are going to do anything in Washington about campaign finance and these terrible problems we are having, I say, look, it may take one more election cycle. Maybe we will have to go through the 1998 election cycle, and just see these thousands and thousands and millions of these soft dollars, these unregulated, unlimited, huge donations saturate our system to where the outrage of the American people will finally force this Congress, specifically the Republican leadership, to let us take up campaign finance reform.

But I am thinking that maybe we are not going to have to wait that long, because we have some examples right now going on in special elections where we can see and predict what is going to happen in 1998.

Right now in New York this Tuesday there is going to be an election to fill the seat of retired Representative Susan Molinari. We have two candidates, a Democrat, Eric Vitaliano, and a Republican, Vito Fossella. As the press reports a couple of days ago, the Democrat had spent about $35,000 in television ads and the Republican had spent about $85,000. I am sure those numbers are substantially higher now. But what we have is a duel between two local candidates who care very much about their country and are trying to win the election.

But in the middle of this duel comes the 800-pound gorilla. The 800-pound gorilla is the Republican National Committee. Not only is it an 800-pound gorilla, it is an $800,000, $800,000 gorilla that has brought in outside money through the committee saturating the airways to tilt the election toward the Republican.

Our laws do not have loopholes, they have an absolute, major sieve, and have become almost meaningless to deal with these massive amounts of money.

Madam Speaker, for Mr. Vitaliano, the Democratic candidate, he is currently required by Federal law that he can only accept a $1,000 donation from any individual, and he can only accept $5,000, maximum, from any political action committee.

The Republican National Committee has absolutely no limit on the amount of money it can accept into the party as soft money, and in fact, there have been reports of donations over $1 million, and I suspect we will see more of those to that size.

So what is the problem? The problem for the voters of New York, they are going to have to decide if that seat is for sale to the highest bidder. Folks say, well, Democrats do it, too. But I do not think that makes it in any better.

All it means is if you are a local person sitting in New York, you are going to say, is the amount of Republican money coming in from the outside going to win the day or the bid, or will it be offset by the amount of the Democratic money coming from outside New York? Is that going to tip the scale? The seat becomes for sale to the highest bidder.

The problem for our system is two, as I see it. No. 1, what do those huge donations buy? Is it access? That is what we often hear. Is it access, the ability of someone who makes a $300,000 donation to get into the seat of power and discuss the issues that a person who

makes a $25 donation does not get to do?

□ 1300

I think that is one of the problems. The other one is this issue of the 800-pound gorilla. When I am a candidate and I announce for a race, I call my brother-in-law and he sends me $25, and I call the guy down the street and he sends me $100.

The outside money in these huge amounts, $800,000, absolutely overwhelms the local fundraising. It distorts the local politics. It makes the race one in which outside huge money powers control the race, and I think that is wrong.

We have a second example. Our dear friend, Walter Capps, passed away just a few days ago, and there is obviously going to be a special election. There is already discussion out there in California about who is going to be in the race, and Walter's funeral has not even occurred yet.

Yesterday's Roll Call newspaper has a quote discussing that race from an employee of the National Republican Congressional Committee, and this is what he said. ''We will do whatever it takes to win this seat. That means spending whatever it takes, ground troops, party money. This is the kind of seat where we will go to war to win.''

Well, aside from perhaps commenting on the crassness of making such a statement even before poor Walter has had his funeral, listen to those terms. ''Party money.'' Not ''local money,'' ''party money.'' The $800,000 gorilla presents his head. It is wrong.

Mr. Speaker, this Congress needs campaign finance reform.

The SPEAKER pro tempore (Mr. RIGGS). Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

[Mr. SMITH of Michigan 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. VISCLOSKY] is recognized for 5 minutes.

[Mr. VISCLOSKY 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 Pennsylvania [Mr. ENGLISH] is recognized for 5 minutes.

[Mr. ENGLISH of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

BREAST CANCER AWARENESS MONTH

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, as you are aware, October is National Breast Cancer Awareness Month. Why is the issue so important? It is important because breast cancer is the most common major cancer for women. Every 3 minutes, a woman in the United States is diagnosed with breast cancer.

This devastating disease is the second leading cause of death among cancer victims overall. Today there are more than 2.6 million women living with breast cancer, women who struggle daily against the ravages of this killing disease. Of those 2.6 million American women, 71,000 of them are in North Carolina. Many of these aforementioned women are undiagnosed, do not know they have the disease.

Fortunately, through research developments, we have effective methods of detection that are improving steadily. However, no technique, no matter how effective, can diagnose women who do not have adequate access to health care.

Each year on average 182,000 women are diagnosed with breast cancer. Of that total, 16,000 are Afro-American and over 4,900 of them are from North Carolina.

While the prognosis is good for many women with breast cancer, it often proves fatal for those women whose cancer is not discovered until it is very late in their lives.

Mr. Speaker, the losses we have as a Nation suffered are staggering as a result of this. Each year on average nearly 44,000 women succumb to breast cancer; 44,000 mothers, sisters, daughters, spouses, partners and friends. Mr. Speaker, 5,200 of those women are, again, Afro-American women; 1,200 of them are from my home State of North Carolina.

Mr. Speaker, I cannot stress enough how critical it is to study this insidious disease further, for 80 percent of women diagnosed with breast cancer do not fall into any known high-risk category, so they do not know they have it.

This is an issue for all of us, not just those with a family history of breast cancer. The incidence of breast cancer has been rising steadily since 1940, but none of the experts have been able to ascertain why. We do not know how to cure this disease or even how to prevent it. Significant strides have been made in detection and treatment of breast cancer, but we still have a long ways to go.

The economic impact on the United States is incredible. Breast cancer costs the United States over $6 billion annually in medical care and the loss of productivity.

Mr. Speaker, two of my colleagues in Congress, the gentlewoman from Connecticut [Ms. DELAURO] and the gentlewoman from California [Ms. ESHOO], have begun an Internet petition drive calling for improved insurance coverage for breast cancer. Those who wish to add their name to the list should use the following address: http://breastcare.shn.com.

Mr. Speaker, we must be committed to finding a cure for this cancer as well as many other devastating diseases. We all can help because cancer, indeed, claims many of our loved ones.

TRIBUTE TO FORMER CONGRESSMAN JOEL PRITCHARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. WHITE] is recognized for 5 minutes.

Mr. WHITE. Mr. Speaker, in recent weeks, the House has lost a man who should be an example to all of us, and I just wanted to spend a few minutes today talking about him.

Joel Pritchard, who served in this House from 1972 to 1984, died earlier this month in Seattle. There was a memorial service here last night over in the Cannon Office Building that many of us attended. There was a funeral service in Seattle several weeks ago. Unfortunately, Mr. Speaker, I will never be able to match the observations that were made at those two proceedings about what a wonderful person Joel was, but I would like to make just a few observations of my own.

First of all, I think that for those of us in the House it would be good for us to recognize that Joel was everything that we so often are not. Joel was always cheerful. He was always positive. He never said an unkind word about anybody. Nobody could remember one in all of his long years here in the House of Representatives.

Joel was the sort of person who believed that one could accomplish anything they wanted to accomplish if they did not care who got the credit. And I think those are all things that we can could stand to remember today.

Mr. Speaker, I would like to enter into the RECORD two things: First, a column that appeared in the Seattle papers just a week or two after Joel died by Adele Ferguson that makes the comment at the end of the article that, ''Joel Pritchard is an argument for human cloning.''

I think that is something that those of us who knew him would agree with.

Include the following for the RECORD.

A MAN OF HIS WORD, JOEL PRITCHARD GAVE POLITICIANS A GOOD NAME

(By Adele Ferguson)

Few, in my nearly 40 years of covering the doings of politicians, had what I called HIGI, for honesty, intelligence, guts and integrity, and Joel Pritchard was one of them.

If anybody remembers that classic television series about a congressman called ''Slattery's People,'' the former Seattle congressman and lieutenant governor who died of lymphoma at age 72, was Slattery. He was walking integrity.

He was also fun. He used to come charging up out of his seat in the state House like a seltzer fizz, and the foam just got all over everybody. Everybody liked him and everybody listened to him because he only talked when he had something to say. When Pritchard

said something came ''slithering'' over from the Senate, everybody else had to say it too, over and over again.

It was Pritchard who told me that when he shared a house with then-fellow Reps. Dan Evans, Slade Gorton and Chuck Moriarty, Evans was the only one who made his bed before they left each morning. He shared with me his disgust as fellow legislators who, during the morning prayer, shuffled and read papers on their desks instead of concentrating on the message.

Once, when rumors were hot about something the Republicans were up to, I asked him about it, and he looked sad. ''Adele,'' he said, ''I know exactly what you want to know, but I am part of it and I am sworn to secrecy.'' When he was not sworn to secrecy, however, he was candid and trusting that I would not misuse his confidences. I knew a lot I couldn't write.

Pritchard had been in the Legislature for 12 years when he decided it was time to move on, and he'd always said he wasn't going to grow old in the office just listening to the lobbyists tell him what a good guy he was.

One of his neighbors at his summer place on Bainbridge Island was U.S. Rep. Tom Pelly, who had served in Congress for 18 years. Two long, Pritchard said. It was time for new blood, new ideas. He never said a bad word about Pelly, who survived the primary challenge, but who got the message and retired the next time around, leaving the field to Pritchard.

God and the voters willing, Pritchard said, he would limit his time in Congress to 12 years, which he did, despite a burgeoning tide of encouragement, including mine, to accept a draft to stay on.

In 1988, Lt. Gov. John Cherberg retired and Pritchard decided to run for the open seat. He would never have challenged Cherberg, who not only was a good friend but his football coach at Cleveland High School.

Pritchard told me that during World War II, when he was an Army private slogging through the jungles of Bougainville, a fellow soldier gasped, ''How are we ever going to get use to this awful heat and being thirsty all the time?''

''You should have played for my high school football coach,'' Pritchard gasped back. ''You would have gotten use to it.'' Cherberg never let his players go to the drinking fountain during practice. ''He though it was bad for you,'' Pritchard said.

He promised, on his election to succeed Cherberg, that he would only serve two terms and not run for governor. He kept that promise too.

Three bouts of cancer never diminished his spirit, although he was saddened by two failed marriages. He was a devoted brother and father. A voracious reader, he wanted everybody to enjoy reading as much as he did and spent much of his spare time as a tutor.

Joel Pritchard was one of the finest public officials and human beings I ever met. Joel Pritchard made being a politician respectable. Joel Pritchard is an argument for human cloning.

Also, Mr. Speaker, I would like to enter in the RECORD the last public writing that Joel had. It appeared less than 2 months ago in one of the Seattle papers. It is a subject that I think all of us could benefit from in this House. It is entitled ''The 10 Habits of Highly Effective Legislators.'' If I could take just a minute or two to point out a couple of things that Joel was talking about in here.

He said that among the 10 habits of highly effective legislators was the fact that, No. 1, they keep their egos under control. Another thing that he mentioned was that highly effective legislators refuse to take themselves too seriously. He also said that highly effective legislators demonstrate their integrity by admitting their imperfections, and he has several other things here that I think we could learn from here. I will include this article as well for the RECORD.

[From the Seattle Times, Sept. 7, 1997]

THE 10 HABITS OF HIGHLY EFFECTIVE LEGISLATORS

What does it take to become an effective lawmaker? State and national political veteran Joel Pritchard has seen a lot of promising candidates wither on the political vine. One thing he has learned: A winning campaign style does not translate into legislative competence. In this era of term limits, he offers 10 characteristics of successful politicians—attributes voters should consider when evaluating candidates.

(By Joel Pritchard)

Campaign season is a good time for voters to think about what it takes to be an effective office-holder as compared to what it takes to be an effective political candidate.

The requirements not only are different, they often are contradictory, and they are not always obvious. In 32 years of political service, I witnessed numerous state legislators and members of Congress who possessed the intellectual capacity and energy to be effective public officials, but somehow did not develop the habits that would make them so. Still, some were very accomplished at winning elections back home. Others simply self-destructed in politics as well as statesmanship.

Two come immediately to mind. One was a young Washington state legislator who was smart and articulate; the kind to whom the media attach the word ''promising.'' But he refused to acquire understanding and competence in legislative practices. Instead, he developed as his primary interest finding opportunities to make public criticisms of minor problems at state agencies. This approach interested few constituents.

The other was a Western state congressman who wasn't effective in the House because of a quiet reputation for being untrustworthy. His constituents probably didn't distrust his word, because they didn't see him in action, close up. But his colleagues learned that they could not count on him, and, believe it or not, that is still an important standard in legislative chambers. In addition, this individual made it his custom to encourage voters in neighboring congressional districts to criticize their own representatives. That may not be immoral, but it certainly is foolish if you want your colleagues to cooperate with you later on matters that you care about.

Neither of these individuals is still in office.

Two other members of Congress that I encountered—one from the Southwest and the other from the Midwest—never came close to fulfilling their potential. Seeking publicity and constant campaigning for the next election were always more important to them than legislative work.

They chased television cameras and ingratiated themselves with reporters and commentators. They were masters of taxpayer-financed newsletters and the art of perpetual fund raising. Their re-election efforts were successes, all right, and they were returned to office again and again.

Most of the voters in their districts probably thought that the blizzard of press releases signified that their congressman was one of the most powerful leaders in the country.

The reality, however, was that electoral success was their only success. For one, after eight years in office, not a single amendment or other piece of legislation offered by him in committee or on the floor of Congress was ever adopted, even though he was a member of the majority party. The other was a confrontational, bombastic speaker whose instinct for controversy gave him high media notice and therefore high name recognition. But, again, in the halls of Congress, even the members with well-fed egos (which is most, of course) looked down on him as a showboater, and he was as ineffectual as the first fellow in actually getting things done.

These were people who were in office not for what they could do, but for what they could appear to do. Watch out for politicians with big propellers and small rudders.

Of course, there are a few members of legislative bodies whose early years are marked by ineffectiveness who change for the better over time.

I served with two members of Congress who were completely undistinguished in their first years on the Hill, but eventually matured. One, from the East, was noted for what a colleague termed ''self-righteous grandstanding.'' Colleagues don't mind if you do that back home, but they hate it when you try it on them! Worse, this fellow often hinted to fellow members that they all lacked his intelligence and concern. Instead of admiring him more, of course, his colleagues for years went out of their way to ignore him. Fortunately, he was smart enough to see in time what he was doing wrong.

The other late-bloomer, from the upper Midwest, performed as a narrow-minded ideologue, someone who didn't want to be bothered with the lessons of experience, because he already knew what was wrong with the country and had simplistic slogans to meet every situation. After about a decade of such posturing, he began to realize that though he was still in office, he hadn't accomplished anything. Listening to others, accepting a little less than perfection (by his lights) and accepting responsibility for the legislative process, he, like the other case above, grew into a respected leader in his party.

In truth, such late-bloomers are unusual. Most people—including politicians—find it hard to change. The personal behavior and political techniques that a candidate brings to office normally are the ones he or she will practice once there. In an age of term-limit considerations, when many fear the loss of legislative bodies seasoned by experience and institutional memory, discovering these artibutes in candidates is more important than ever, though no easier.

My observation is that effective legislators posses characteristics that, regardless of their years in office, are primarily responsible for their success. Of course, office-holders need to be ambitious, intelligent and committed to hard work. But they also have to have cultivated good political habits.

Here are ten of them:

(1) They keep their egos under control.

Put it this way: They don't let the praise of their own campaign brochures go to their head. They don't abuse staff members and those who assist them, nor treat career public servants or their fellow legislators with condescension. In fact, the code of the gentleman (or ''gentlelady'' in Congress) is what it always has been: Treat everyone in a friendly, collegial way.

(2) They are able to manage and lead their staff or those who are chosen to assist them, and they seek advice from competent and trustworthy sources.

The ultimate effectiveness of legislators can be partially judged by whom they employ, by their willingness to seek information from many sources (whether or not on

his own side) and by whom they rely on for regular counsel. Legislators who limit themselves to a narrow circle of advisers from any part of the spectrum usually limit the breadth of their knowledge and vision.

(3) They do their legislative homework and develop expertise on at least one issue.

A legislator earns respect from his fellow lawmakers by providing them with a superior understanding of certain types of legislation, even if the subjects are not of greatest importance to other members. Because legislators deal with so many issues, each has the opportunity to become an expert. It's an opportunity the showboaters pass up, but which pays off at crucial times and becomes the source of mutual trust and reliance in legislative bodies.

(4) They are not obsessed with obtaining credit from the media and the public for presumed legislative accomplishments. Obviously, elected officials need to receive some credit in order to be seen as effective back home. But for that very reason, the legislator who shares credit builds trust and respect among his colleagues. This kind of credit in politics is like financial credit in a bank; it's there when you really need it.

Most legislators especially develop a distaste for fellow members who continually seek praise when it is not deserved. It may not count against them in the media, but it does count against them in legislative negotiations.

(5) They realize that changes often come in a series of small steps.

I'm talking about the art of compromise, of course. Political and social principles are extremely important, but of little benefit if they can't persuade people on their own. Obtaining desired legislation by increments is usually more realistic under the American system than it is, perhaps, in systems without so many checks and balances and where laws can be fundamentally changed all at once. Legislators who insist on having everything their own way may look noble on television, but they carry little weight with their colleagues and generally get little of consequence done.

(6) They know how to work in a bipartisan fashion on most issues and respect the sincerity of those who oppose their point of view.

The effective legislator, like an effective person in any field, is able to discuss issues without personal rancor, and to realize that he or she may not possess the final truth in all matters of public policy.

Respect is the basis of civility. It lubricates the legislative process and removes unnecessary friction.

There's wisdom as well as kindness in this attitude of humility. An honest legislator will admit that much legislation, once it is implemented, may turn out to lack the perfection its authors claimed for it and will have to be modified or even repealed. Don't denounce your critic too harshly. History may prove him right!

(7) On issues where dramatic differences of opinion exist, they are intellectually capable of understanding their opponents' positions and arguments.

This is hard to do, or at least to do well. The common tendency is to parody the arguments of an opponent or put words in his mouth. But even if the public cannot always see it, other legislators know when a colleague is representing an opponents' case fairly. When it happens, even though minds may not change, attitudes are changed. An honest debater wins points of respect. It adds to the credit in his bank!

(8) They refuse to take themselves too seriously.

Politics is a serious business, but keeping a sense of humor is essential to keeping a realistic sense of proportion, and that actually helps the serious business proceed. For many elected officials, periodic re-election and growing seniority make them imagine that they not only are gaining in experience but in virtue. Arrogance and acute self-centeredness hurt effectiveness. An ability to laugh at yourself has the ''serious'' result that it disarms your opponents!

(9) They understand that you become more effective by listening, questioning and learning, rather than just talking.

Almost all politicians, in or out of office, like to talk, naturally.

However, that does not mean that they have a lot of patience for other politicians who abuse the privilege. They do notice the person who studies carefully, gives evidence of sincere intellectual curiosity and works hard.

(10) They demonstrate their integrity by admitting their imperfections.

Nobody's perfect and little is more annoying than some politician who pretends otherwise—especially with his colleagues, who definitely know better. In fact, if you were perfect, you'd be smart to hide it.

Admitting your were wrong on an issue, not knowing the answer to every question and even changing one's mind in the face of facts are signs of personal security and strength, not of weakness. Such occasional admissions (which obviously should not be calculated) demonstrate to colleagues genuine character and encourage trust. Any observer can tell you that most legislators do not have all of these characteristics, and I would be the first to confess that in my 24 years as a legislator, not all of them were part of my own makeup.

Effective legislators don't need to have them all, but they do need to have a majority etched in their personality, and usually long before their election.

Other factors will help develop character, including experience, analytical powers that improve personal judgment, and the courage to stand up and be counted when the political risks are high.

Oddly, however, many of our most effective legislators have great difficulty being elected to higher office. Why is this so? Regrettably, just as a good ''show horse'' does not necessarily result in a good ''work horse,'' the opposite is also true. The very humility that makes for trust within a legislative body, enabling quiet influence for good, is the vulnerability a rival can exploit at campaign time. The courage of one's conviction that the history books are likely to praise is perceived as mere stubbornness in the eyes of an offended interest group.

That is why it is increasingly important for voters, and the media that inform them, to consider the quiet, behind-the-scenes merits of effective legislators and other elected officials. The character issue is really about the age-old search for someone who would be ''good'' in office. The implication is that character and effectiveness usually go hand in hand. So don't just take the word of a campaign ad, television sound bite, or even a news column, as to who is likely to do the best job in office.

Check with a legislator's colleagues and the people who work with him or her. If we want effective people in office, we need to learn how to do a better job of figuring out which ones they are.

Finally, Mr. Speaker, I would like to make a couple of personal observations about Joel Pritchard.

When I ran for Congress, I had never run for any office before. I was not really all that involved in politics and I did not know Joel very well at the time, but I can remember when a reporter first asked me who I would like to be like in Congress and who was my hero, what sort of model would I like to follow, Joel Pritchard was the first person I thought of. He had that reputation throughout our State, even among people who did not know him.

After I was elected, Joel took a personal interest in me and we saw a lot of him in our office in Washington, DC. He would come back and talk to me and talk to the staff. Every once in a while he would give me gentle advice on the right way to deal with things, and frankly he gave me an example of a really excellent way to conduct myself in the job that I have. I have the seat that he had for 12 years.

I would like to say, Madam Speaker, in closing, that he set out a very admirable path for those of us who are in this business. It is a path that frankly will be harder for me to follow, and I think harder for all of us in this House to follow, now that Joel is no longer with us. We will miss him very much, perhaps more than we know. I just hope we can all be worthy of his example.

HONORING THE LIFE OF JOHN N. STURDIVANT

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

Mr. HOYER. Madam Speaker, I came to speak about the loss of a leader in the Washington Metropolitan Area and in our community, but as well in our Nation. I came to the floor and I heard the gentleman from Washington [Mr. WHITE] speak about Joel Pritchard. I had not heard that he died.

Madam Speaker, I had the opportunity to serve with Joel Pritchard. He was a Representative, as has been said, of great integrity and great substance, a very decent human being who believed that partisanship came long after principle. He was a delight to serve with, and I am sorry to hear that he has passed away.

But as I will say about John Sturdivant, Joel Pritchard was someone who made this House a better place because of his service.

Madam Speaker, I rise to speak about a very good friend of mine, John Sturdivant, president of the American Federation of Government Employees. John Sturdivant died just a few days ago of cancer. I had the opportunity to talk to him about 3 our 4 days prior to his death. Even at that time, he was talking about his beloved members of the American Federation of Government Employees, was talking about how he could fight for and work for ensuring that they had an opportunity to earn sufficient funds to create for themselves a decent life and to provide well for their families, their husbands, their wives, their children.

Madam Speaker, his death leaves not only the American Federation of Government Employees, not only government employees generally, but our Nation bereft of an individual who fought tirelessly on behalf of our Nation's civil servants and on behalf of efficiency and effectiveness in our government.

As president of AFGE, John Sturdivant represented over 700,000 workers throughout the United States during one of the most difficult periods facing civil servants in this country's history. He was deeply committed, Madam Speaker, to the belief that today's civil servants constitute the answer, not the problem, to making our Government operate more smoothly and efficiently. The thousands of workers he spoke for could not have had a more committed, more knowledgeable, more passionate advocate of their interests.

Madam Speaker, I knew John Sturdivant well. He was my friend. He worked very hard to shift public opinion of civil servants from the incorrect perception of inactivity and nonperformance to the truth of a dynamic and hard-working national resource.

Madam Speaker, I will be speaking at John Sturdivant's funeral next week, and I will remember him as a good human being, as an American who cared about his country, as a person who utilized his talent to the fullest, not simply for himself or for profit or for gain, personal gain, but for the welfare of the country he loved and the welfare of his members.

He was at times a person of great passion and even anger, but that anger and passion was directed at correcting and righting wrongs that he perceived.

I know that he dealt with the President, with the Vice President, and with so many of us in the Congress of the United States as an advocate of policies that would reward our personnel based upon their effort and their talent and their accomplishments.

He will be difficult for AFGE to replace. He will, like all of us, be replaced. None of us are indispensable. But all of us hopefully can be remembered as making a special contribution, a contribution of significant worth, a contribution emanating from a sense of our country's needs and the needs of our fellow men and women.

Madam Speaker, I thank you for this time to remember a good and decent American, John Sturdivant, President of the American Federation of Government Employees.

□ 1315

THE BRAINLESS TAXMAN

The SPEAKER pro tempore (Mrs. EMERSON). Under a previous order of the House, the gentlewoman from Idaho [Mrs. CHENOWETH] is recognized for 5 minutes.

Mrs. CHENOWETH. Madam Speaker, it is not often that I bring a whole lot of levity to this House, but sometimes we have to make sure we maintain our sense of humor in order to make sure we maintain our focus.

Madam Speaker, this is Halloween and there will be many scary stories that are told today. One of the scariest stories that I heard that I remember when I was a child was the tale of the headless horseman. But in keeping with that theme today, let me tell you a true story. I call it the tale of the brainless taxman. As I said, this is really a true story and it involves one of my constituents.

My constituent, a respected Idaho jurist named Robert Huntley, carefully paid his taxes every year and when I said he is a respected Idaho jurist, he is a former justice of the Idaho Supreme Court. He is a careful man. He is a law-abiding man. He thought that he was safe, by paying his estimated taxes as required, from the clutches of the brainless taxman. But last year he made a mistake. The good judge underpaid his taxes by 39 cents. Out of nearly $75,000, the good judge underpaid his taxes by 39 cents.

Now, that is an error of about one two-hundred thousandths of the tax burden. It is also less than one-half dollar. It seems to me that it could have been rounded down to a zero, but that would have been reasonable. And the IRS is not reasonable and we all know that from the horror stories that we have heard across this Nation.

So what did the brainless taxman do in this case? Well, he pointed a bony finger in the direction of the judge and told him that he owes 39 cents in back taxes plus $123.71 in penalties plus 1 cent in interest on this egregiously delinquent bill.

Now, Madam Speaker, the brainless taxman assessed penalty and interest of $123.71 for an error of 39 cents on former Justice Robert Huntley.

In case you are wondering, in order to calculate 39 cents as a percentage of his tax bill, you have to go back six decimal places. No wonder Americans are scared to death of the brainless taxman. Madam Speaker, let us drive a stake through the heart of this monster once and for all. Let us not just wound him, let us drive a stake through the heart of this monster.

Madam Speaker, I include for the RECORD copies of Justice Huntley's letter that was sent to me and his tax bill. I have properly redacted the good judge's Social Security number.

GIVENS PURSLEY & HUNTLEY LLP,
BOISE, ID, JULY 21, 1997.

Hon. HELEN CHENOWETH,
Longworth House Office Bldg.,
Washington, DC.

DEAR CONGRESSMAN CHENOWETH: I write you to give you a document which will instill pride in the bureaucracy of our government, namely the IRS. Enclosed is a notice I have received advising that I underpaid my quarterly payments by $.39 cents and thus I am being assessed a penalty of $123.70 and interest of $.01 (one cent).

It is great that the IRS expends its energy ferreting out us substantial tax avoiders.

Sincerely,

ROBERT C. HUNTLEY, Jr.

DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE,
Ogden, UT, July 14, 1997.

Robert C & Elfriede M. Huntley.

REQUEST FOR TAX PAYMENT

According to our records, you owe $124.10 on your income tax. Please pay the full amount by Aug. 4, 1997. If you've already paid your tax in full or arranged for an installment agreement, please disregard this notice.

If you haven't paid, mail your check or money order and tear-off stub from the last page of this notice. Make your check payable to internal revenue service and write your social security number on it. If you can't pay in full, please call us to discuss payment.

TAX STATEMENT

PAYMENTS AND CREDITS

Tax withheld	$.00
Estimated tax payments	−45,041.61
Other credits	.00
Other payments	−29,804.00
Total payments & credits	−74,845.61

TAX

Total tax on return	74,846.00
Less: Total payments & credits	−74,845.61
Underpaid tax	.39
Penalty	123.70
Interest	.01
Amount you owe	124.10
Subtract payments we have not included above	
Pay this amount (use tear-off on last page)	

NATIVE AMERICAN HOUSING BILL

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

Mr. METCALF. Madam Speaker, recently I have introduced H.R. 2663, the Native American Housing and Self-Determination Act amendments, to strengthen the Native American housing bill passed in the 104th Congress. Since the passing of this legislation, we have become aware of abuses and mismanagement in the Department of Housing and Urban Development and their Native American Housing Program. Throughout the events leading up to the disclosure of abuses, it is evident that HUD has been slow in acting, slow in responding, and slow in taking corrective measures.

Consequently, Federal funds which should have been spent on low-income tribal members were spent for extravagant housing or projects not approved by the grant. Where was HUD when these abuses were occurring? Why was not HUD watching for abuses?

These were some of the questions at a joint hearing held by the Senate Committee on Banking, Housing, and Urban Affairs earlier this year. In reality HUD could have done considerably more to prevent the abuses from occurring in the first place. HUD could have imposed greater sanctions and HUD could have stopped construction of some of the projects.

My legislation will strengthen the new law by requiring greater public accountability, increasing auditing capabilities, and ensuring that Federal funds are used appropriately. Currently, the law allows the Secretary of HUD to waive the submission of a

housing plan by the small tribes. The housing plan contains the tribes' goals and objectives in providing housing for low-income tribal members.

To ensure that the tribes are accountable to HUD and to the public, my bill will require all tribes to submit a housing plan to HUD.

More importantly, these housing plans and other tribal policies will be available to the public. I believe that this public disclosure will help keep HUD accountable to the taxpayers. My legislation will also require audits under the Single Audit Act. This would consolidate the auditing process into a single process and thereby expedite the auditing process and reduce bureaucratic red tape. Again, these reports on the audits will be available to the public.

The Secretary of HUD can also request additional audits and reviews to determine if a tribe is in compliance with the provisions in their housing plans and ensure performance in a timely manner. These reports will also be available to the public.

Last, we need to ensure that Federal funds are spent appropriately. We can only do this if we know why tribes are spending Federal funds for different income groups. We are aware of cases where Federal funds were not spent for the targeted group. My bill will require that tribes explain their targeting of housing funds. In turn, they will have a clearer understanding of what is expected of them.

I know that my bill will not stop all the abuses in mismanagement. It is a start in making HUD more responsible to this Congress. We can no longer tolerate the abuses and wasteful spending which have occurred in the past. Today we begin to give HUD greater authority to oversee this program, but also to keep them accountable to the taxpayers.

I have worked with tribes in my district and outside to address their concerns and together we have found common ground in many areas. I also wanted to thank the gentleman from New York [Mr. LAZIO], chairman of the Subcommittee on Housing and Community Opportunity and his staff for working with me and my staff producing this bill.

I urge my colleagues to support this legislation. We cannot strengthen this program without requiring public disclosure, increasing auditing capabilities, and creating safeguards to ensure that Federal funds are used appropriately.

CHINA AND HUMAN RIGHTS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Washington, Mrs. LINDA SMITH, is recognized for 5 minutes.

Mrs. LINDA SMITH of Washington. Madam Speaker, yesterday I introduced a resolution expressing a sense of Congress that the Chinese Government's practice of executing prisoners and selling their organs for transplant be stopped and that we say this is immoral. Earlier this month, on ''Prime Time Live,'' a television show airing on ABC, Americans got a see for themselves what has become an all too common practice of prisoners routinely executed and their organs sold to people willing to pay $30,000 for a kidney in wealthier countries.

What is even more troubling is that Chinese nationals living in the United States on student visas are marketing these organs to Americans and other foreigners who have the money to make the $5,000 deposit and they travel to China to a Red Liberation Army hospital where they receive the kidney using modern American medical facilities, but only they have been tissue-typed and the prisoner, of which they say there are plenty, is tissue-typed so there is a perfect match.

The resolution that we entered yesterday condemns this practice, but it also calls on the administration to bar from entry any Chinese official who is directly involved in the practice of organ harvesting to the United States. Furthermore, we have called for individuals who are in the United States now engaged in marketing and facilitating these transplants to be prosecuted.

I want to tell you some facts about this that we now know and that we have asked this administration to investigate and the Attorney General and FBI to come before Congress and present subpoenas and facts on.

Here are some of the facts. Amnesty International, August 1997, there is a report that shows that China has executed at least, probably more, but at least 3,500 people. Because China does not have law that protects individual rights, a person can be arrested today for standing up against the Communist regime and in 48 hours after finding that they have a DNA match that matches someone that wants to purchase their kidneys, can be executed.

A little more about the ABC report. The ABC report was a result of a 3-month investigation. A year ago, the tapes of the mass executions were presented to the current administration and nothing was done. So this network went about looking at the evidence over a 3-month period and actually went to videotape the actual sales. The videotape of prisoners on their way to execution was made in 1992 and never intended to be seen outside of official circles.

What you see on the videotape is that the guns are lined up at the base of the neck of the prisoners so that they can preserve the organs. Human rights organizations estimate that since 1990, more than 10,000 kidneys alone from Chinese prisoners have been sold, potentially bringing in tens of millions of dollars to the Chinese military.

For years, the U.S. Government has officially maintained that these practices do not happen, but all of our eyes were opened this last week. The tape shows that the prisoners were immediately lined up, that an officer would take and realign the guns before the executions. It also shows pictures of the hospitals and you go into the hospitals that are videoed and these hospitals are clearly shown to be PLA hospitals. They interviewed a Thai woman who was told that she was actually getting a prisoner's kidney and that she would have an absolute matched blood and tissue type because there were so many prisoners available. The tape also shows American corporation W.R. Grace Co. appears to be involved in the kidney dialysis in China and is a part of this operation.

In conclusion, more must be done on all fronts when it comes to Chinese human rights record. I am pleased that the Secretary of State Albright has announced that we will have a three-person group of Americans from different denominations go and look into this and other violations.

Madam Speaker, as the President of China is here, it is not the time to be silent. It is the time for all of Americans to stand up and speak out. I think America needs to watch next week as Congress stands and does stand up and opposes what is happening in China.

Dr. Dai, the Chinese doctor on the American student visa quoted the price of a kidney at $30,000, with $5,000 required in advance.

U.S. law makes it: ''unlawful for any person to knowingly acquire, receive, or otherwise transfer any human organ for valuable consideration for use in human transplantation if the transfer affects interstate commerce.''

More must be done on all fronts when it comes to China's human rights record and I am pleased by Secretary of State Albright's announcement that an ecumenical group of Americans will be permitted to travel to China to examine the human rights situation. This is a good first step but we must ensure that they are not given a whitewash.

Two days ago, I introduced a resolution expressing a sense of the Congress that the Chinese Government's practice of executing prisoners and selling their organs for transplant patients is immoral and should stop.

Two weeks ago, on ''Prime Time Live,'' a television show airing on ABC, Americans saw for themselves what has become an all too common practice of prisoners routinely executed and their organs sold to people willing to pay $30,000 for a kidney.

What is even more troubling is that Chinese nationals living in the United States on student visas are marketing these organs to Americans and other foreigners who are able to make a $5,000 deposit and then travel to China and be admitted to a Chinese Army hospital where they will receive their kidney after they have been tissue and blood typed.

According to Amnesty International's August 1997 report, China has executed at least 3,500 prisoners this past year and many reports say this number is closer to 4,000. Human rights organizations estimate that since 1990, more than 10,000 kidneys from Chinese prisoners have been sold, potentially bringing in tens of millions of dollars to the Chinese military.

My resolution, House Concurrent Resolution 180, condemns this practice and calls upon

the Clinton administration to bar from entry any Chinese official who is directly involved in the practice of organ harvesting. Furthermore, individuals in the United States who are engaged in marketing and facilitating these transplants should be prosecuted under U.S. law.

Mr. Speaker, as President Jiang Zemin concludes his visit to the United States, let's use this opportunity to speak out on China's dismal human rights record. Nothing will change if Congress and the American people are silent. The House is commonly known as the people's House and the American people want their voices heard. They are a people of compassion and good will and will not stand for organ harvesting or any other abuse of human rights.

ON EDUCATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes as the designee of the minority leader.

Mr. OWENS. Madam Speaker, as a matter of practice, I never like to criticize any efforts related to the improvement of education, whether they take place here or at the local government area or in the State governments. All efforts to improve education are generally to be applauded. As I said before, we need a comprehensive approach to the improvement of our schools and almost no attention focused on schools is wasted.

First of all, it is important that the American people, the vast majority of the American people, the voters have placed education at a high priority position. They repeatedly insist that education is a high priority and that Federal aid to education is also a high priority. That is consistent and highly desirable. As a result of the general public and the voters insisting that education is a high priority, we have a lot of attention being focused on education by elected officials at every level, both in the Congress, the city councils, and the State legislatures.

A lot of attention is being paid to education, a lot of campaigns that are running now across the country for this coming election day on November 4, they are not congressional campaigns because we are not running for office this year, but municipal campaigns, campaigns for Governor.

□ 1330

Schools are in the forefront in terms of issues that voters care about and want to hear discussed. Certainly, in New York City, Democratic candidate Ruth Messinger has certainly placed great stress on school improvement. The Republican candidate incumbent mayor has answered in trying to show a thousand ways in which he helped to improve schools and education. And on it goes.

In another major contest in New Jersey, the very close contest between Gov. Christie Whitman and Assemblyman McGreevey, education figures as a very important item.

On the floor of this House, there is hardly a week that goes by where education is not dealt with in some form in some piece of legislation. Today was one of those days when we had a discussion on education, which I must say we do not need. It was a very negative discussion. Very negative action was taken today. We focused on vouchers, and we are insisting that vouchers must be a part of the Federal effort to improve education.

School vouchers, you know, there is a group here in the Congress that insists on pressing ahead with vouchers no matter what the American public thinks of vouchers. It is like a dogma at this point. It is a religion. Dogmatically, they insisted vouchers must be placed in the forefront of any effort to improve education.

Despite the fact there is so much disagreement about vouchers, there are areas of agreement. We agree that charter schools, public charter schools, is a concept that might make a real contribution to education improvement. We agree on that. We agree that more technology in schools might make a real contribution to the improvement of education. We agree that teacher training and more funds to make certain that teachers get more training would make a great contribution to the improvement of education. We agree on quite a number of things.

Unfortunately, we do not agree on one major item that ought to be in the forefront, and that is school construction. The one item that is necessary before those other items can be really put in place is an effort to help localities and States with the construction of decent schools. It is not a problem confined to the inner-city communities like mine, the 11th Congressional District of Brooklyn. It is a problem which is pervasive all over America.

There is not a single State that does not have schools that need replacement or repair or renovation, not a single State and quite a number of school districts out there. The General Accounting Office says we need $120 billion to deal with the infrastructure of public education. Although, America, if you really dealt with improving the infrastructure to bring schools to the point where they are adequate, they offer adequate facilities that are conducive to learning, it will cost about $120 billion. All the President proposed in his State of the Union message was $5 billion. We were happy to hear that because it is a beginning. Five billion dollars was proposed to help with school construction, $5 billion to be spent over 5 years, maybe not necessarily $1 billion a year, but over a 5-year period. That seems like much too little as far as I am concerned. But we will be satisfied that we have begun.

However, during the course of the budget discussions between the Republicans and the Democrats, that $5 billion construction initially was taken off the table. When they did that, they hurt the credibility of all the other efforts to improve education. Teacher training, technology, charter schools, they become a bit of a joke when we are talking to people where the schools are crumbling all around them. It is a bit of a joke to say that Washington should have 3,000 vouchers, vouchers for 3,000 youngsters, when a school system of 70-some-thousand youngsters is crumbling around us. It is a bit of a joke to talk about that solving the problem or any other effort we make now at this point in the Washington schools to talk to the teachers about the use of more technology, computers, videos, whatever; to talk to them about the use of these modern aids to education is a bit ridiculous when the schools in Washington do not have heat.

A large percentage of schools now are suffering because they have a boiler problem, a heating problem, furnaces are going bad. They open late. Three weeks late the schools in Washington open because a large number of them had problems with leaking roofs. And because so many had problems with leaking roofs, the court ruled that schools in general could not open until they were all repaired. They finally, after 3 weeks' delay, got the schools open.

Now we have a large percentage of schools that have problems with their heating systems and they are closing down the schools that opened up 3 weeks late. Every day there is a new headline in the Washington paper. I think we ought to stop for a moment and consider the fact that this is the Nation's capital. It may be overwhelmingly African American. For some reason, that leads certain people to believe that we really do not have to take it seriously, what happens here is not a mirror of America. But it is in many ways the America we do not want to admit. We do not have the high visibility in the rural schools in America that may be having leaking roofs or may be having problems with their furnaces. We do not know about them because they are off the radar screen.

In big cities like New York, they are so big. Washington has less than, I think, about 750,000 people. That may be an optimum size for a city. After that, it may be that the cities are too big that go beyond that because the communications problems that result are horrendous.

I am a resident of the city of New York. I serve a congressional district with 582,000 people. It is one of 14 congressional districts in the city. We cannot get on the radar screen of our local television stations. We cannot get on the radar screen of our local radio stations with news that is important to my congressional district, made up of many communities, planning districts, all kinds of units in a city of 8 million people. You cannot find out in New York City which schools have problems with their furnaces today.

I would wager that there are more furnace problems today in New York City than there are in Washington, D.C. But it is not news. It does not surface. We have more than 300 schools in New York City out of 1,100 schools. I always have to clarify things when I talk about New York City's school systems and make my colleagues understand the numbers. Unlike anything else in the country, there are 1,100 schools, 60,000 teachers, 1.1 million students.

So, of the 1,100 schools, more than 300, and I was quoted a few weeks ago, I said more than 250. I have learned recently from people who are very close to the system, custodians' union, that it is more like 325 schools that have furnaces that burn coal. We still have furnaces in more than 300 schools that are burning coal. Coal makes a lot of heat. Maybe it makes more heat than oil or gas. But it also makes a tremendous amount of pollution.

New York City is also the city that has the largest number of children with asthma. We will not go into what other respiratory diseases they may have. Again, it is so big that we have thousands of cases that do not even tabulate certain kinds of diseases. Asthma is way up there. The number of children with asthma is astronomical. So children with asthma is one indication of children suffering from a pollution problem.

So just to get rid of the coal-burning schools would greatly improve the physical health of the children and probably a lot of adults, also. But that is not on the radar screen. They are not even talking about it. I assure my colleagues that schools are breaking down every day with furnace problems in New York City.

But, unlike Washington, the courts and very active parent organizations are in constant monitoring. Constant state of monitoring has been provided by the courts and the parent organizations of what is going on in the schools. They have some other problems related to health that are surfacing that may lead to some other shutdowns of schools.

I say this because here we were on the floor of the House today discussing vouchers, a rule to set the stage and parameters for discussion of vouchers next week. The Republican majority insists that we cannot discuss something sensible and something which has achieved a great deal of consensus among the Members of Congress, a great consensus among the American people as a whole, the public voters. Charter schools are looked upon as a respectable effort to improve schools. Public charter schools would provide some of what we think is needed to improve public schools.

Most of the children in America are going to go to public schools a long time to come. Over the next 20 years, I would predict at least 90 percent of the children in America are going to still be going to public schools, regular public schools, traditional public schools, public schools controlled by some central management and governance mechanism.

There is no reason we cannot have some charter schools which offer an alternative and may, by example, lead to improvement of public schools by operating in a free environment with the ability to innovate and ability to do certain kinds of other things, including the ability to attract a group of people who are dedicated to education and will stay with it over a period of time.

There are a number of things that charter schools can show us if we had more of them. That would certainly not be a big problem. In America right now, I think about 86,000 public schools exist, not counting private schools, but 86,000 elementary and secondary schools, more than 86,000, a little more. And of that number, about 800 are charter schools. At this point, charter schools are about 800 out of 86,000.

So we are not going to be overwhelmed by charter schools, but charter schools could provide an opportunity to provide us with little laboratories of what can happen in a school to deal with the problems faced by the traditional public schools.

We will not be allowed next week to discuss charter schools separately by themselves. They must be intertwined, interwoven with the discussion of vouchers. That is the way the majority has insisted we must do it. So charter schools are going to be tarnished, tainted. The whole discussion will be adulterated and emasculated by the shadow of vouchers, which nobody really in the Congress has shown great sincerity about because they come from districts that do not have vouchers.

I would challenge every person, every Member of the Congress who really believes in the voucher system or somebody else pushing the voucher system to go back to their own school districts, the school district where their children go to school, and give us a report, conduct a survey and give us a report on whether they want vouchers, who wants vouchers in their district. In their district, have they talked to the local school board and are they in favor of vouchers in their district? Have they talked to parents? Are they in favor of a voucher system?

I have heard lately that most of our Republican colleagues come from middle-income districts where they have faith in their schools and they are not interested in vouchers. They have faith in their schools and the schools have done a pretty good job. Well, according to various reports that are made, even our best schools in America can stand a lot of improvement. Some of our best schools that are very well funded, have the best of everything, still have mediocre performances or performances that fall short of what we would like for them to be.

Certainly, we compare our best students in math and science to the students in math and science in other parts of the world. Math and science is a good place to make the comparison. Because across the world, math and science is pretty much the same. It is not like sociology, not like literature. Literature and sociology are too complex. They take a higher order of reasoning, in my opinion, than math and science.

□ 1345

Math and science is the same everywhere. It is the same set of principles you proceed from; the logic is always the same kind of logic. The whole notion that it takes geniuses to deal with math and science ought to be reexamined. To deal with the swirling, complex nature of societies, anthropology, sociology, a number of other things out there are much more complex because they are never the same; the variables are always moving and changing.

To deal with literature, the message that literature brings about to a particular culture, all those things require a much more complex set of reasoning and higher ordered thinking, but I will not get into that debate at this point.

Math and science comparisons are made, and some of our best students from our best schools are falling short. I say to every Member of Congress, no matter how good the schools are, they would, I think, agree they could be improved.

Would having vouchers improve them? It probably would, according to your reasoning. If you say the best schools are the private schools, then the best schools in your neighborhood, I guess, are private schools, too. The best schools in your State, the best schools in your school district, are they private schools too and if that is the case, are you pushing vouchers in your district? And what is the reaction of your school board? What is the reaction of your constituents? Come tell us. Do not tell us that this is a solution for inner city schools, this is a solution for disadvantaged African American communities. We are going to push this solution down your throat, because we believe that this is the way it should go and we are going to make you take it.

The Washington, DC, appropriation bill that is still in the hopper, they are still negotiating and in conference on the Washington, DC appropriation bill. What is one of the biggest hang-ups in the Washington, DC appropriation bill? The biggest hang-up is the fact that the Members of the House of Representatives who believe in vouchers have insisted that vouchers must be instituted in the Washington, DC schools. Vouchers must be put in whether you like it or not. The people of Washington, DC had a referendum, they voted, they do not want vouchers. They voted not to have vouchers. This same Washington, DC decided to set up a charter school board. I think probably there is no other city in the country that has a board for charter schools. They do want charter schools. They are going ahead. There are very

complex guidelines, and they are now in the process of examining applications for charter schools. So why not support them wholeheartedly with charter schools, members of the Republican majority, why not leave them alone and stop trying to impose your dogma, impose your religion on the people of Washington, DC, your educational religion? Your dogma does not work if people do not want it. It is not going well even in your own districts. So why are you going to impose it on Washington, DC? Why are you going to offer it to frustrated parents in the inner-city communities as a solution when you know that only a tiny percentage of the youngsters at best could be placed in voucher programs? And when you do that, you are mixing up church and State because most of those schools that they find places in are church-related schools, and that whole debate and the conflict.

In New York City it might seem easy as long as you are placing children in schools that are Christian schools. But there are also Muslim schools there. What about them? There are also Jewish schools. What about them? What kind of tensions are you going to create when you wade into that problem of replacement of students with public funds into religious schools? Are you not going to create a problem which is greater than the problem you solve? Those are some of the questions. What I want to dwell on here is the fact that this Congress, the 105th Congress, with a golden opportunity to really do something meaningful about education, is frittering it away, has frittered away an entire year around the edges with concepts like vouchers and education savings accounts and things that really, if they have any meaning at all that might be worthy of consideration, they ought to be referred to the Committee on Education and the Workforce for further study and deliberation.

The voucher bill that was presented here for a rule today has not been discussed in the Committee on Education and the Workforce. We have not even gone through the regular democratic process. It was just brought to the floor because the people, the fanatics who believe in it, said this is our religion, this is our dogma, we are going to introduce it whether you like it or not and we do not need to take it through the democratic process while we are frittering away at the opportunity really to do something quite significant in the area of education. With so many Americans on board, the electorate saying we want more attention paid to education, why do we not do something really meaningful, why do we not start with construction? Why do we not start with a program that the Federal Government can offer that nobody else can offer? We are not interfering with the State and local governments if we offer assistance with construction. They all need it. There is not a single State that cannot use some funds for some school in the State with respect to construction, renovation or repairs. So why do we not focus on that? Why are we focused on testing?

The White House unfortunately has gotten locked into its own dogma. Testing is the answer, testing above all. I am not among those people who say we should never have a national testing system. That is not my reason for opposing testing. My reason is that testing is not a priority. Testing ought to come in sequence. Testing should be further down the line. What are you going to say, Mr. President, to the parents of the children whose schools have been shut down for 3 weeks in Washington and they started 3 weeks late when they go to take the test? What are you going to say to the parents of these same children who not only had to start school 3 weeks late but they also have a problem now with the boilers and they face shutdowns and busing around, all kinds of interference with their schooling since school opened finally and the weather began to turn cold. What are you going to say when it comes time for them to take the test? Are you going to give them an excuse?

As I said, in Washington, DC we have a high profile area, a high visibility area. We know that large numbers of schools in Washington have a problem with the roofs leaking. We have been looking at that for some time over the past few months and we hope they have gotten the roofs fixed now. We know now that they have a problem also with the boilers not working, the furnaces are not working.

We know that in Washington, DC. What we do not have is a tabulation of how many schools across the Nation are also in trouble and they are having their youngsters bundle themselves up in the classroom, which is not conducive to learning, I assure you, but an invitation to lowering their immune systems and bringing on other kinds of problems as a result. How many schools are having children bundle up with classrooms that have inadequate heating? How many schools out there across the country have actually had to shut down for several days, starting with New York City? As I said before, you would not know it out of our 1,100 schools if there were some that shut down yesterday because the heating systems were not working. The news is not generated. I do not get that news. I do not get any information. The papers do not think that is worthy of reporting. It is a humdrum part of the routine. But I am sure if I go check today and yesterday, there were schools that had heating problems in New York City. How many of those coal burning furnaces, furnaces that still burn coal, how many of them are working today, spewing their pollutants into the air, causing more children to have asthma?

This is not news, not being discussed, but Mr. President and the people who advocate national testing, are you going to take into consideration the fact that this is going on? Are you going to have a system for excusing the children who have experienced all these problems in our school? Not at home. They may have problems at home with heating. They may have problems at home with broken families, low incomes that cannot afford to provide nutritious food, all kinds of problems may exist in a poor neighborhood that we have been talking about for ages which impede the school's ability to educate the children. But let us put that aside and say that the school ought to be an oasis, at least when they come to school they ought to be warm. When they come to school, they ought to drink water that is not possibly tainted with lead. We have not gotten into that.

There is a lead poisoning problem in many big cities because the older the school is, the more likely it is to have lead pipes and the water that children drink every day is flowing through lead pipes. We do not even raise the subject officially in New York because we know if you go looking, you are going to find too much lead in a lot of the pipes. It ought to be examined, it ought to be put on the radar screen, we ought to not jeopardize the health of children, because the younger you are, the more devastated your brain may be by lead poisoning.

This is happening, Mr. President, advocates of testing. How are you going to compensate for it? How are you going to adjust for it? Why do you not take into consideration the fact that this is happening and say to yourselves, let us make construction a priority. Let us put the full force and weight and credibility of the Federal Government behind a program to guarantee every child across the country a decent physical facility, a physical facility which is not injurious to their health, a physical facility which is secure, a physical facility which is conducive to learning. The lighting system, the ventilation, whatever is necessary, let us at least provide that. Let us provide them with laboratories in those schools which are able to conduct science experiments. Let us have every school have adequate laboratories. Let us provide them with library shelf space and books in those schools which will give them a chance to really study seriously in up-to-date books.

There are still many books in the libraries of New York City high schools that are 30 and 40 years old and they are history books and geography books totally inadequate, dangerously inaccurate, but they are still there. If they took all the old books off the shelves of the libraries in New York City's schools, we would have a lot of empty spaces that are not going to be filled up soon. But I am not into my bill on the Federal Government aiding libraries in schools and elsewhere. I just want construction at this point. Let us deal with making construction a priority and really be serious about the first

priority. If you really care about education, if you really think our Nation is at risk, if you really believe that an educated society ought to be our first priority in terms of national security, an educated people, the one way to guarantee that our economy will continue to go forward and prosper, an educated people is absolutely necessary in order for our democracy to work appropriately. Democracies cannot work without educated people. The people must be educated. Even when you have educated people in certain societies, they still do not work if they do not have democracies.

As we learned from the Soviet Union, a highly educated society, a highly educated people, probably in terms of science and math, there is no group of people on the face of the Earth more educated than the citizens of the Soviet Union, but an educated people operating in the framework of a totalitarian society where they are not able to utilize their education fully. You cannot have open exchange, you cannot have a utilization of really what is known. If it is bottled up by Neanderthal thinkers at the top of the structure, you have a command and control society, it does not matter what the truth is. The command and control society and the people at the top will issue their own truths and they blockade the progress of the society. A total collapse resulted from the fact that you had a highly educated society able to produce hydrogen bombs, missiles, able to match us in the area of defense hardware to a great degree, but the system was no good.

Democracy first. Nothing works in this modern complex era without democracy, the openness and the back and forth, the churning process of people who are educated bouncing off each other, the trial and error method that takes place in a complex society, all that is inevitable. You can almost put it down now like a law. It is going to happen and the only way to have it happen productively is to have a maximum number of people educated so that what happens is among educated people. They will sometimes err temporarily and do strange things, elect inadequate, incompetent leaders, even elect demagogues. Occasionally they really go off the deep end but the correction will be there as long as it is democratic. There was no way to correct what was happening in the Soviet Union. No way to correct it, because of the fact that the closed society did not allow the churning back and forth and no matter how much education the people have, it would not have mattered as long as the parameters are set from the top.

If you really believe in having maximum education in our democratic society, then the first thing you ought to put on your agenda is construction of schools. Not tests. Not tests. Not yet. Testing might make sense 5 years from now; a national test might make sense, but not now. Here are some headlines that appeared in the Washington Post about D.C. schools October 30, yesterday: ''Anger over Schools Suit Gets Personal, Attacks on Parent Leaders Expose Racial Tensions.''

□ 1400

The back and forth discussion over what is happening in the schools and the embarrassment has led to an upheaval that is affecting race relations in this city.

October 30, yesterday also, there was another article about tests which indicates that many students in D.C. would not be promoted.

There is a lot of talk at the White House and our committees about social promotion. Everybody is against social promotion. We are for motherhood and apple pie and against social promotion.

Let's be against social promotion, but for the national discussion to get off into a discussion of social promotion, of uniforms, of what kind of reading approach to use, phonics versus whole words, I think that is premature. Let us focus on what the Federal Government can do best before we get off into those kinds of micromanaged details.

We know they need decent places to study, to assemble. We know that. So why not focus instead on tests, rather than other problems.

October 29, Wednesday, Washington Post reports, Washington school leaders close minds, close schools. School leaders, parent advocates and a Superior Court judge, who together are keeping the D.C. public school system in turmoil, are becoming public laughingstocks.

This article starts by blaming the courts and parents for trying to do something about the D.C. schools, because they insist the kids ought to go to warm schools; furnaces ought to be fixed. Every day it seems they find new ways to resemble the children they are supposed to be helping. The consequences of their behavior are no laughing matter, however.

Don't laugh. Because of their failure to reach in the court on how schools should be maintained, something as ordinary as opening all buildings in the system simultaneously has gotten beyond their reach. That is disgraceful. On it goes discussing the fact that even now, after D.C. schools are finally open, 3 weeks late, they are having a big problem.

October 29, same day, article, ''Fire Marshal Finds Leaks and Closes Eighth D.C. School.'' Garnett-Patterson Middle School students to move to facility in Columbia Heights. The D.C. fire marshal closed Garnett-Patterson school yesterday afternoon because of multiple roof leaks, bringing to eight the number of schools closed because of a judge's concern about school safety.

Do you want to have kids in schools where the roofs are leaking and furnaces don't work? I don't think any of us want that to happen. So why do we not talk about how we move to fix that? There was a discussion about the large amount of money spent on D.C. schools. The statement I heard on the floor today made was $10,000 per student is spent on the D.C. schools. That is pretty high. I heard somebody say that is the highest in the country. Well, that is not true. It may be the highest of any big city in the country, but there are districts in New York State where $20,000 is spent per youngster, per student, and there are probably districts across the country that are equally as high.

They are not big city districts. Maybe the Speaker, and it was Speaker GINGRICH, I think, who said Washington, DC., schools spend more than anybody else in the country on their schools per pupil. It is not true, Mr. Speaker. The number may be true for big city schools like Los Angeles and New York, Philadelphia. New York certainly is not at the $10,000 mark. It may be something like $7,000 per child.

Nevertheless, the governance and management of Washington schools have been so terrible until they have all of these problems, despite the fact they have been spending a little higher than most cities. In those cities, Los Angeles, Chicago, New York, I assure all of you, they also have problems with their roofs leaking, with their furnaces. It is just not on the radar screen.

On Tuesday, the 28th in the Washington Post, ''Battle over Boilers Leaves D.C. students Out in the Cold.'' ''Children Bussed to Other Sites as Judge Keeps Schools Closed.''

October 27, ''Students at 5 Schools to be Bussed to Sites.''

October 26, ''Contest of Wills Contributes to Chaos in D.C. schools.''

October 26, ''Warm Wishes Not Enough.'' Warm wishes are not enough, as several D.C. public schools are being shutdown because of boiler repairs last week. I found myself thinking about the Daughters of Dorcas, a special group of women in Washington who make quilts. I just wished they could sew something for all of those children who are being left out in the cold by closed school buildings, as well as for those shivering students who will be attending schools that still do not have adequate heat.

I think I made the point, I do not want to go on, but I am highlighting what is going on in Washington, DC., because I want you to know it is not an isolated case. This city is not alone in facing humongous problems with respect to their physical facilities. We ought to understand that and move forward to deal with it in this Congress.

We are irresponsible by insisting on expending a great deal of time and energy on peripheral, marginal issues. Education savings accounts are marginal, peripheral items. Vouchers are marginal peripheral items. They may have some use somewhere, some time, but they certainly do not deserve to be discussed in this state of emergency that we are facing with our schools.

We must go forward in the 105th Congress next year. I understand we are closing out on November 7 or 8 probably, and it is just as well, if this is the way we are going to approach a basic problem like education. We might as well close up the place and get out of town.

I hope we come back with a different attitude in the second year of the 105th session of Congress. I hope the attitude of the 105th Congress matches the attitude of the people out there in the communities. Our constituents are way ahead of us in feeling that there is an education emergency, in feeling that their children deserve the best. Our constituents know that their children will not pass this way but once. You do not go through schooling but once. You are in elementary school, junior high school, high school, college, only once. Your life is going on. Your children will not have a second chance.

So for every parent or grandparent, anybody who cares about children, there is an emergency. If your child is not getting the very best education they can get, there is an emergency. We ought to feel the same sense of emergency.

I was quite gratified at the way parents responded when I issued the call for volunteers to come out on last Saturday, October 25. Saturday was Net Day. Net Day was a day set aside for the whole country. This was a time to appeal to volunteers to come in and voluntarily wire five classrooms plus the library. The wiring is to help set up the possibility that the schools' computers can be linked to the Internet. So wiring for the Internet of five classrooms plus the library is a goal of each set of Net Day volunteers.

We wired 11 schools in my district. We had a real significant response. It was quite inspiring to see how parents responded. We were told at first that this wiring is a very simple matter. You show up on Saturday and in a day volunteers can wire five classrooms and a library.

It is not that simple. I don't want to discourage anybody, but you better have some people that know what they are doing at each school. You have got to have somebody who is an electrician or telephone repairman, somebody who knows how it is done.

The parents came out for training. Volunteers were asked to come to a 2-hour training session sponsored by the local phone company, Bell Atlantic. I must say that the wiring of schools in our area was a combination of volunteers in the community, the principals, the teachers, the parents, and the private sector. The private sector was key to our success.

There was a group called New York Connects in New York City, which organizes private sector response to communities that want help for the volunteer wiring of schools.

New York connects did a great job in providing the kind of help we needed. Bell Atlantic and Apple Computer trained some of the teachers. Bell Atlantic provided a place to train and the trainers and training sessions for parents. Various other companies supplied volunteers who came out and helped providing pieces of equipment.

The process showed that even in an inner-city community, you can have a response by both the volunteers in the community and the private sector which can produce great results, if you focus on a task and a mission. I was quite impressed with the fact that the volunteer sessions, and the first session I went to, we expected 20 parents to show up. There were 45 or 50 parents there. The room was crowded. The people up front conducting the training session were white executives and technicians who had driven from Long Island through heavy traffic to get to the session to train the inner-city parents and volunteers. It was a coming together which nobody planned, but as a result of focusing on a task which is worthwhile, to carry our schools forward, it happened.

Those kinds of positive things are happening at many of the schools where we conducted the wiring. We heard the complaints that we had to be asbestos-certified, make sure that the asbestos problem is not so great that the boring of the holes would be a problem. Some schools where we were wiring for the Internet, some of the principals were complaining about the fact they are worried about the old pipes that may have led poisoning problems. On and on it goes with top floors having indications that the roof is leaking, et cetera.

Nevertheless, I am here to celebrate the good news, and what I am saying is the responsiveness of our constituents, the responsiveness of parents for an exercise like Net Day, demonstrates they are way ahead of us in terms of believing that makes a difference.

While inner-city parents in my district, the poorest—some of these schools were in our poorest sections, where they are excited about wiring the schools so the kids can have the benefits of being linked to the Internet. Why? Because their kids excite them. When the kids hear about the computers and Internet, the students get excited and the parents know it is important.

The children want to go into the 21st century. There are some people who said to me why are you concerned, and Congressman OWENS, why are you wasting your time and energy for technology for inner-city schools? Why are you concerned about the fact that in January 1998, the FCC has mandated that the Universal Service Fund go into effect and $2.2 billion will be available to public schools and libraries. What does that have to do with inner-city schools that are suffering from a lack of books? They do not have enough books. They do not have enough chalk sometimes. Teachers complain about basic supplies. So why do we not focus on basic supplies and chalk and books instead of worrying about the Internet?

My answer to people who approach me that way is that what if every city in the United States had said we are not going to deal, until we fix our sidewalks, until we repair all of our roads, we are not going to build airports. If every city in the country said we are not going to deal with airports until all the sidewalks and all the roads are fixed, we would not have modern airports and modern transportation systems. It would come to a halt.

There are still roads and sidewalks out there that are not repaired and in constant disrepair, but we go forward, and our schools have to go forward. Our inner-city schools should be no less than schools anywhere else, and that is the way I see it, and a lot of the children see it that way, and it caught on, because their parents are also beginning to see it that way.

Here is an effort that was not unique to Brooklyn. We wired 11 schools in my congressional district, but there were other schools wired in other parts of New York City on Net Day, and across the country we had schools wired on Net Day, and there are other schools across the country being wired at other times.

My colleague, the gentlewoman from Michigan [Ms. STABENOW] is involved with the wiring of schools and acquisition of technology. She is one example of how Members of Congress want this to go forward.

Again, we would have more credibility and our effort would have a greater result if we had a new initiative to guarantee that the school buildings are sound buildings. The wiring is not too old to take the new linkages, the phone systems are not too old that we are not going to encounter large quantities of asbestos problems, et cetera.

In keeping with that whole volunteer spirit, I want to announce again that I am supporting, and quite happy to be one of the people who are spearheading another National Education Funding Support Day. I am holding a copy of our poster for this year.

National Education Funding Support Day is November 19 of this year. Republicans, Democrats, everybody is invited to join us in trying to demonstrate to the public at large that we are going to provide leadership in improving our schools in every way.

□ 1415

We want to emphasize technology this year. We have chosen to emphasize technology this year. We chose that because this is the prelude to the opening of the universal service fund for schools and libraries. That is going to happen in January 1998. We want schools to start getting prepared, and understand that they cannot wait to be in on this.

National Education Funding Support Day is sponsored by the National Commission for African American Education. This year's poster has a basketball star, Patrick Ewing, of the New

York Nicks. Patrick Ewing happens to be from this area, the star of Georgetown University in Washington, who also now is the president of the National Basketball Association, Patrick Ewing.

I hope next year we can get lots of stars, so in local areas we can have different posters with stars of baseball, football, basketball, women and men, appealing to youngsters and their parents to look at education as belonging to them. We need changes to go forward from the masses. Whatever we do as leaders needs to be complemented by mobilization in our communities. Our communities need to get more involved.

We have seen this happen in the area of crime. The National Night Out Against Crime, for example, is an idea that caught on in our communities. Every community has some activities on the National Night Out Against Crime. The reason crime is going down across the country, there are many factors, but one of the factors is that more ordinary citizens, ordinary people, have understood that they should get involved in trying to get rid of crime. Crime-fighting is not a professional activity that ought to be left to the police and judges and the criminal justice system, but every citizen has a role, too.

Every citizen has a role in education. We are saying that on November 19 every group should go out and do something in connection with the promotion of education, either at day care centers, the public school, if you want, at your college, but do something on November 19 in connection with National Education Funding Support Day.

We would like to have two things resonate. One is opportunities to learn in the area of technology, and that is what this message is. It is Patrick Ewing standing in front of a computer with some schoolkids. We want to emphasize that we are on the edge of a great jump start in technology for schools. That is going to be provided by the FCC mandate for a universal fund for libraries and schools, so technology is important.

The other thing we want to resonate is that construction is important. Technology, the training of teachers, charter schools, nothing that we do is going to succeed unless we have buildings and facilities that are adequate for schools across the country. Every State has a problem that would be helped if the Federal Government were to take the initiative.

Let us stop our waste of time on vouchers, on testing, on education savings accounts. Let us put them on the back burner, and when we open the second year of the 105th Congress, let us look forward to focusing on funding for education which provides more technology in our schools and also provides for adequate physical facilities for all of our schools.

The National Commission for African-American Education has a little brochure. If Members are interested, I think their phone number and their address is in the brochure. The chairman of the National Commission for Education, for National Funding Support Day, is Dr. Edith Patterson, a former school board president in Charles County, MD. The number they give, if Members want to contact them directly, is 301–753–4165 and 301–870–3008. Those are two numbers.

For more information, the brochure talks about some of the activities that Members can sponsor on National Education Funding Support Day. The National Commission for African-American Education is located in Silver Spring, MD. I do not see the address here. Call the number and you will get, certainly, information. Certainly my office is able to give more information. It is a way to mobilize the general public. It is a way to take advantage of the fact that there is a good feeling out there about doing something about our schools.

In the past we have had all kinds of activities launched by some Members of Congress. I think the gentlewoman from the District of Columbia, [Ms. ELEANOR HOLMES NORTON] conducted lectures on that day last year. Last year we decided to launch an effort on National Education Funding Day called NetWatch. NetWatch was designed to wire schools in our area, in our district.

NetWatch proposed at that time to wire 10 schools in 10 weeks, but because of the teachers' processes, because of all the complications that you run into when you try to wire schools for the Internet, it took us until October 25. National Education Funding Support Day last year was October 23. We did not get a single school wired until 12 months later, on October 25.

The NetWatch activities that were launched on National Education Funding Support Day resulted in our Net Day wiring of 11 schools in central Brooklyn, my 11th Congressional District. But we are now in a position, we have a group of people we are forming called NetWatch Fellows. All those volunteers who came out and supported us, parents and local residents, we are asking them to stay with us and form a group called NetWatch Fellows, so we can move the process from the wiring of the school for the Internet right through the process of getting more computers, of getting all the connections they need, of getting software, of getting program materials, and of helping teachers get the training, so that the final result of our efforts are not in vain, the final results are that in the classroom the curriculum is effective and youngsters will find a more exciting way to get knowledge, to be inspired, and to learn whatever they have to learn. That is our goal. Our NetWatch Fellows will carry us to that process.

We had 11 schools in the 11th Congressional District, and we had great cooperation from the principals. There is an organization called the Hussein Institute of Technology, founded by a gentleman who, in private industry, does computer networks. He has founded a school for free to train people on how to use computers, both adults and youngsters. Mr. Hussein and the Hussein Institute of Technology has sort of been the backbone of the effort of NetWatch in the 11th Congressional District.

Again, we had at the top level the New York Connects, a similar organization, private entrepreneurs and technicians and executives in the area of technology who provided invaluable assistance in the effort to wire schools on October 25. The board of education is to be commended because it cut through a lot of the usual problems that you encounter in a large organization like the board of education, and they provided us with the personnel, help, and they attended the meetings. They made things happen.

The board of education, New York Connects, NetWatch, all came together with the volunteers in our community to make things happen in terms of wiring 11 schools on Net Day.

There are many schools that have contacted my office and said, when is it my turn? My answer is that we hope to provide a movement. We have started a process. This core of volunteers in some cases will be able to go to other schools and volunteer and help them move forward. In all cases we are trying to change policy, routines, management practices in the board of education which will accelerate this.

There is a technology plan. The board of education has a technology plan. What we want to do is accelerate the implementing of the board of education's technology plan so our schools are not waiting 10 years from now for the technology that many suburban schools enjoy today in great abundance.

In summary, what I am saying is that testing, for all of those who think that testing is important, testing may be important 4 or 5 years from now. Let us put it on the back burner and deal with it then. Vouchers may have some merit, but they are only a tiny pebble when it comes to dealing with the problem of improvement of education in America.

It may be that vouchers should be left to private industry. New York City has a model. The mayor of New York got scholarships for 1,000 youngsters, vouchers for 1,000 youngsters, by raising money in the private sector. Private industry, private people, donated money, so they have 1,000 youngsters who have vouchers to go to nonpublic schools.

That is 1,000 youngsters out of 1.1 million. We have 1.1 million students in New York City schools. I am happy for the 1,000 if it leads to success, and I see no reason why private industry cannot supply the money. Many of them will be going to parochial schools. Many of them will be learning religion as well

as other things. That is all right with private money. Their parents took the private voucher money, they decided to send them, and that is quite all right. Parents have that right. We do not get into a debate about church and school.

I would say to those who want to push vouchers, why not let the private sector raise the money for the vouchers and demonstrate the utility of vouchers in solving problems, if that is the case. If we are going to launch a voucher program to demonstrate that it can help solve the problem, then let us use private sector initiatives and private sector money for vouchers.

Let us return to charter schools as another clear way to offer an alternative to traditional public school education. Charter schools can offer competition. Charter schools can develop innovations that might be replicated in the public schools. Charter schools can offer a great deal.

In New York City, we have something else called the alternative public schools. Alternative public schools fall in between charter schools and traditional schools. Alternative public schools are basically run and controlled by the central board of education, but they allow a great deal of leeway and latitude in the local group that wants to operate that alternative school. That is another possibility.

Of course, as I said before, we cannot let up on the process of hammering away at the big school systems in our big cities. They are going to be the system that provides most of the education for inner-city children for a long time to come. We cannot let them off the hook with governance, management.

The scandal in Washington, DC, that a command and control system, a centralized system, has allowed to happen should not be allowed to happen again. We should keep a vigilant watch on all of our school systems, but most of all, the Federal Government should send a message across America that where it hurts most, or where we can be most helpful, in the area of school construction in 1998, we are going to come together and make that the backbone of the effort to improve education in America, the Federal aid effort to improve education in America. Construction comes first.

UPCOMING TOPICS OF CONCERN FOR THE U.S. HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mr. COOKSEY). Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin [Mr. NEUMANN] is recognized for 30 minutes as the designee of the majority leader.

Mr. NEUMANN. Mr. Speaker, we are nearing the end of our session. I rise today to talk about a couple of topics that are still pending out here, and that will be dealt with in the upcoming session next year. I thought we ought to kind of summarize a little bit about them before we close out the year. A lot of us here are hoping next week is the last week we are out here.

There have been a lot of accomplishments. I am going to spend some time talking about those accomplishments, and how far we have come, and I am going to conclude with a little discussion about where we might go to, and what our hopes and dreams are as we move.

There are a couple of issues pending. I am going to start with one that is current and that we may also have some discussions on in the next week. That is national tests. We are hearing a lot about this idea that Washington somehow is prepared to develop this national test to test our students to see whether or not they get the education that Washington thinks they should get.

I want to bring this up to discuss a little bit, because as a former teacher I was actively involved in developing tests, but it was not a national test, it was a local test. When I was teaching math, I used to go to some of the folks in town. They would say some of my kids did not know, and I call them my kids because we really got pretty close in our classroom, some of my kids did not know what they expected them to know on math, how to balance a checkbook, count change, some of the elementary things. I said, yes, they do. They graduated from my math class, so therefore my kids know this stuff.

People uptown said, no, they don't. We took a survey of the people uptown, and we found out what it was that our people in Milton, WI, thought our Milton High School graduates should know, and then we developed a test to see whether or not our Milton High School students knew what the people uptown expected them to know when they graduated from high school.

Is this not how it should be done, the local community, the parents, teachers, school board, working together to decide what it is that the students in Milton, WI, should know, or in the local communities should know?

□ 1430

That is how the test should be developed. The concept of Washington, DC, deciding what the students in Milton, WI, should know, instead of the parents and the teachers in the community, is just the wrong concept. That is one of the issues we still have pending before us out here during this session, and it may be dealt with before we adjourn for the year, but possibly will be put off until next year.

There is another one that we have had a vote on and it is actually one of the most difficult discussions that we have to have, and I cannot believe that we have discussions on this topic in America, and that is on partial-birth abortion.

One of the things that happened in 1997 is that the House of Representatives passed a bill that said there will be no more partial-birth abortions in America except when the life of the mother is at stake. The Senate passed the same bill. It was sent to the President and it was vetoed.

Mr. Speaker, I think it is very important that we understand what a partial-birth abortion is, and I think this practice, hopefully, can be eliminated in the next session in 1998. But if not, the people that are preventing it from being eliminated should simply be replaced in the upcoming election cycle.

In a partial-birth abortion, a doctor literally reaches into the womb of a pregnant woman, grabs the ankle of the baby, and literally pulls the arms and legs of that baby out of the womb. At the last second, just before the baby's head is delivered, the doctor sticks a scissors in the back of the head and kills the baby.

It is interesting when I talk about this, people have a tendency to tune out. It is like they do not want to talk about that. We cannot even discuss that in America. And they are right; we should not be discussing this in America.

How can any citizen of our great Nation possibly justify a nearly born baby having a scissors stuck in the back of its head and being killed? This is something that is so outrageous. What amazes me most about this discussion is not that it is very difficult to discuss, because it is very difficult for me to discuss, but what is amazing is that when I do discuss it, people call me radical. They call me radical because I do not think that when a baby's arms and legs are literally delivered and moving that it makes sense in our great Nation to stick a scissors in the back of that baby's head and kill the baby. It is outrageous.

The status of this bill, it was sent to the President after passing both the House and the Senate. I am happy to say that the Wisconsin delegation from the House of Representatives, that all of our delegates, Republican and Democrats, pro-choice and pro-life, all of the people from the great State of Wisconsin voted to end this practice in the House of Representatives.

The bill was sent to the President. The bill was vetoed, and we would expect in 1998 that bill will be brought back to the House of Representatives and in the House of Representatives we will override the President's veto, because this practice is so outrageous and so wrong in this great Nation.

I hear when I talk about this to our constituents, ''Mark, you have no business talking about it. That is not government's role to talk about this sort of thing. It should be up to the doctor and it should be up to the mother.'' Mr. Speaker, I will tell my colleagues that when I took my oath of office, I swore to uphold the Constitution of the United States of America. The Constitution of our great land guarantees life, liberty and the pursuit of happiness. It does not guarantee life, liberty, and the pursuit of happiness to all those

who vote, but it guarantees life, liberty, and the pursuit of happiness to all American citizens.

Mr. Speaker, it seems to me that when a child reaches the point when its arms and legs are literally moving around, that that child is guaranteed protection under our Constitution just like any other American citizen and, doggone it, it is time we talk about this and keep talking about it until the problem itself disappears because we have outlawed the practice of partial-birth or live-birth abortion in America.

Mr. Speaker, I am optimistic that in 1998 we will see at least the House of Representatives overturn the President's veto of a ban on partial-birth abortions, and I would hope that the Senators that have voted against it and have not provided the necessary votes will see the light and will come around to vote to override the President's veto in 1998. And, hopefully, in 1998, for once and for all, we can ban partial-birth abortions or live-birth abortions in the United States of America.

There are some other topics that have been pushed to the back burner, and I would like to start with one that directly affects our senior citizens, it affects them dramatically, and that is Social Security. I think it is important as we begin this Social Security discussion to understand exactly what is happening.

Mr. Speaker, in 1983 when the Social Security trust fund was near bankruptcy they, quote, ''fixed'' the Social Security system. What they did is started collecting more money out of the paychecks of working families and workers all across America. They collected more money than what they paid back out to the senior citizens in benefits. In 1996 alone, they collected $418 billion in taxes out of the paychecks of workers across America and they only spent $353 billion. They only send out $353 billion to our seniors in checks.

To most folks, this would seem like it is working pretty good. They collected $418 billion and only sent out $353 billion. The idea is this: By collecting that extra $65 billion, they would put it into a savings account and when the baby boom generation gets to retirement and there is too much money going out and not enough coming in, we will go to the savings account and get the money and make good on the checks. The idea is if we collect $418 billion in 1996 and we only spend $353 billion, that will leave $65 billion to put into the savings account to make sure that Social Security is safe for our senior citizens.

Well, unfortunately, that is not what is going on in Washington. This comes as no big surprise to anybody who follows Washington closely. Here is what Washington does with the Social Security money. They collect all $418 billion and then they put it in the big Government checkbook, the general fund. They then spend all the money out of the general fund. As a matter of fact, they overdraw the general fund. That is called the deficit.

They take the $65 billion extra they collected, put it in the general fund, spend all the money out of the general fund. As a matter of fact, they overdraw that checkbook so there is no money left and at the end of the year they simply put an IOU, an accounting entry, down here in the Social Security trust fund.

So the fact of the matter is that this extra money that is being collected that is supposed to preserve and protect Social Security is not being put away the way it is supposed to be. In fact, all that is in there is in nonnegotiable Treasury bonds, generally referred to as IOU's.

Mr. Speaker, this practice is wrong. We in our office introduced legislation, and forgive me if this does not seem like Einstein legislation; it is not. It simply says that the money that comes in for Social Security goes directly into the Social Security trust fund. It does not go into the general fund. It goes directly into the Social Security fund.

What does that mean? It means that $65 billion that they collected more than what they paid back out to our senior citizens in benefits would actually go into that savings account the way it is supposed to be. Let me suggest the way it happens if this bill is passed. It is a pending bill. We have 100 cosponsors, Democrats and Republicans have cosponsored this bill.

Mr. Speaker, if this bill is passed, Social Security is solvent all the way to at least the year 2029 and maybe significantly beyond that. If this bill is not passed and we continue to spend the Social Security money that is coming in, rather than put it aside the way it is supposed to be set aside, then Social Security is in trouble not later than the year 2012. So let me say that once more. If the Social Security Preservation Act is passed, Social Security is solvent for our senior citizens for the foreseeable future. If it is not passed and we continue the practice of taking the $65 billion, putting it in the general fund and spending it, if that practice continues, Social Security is in serious trouble not later than the year 2012.

So when we look at issues that need to be addressed in 1998 and 1999, this is certainly one of the key issues. It is important that folks understand Washington's definition of a balanced budget and what a balanced budget means as it relates to Social Security.

Remember, the Social Security trust fund collected $65 billion and put it in their checkbook. So when Washington says their checkbook is balanced, what they actually mean is they took this $65 billion, put it in the checkbook, spent all the money out of the checkbook, but the checkbook was not overdrawn and that is a balanced checkbook.

So my colleagues can see, even after we reach a balanced budget, and we should not downplay that, the budget has not been balanced, even by Washington definition, since 1969. That is a monumental accomplishment, and it appears that we are going to get that done in 1998, 4 years ahead of schedule. But even when we get that done, they are still using the Social Security trust fund money to make it look balanced.

Here is another way of looking at that same picture. When Washington reports the deficit to the American people, they actually report this blue area. So in 1996, when they reported a deficit of $107 billion, what Washington actually meant is the checkbook was overdrawn by $107 billion, but in addition to that, they spent the $65 billion that came in extra for Social Security.

So when Washington says it is going to balance the budget, it is very important people understand what they really mean is this blue area is going to go away, but they are still going to be spending the Social Security trust fund money. It is very, very important that we do not downplay the accomplishments, because getting to a balanced budget is important. And it is obvious that we have to get to a balanced budget before we can stop spending Social Security money. But it is also important that we understand that once we reach a balanced budget, our job is not done.

Mr. Speaker, we have no business spending the Social Security trust fund money and anybody who supports spending that money on other Washington programs instead of setting it aside ought to be unelected in the next election. It is that simple and straightforward.

Having said that, I think it is important that we look at some other solutions to these problems, look at how far we have come. It is clear we still have a long way to go, but we have made significant accomplishments during this year.

In order to understand how far we have come, I think it is important to note where we started back in 1995. When I left the private sector to run for office it was because I had looked at this chart and I had watched this debt that faces the United States of America and I had just watched it grow. That Social Security money, those IOU's, they are part of that growing debt facing this Nation. As a matter of fact, as we look at this chart, we can see from 1960 to 1980, the debt grew a very small amount. But from 1984 it grew off the map.

By the way, Mr. Speaker, I know all the Democrats say, ''Yeah, that's the year that Ronald Reagan got elected,'' and the Republicans are going to say, ''Yeah, the Democrats spent out of control.'' The fact of the matter is it does not matter if we are a Democrat or a Republican. The bottom line is that our Nation is this far in debt and we better do something about it.

Mr. Speaker, this is what we came into office facing in 1995. This is the problem that brought many of us out

of the private sector, myself included, having never held a public office before. It is this picture that brought us out of the private sector and it is an understanding that this problem needed to be solved if we have hope that we are going to have a future for our children in this great Nation that we live in.

How far in debt are we? Well, it is $5.3 trillion as of today; $5.3 trillion translates into $20,000 for every man, woman, and child in the United States of America. If we take that $5.3 trillion and divide by the number of people in the country, it is 20,000 bucks for every man, woman and child in America today. That is how much money our Government has borrowed.

For a family of five like mine, which is where the problem comes in, for a family of five, the U.S. Government has literally borrowed $100,000, most of it over the last 20 years. The kicker to this whole thing is down here. A lot of my constituents go, ''So what? Does it really matter or doesn't it?'' Well, yes, Mr. Speaker, it matters. It matters because every month a family of five like mine needs to send $580 a month, every month, to Washington to do nothing but pay the interest on the Federal debt, $580 a month for an average family of five to do nothing but pay the interest on the Federal debt.

Then my constituents go, ''Well, that is not me. I don't make that much money, so I'm not sending $580 a month to Washington.'' But, Mr. Speaker, they forget to take into account that if we do something as simple as walk in a store and buy a loaf of bread, the store owner makes a small profit on that loaf of bread. And when the store owner makes a profit on that bread, part of that profit gets sent to Washington. When we add up all the taxes on groceries or gasoline or whatever, an average family of five is, in fact, spending $580 a month to do nothing but pay interest on that Federal debt.

Mr. Speaker, I think it is important we talk about how we got to that number. What in the world went on in this country that we ran up a debt that the people here in Washington decided it was appropriate to spend $100,000 on behalf of my family of five and every other group of five like it across America? What is going on out there? Did they try to solve it? What led us to this point?

Mr. Speaker, I think this chart says a lot about it. And I could show any one of a number. I have got the Gramm-Rudman-Hollings bill of 1987, but there was a Gramm-Rudman-Hollings bill of 1995 and another one in 1987. There was a 1990 deal, a 1993 deal, but they all had the same basic elements to them. They all said, yes, we had not ought to be spending our children's money. We are going to balance the budget in five years out or whatever, but they all said we are going to balance the budget.

As a matter of fact, this blue line shows how they were going do balance the budget by 1993. The red line shows what actually happened, because every time Washington set about controlling Washington spending to balance the budget, they broke their promises to the American people. I could put any one of a number up here, but they all look the same.

There is a blue line that shows how they were going to balance the budget, and then there is a red line on top that shows how they failed to do what they said they were going to do for the American people. So we got out here to 1993, after failing in 1985 and 1987 and 1990 and again in 1993. We get out here to 1993, and we are looking at this problem and Washington decided that there was only one thing left to do.

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We cannot control Washington spending. There are too many important things that Washington wants to spend money on. So what we are going to do is take more money away from the working people, get it out here to Washington so Washington can decide how to spend that money because, after all, Washington knows best how to spend the people's money.

So in 1993, they passed the biggest tax increase in history. The idea was if we got more money out of the pockets of the people that somehow that would lead us to a balanced budget. That is what led to the revolt in this great Nation. That is what led to the turnover of Congress in 1994. The people said, enough of this stuff. We have had it with the broken promises. We have had it with raising our taxes. That is not what we want. We do not want Washington deciding how to spend our money. We want Washington to let us keep our own money so that we can make decisions on how to spend it because we know best how to spend our own money.

This picture is what led to the turnover in 1994. It was the fact that they could not get to a balanced budget, coupled with the tax increase that led to the 1994 revolt, if you like, amongst the American people that sent a change in control of Congress. We are now 3 years into this thing. This is kind of the background.

We laid out a plan to balance the budget. We said we wanted to reduce taxes. We made a bunch of promises when we got here in 1995, too. I think the American people ought to be asking, what has happened in the last 3 years? How are you doing? Are you any different than the group that was there before you?

I brought a chart to show our promises. In 1995, when we got here, we laid out a plan to balance the budget, too. We were realistic and we said, we will get there by the year 2002. We are now 3 years into that plan to balance the Federal budget, but notice where the red line is. For the first time the red line is not out of whack. We have not only hit our targets, but we are significantly ahead of schedule. We will have the first balanced budget in fiscal year 1998. The first time since 1969, we are going to see a balanced Federal budget 4 years ahead of promise. This is significant.

At the same time we balanced the budget we lowered taxes for the first time in 16 years and, if time permits later on, I would like to go through some of those. They are heavily oriented toward education and toward families: $400 per child; grandparents can start putting $500 per child away in an education savings account; college students, $1,500 freshman and sophomore year tax credit; that is, you figure out your taxes and subtract $1,500 off the bottom line; juniors and seniors in college continuing education; young couples where one has gone back to school, it is 20 percent of the college tuition credit; capital gains lowered from 28 percent to 20; for those that were in the 15-percent bracket earning less than 40,000 a year, lowered from 15 down to 10; no more tax when you sell your personal residence if you have lived there for 2 years. The list goes on and on.

Encouragement for savings for retirement even if you are in a 401(k). You can now join a Roth IRA and put $2,000 a year away. When you take the money out at retirement, you pay no taxes on the accumulated money.

The bottom line is, this picture is very important. It is very, very different than this picture where the promises were made, but they were not kept. Promises were made and they are being kept. We are not only on track to getting to a balanced budget, but we are significantly ahead of schedule. I show charts like these out at town hall meetings. The people say, MARK, the economy is so good, you guys are taking credit for that good economy. If the economy were not that good, of course, you would not be doing these things. Partly that is true. The economy is doing very well. That is part of why this picture is true. But the reality is, we have had good economies between 1969 and today many times.

Every time the economy has been good in the past, Washington saw that extra revenue coming in and they spent it. This Congress is different. The economy is good, but instead of spending the extra revenue, we are getting to a balanced budget ahead of schedule.

I think this perhaps is the most significant picture that I can possibly show in terms of describing how different Washington is. The economy has been strong. There has been over $100 billion a year in revenue coming in above expectations. In the face of that, this Congress looked at spending. It was growing at 5.2 percent before we got here.

This column shows how fast Washington spending was increasing before we got here in 1995. We, in the face of that strong economy and extra revenue coming in, we slowed the growth rate of Washington spending by 40 percent

in 2 years. The growth rate of Washington spending now is down to 3.2 percent. Would I like it to be lower? Yes. But the reality is, we have slowed the growth of Washington spending by 40 percent in 2 years in the face of a very strong economy.

I challenge anyone, any of my colleagues anywhere in America to find a Congress before us that had an extra $100 billion above expected revenue coming in and have that, find a Congress that spent less money than they said they were going to spend and slowed the growth rate of Washington spending in the face of that strong economy. It has not happened in our history. This is new. It is different. It is the reason that we are able to both balance the budget and lower taxes at the same time.

In fact, in real dollars, Washington was growing at 1.8 percent annually before we got here. It is now growing at .6 percent. The real growth has been slowed by two-thirds. Do we still have a ways to go? Should we slow that to zero? We do not need a bigger Washington. Washington could do less. Sure, we would like to go further, but I do not think we should look past the fact that in 2 short years we have slowed the real growth of Washington spending by two-thirds in 2 short years.

This is what has led to this point where we have our first balanced budget since 1969 and we have a tax cut package at the same time. Are we finished? Absolutely not. When we started this discussion today about Social Security and how when we talk about a balanced budget that Social Security money is still being spent, we have a long ways to go.

We need to pass the Social Security Preservation Act, which is the act that stops Washington from spending that money. We are not going to quit here. We are not going to quit with this. The other thing that we hear out at our town hall meetings is, this would have happened even if you guys were not there. No matter what you did, this would have happened.

I brought a chart with me to show exactly what would have happened if we had played golf and basketball and tennis instead of doing our job. Almost no one in America can forget the first year that we were in office, 1995. There were all sorts of things going on. It was just short of bullets out here. There was misinformation on Medicare attacks. There were school lunch attacks that were full of misinformation. There was just short of a war in this country. Government shutdowns, you name it.

The reason those things were going on is because if we had done nothing, this red line shows where the deficit was going. It was headed to $350 billion if nothing was done. Remember, that is instead of balancing the budget, even with the Social Security money on top of this, it was going to be a $350 billion deficit. The yellow line shows how far we got in our first year. The green line shows our hopes and dreams, that we were actually going to be able to balance the budget by 2002. And the blue line shows what is actually happening, how far ahead of schedule we are. We are winning a monumental battle for the future of this great Nation. We are winning a battle that is going to allow our children to have hope in this great Nation that we live in.

This is not the end. Again, I think it is very important that we understand that when we reach a balanced budget, we still have problems in this great Nation. We still have a $5.3 trillion debt staring us in the face. We still have the Social Security trust fund money being spent on other Washington programs. The battle is not over when we reach a balanced budget.

I have with me a chart showing what we suggest that we do next. This is really the future. We bring us to a balanced budget. We start the process of lowering taxes. We restore Medicare for our senior citizens.

This is next. It is called the National Debt Repayment Act. What it says is this. Once we reach a balanced budget, we slow the growth rate of Washington spending. We cap it at a rate at least 1 percent slower than the rate of revenue growth. This picture shows what will happen if we do that.

This is the point we reach balance. The red line shows spending growth in Washington and I would like to see it slower. That is just for the record. But it shows that if spending is going up at a rate 1 percent slower than the blue line, the rate of revenue growth, if spending is just controlled, that it goes up 1 little percent slower than the rate of revenue growth, it creates this area in between here called the surplus.

With the surplus under this bill we do two things. We take one-third of that surplus and dedicate it to additional tax cuts, and we take two-thirds and put our great Nation on a home mortgage type repayment plan. The two-thirds of this surplus literally starts making payments on the Federal debt, much like you would make payments on a home loan.

As a matter of fact, if this plan is followed, by the year 2026, the entire Federal debt would be repaid and the legacy we would leave our children would be a debt-free Nation instead of a Nation so overburdened with debt that they have to look forward to sending $580 a month to Washington when they have their families.

The opportunity here to pay off the Federal debt is so great and so monumental that we need to move rapidly in this direction. As we reach the balanced budget, this needs to be the next step that we put the Nation on, a debt repayment plan.

One other thing, as we repay the Federal debt, the money that has been taken out of the Social Security trust fund that I spent time talking about, that money that has been taken out of the Social Security trust fund, those IOU's, as we are paying off the Federal debt, that money is returned to the Social Security trust fund and Social Security once again becomes solvent for our senior citizens. The tax cuts, I think it is important we realize another piece of legislation that is being introduced, part of my dream for the future of this country, that we abolish the IRS Tax Code as we know it today.

The legislation has been introduced to abolish the IRS Tax Code as we know it today in the year 2001 so that we can replace it with a simpler, fairer, easier-to-understand Tax Code.

How does that relate to the National Debt Repayment Act? As we are providing tax cuts each year, it gives us the opportunity to facilitate that move to a simpler, fairer tax system. So think about this for our dream and our vision for the future of America. First, we do not do what they did in the past anymore. No more broken promises of a balanced budget. No more tax increases. We continue on the path that we are currently on.

We reach our balanced budget, first time since 1969. We lower taxes for the first time in 16 years, and we restore Medicare for our senior citizens. That is the present.

Here is our dream for the future. Our dream for the future is that we put our Nation on a debt repayment plan much like a home mortgage repayment plan. As we are on that plan to pay off the Federal debt, as we are on that plan, we put the money back into the Social Security trust fund that has been taken out so our seniors can rest assured that Social Security is safe and secure. We lower taxes each and every year by utilizing one-third of that surplus for additional tax cuts. We replace the IRS Tax Code with a system that is easier, simpler, much fairer, something the American people can understand. And the most important part of this dream, the most important part of this vision for the future of our country is that we, in our generation, can leave our children a legacy of a debt-free Nation, a legacy where they can once again look forward to having the opportunity to live a life that is as good or better than ours, the opportunity to have a job right here at home in America.

That is what this dream is about. It is about balancing the budget, paying off the Federal debt, restoring the Social Security trust fund for our senior citizens, lowering taxes and, most important of all, providing the children of this Nation and our grandchildren with a debt-free country so they can have, once again, the hope and the dream of living here in this great Nation and having the opportunity of a better life, much as we have had during our generation.

INTRODUCTION OF H.R. 2786

The SPEAKER pro tempore (Mr. COOKSEY). Under the Speaker's announced policy of January 7, 1997, the gentleman from Pennsylvania [Mr.

WELDON] is recognized for 30 minutes as the designee of the majority leader.

Mr. WELDON of Pennsylvania. Mr. Speaker, I take out this final special order today before we adjourn for the weekend to call attention to a piece of legislation that I introduced today along with 104 of our colleagues. H.R. 2786, known as Impact '97, is the Iranian Missile Protection Act of 1997, a very important piece of legislation not just for the security of Americans, but for the security of our American allies, for the security of Israel, for the security of 25,000, at least 25,000 of our troops who are currently serving around Iran in various theaters including the Balkans.

Mr. Speaker, this bill is strongly bipartisan. In fact, it has 85 Republicans and 20 Democrats. Out of the Committee on National Security's membership, the bill has 29 Republicans who have cosponsored it and 15 Democrats. The cosponsors include the chairman of the Committee on National Security, chairman of the Committee on International Relations, chairman of the Select Committee on Intelligence. It includes members of the leadership. It includes key Democrats who are critical on defense issues, like the ranking Democrat of the Committee on Appropriations, Subcommittee on National Security, the gentleman from Pennsylvania [Mr. MURTHA] and the gentleman from Washington [Mr. DICKS]. These Members share the same concerns as I and that is that we have a threat that is emerging that could cause serious problems not just for our troops, but for our allies and friends approximately 12 months from now.

What is that threat, Mr. Speaker? Why do we need this legislation? Why must it be put on a fast track? Mr. Speaker, we have been told by this administration repeatedly that in the intelligence briefings that have been provided to us in the Congress we have no reason to worry about the proliferation of weapons of mass destruction, especially those involving medium and long-range missiles.

The intelligence community, just a year ago, issued an upgraded intelligence estimate that basically told Members of Congress and the public that we have no reason to fear a threat for our safety for at least 15 years. That intelligence estimate which we soundly criticized a year ago has now been recognized to have had political overtones placed upon it. We were also told, Mr. Speaker, that we would have no regional threats to the security of our troops in the foreseeable future and that we would, in fact, be able to put into place systems that would be able to respond to those threats that we saw emerging in the near term.

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All of that changed, Mr. Speaker, this past summer. It changed because the Israeli intelligence community was able to gain information that documented that factions in Russia, the Russian space agency and several Russian constitutes and scientists had, in fact, been working cooperatively with Iranian scientists and technologies to give Iran a missile technology that they can now deploy anywhere beyond 12 months from this date. Which means that even though the intelligence community was telling Members of Congress that we did not expect to see a threat emerge for 4 or 5 or perhaps 10 or 15 years, Israel was able to examine through their intelligence community actually they have copies of contracts that were signed between key Iranian agencies and key Russian agencies that now have indicated to us that Iran can deploy a system within 1 year.

Now let us look at what that means in terms of the region, Mr. Speaker. Iran is the red area in the center of this map, which covers all of Europe and most of Asia and part of Africa. Iran currently does not now have a missile system except for the type that was used in Desert Storm, the SCUD missile system. This technology is considered primitive at best, even though it was the cause of the largest loss of life in Desert Storm when that Iraqi SCUD went into that barracks where young Americans were sleeping, killing a number of our young military personnel. That is the sophistication that Iraq and Iran have had up until now in terms of missile technology. And even though it is rather crude and does not have sophisticated guidance systems built into it, it still kills people.

The largest loss of life involving American troops was caused by a SCUD missile coming into those barracks because we did not have technology to shoot that missile down during Desert Storm when our backs were against the wall. And when the Israeli people were very fearful of the threats and the missiles that were being lobbed into their country, we deployed a variation of the Patriot system. The Patriot system was not designed to take out the missiles. In fact, it was designed to shoot down aircraft. But because we had no system to put into place, we had to use a varying of the Patriot, put systems in Israel and into countries like Kuwait and Saudi Arabia to try to give us some limited protection against the SCUD missiles that Iraq would launch.

We put those systems in place, Mr. Speaker. But as the record shows, the Patriot systems were only partially effective. In fact, some estimations show that the Patriot was only 40 or 50 percent effective in taking out SCUD missiles. So many of those SCUD's got through.

But we are not talking about the SCUD missile now, Mr. Speaker. We are talking about a system that Iran has developed or is developing with the cooperation from Russia. Russia has very sophisticated missile systems: long-range, medium-range systems with very capable guidance mechanisms built in. The intelligence data that we now have, which has been declassified because it is being reported in the media in a widespread way and which I am going to refer to. I am not referring to any classified briefings. I am only referring to what is being reported in the media.

The intelligence community, as reported by the media now, shows that within 12 months Iran will have a system that will initially have a capability of approximately 800 miles and eventually will have a capacity to go as far as 1,200 miles around Iran in terms of hitting its target. When we look at these areas that are colored in blue and green, we get a sense of the potential impact of these medium-range missiles, which we expect Iran will have as early as 1 year from this date.

That means, Mr. Speaker, that parts of Europe now become threatened by Iran. That means now that at least 25,000 of our troops who are stationed in this area now become potential targets of Iranian missiles. That now means that all of our allies in this region in the Middle East and beyond now can become threatened by Iranian medium-range missiles.

Why is this so significant, Mr. Speaker? Because having Iran have this kind of capability could potentially upset the balance of power in the Middle East. If Kuwait and Saudi Arabia and the other Arab nations who are not our friends think that Iran has a capability that we cannot shoot down, that could upset the balance.

Now, how sophisticated are these missiles that Iran is going to be developing? Well, the Russian SS–4 system, which is the technology being transferred to Iran and has been under transfer for the past several years, is a very capable medium-range missile.

Now the question becomes, is it accurate? Can it hit the spot where it is intended to go? The point is, it really does not matter. If you are shooting off missiles, it does not matter if you hit this part of the city or that part of the city, you are still going to kill people. But let us look at whether or not the Iranians also have sophistication in terms of guidance.

Mr. Speaker, in front of the American people today I hold up two devices. These were manufactured in Russia. These were not manufactured in the United States. This is a gyroscope, Mr. Speaker. And this is an accelerometer. These two devices, which look to be brand new, were taken off of an SS-N–18, which is a very capable missile, medium- to long-range missile, that Russia has thousands of that had been aimed for years at American cities and carried on board their submarines.

Where did I get these two devices with the Russian markings on them indicating where they were built and what missile they were taken from? Mr. Speaker, these devices were intercepted by intelligence officials from Israel and Jordan as they were being transferred from Russia to Iraq. These devices were intercepted 2 years ago.

I was there January the month after the Washington Post ran the story about the transfer of these guidance systems. Because together they are the guidance system for missiles. They make missiles extremely accurate so they can pinpoint the most populated areas of cities and can do the most destruction when they are launched. When I was in Moscow, I met with our Ambassador, Ambassador Pickering. I said to him a month after the Washington Post story ran, ''Mr. Ambassador, what was the response of Russia when you asked them about the accelerometers and the gyroscopes?'' He said, ''Congressman WELDON, I have not asked them yet.'' I said, ''Why? This happened 6 months ago.'' He said, ''That has to come from Washington.''

I came back to Washington, Mr. Speaker. And at the end of January, I wrote President Clinton and I said, ''Mr. President, why have you not personally asked the Russians about the transfer of these devices? Because that is illegal. It is a violation of an arms control agreement, an agreement called the Missile Technology Control Regime.'' The President wrote back to me in April, Mr. Speaker. And guess what he said. He said, ''Congressman WELDON, we don't have enough evidence that this transfer of technology took place.''

Mr. Speaker, these are the devices. We knew about their existence. We saw their existence. In fact, Mr. Speaker, there were 120 sets of these devices, each of them manufactured in Russia, and all of them transferred into this particular place, to Iraq.

Now, the question is not whether they were transferred legally or whether they were transferred illegally. Arms control agreements do not make a difference. A country that is a signatory to an arms control agreement certifies to the other nations in that agreement that they will prevent the transfer of technology.

So, in this case, the transfer of these devices was clearly and blatantly a violation of an international arms control agreement. In fact, Mr. Speaker, this was the seventh time Russia violated the missile technology control regime. In each of the seven instances, similar to the transfer of these devices to Iraq, this administration imposed no sanctions on Russia. They either said, we did not have enough information, we could not fully verify it, or we chose not to impose sanctions.

Now, we wonder why Iran and Iraq are getting the capability to kill our troops and to kill and injure our friends. It is because of the policy direction of this administration and not being tough enough in enforcing arms control agreements.

Mr. Speaker, besides these devices, there were two other transfers of accelerometers and gyroscopes from Russia to Iraq. Iraq tried to hide them in the Tigris River Basin. They were found. And they are a part of the 120 sets that we know now were attempted to be transferred that we, in fact, have physically in the hands of people who are our allies and friends.

The point is, Mr. Speaker, if Iraq was able to get these kinds of very sophisticated guidance devices, we can bet our bottom dollar Iran has the same capability. Because, unlike Iraq, we have evidence that Russia and Iran have been cooperating on this new medium-range missile that they are going to deploy 12 to 18 months from now.

So that means, Mr. Speaker, that these missiles which will now be able to hit any city in any part of Israel, which now will be able to take out any of the installations where our 25,000 troops are stationed that any of our allies in this region are currently located, that this missile will be able to cause severe destruction.

The problem, Mr. Speaker, is a simple one. We will not have a system in place to take out this missile. I repeat, Mr. Speaker. As the chairman of the House National Security Research Committee, which oversees all the funding for defensive systems to protect against this threat, we will have no system to take out these missiles, not 12 months from now and probably not 18 or even 24 months from now.

The American people are justified in asking the question: Why, if we are spending hundreds of millions of dollars a year on offensive and defensive military programs, why then 12 months from now will we not have a system that can shoot down these Iranian missiles that were built with Russian and Chinese technology?

The answer is, Mr. Speaker, that this administration, while basically putting forth a good public story about its commitment to theater missile defense, has not in fact been aggressive in pushing for deployment of these systems.

We have a number of options. We have a Navy option called the Navy upper and lower tier systems, which are under development with Navy and Army, called THAAD, theater high altitude area defense system, under development. We have another system, a variation of the Patriot, called PAC–3, which has more capability than the earlier version of the Patriot that was used in Desert Storm.

Israel, likewise, is working on a system entitled the Arrow. The Arrow system is similar to the Patriot and will have a capability but not quite the capability to take out the speed and the length in terms of distance of the Iranian missile that we expect to be deployed as early as 12 months from now.

So unfortunately, Mr. Speaker, as we look to meet this threat, the fact is that we will not have a system ready to be deployed 12 months from now. So if Iran does what the media reports that in fact they will be able to do, and that is deploy this system, we will have a window of vulnerability. That window of vulnerability could last 6 months. It could last 12 months. It could last 2 years. We will have a period of time, beginning sometime in late 1998, where Iran will be capable of deploying a system that we will not be able to take out if in fact they should use that system.

Now, let us remember back to the largest loss of life in Desert Storm. It was that SCUD missile that Saddam used against our troops in Saudi Arabia, the largest loss of life in Desert Storm. Iran has threatened to use both offensive chemical and biological weapons, as well as nuclear weapons on both Israel and on America. One year from now, under a current estimate that has been established in terms of Iran's program, they could have a medium-range missile that could hit Israel, any of our troops in that theater, or our allies. The problem, Mr. Speaker, is that it could well contain either a biological or a chemical weapon and quite possibly, and we have not yet determined this, quite possibly a nuclear weapon.

Mr. Speaker, this administration has not done enough. What our bill does is it says that this is a priority that this country has to address today, not 12 months from now, not 16 months from now, but today. If we are going to be prepared to deal with the threat that we see emerging 1 year from now, then the development and deployment has to begin in 1997.

What does our bill do? Our bill, Mr. Speaker, takes assets that we now have and increases funding in ways that can give us enhancements and improvements. Let me give my colleagues an example. Our bill takes the Patriot system, which has very serious limitations on what it can defend against.

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The Patriot system initially in Desert Storm could only impact an area the size of this small green circle, very limited. I cannot give the distance in terms of miles because that is classified, but I can give the approximate detail percentagewise of the impact area. The Patriot itself was very limited in what it could defend against, which is why it was not really successful in Desert Storm. By putting into place immediately additional radar systems, additional early warning systems, and by putting additional batteries and early sensors for the PAC–3 system, we can expand the coverage area by the area in the blue.

So that Members can see, Mr. Speaker, that we can take a system that we have available today and we can enhance it and improve its capability significantly, both in terms of distance and in terms of circumference, by putting in additional enhancements now. Our bill provides the dollars to do just that, to allow us to put into place additional radar, additional coordination of interoperability, additional C3I in terms of interactive communications in command and control of these systems, and in doing so we get an enhanced capability that 12 months from now we can deploy.

In addition to the Patriot system, we provide additional funding for the

THAAD program. Mr. Speaker, THAAD is a system that has still not been proven. It is being developed by the Army. The premise of THAAD is that it is a land-based unit that the Army can take wherever it goes and it can protect those troops in that theater. So if our troops are assigned in the Middle East, we can put a THAAD battery there and it will provide areawide protection for all of our troops so that we never have another barracks loss of life like we had in Saudi Arabia.

The problem with THAAD is it is good technology, but we have not yet had an intercept in our test program. We are hoping that this first intercept will take place in the first quarter of 1998. In the bill that I have introduced today, Mr. Speaker, we set aside additional funding so that if and when we have that successful intercept for the THAAD program that we immediately make money available to not just buy one test unit but to buy two demonstration test units. One of the units would be tested here in the United States, as is currently planned. The second battery would be deployed to the Middle East to be a direct support system for our troops that are stationed in that area. So we would have two test batteries of the THAAD system deployed where it in fact in several years could take out an Iranian missile or any other missile fired at our troops.

The third option, Mr. Speaker, is called Navy Upper Tier. The Navy Upper Tier system uses our existing Aegis technology, our most sophisticated systems, on our submarines. This technology is several years away from being fully deployed. But by putting additional dollars into radar systems and enhancements, we think we can speed up the deployment of the Navy Upper Tier system by perhaps as much as 1 year, so that by the turn of the century or slightly thereafter, we will be able to use Navy Upper Tier as a major defensive program.

The fourth major system that benefits from our bill to provide us additional protection against the Iranian capability is what the Israelis are working on. Israel has been working with our missile defense organization on a program called Arrow. Arrow is a system developed in Israel with American technology help. This system will ultimately give Israel very capable protection against lower level missiles that are not fired from long distances. The problem is that if Iran develops a capability for this medium-range system, as we currently think it is doing, then this Arrow system will not be able to cover all of Israel to take out those missiles if, in fact, they are used. What we want to do, Mr. Speaker, in this legislation is provide additional funds so that Israel can both look at enhancing the Arrow Program as well as providing additional Arrow missiles for test purposes.

In this legislation, Mr. Speaker, Impact 97, we have four very specific actions that we take to give us a capability within 12 to 18 months to deal with the threat that we think is going to be in place, a threat that jeopardizes not just our friends but also American troops and American citizens. Now, the President has said repeatedly and the administration has said repeatedly that theater missile defense is its top priority. If that be the case, Mr. Speaker, then we should have no problem in getting the administration to work with us in these systems. Unfortunately, that has not been the case.

Three weeks ago, I met with Gen. Les Lyles, who heads up the ballistic missile defense organization and who is the point person for the President. He said, ''Congressman Weldon, I want to work with you and I want to provide good solid information on which you can base your bill.'' Three weeks later, Mr. Speaker, I am sorry to say I have had no concrete data provided from General Lyles' office. Why? Because the Secretary of Defense and the Budget Office of the Department of Defense does not want to cooperate in giving us in the Congress realistic numbers upon which we can make our suggestions for additional dollar allocations to meet this threat. We have had to go to people in a private way, who are in the administration, who do not want to be named, and we have had to go to former directors in the agency to have them give us the dollar amounts and the direction as to where we should put additional resources to meet this threat.

Mr. Speaker, that is just unacceptable. This administration, which has said repeatedly that theater missile defense is our top priority, has again not been supportive of this Congress' attempt in a bipartisan way to deal with the threats that we see emerging. In spite of their lack of cooperation, we have put together a bill that we think is fairly realistic.

On Wednesday of next week, Mr. Speaker, I will chair a congressional hearing that will focus on the Iranian threat, that will focus on what Iran is now doing, that will focus on Iran's capabilities but will also look at what our response will be; namely, Impact 97, our bill to protect our people, our troops, and Israel and our friends from the threat of medium-range missiles and the potential devastation that they can cause on America and our friends and our allies.

Mr. Speaker, it is my hope that in this process, we will convince the administration to join with us, since this President has said repeatedly that this is, in fact, his highest priority. But unfortunately, Mr. Speaker, time and time again this administration has said one thing while doing the opposite.

It was this administration and this President who pounded his fist on the table in front of APAC's national convention and told the Israeli supporters that he was for a program called THEL. What he failed to tell those people was he tried to zero out funding for the testing for THEL for 3 consecutive years. It was the Congress, Democrats and Republicans in the Congress, who kept that program alive.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. WELDON of Pennsylvania. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding. I would simply like to rise as, I think, the most recent cosponsor of the gentleman's legislation to congratulate him. I believe this will go a long way toward addressing a number of our concerns. Technology transfer, as he and I were discussing earlier, is a very important way of stepping up our national ballistic missile defense system. I would simply like to congratulate my friend and encourage him wholeheartedly to proceed.

Mr. WELDON of Pennsylvania. I thank my good friend and colleague from California [Mr. DREIER] for stopping by and sharing his thoughts and thank him for his support. He was the 104th cosponsor, we now have 105. One hundred and five Democrats and Republicans, Mr. Speaker, have challenged this administration on their top priority, theater missile defense, in 1 week. I started this bill on Monday. Today I introduced the bill with 105 cosponsors, 20 Democrats, 85 Republicans, who are as concerned as the Israeli Minister of Defense, who this week is in Washington, Minister Mordecai, who has said publicly that if the United States does not respond Israel will have to take preemptive action to protect its people.

Is that what we are getting to now, Mr. Speaker? We have to rely on our allies coming to our defense because we do not want to put the systems in place to protect the loss of life of our troops? Is that what we have degenerated into? A second-rate nation that is going to allow our kids to be killed first and then say we should do something? That is what happened, Mr. Speaker. When we lost those kids in Desert Storm, it was because we did not apply the resources where the need was greatest. This bill will prevent that from happening again. It will allow us to put the resources, very small resources, on the threat that is here and very nearly will be deployed by a nation that everyone in the world considers to be a rogue operative and that has threatened to annihilate the American people and our troops on a consistent and regular basis.

Mr. Speaker, let me just say in closing that the reason why I think we are where we are today is a threefold reason. First of all, this administration has not enforced arms control agreements. I have given instances, seven times now with the MTCR, no sanctions imposed. With the case of China, accelerometers and gyroscopes going to Pakistan, no sanctions imposed. In the case of China, chemical and biological materials going to Iran, no sanctions imposed. What good are arms control agreements if we are not going to enforce them?

The second problem, Mr. Speaker, is the President has used the bully pulpit to lull the American people into a false sense of complacency. As I said on this floor many times before, this President 140 times has given speeches all over America, 3 times from this pulpit in the State of the Union Address where he has looked at the camera and said, ''You can sleep well tonight because for the first time in 50 years, Russian missiles are no longer pointed at America's children.'' As the Commander in Chief, he knows he cannot prove that, because Russia will not give us access to their targeting practices. He further knows that if he could prove that, you can retarget an ICBM in 30 seconds. But by saying that over and over again, 140 times on college campuses, in the well of the Congress, around the world, you create the feeling in America that we have nothing to worry about, there are no longer any threats, use of the bully pulpit in an extreme way just as wrong as some of my colleagues wanting to recreate Russia as an evil empire, which I do not believe.

The third reason why we are where we are today with Iran, Mr. Speaker, is because this administration has deliberately politicized and sanitized intelligence data. That is a pretty harsh statement. Can I back that up? Mr. Speaker, I will cite, not today with the lack of time, but I will cite for anyone who wants the information five specific instances where I can prove that this administration has deliberately taken intelligence data that is intent on giving the Congress an understanding of an emerging threat and this administration has either cut off the head of the messenger or has sanitized that information. Most recently last week we saw the announced early resignation and retirement of the director of our CIA Non-Proliferation Center, an outstanding professional who has given his life to allowing this country to understand emerging threats from proliferation activities of countries like North Korea, China, and Russia. Because of pressure that was felt on this individual and his job because of briefings he has given to Members of Congress and where he has given us information about technology transfer about China and Russia giving technology to rogue nations, he was basically put in such a terrible position that he took early retirement rather than face the prospect of having to fight his superiors in the White House and the State Department.

The second example. I heard about a briefing from a Russian expert at Lawrence Livermore Laboratory 2 years ago called Silver Bullets about emerging Russian technology. As the chairman of the House research committee on defense, I asked for that briefing. For 6 months, I was denied the briefing. During the 6 months, I got an anonymous letter in my office which I have kept. The anonymous letter was addressed to me, no return address, no signature. It said, ''Congressman Weldon, please continue to ask for this brief.''

Mr. Speaker, we should never have to have the intelligence community anonymously ask us to be briefed on an issue as important as emerging technologies. Another example of this administration choking the information that we need to make intelligence decisions about the threats that are emerging around the world. Mr. Speaker, we need to understand that intelligence is designed to keep us informed on emerging threats.

A third example was the direct removal of Jay Stewart from his position as the person in charge of security for the Department of Energy intelligence operation monitoring Russian nuclear material. That case has been documented. Jay Stewart has been before my committee. Jay Stewart was removed from his position because he was saying things that people in the White House did not want to listen to. This is not America, Mr. Speaker. That is why we are where we are today. That is why Iran has a capability that is going to threaten America, threaten our troops and threaten our allies. I would encourage our colleagues to cosponsor Impact 97 so that we have the protection we need 12 months from now to defeat Iran in its effort to destabilize the entire world community.

Mr. Speaker, I thank you, and I thank the staff for bearing with me during this special order.

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FAST TRACK NEGOTIATING AUTHORITY GOOD FOR AMERICA

The SPEAKER pro tempore (Mr. COOKSEY). Under the Speaker's announced policy of January 7, 1997, the gentleman from California [Mr. DREIER] is recognized for 60 minutes as the designee of the majority leader.

Mr. DREIER. Mr. Speaker, we are not only at the end of the legislative day, but the end of the legislative week, and the three most heard words over the next several hours all across the country will be ''trick or treat.''

This is Halloween, and, as we think about those words, I would like to talk about an issue which some, unfortunately, believe may be a trick on the people of the United States of America, but in fact it is more than a very, very well-deserved and well-earned treat. I am talking about the issue that we will be voting on most likely 1 week from today, and that is whether or not we should be granting authority to the executive branch to proceed with negotiations in an attempt to open new markets, so that U.S. workers will be able to produce goods and services that can be exported into those new markets.

Yes, it is called fast track, and I happen to believe that it is the right thing for the workers and the consumers of the United States of America and for workers and consumers throughout the world.

My friend from Pennsylvania [Mr. WELDON] was just talking about national security issues and the need for a missile defense system. I am a very strong supporter. As I said a few moments ago, I am proud to be I guess the 104th cosponsor of his legislation.

Mr. Speaker, the issue that we are going to be voting on next week is a very important national security issue as well. In fact, in many ways, it may be the most important national security vote that we face.

The reason I say that is that the United States of America, as we all know, is the world's only complete superpower: Military, economically, and geopolitically. As such, we have tremendous responsibility as a nation.

We are clearly the world's greatest exporter. Our Nation is involved in the issue of international trade in a way that is greater than any other nation on the face of the Earth. And what has happened over the past several years? Well, the technological changes that we have seen, many of those items which have been developed right here in the United States of America, have led the world to shrink.

We are dealing with what is known as a global economy. In fact, in an era decades ago when it would take a steamship to get a message across the ocean, we obviously see instantaneous communication. I talk to constituents who now, based on developments just within the last week, are up at 2 o'clock in the morning monitoring the stock exchanges in Singapore, Tokyo, Hong Kong, and other parts of the Pacific rim. Why? Because whether we like it or not, we are living in a global economy today.

I happen to like it, because I believe that this global economy has played a key role in allowing the United States of America to have clearly the highest standard of living on the face of the Earth.

Now, what do we need to do as we look at the need to continue to remain competitive in this global economy? It is very important that we remain in the most potent position. The only way to do that, the only way for us to do that, is if we allow authority to begin negotiations to deal with a lot of these issues to proceed. That is why the Congress must grant this so-called fast track negotiating authority.

It expired a few years ago. We have been trying to come to an agreement, and I am happy to say several weeks ago we did come to an agreement which allowed us to successfully address many of the concerns that have been raised over the past several years.

Why is it that we need this? Well, if you look at the fact that in this global economy the world has access to our consumers, that, frankly, is a very good thing. It is a good thing because it has allowed consumers in the United States of America to purchase high quality products at the lowest possible price.

But now what is it we need to do as we look at other parts of the world and

how we even strengthen our already strong economy? What we need to do is we need to break down barriers that exist in other countries throughout the world.

A number of my colleagues have said to me in discussing this over the past several days, gosh, why don't those countries just unilaterally eliminate their tariff barriers? The fact is, if we look at where we are going on this issue, it does take a negotiating process. It does take a give-and-take. But the goal is to break down those barriers so that U.S. workers are going to be able to have new markets for their goods and services.

So what needs to be done? We need to have the authority granted so that when negotiations start, our negotiators at the table will be in a similar position to the negotiators from other countries. And what does that mean? It means that when they negotiate an agreement to cut taxes, and a tariff is a tax, as they work for those tax cuts, those tariff reductions, they will be able to come back to the United States and say to the Congress, ''You can't renegotiate the agreement that we have struck, but you have the final say as to whether or not this is a good agreement.''

The U.S. Congress can vote ''yes'' or ''no.'' If it is a bad agreement, I will be the first one to stand here and vote ''no.'' But if it is a good agreement, I will be leading the charge in favor of it, because a good agreement is one that will cut that tax, that tariff barrier, and create new opportunities for U.S. workers.

So as we look at where we are headed, I think it is important to touch on the benefits of this global economy to us. In fact, everyone acknowledges that we have seen tremendous improvements in our economy. One of the major reasons has been through international trade.

I am privileged to stand in this Chamber as a Representative from the State of California. In California, we are the gateway to the Pacific rim and Latin America, tremendous new emerging markets in both of those parts of the world. And, remember, with those emerging markets, what happens? We improve the living standards in those countries. So many of the issues that we face as problems here can be effectively addressed.

I am referring, of course, to the hotly debated question of illegal immigration, of great concern to me and the people whom I represent in southern California. Many people who come into this country come illegally seeking economic opportunity. Well, if we can through greater international trade enhance the economist of our neighbors and other countries throughout the world, clearly we will create a disincentive for people to come to the United States simply seeking economic opportunity, as has been the case.

In fact, today international trade represents nearly one-third of the gross domestic product in this country, $2.1 trillion, an amazing figure from international trade. In fact, 25 percent of all of the U.S. jobs today are related to international trade, and, in fact, they have wage rates that are 16 percent higher than those that are producing simply for domestic consumption.

That is why I am so troubled when I turn on the television and see these advertisements that the AFL–CIO and other opponents to international trade agreements advertise. These advertisements are a clear misrepresentation, because as we gain new and greater markets for U.S. products, just based on the way things have gone, the wage rates for those union members will be 16 percent higher than it is for those members who are simply producing for domestic consumption here in the United States.

We have today the lowest unemployment rate in three decades. It is 4.9 percent. And, guess what? That 4.9 percent level of unemployment has gone down to that level following implementation of, again, the much-maligned North American Free Trade Agreement and the completion of the Uruguay round of the General Agreement on Tariffs and Trade. So as we have done that, we have been able to break down some barriers, and we have been able, as I said, to see 25 percent of the jobs in this country exist because of the fact that we have gained new markets.

With this authority, we want to gain even more in new markets, because it will improve the standard of living here and in other parts of the world.

I was mentioning the issue of our leadership role. Clearly the United States of America cannot cede that leadership role to other parts of the world, because we as a country have stood traditionally in a bipartisan way with Democrats and Republicans supporting this goal of breaking down barriers and trying to gain new markets and new opportunities for us.

There are many people who have raised understandable concerns about the climate and the situation in other countries with which we would establish these agreements. People are understandably concerned about low wage rates in other countries. They are understandably concerned about the potential for low environmental standards.

Well, I happen to believe that will, based on the empirical evidence we have seen, improve the standards of living in these countries, improve wage rates, improve environmental standards. Of course, look at our very strong economy. That has played a key role in allowing people to focus attention on making sure that we have a cleaner environment, and has allowed the American worker to focus on improvement of their plight. Getting wage rates up and improvements in their negotiations, in the same way as we proceed with international trade in these other countries, we will, through trade, be able to successfully improve those standards.

One of the provisions in this fast track measure of which I am particularly proud is when it comes to the negotiating process we are not going to allow countries to engage in what is called the race to the bottom. We are not going to allow a country to intentionally lower their environmental standards or worker rights standards simply to distort trade.

An example I use, just take for example if the Government of Chile, which is the country with which we hope to embark on a free trade agreement in the not-too-distant future after we put into place this fast track negotiating authority, if they were to lower their standards and say to the copper mining industry in Chile, for example, that you can dump sledge in the street, and it is being done to undercut the copper mining industry here in the State of Colorado in the United States, that is an issue that could go to a dispute resolution panel and could be addressed.

So we do not allow under this agreement countries to simply reduce their standards as a way to distort trade. But the way to improve those standards, which we are all concerned about, is through greater exchange and greater trade. So I am very, very encouraged about that.

There are many people who have raised concerns about the constitutional aspect of this, and clearly the use of fast track authority is the legislative branch, both the House and the Senate, exercising its rulemaking authority. Every trade bill needs to, as I said, be voted on and passed by a majority in both the House and the Senate and signed into law by the President. So we clearly do have a key role in dealing with these agreements.

So I will say, Mr. Speaker, that this is, I know, a very controversial issue. It has created a great stir, and people over the next week are going to be talking about it. But I believe that it is a win-win-win-win-win situation. It is a win all the way around, because the idea of reducing taxes, reducing tariffs, has been a global desire now. It goes all the way back to 1947 when the General Agreement on Tariffs and Trade was established. They were established with the goal of reducing tariff barriers. Now we have a great chance to do that.

There are small businesses in California and in other parts of the country. I have been listening to our colleagues from both parties all across the country talking about how small businesses are involved in gaining access to new markets, and they want to be able to do more. They want to be able to do more.

□ 1545

As I listened to the kinds of proposals that have come forward to address some of the concerns, I think that those are positive, too, because I think there are some justifiable concerns.

But, Mr. Speaker, as we look at the vote next week, if we were to make

what I think would be a horrible decision in this House and defeat the measure, we would basically be saying that the United States of America is no longer going to play the role as the world's strongest leader in the area of international trade. So it would be a grave mistake.

This goal we have is a vision which has existed for a long period of time. I will say to my friend, the Speaker here, the Speaker pro tempore, he recalled with me just a little while ago that it was on November 7, 1979 when Ronald Reagan announced his candidacy for President of the United States, and in that he talked about an accord that would see free trade going from the slopes of Alaska to Tierra del Fuego, ultimately seeing free trade among all the Americas.

I had the opportunity a couple of weeks ago to be in Argentina and Venezuela and Brazil on the trip that the President took. On that trip it was very clear that these countries are looking to the United States for the leadership role in the area of international trade. I am confident that the U.S. Congress will, with a great, great vision, look next Friday when we cast that vote towards doing it.

One of the other things beyond this hemisphere happens to be dealing with some very specific areas that need to be addressed in a multilateral way with many other countries. Those areas include agriculture. We have had a very tough time in agriculture getting into a lot of new markets. Why? Because there are many countries that have had these tariff barriers and nontariff barriers which exist which have prevented the chance for exports to go into those countries.

If we look at the issue of financial services, we all see that there are banks all over the United States with international names. Basically the world's financial services industry has access into the United States. Yet we, unfortunately, have been unable to negotiate agreements that will allow our financial services industry to expand in providing those products and services to consumers in other parts of the world. That is why we need to get this fast track authority through.

One of the other very important items, again to my State and to all the other States, is this very amorphous issue called intellectual property rights. Intellectual property, what does that mean? Well, these are items that are developed through the intellect of people in that home country.

We need to make sure that those rights are protected. In the area of pharmaceuticals, we have many very, very necessary drugs and other items that are created in the pharmaceutical industry. We need to make sure that the responsibility for those lies with those countries where they are developed, and that they get full credit and remuneration for them. That is why international property agreements need to be struck.

I represent the Los Angeles area. The entertainment industry is very, very important to our State. In fact, if we look at the entertainment industry, well over 90 percent of the world's programming for the motion picture industry and the television programming comes from right here in the United States, and we are all aware of the fact that piracy has been a serious problem.

We need to deal with negotiations on that kind of intellectual property violation that has existed. Guess what? We will not be able to deal with the negotiations for financial services, getting our financial institutions into new markets, we will not be able to deal with negotiations for agriculture, to gain new markets for agricultural products, and we will not be able to as successfully deal with intellectual property violations if we do not have fast track negotiating authority passed.

So while there are many people out there who would like to blame all the ailments of society on international trade, nothing could be further from the truth.

Mr. Speaker, I hope very much that the Speaker pro tempore and all of our colleagues will next week, when we face what I acknowledge will be a very tough vote here in this institution, that Members will join in supporting what is clearly the right thing to do as we remain the greatest Nation on the face of the earth.

BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

July 18, 1997:

H.R. 173. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize donation of Federal law enforcement canines that are no longer needed for official purposes to individuals with experience handling canines in the performance of law enforcement duties.

H.R. 649. An act to amend sections of the Department of Energy Organization Act that are obsolete or inconsistent with other statutes and to repeal a related section of the Federal Energy Administration Act of 1974.

July 25, 1997:

H.R. 1901. An act to clarify that the protections of the Federal Tort Claims Act apply to the members and personnel of the National Gambling Impact Study Commission.

H.R. 2018. An act to waive temporarily the Medicaid enrollment composition rule for the Better Health Plan of Amherst, New York.

August 1, 1997:

H.J. Res. 90. Joint resolution waiving certain enrollment requirements with respect to two specified bills of the One Hundred Fifth Congress.

August 5, 1997:

H.R. 709. An act to reauthorize and amend the National Geologic Mapping Act of 1992, and for other purposes.

H.R. 1226. An act to amend the Internal Revenue Code of 1986 to prevent the unauthorized inspection of tax returns or tax return information.

H.R. 2014. An act to provide for reconciliation pursuant to subsections (b)(2) and (d) of section 105 of the concurrent resolution on the budget for fiscal year 1998.

H.R. 2015. An act to provide for reconciliation pursuant to subsections (b)(1) and (c) of section 105 of the concurrent resolution on the budget for fiscal year 1998.

August 11, 1997:

H.R. 584. An act for the relief of John Wesly Davis.

H.R. 1198. An act to direct the Secretary of the Interior to convey certain land to the City of Grants Pass, Oregon.

H.R. 1944. An act to provide for a land exchange involving the Warner Canyon Ski Area and other land in the State of Oregon.

August 13, 1997:

H.R. 1585. An act to allow postal patrons to contribute to funding for breast cancer research through the voluntary purchase of certain specially issued United States postage stamps, and for other purposes.

August 15, 1997:

H.R. 408. An act to amend the Marine Mammal Protection Act of 1972 to support the International Dolphin Conservation Program in the eastern tropical Pacific Ocean, and for other purposes.

September 17, 1997:

H.R. 1866. An act to continue favorable treatment for need-based educational aid under the antitrust laws.

September 30, 1997:

H.J. Res. 94. Joint resolution making continuing appropriations for the fiscal year 1998, and for other purposes.

H.R. 63. An act to designate the reservoir created by Trinity Dam in the Central Valley project, California, as ''Trinity Lake''.

H.R. 2016. An act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes.

October 6, 1997:

H.R. 111. An act to provide for the conveyance of a parcel of unused agricultural land in Dos Palos, California, to the Dos Palos Ag Boosters for use as a farm school.

H.R. 680. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer of surplus personal property to States for donation to nonprofit providers of necessaries to impoverished families and individuals, and to authorize the transfer of surplus real property to States, political subdivisions and instrumentalities of States, and nonprofit organizations for providing housing or housing assistance for low-income individuals or families.

H.R. 2248. An act to authorize the President to award a gold medal on behalf of the Congress to Ecumenical Patriarch Bartholomew in recognition of his outstanding and enduring contribution toward religious understanding and peace, and for other purposes.

H.R. 2443. An act to designate the Federal building located at 601 Fourth Street, NW., in the District of Columbia, as the ''Federal Bureau of Investigation, Washington Field Office Memorial Building'', in honor of William H. Christian, Jr., Martha Dixon Martinez, Michael J. Miller, Anthony Palmisano, and Edwin R. Woodriffe.

October 7, 1997:

H.R. 2209. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 1998, and for other purposes.

October 8, 1997:

H.R. 2266. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes.

October 9, 1997:

H.R. 1420. An act to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes.

October 10, 1997:

H.R. 394. An act to provide for the release of the reversionary interest held by the United States in certain property located in the County of Iosco, Michigan.

H.R. 1948. An act to provide for the exchange of lands within Admiralty Island National Monument, and for other purposes.

H.R. 2378. An act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1998, and for other purposes.

October 13, 1997:

H.R. 2203. An act making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes.

October 23, 1997:

H.J. Res. 97. Joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes.

October 27, 1997:

H.R. 2158. An act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes.

H.R. 2169. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

October 30, 1997:

H.J. Res. 75. Joint resolution to confer status as an honorary veteran of the United States Armed Forces for Leslie Townes (Bob) Hope.

SENATE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the house that on the following dates he had approved and signed bills and joint resolutions of the Senate of the following titles:

July 24, 1997:

S.J. Res. 29. Joint resolution to direct the Secretary of the Interior to design and construct a permanent addition to the Franklin Delano Roosevelt Memorial in Washington, D.C., and for other purposes.

July 29, 1997:

S. 768. An act for the relief of Michel Christopher Meili, Giuseppina Meili, Mirjam Naomi Meili, and Davide Meili.

August 7, 1997:

S. 430. An act to amend the Act of June 20, 1910, to protect the permanent trust funds of the State of New Mexico from erosion due to inflation and modify the basis on which distributions are made from those funds.

August 8, 1997:

S. 670. An act to amend the Immigration and Nationality Technical Corrections Act of 1994 to eliminate the special transition rule for issuance of a certificate of citizenship for certain children born outside the United States.

October 1, 1997:

S. 910. An act to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999, and for other purposes.

S. 1211. An act to provide permanent authority for the administration of au pair programs.

October 6, 1997:

S. 996. An act to provide for the authorization of appropriations in each fiscal year for arbitration in United States district courts, and for other purposes.

S. 1198. An act to amend the Immigration and Nationality Act to extend the special immigrant religious worker program, to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to extend the deadline for designation of an effective date for paperwork changes in the employer sanctions program, and to require the Secretary of State to waive or reduce the fee for application and issuance of nonimmigrant visa for aliens coming to the United States for certain charitable purposes.

October 9, 1997:

S. 871. An act to establish the Oklahoma City National Memorial as a unit of the National Park System; to designate the Oklahoma City Memorial Trust, and for other purposes.

October 22, 1997:

S. 1000. An act to designate the United States courthouse at 500 State Avenue in Kansas City, Kansas, as the ''Robert J. Dole United States Courthouse''.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEUTSCH (at the request of Mr. GEPHARDT), for today, on account of official business.

Mr. WELDON of Florida (at the request of Mr. ARMEY), for today, on account of attending his father's funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SNYDER) to revise and extend their remarks and include extraneous material:)

Mr. HOYER, for 5 minutes, today.
Ms. NORTON, for 5 minutes, today.
Mr. SNYDER, for 5 minutes, today.
Mr. VISCLOSKY, for 5 minutes, today.
Mrs. CLAYTON, for 5 minutes, today.

(The following Members (at the request of Mr. WHITE) to revise and extend their remarks and include extraneous material:)

Mr. WHITE, for 5 minutes, today.
Mrs. CHENOWETH, for 5 minutes, today.
Mr. METCALF, for 5 minutes, today.
Mr. GIBBONS, for 5 minutes, on November 5.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Mrs. LINDA SMITH of Washington, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. SNYDER) and to include extraneous matter:)

Mr. KILDEE.
Ms. ESHOO.
Ms. DELAURO.
Mr. LANTOS.
Mr. HAMILTON.
Mr. SERRANO.
Mr. LEVIN.
Mr. KIND.
Mr. JACKSON of Illinois.
Ms. FURSE.
Mr. BROWN of Ohio.
Mr. DELLUMS.
Mr. ETHERIDGE.

(The following Members (at the request of Mr. WHITE) and to include extraneous matter:)

Mr. SHUSTER.
Mr. TALENT.
Mr. DICKEY.
Mr. KING.

(The following Members (at the request of Mr. DREIER) and to include extraneous matter:)

Mr. WELDON of Pennsylvania.
Mr. GOODLING.
Mr. MCGOVERN.
Mrs. CHENOWETH.
Mr. CLEMENT.
Mrs. CHRISTIAN-GREEN.
Mr. MINGE.
Mr. RIGGS.
Mrs. MCCARTHY of New York.
Mr. KIND.
Mr. SERRANO.
Mr. TALENT.
Mr. PALLONE.
Mr. ACKERMAN.
Mr. RANGEL.
Mr. FORBES.
Mr. BOB SCHAFFER of Colorado.
Mrs. MALONEY of New York.
Mr. SKELTON.
Mr. MORAN of Virginia.
Ms. CARSON.
Mr. HOUGHTON.
Mrs. LINDA SMITH of Washington.
Mr. CUMMINGS.
Ms. JACKSON-LEE of Texas.
Mr. ROEMER.
Mr. MENENDEZ.
Mr. DICKEY.
Ms. WOOLSEY.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1024. An act to make chapter 12 of title 11 of the United States Code permanent, and for other purposes; to the Committee on the Judiciary.

S. 1149. An act to amend title 11, United States Code, to provide for increased education funding, and for other purposes; to the Committee on the Judiciary.

ADJOURNMENT

Mr. DREIER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 51 minutes p.m.), under its previous order, the House adjourned until Tuesday, November 4, 1997, at 10:30 a.m. for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

5708. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to New Zealand (Transmittal No. DTC–118–97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5709. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to the United Kingdom (Transmittal No. DTC–124–97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5710. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Iceland (Transmittal No. DTC–122–97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5711. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Japan (Transmittal No. DTC–119–97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5712. A letter from the Director, U.S. Trade and Development Agency, transmitting a consolidated report on audit and internal management activities in accordance with the provisions of the Inspector General Act and the Federal Managers' Financial Integrity Act; to the Committee on Government Reform and Oversight.

5713. A letter from the Director, Minerals Management Service, Department of the Interior, transmitting a copy of the Minerals Management Service report ''Outer Continental Shelf Oil and Natural Gas Resource Management Program: Cumulative Effects 1992–94''; to the Committee on Resources.

5714. A letter from the Director, Fish and Wildlife Service, transmitting the Service's final rule—Endangered and Threatened Wildlife and Plants; Final Rule to List the Northern Population of the Bog Turtle as Threatened and the Southern Population as Threatened Due to Similarity of Appearance (RIN: 1018–AD05) received October 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5715. A letter from the Director, Fish and Wildlife Service, transmitting the Service's final rule—Endangered and Threatened Wildlife and Plants; Final Rule to List Three Aquatic Invertebrates in Comal and Hays Counties, Texas, as Endangered (RIN: 1018–AD28) received October 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5716. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska, Pacific Cod in the Central Regulatory Area of the Gulf of Alaska [Docket No. 961126334–7025–02; I.D. 102497C] received October 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5717. A letter from the the Acting Assistant Secretary (Civil Works), the Department of the Army, transmitting a report on the authorized navigation improvements at Miami Harbor, Florida, pursuant to Public Law 104—303, section 101(b)(9); (H. Doc. No. 105—162); to the Committee on Transportation and Infrastructure and ordered to be printed.

5718. A letter from the the Acting Assistant Secretary (Civil Works), the Department of the Army, transmitting a report on a project for mitigation of shoreline erosion and storm damages caused by existing Federal navigation improvements at Lake Worth Inlet, Palm Beach Harbor, Florida, pursuant to Public Law 104—303, section 101(b)(8); (H. Doc. No. 105—163); to the Committee on Transportation and Infrastructure and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on the Judiciary. H.R. 2732. A bill for the relief of John Andre Chalot (Rept. 105–360). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. H.R. 2731. A bill for the relief of Roy Desmond Moser (Rept. 105–361). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 731. An act to extend the legislative authority for construction of the National Peace Garden memorial, and for other purposes (Rept. 105–362). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 423. An act to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason (Rept. 105–363). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCHER: Committee on Ways and Means. H.R. 2676. A bill to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, and for other purposes; with an amendment (Rept. 105–364 Pt. 1).

Mr. ARCHER: Committee on Ways and Means. H.R. 2644. A bill to provide to beneficiary countries under the Caribbean Basin Economic Recovery Act benefits equivalent to those provided under the North American Free-Trade Agreement (Rept. 105–365). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCHER: Committee on Ways and Means. H.R. 2195. A bill to provide for certain measures to increase monitoring of products of the People's Republic of China that are made with forced labor; with amendments (Rept. 105–366 Pt. 1).

Mr. ARCHER: Committee on Ways and Means. H.R. 2622. A bill to make miscellaneous and technical changes to various trade laws (Rept. 105–367). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. H.R. 1753. A bill to provide for the establishment of not less than 2,500 Boys and Girls Clubs of America facilities by the year 2000; with an amendment (Rept. 105–368). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 91. Resolution granting the consent of Congress to the Apalachicola-Chattahoochee-Flint River Basin Compact; with an amendment (Rept. 105–369). Referred to the House Calendar.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 92. Resolution granting the consent of Congress to the Alabama-Coosa-Tallapoose River Basin Compact; with an amendment (Rept. 105–370). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2476. A bill to amend title 49, United States Code, to require the National Transportation Safety Board and individual foreign air carriers to address the needs of families of passengers involved in aircraft accidents involving foreign air carriers; with an amendment (Rept. 105–371). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2626. A bill to make clarifications to the Pilot Records Improvement Act of 1996, and for other purposes; with an amendment (Rept. 105–372). Referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 5 of rule X the Committee on International Relations discharged from further consideration. H.R. 2195 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

Pursuant to clause 5 of rule X the Committees on Government Reform and Oversight and Rules discharged from further consideration. H.R. 2676 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

[Omitted from the Record of October 30, 1997]

H.R. 10. Referral to the Committee on Commerce extended for a period ending not later than November 3, 1997.

[Submitted October 31, 1997]

H.R. 2195. Referral to the Committee on International Relations extended for a period ending not later than October 31, 1997.

H.R. 2676. Referral to the Committees on Government Reform and Oversight and Rules extended for a period ending not later than October 31, 1997.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. WELDON of Pennsylvania (for himself, Mr. PICKETT, Ms. HARMAN, Mr. BATEMAN, Mr. BARTLETT of Maryland, Mr. MEEHAN, Mr. HOSTETTLER, Mr. BONO, Mr. GIBBONS, Mr. WATTS of Oklahoma, Mr. CRAMER, Mr. PAPPAS, Mr. RILEY, Mr. ABERCROMBIE, Mr. LOBIONDO, Mr. SPENCE, Mrs. FOWLER, Mr. ROHRABACHER, Mr. THORNBERRY, Mr. SAM JOHNSON, Mr. CUNNINGHAM, Mr. GRAHAM, Mr. CHAMBLISS, Mr. ORTIZ, Mr. HEFLEY, Mr. JONES, Mr. LEWIS of Kentucky, Mr. GILMAN, Mr. HUNTER, Mr. SOLOMON, Mr. MCHALE, Mr. SKELTON, Mr. FOX of Pennsylvania, Mr. TAYLOR of Mississippi, Mr. MCKEON, Mr. REYES, Mr. NETHERCUTT, Mr. COBLE, Mr. SMITH of New Jersey, Mr. MCHUGH, Mr. BUYER, Mr. STUMP, Mr. COX of California, Mr. SHADEGG, Mr. GALLEGLY, Mr. SAXTON,

Mr. TURNER, Mr. BLAGOJEVICH, Mr. ANDREWS, Mr. RYUN, Mr. MURTHA, Mr. TALENT, Mr. WICKER, Mr. SCARBOROUGH, Mr. DUNCAN, Mr. HASTERT, Mr. BILIRAKIS, Mr. HASTINGS of Washington, Mr. GREENWOOD, Mr. SKEEN, Mr. PITTS, Mr. GILCHREST, Mr. HOLDEN, Mr. GOSS, Mr. LAZIO of New York, Mr. RODRIGUEZ, Mr. HANSEN, Mr. YOUNG of Alaska, Mrs. EMERSON, Mr. COYNE, Mr. MILLER of Florida, Mr. COLLINS, Mr. CANADY of Florida, Mr. PACKARD, Mr. BARTON of Texas, Mr. CALVERT, Mr. LEWIS of California, Mr. HAYWORTH, Mr. MCCRERY, Mr. COMBEST, Mr. KING of New York, Mr. UNDERWOOD, Mr. SESSIONS, Mr. WELLER, Mr. EHRLICH, Mr. BUNNING of Kentucky, Mr. BALLENGER, Mr. DREIER, Mr. BILBRAY, Mr. DIAZ-BALART, Mr. ENGLISH of Pennsylvania, Mr. HALL of Texas, Mr. DICKS, Mr. METCALF, Ms. DUNN of Washington, Mr. EVERETT, Ms. ROS-LEHTINEN, Mr. DOOLITTLE, Mr. THOMAS, Mr. WHITE, Mr. BOEHNER, Mr. CALLAHAN, Mr. BARRETT of Nebraska, Mr. TAYLOR of North Carolina, Mr. HILLEARY, Mr. COOKSEY, and Mrs. CHENOWETH):

H.R. 2786. A bill to authorize additional appropriations for the Department of Defense for ballistic missile defenses and other measures to counter the emerging threat posed to the United States and its allies in the Middle East and Persian Gulf region by the development and deployment of ballistic missiles by Iran; to the Committee on National Security, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO:

H.R. 2787. A bill to designate the United States courthouse located in New Haven, Connecticut, as the ''Richard C. Lee United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. HOUGHTON:

H.R. 2788. A bill to amend the Internal Revenue Code of 1986 to promote the grant of incentive stock options to nonhighly compensated employees; to the Committee on Ways and Means.

By Ms. MCKINNEY (for herself, Mr. LEACH, Mr. FILNER, Mr. STARK, Mr. MCDERMOTT, Mr. GUTIERREZ, Mr. LEWIS of Georgia, Mr. BROWN of California, Mr. DIXON, and Mr. WAXMAN):

H.R. 2789. A bill to save taxpayers money, reduce the deficit, cut corporate welfare, and protect and restore America's natural heritage by eliminating the fiscally wasteful and ecologically destructive commercial logging program on Federal public lands and to facilitate the economic recovery and diversification of communities dependent on the Federal logging program; to the Committee on Agriculture, and in addition to the Committees on Resources, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RIGGS:

H.R. 2790. A bill to prohibit the Administrator of the Federal Aviation Administration from closing certain flight service stations; to the Committee on Transportation and Infrastructure.

By Mrs. ROUKEMA:

H.R. 2791. A bill to amend the Communications Act of 1934 to prohibit Internet service providers from providing accounts to sexually violent predators; to the Committee on Commerce.

By Mr. SOLOMON:

H.R. 2792. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of expenses incurred in asserting any claim of employment discrimination and for damages and back pay received on account of employment discrimination; to the Committee on Ways and Means.

By Mr. SALMON (for himself and Mr. SCARBOROUGH):

H. Con. Res. 183. Concurrent resolution expressing the sense of the Congress with respect to the failure of Attorney General Janet Reno to seek application for an independent counsel to investigate a number of matters relating to the financing of campaigns in the 1996 Federal election, including the conduct of President Clinton and Vice President Gore; to the Committee on the Judiciary.

By Mr. ETHERIDGE (for himself, Mr. HASTINGS of Florida, Mr. MCGOVERN, Mr. LAFALCE, Mr. CLEMENT, Ms. BROWN of Florida, Mrs. LOWEY, Mr. PRICE of North Carolina, Ms. LOFGREN, Ms. FURSE, Mr. JOHNSON of Wisconsin, Mr. BOSWELL, Mr. ROEMER, Mrs. TAUSCHER, Ms. DELAURO, Ms. STABENOW, Mr. NEAL of Massachusetts, Mr. DAVIS of Illinois, Mrs. MEEK of Florida, Mr. MALONEY of Connecticut, Mr. HOYER, Mr. CARDIN, Mr. RAHALL, and Mr. DINGELL):

H. Res. 299. A resolution expressing support for the States in adopting challenging academic standards in core curricula; to the Committee on Education and the Workforce.

By Mr. RANGEL (for himself, Mrs. MALONEY of New York, Mr. STARK, Ms. CARSON, Mr. ABERCROMBIE, Mr. FROST, Mr. FALEOMAVAEGA, Ms. LOFGREN, Mr. COYNE, Mrs. THURMAN, Ms. CHRISTIAN-GREEN, Mr. DELLUMS, Mr. CUMMINGS, Mr. CLAY, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MEEK of Florida, Mr. STOKES, Mr. SCOTT, Mr. RUSH, Mr. DIXON, Mr. FLAKE, Ms. FURSE, Mr. ENGEL, Mr. JEFFERSON, Mrs. CLAYTON, Mr. PAYNE, Mr. MCGOVERN, and Mr. TORRES):

H. Res. 300. A resolution expressing Support for a National Week of Reflection and Tolerance; to the Committee on Government Reform and Oversight.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. METCALF:

H.R. 2793. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade and fisheries for the vessel FIERCE CONTENDER; to the Committee on Transportation and Infrastructure.

By Mr. METCALF:

H.R. 2794. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel TAURUS; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 44: Mr. STUPAK, Mr. MASCARA, Mr. BOYD, and Mr. GOODLING.

H.R. 74: Mrs. LOFGREN and Mr. MATSUI.

H.R. 107: Mr. WEXLER and Mr. ABERCROMBIE.

H.R. 123: Mr. BOB SCHAFFER, Mr. WAMP, Mr. LARGENT, and Mr. LEWIS of California.

H.R. 164: Mr. NADLER, Mr. PALLONE, Mr. LANTOS, Mr. COOKSEY, Mr. UNDERWOOD, Ms. VELAZQUEZ, and Mr. WYNN.

H.R. 296: Ms. ROS-LEHTINEN.

H.R. 303: Mr. SISISKY and Mr. BAESLER.

H.R. 351: Mr. DINGELL.

H.R. 453: Mr. KENNEDY of Rhode Island.

H.R. 789: Mr. PAXON.

H.R. 991: Mr. WELLER and Mr. EVANS.

H.R. 1114: Mrs. ROUKEMA, Mr. FAZIO of California.

H.R. 1126: Mr. GEJDENSON.

H.R. 1173: Mr. RODRIGUEZ.

H.R. 1334: Mr. MCDERMOTT, Mr. WAXMAN, and Mr. LAFALCE.

H.R. 1415: Mr. BENTSEN and Mrs. THURMAN.

H.R. 1425: Mr. FRANKS of New Jersey and Mr. MCGOVERN.

H.R. 1456: Mr. CALVERT.

H.R. 1586: Mr. BONIOR.

H.R. 1614: Mr. BORSKI, Ms. CHRISTIAN-GREEN, Mr. CLYBURN, Mr. CONDIT, Mr. DEFAZIO, Mr. DICKS, Mr. FARR of California, Mr. FAZIO of California, Mr. GUTIERREZ, Mr. HOYER, Mr. KENNEDY of Massachusetts, Mr. MCNULTY, Mr. MATSUI, Mr. MORAN of Virginia, Ms. PELOSI, Mr. PICKETT, Mr. SISISKY, Ms. SLAUGHTER, Mr. WAXMAN, Mr. SKAGGS, Mr. ENGEL, Ms. VELAZQUEZ, Mr. BLAGOJEVICH, Mr. ACKERMAN, and Mr. PETERSON of Minnesota.

H.R. 1689: Mrs. LINDA SMITH of Washington, Mr. PICKERING, Mr. PACKARD, and Mr. SNOWBARGER.

H.R. 1915: Ms. RIVERS.

H.R. 2023: Ms. KAPTUR.

H.R. 2183: Mr. UPTON.

H.R. 2292: Mr. SOLOMON.

H.R. 2327: Mr. JOHN, Mr. HILL, Ms. STABENOW, Mr. MINGE, and Mr. BRADY.

H.R. 2397: Mr. GREEN, Mrs. MEEK of Florida, Mr. DAVIS of Virginia, Ms. KILPATRICK, Mr. BUNNING of Kentucky, and Mr. BATEMAN.

H.R. 2409: Mr. MCGOVERN and Mr. LEWIS of Georgia.

H.R. 2424: Mr. MILLER of Florida and Mr. GOODLING.

H.R. 2432: Mr. CLYBURN and Mr. TRAFICANT.

H.R. 2454: Mr. PAYNE and Mr. PETRI.

H.R. 2457: Mr. PAYNE and Mr. PETRI.

H.R. 2481: Mr. BASS, Mr. HASTINGS of Washington, Mr. SANFORD, Ms. SLAUGHTER, and Mrs. KELLY.

H.R. 2483: Mr. WELLER, Mr. FOLEY, and Mr. WICKER.

H.R. 2497: Mrs. CHENOWETH, Mr. BACHUS, Mr. LARGENT, Mr. GEKAS, Mr. REGULA, Mr. SHIMKUS, Mr. YOUNG of Alaska, Mr. PACKARD, Mr. PAPPAS, Mr. TIAHRT, Mr. NUSSLE, Mr. MORAN of Virginia, Mr. ROGAN, Mr. THUNE, Ms. DANNER, Mr. BARTLETT of Maryland, Mr. PITTS, Mr. SANFORD, Mr. SOUDER, Mr. GOODLING, Mr. LEWIS of Kentucky, Mr. CRAPO, and Mr. BONO.

H.R. 2499: Mr. KILDEE, Mr. BOB SCHAFFER, Mr. TORRES, Mr. EHLERS, Mrs. EMERSON, Mr. MCHUGH, Mr. MCDERMOTT, Mr. PACKARD, Mr. ENGLISH of Pennsylvania, Mrs. MORELLA, Mr. NUSSLE, Mr. CLYBURN, Mr. CAMP, Ms. KAPTUR, Mr. NEAL of Massachusetts, and Ms. STABENOW.

H.R. 2527: Ms. MCCARTHY of Missouri, Ms. SLAUGHTER, Mr. SNYDER, and Ms. KAPTUR.

H.R. 2551: Mr. DINGELL and Ms. KAPTUR.

H.R. 2554: Ms. JACKSON-LEE, Mr. EVANS, Mr. ENGEL, and Mr. DAVIS of Illinois.

H.R. 2560: Mrs. LOWEY, Mr. PETRI, Mr. BISHOP, Ms. MCKINNEY, Ms. HOOLEY of Oregon, Mr. MILLER of California, Mr. FATTAH, Mr. SCOTT, Mr. ACKERMAN, and Mr. PASCRELL.

H.R. 2593: Mr. HUNTER, Mr. CALVERT, Mr. RADANOVICH, Mr. ROGAN, Mr. LEWIS of California, Mr. MCKEON, Mr. ROHRABACHER, Mr.

CAMPBELL, Mr. DREIER, Mr. HEFLEY, Mr. PETERSON of Minnesota, Mr. BACHUS, Mr. CRAPO, Mr. STEARNS, Mr. PACKARD, Ms. KAPTUR, Mr. BAESLER, and Mr. HEFNER.

H.R. 2596: Mr. LEWIS of Kentucky.

H.R. 2597: Mr. THOMPSON and Mr. TORRES.

H.R. 2609: Mr. PACKARD, Mr. GALLEGLY, Mr. RADANOVICH, Mr. BAESLER, and Mr. BONO.

H.R. 2626: Ms. BROWN of Florida.

H.R. 2627: Mr. MANZULLO, Mr. ARCHER, Mr. BRADY, Mrs. KELLY, and Mr. COOK.

H.R. 2664: Mr. PETERSON of Pennsylvania.

H.R. 2675: Ms. DELAURO.

H.R. 2676: Mr. KASICH, Mr. CANADAY of Florida, Mr. SOLOMON, and Mr. ADERHOLT.

H.R. 2713: Mr. FROST and Ms. LOFGREN.

H.R. 2748: Ms. SLAUGHTER.

H.R. 2749: Mr. DELAHUNT.

H.R. 2760: Mr. PETERSON of Pennsylvania, Mr. NEY, and Mrs. CHENOWETH.

H.R. 2761: Mr. LEWIS of Georgia and Mr. GUTIERREZ.

H.R. 2773: Mr. COSTELLO, Mr. CRANE, Mr. DAVIS of Illinois, Mr. EVANS, Mr. EWING, Mr. FAWELL, Mr. GUTIERREZ, Mr. HASTERT, Mr. HYDE, Mr. JACKSON, Mr. LAHOOD, Mr. LIPINSKI, Mr. MANZULLO, Mr. PORTER, Mr. POSHARD, Mr. RUSH, Mr. SHIMKUS, Mr. WELLER, and Mr. YATES.

H. Con. Res. 107: Mr. ADAM SMITH of Washington.

H. Con. Res. 158: Mr. PAUL.

H. Con. Res. 179: Mr. PORTER and Ms. SLAUGHTER.

H. Res. 37: Mr. CUMMINGS, Mr. COYNE, Mr. JEFFERSON, Mr. MANTON, Mr. POSHARD, Mr. REYES, and Mr. ADAM SMITH of Washington.

H. Res. 267: Mr. KNOLLENBERG and Mr. JOHN.

H. Res. 268: Mr. BACHUS, Mr. LIVINGSTON, and Mr. MILLER of Florida.

H. Res. 279: Ms. MILLENDER-MCDONALD, Ms. CARSON, and Ms. LOFGREN.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 1 by Mr. YATES on House Resolution 141: Tom Campbell.

Petition 2 by Mr. PETERSON of Minnesota on H.R. 1984: John S. Tanner, Joel Hefley, Michael F. Doyle, George P. Radanovich, James V. Hansen, James A. Barcia, Tim Roemer, W.J. (Billy) Tauzin, Ralph M. Hall, Jim Bunning, Richard H. BAker, and Mac Collins.

Petition 3 by Mr. BAESLER on H.R. 1366: Tom Campbell, Constance A. Morella, Peter Deutsch, Carolyn McCarthy, Nancy L. Johnson, Charles B. Rangel, Edolphus Towns, Matthew G. Martinez, Martin Olav Sabo, James A. Leach, Donald M. Payne, John Conyers, Jr., Tony P. Hall, Jerry F. Costello, Louis Stokes, Norman D. Dicks, Michael F. Doyle, Frank Mascara, and Martin Frost.