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House of Representatives

The House met at 10 a.m.

Dr. James D. Strauss, Professor Emeritus, Lincoln Christian Seminary, Lincoln, Illinois, offered the following prayer:

Almighty God, as we finalize the 20th century, we are still searching for transcendence and meaning and community. We pray that integrity and moral commitment may dominate our decisionmaking as it affects American culture and our global village.

I pray that You, God, will be the foundation of our vision. Vision without strategy is impotent. Strategy without vision is powerless. The flies that light on the Sistine Chapel ceiling see but have no vision.

Oh God of Abraham, ruler of all that there is, DNA, black holes in space and periodic charts, give us vision and strategy as we search for transcendence and meaning and community wherein dwells our peace, hope, love and justice. Without Your presence, we are cosmic orphans in our daily lives and decisions. Amen.

THE JOURNAL

The SPEAKER. 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. Will the gentleman from New Jersey (Mr. PALLONE) come forward and lead the House in the Pledge of Allegiance.

Mr. PALLONE 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will recognize 15 one-minutes on each side.

DR. JAMES D. STRAUSS

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

Mr. REDMOND. Mr. Speaker, it is my privilege this morning to welcome to the U.S. House of Representatives Dr. James D. Strauss. Professor Strauss was born on July 3, 1929, at a transition time in our history. He has studied in the United States, France and Germany. Professor Emeritus of Lincoln Christian Seminary, Lincoln, Illinois, he has taught philosophy and theology for 30 years.

His special emphasis has been the influence of scientific development on the Christian world view. His major concern is to critique the impact of media and education on the Christian faith in our multicultural pluralistic era.

Dr. Strauss is no ordinary professor. For 40 years his sharp mind has ignited sleeping minds, his commitment has influenced great accomplishments in others, his servant's heart has moved others to service. His profound grasp of reality has inspired others in such a way that they understand their place in the universe. He has acknowledged that if he has made any contribution in his journey at all, it is because he has stood on the backs of giants.

With humility, we welcome to the House of Representatives Dr. James D. Strauss.

THE MARRIAGE PENALTY

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

Mr. GINGRICH. Mr. Speaker, I rise today to bring to my colleagues' attention the fact that the House budget resolution, which will be debated today and probably voted on tomorrow, calls for about $100 billion over five years in tax cuts. It specifically singles out the marriage penalty as a key tax burden that we should provide families relief from. Let me just say, I have a particular interest in this because my younger daughter got married earlier this year. She actually found out how much more she and her husband will pay.

But without drawing my own family directly into this, let me cite from Bobby and Susan from Marietta, Georgia, whom I represent. Bobby and Susan wrote in. They said, ''When we figured our 1996 tax return, we figured what our tax would be if we were just living together instead of married. Imagine our disgust when we discovered that if we just lived together instead of being married we would have saved an additional $1,000. So much for the vaunted family values of our government. Our government is sending a very bad message to young adults by penalizing marriage this way.''

I just think this is a chance to vote a very simple principle. We can save 1 percent of spending over the next five years and get rid of the marriage penalty that punishes people for being married. I think to have a pro-family tax code with a slightly leaner government is a pretty good ''yes'' vote. I hope my colleagues will join me. Let us save 1 percent of projected Federal spending, get rid of the marriage penalty and send the right signal to all Americans.

THE REPUBLICAN BUDGET SHOWS THE GOP'S TRUE COLORS

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

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Mr. PALLONE. Mr. Speaker, if anyone out there was worried that the Republican leadership of the House was straying from their extremist agenda, fear not, because the budget resolution coming to the House floor today is as extreme as they come.

First and foremost, the Republican budget resolution fails to protect Social Security, but it does not stop there. The budget resolution also cuts funding to educate our children, protect our environment, and provide adequate health care for working American families.

What is really upsetting about this Republican budget resolution is that these extreme cuts are not done in the name of fiscal responsibility or debt reduction. No, instead what Speaker Gingrich and the Republican leadership want to do is provide more tax breaks for the wealthy at the expense of American seniors, kids and working families.

The Republican budget resolution clearly demonstrates that the Speaker's priorities lay somewhere beyond the American working family. The Republican leadership has not learned any lessons since 1995, and we will see today that the Speaker will not even get the support of many of his own House Republicans, much less the American people.

A COMMON SENSE BUDGET

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

Mr. DELAY. Mr. Speaker, only the Democrats would call this budget extremist. Only the Democrats would say taking 1 percent out of a $9 trillion spending spree by this government actually designed by them is extremist, one penny out of $1.

The Kasich budget is a common sense document that mandates a smarter, more efficient government. It says that we in Washington should spend a little less so that the American working family can spend a little more to help them achieve their dreams.

Some Democrats find this burden to be unbearable. They say that we will not be able to find the savings. They say that we are extremist. They say we should not give working families tax relief.

I urge the opponents of this budget to justify their opposition to the American people. Tell them that you cannot save a penny on the dollar. Tell them that they do not deserve tax relief today. I urge my colleagues to support the common sense budget.

AN EXTREME BUDGET

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

Mr. CARDIN. Mr. Speaker, one of the proudest moments of this Congress is when Democrats and Republicans, the Congress and the White House put aside their partisan differences and worked out a balanced budget. It not only balanced the Federal budget and brought us into surplus but has led to a very hot, growing economy.

Now the Republican budget would reject that bipartisan agreement and take us back to the extremism that led to the shutdown of our government. It would mean cuts up to 25 percent, not 1 percent, of many programs that we have in government.

Do not take my word for it. Senator DOMENICI said the Republican budget is a mockery. Senator STEVENS, chairman of the Senate Committee on Appropriations said, ''I do not think Congress could function.''

This is an extreme budget. For the sake of our veterans, for the sake of our students, for the sake of our seniors, for the sake of our taxpayers, let us, in a bipartisan manner, reject this extreme budget.

THE ENERGY POLICY ACT OF 1997

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

Mr. SHIMKUS. Mr. Speaker, Congress wrote a massive energy bill in 1994 called the Energy Policy Act which outlined ways for the United States to address our Nation's vulnerable reliance on foreign oil.

Unfortunately, this statute has already run into trouble. The Department of Energy admits this in its own report to Congress stating, quote, ''Despite the many uncertainties, it preliminarily appears that the programs authorized by Congress in EPACT will fall substantially short of the year 2010 goal of 30 percent displacement.''

Mr. Speaker, the program does not work. I and the gentlewoman from Missouri (Ms. MCCARTHY) have introduced legislation to address this problem. Our legislation would allow fleet managers to use biodiesel blends to comply with the mandates of EPACT, without tax credits or incentives.

I urge my colleagues to cosponsor H.R. 2568, the Energy Policy Act of 1997.

CAMPAIGN FINANCE REFORM

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

Mr. KIND. Mr. Speaker, I rise today as a proud new parent of a baby boy born to Tawni and myself a week ago last Wednesday. Tawni and Matthew are doing very well at home right now. Matthew's older brother Johnny is also recovering from all the excitement.

I could not think of a better birthday present to give to Matthew and the other children around this country, as we resume debate this week on campaign finance reform, that this United States Congress enacts meaningful campaign finance reform, reform that starts to get the big money and the influence of money out of this political process so that children like Matthew across the country, who want to grow up and serve in public service, do not have to be either independently wealthy or have to go out and raise a million dollars for the campaign. That, I think, would be a tremendous gift that we can give to the children in this country.

Matthew, happy birthday. I look forward to a very long and happy life as your and Johnny's father.

SUPPORT FOR RESTORATION OF FOOD STAMPS FOR LEGAL U.S. RESIDENTS

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

Ms. ROS-LEHTINEN. Mr. Speaker, today the House will likely vote on legislation which was passed overwhelmingly by the Senate to restore food stamps to thousands of disabled and elderly U.S. legal residents, as well as families with children, and they have entered this country legally, they pay their taxes and they abide by the law.

Since Congress unfairly ended food stamp benefits to U.S. legal residents, more than 900,000 taxpayers have lost their access to food stamps. Sixty-five percent of those affected are families with children. In my home State of Florida nearly 10 percent of the recipients lost eligibility, and most were families with kids. The funds for food stamps in this bill will only be directed to legal U.S. residents who were here before the benefits were terminated.

It is fitting that this great Nation, which gave these permanent residents a new opportunity, will now lend them a helping hand in their times of need after years of contributing to our country. I urge my colleagues to restore the benefits of food stamps to U.S. legal residents.

□ 1015

VOTE AGAINST THE ISTOOK AMENDMENT

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

Mr. EDWARDS. Parents, beware, Mr. Speaker. If the gentleman from Oklahoma (Mr. ISTOOK) in the next 5 hours is successful in beginning the process to amend the Bill of Rights for the first time in our Nation's history, public schools across America will begin to look like public airports, where religious groups, cults and fanatics can go to our public school grounds and try to convert small children to their particular religious beliefs.

I do not think the parents of America want to send their children to school to be proselytized. They send their children to school to be educated.

I am grateful, Mr. Speaker, that just outside the halls of this historic Chamber, religious leaders of great faith from all over this country, Baptists, Methodists, Jews, Episcopalians and many other faiths will speak out against the Istook amendment, because they believe as Jefferson and Madison did that the best way to ruin religion is to politicize it. That is what the Istook amendment will do.

I urge parents, people and Members across this body and America to oppose the Istook amendment.

AGAINST MFN STATUS FOR CHINA

(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, most Americans know and understand that one's actions speak louder than words, but yesterday the President proposed giving permanent most favored nation trading status to Communist China saying that it was, and I quote, clearly in the best interest of this Nation.

We need to look past these words and check out their actions. It was just 18 months ago that our President said, and I quote, not a single, solitary missile was pointed at American children. We now know that China with the help of this administration has at least 13 nuclear missiles aimed at the United States and our children.

In 1990, China provided Iraq with the chemicals needed for a hydrogen bomb. China supplied Pakistan with a weapons grade plutonium reactor in 1991. Despite China's claim that they were not making any nuclear deals with Iran, China gave Iran a nuclear reactor in 1994. Now we are told that China is the single most important supplier of weapons of mass destruction in the world.

MFN status is supposed to be reserved for our best friends, our allies, the countries we are trying to help. Communist China is not our friend.

VOTE NO ON THE ISTOOK AMENDMENT

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

Ms. WOOLSEY. Mr. Speaker, am I a church member? Yes, I am. Is my church important to me? Absolutely. Do I go to church as often as possible and get the good community that is there for me? Absolutely. Do I want the Federal Government to be involved in my church? No. Do I want the government to prescribe prayer in our schools? No. Today we allow already for Bible groups, individual prayer and campus meetings at our schools. That is absolute. We cannot pretend that is not already possible.

Today we will vote on a resolution that would undermine the first amendment, undermine religious freedom. Today support Madison and Jefferson and vote for religious freedom and against school sponsored prayer. Do not politicize religion. Vote no on the Istook amendment.

PENTAGON REPORTS NATIONAL SECURITY HARMED BY TRANSFER OF TECHNOLOGY TO CHINA

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

Mr. PITTS. Mr. Speaker, it does not take a rocket scientist to know that helping Communist China with its rocket technology is not in our national interest.

According to published reports, the Pentagon concluded in a May 1997 report that ''national security has been harmed'' by the transfer of sensitive computer technology to Communist China's military industrial complex.

Where is that May 1997 Pentagon report, you may ask?

Well, here is another key document, a document with critical information that Congress does not possess and which Congress has been told we will never see.

What has the White House response been about this May 1997 Pentagon report? Denials, explanations?

No. We get silence. Or we get spin. Silence and spin. That is about all the American people get anymore. However, this crisis is about national security. This issue puts every American at risk. This makes the world a more dangerous place to live. It is a very serious issue. We deserve a full report.

BUDGET RESOLUTION DOES NOT ADD UP

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

Mr. FAZIO of California. Mr. Speaker, the Senate passed its budget resolution over 2 months ago. Under the rules of the House, we should have passed a budget resolution at least by the 15th of April. So we come to the floor very late today, and one would think at this late date, we would be prepared with a tight, consensus budget. In fact, that is not the case. We have a $24 billion black hole in this budget resolution the gentleman from Ohio (Mr. KASICH) will present today. We double count cuts in food stamp administration, we double count cuts in veterans spending. In fact, unless we can find alternatives to using these cuts twice, we will pass a fraudulent budget or end up cutting these programs for more than any of us intend.

The New York Times said of this resolution when it came to the Budget committee that ''it fails the basic integrity test and that the House should vote it down, demanding instead a budget that is real, not rigged.'' I agree, Mr. Speaker. We are not ready, even at this late date, with the Committee on Appropriations waiting in the wings to deal with a budget resolution that just does not add up. Let us protect Social Security and not spend any of the surplus until we have found a solution to the baby boom bulge and bring the Social Security fund into balance.

SUPPORT THE BUDGET RESOLUTION

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

Ms. DUNN. Mr. Speaker, today I want to urge my colleagues to support the 1999 budget resolution. Building on our success in balancing the budget, this plan outlines the next steps to empower families so that they can keep more of their hard-earned money.

By reducing government spending by one penny over 5 years, that is just one-fifth of a penny each year for 5 years out of each dollar, we can improve the quality of life in America in three important ways. First, we can continue to pay down the national debt so that our constituents pay less in interest for loans, and our economy remains strong.

Secondly, we can lower taxes so that Americans keep more of their money to support their families or plan for the future. Today our citizens pay nearly 40 percent from their paycheck each month to support the government. I think that is a very unfair tax burden.

Third, we can protect and modernize the Social Security system that gives Americans from every generation the peace of mind about their retirement years. The Republican approach is a good approach. I urge my colleagues to support it.

THE DEMOCRATIC BUDGET

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

Mr. WYNN. Mr. Speaker, I rise today to talk about the budget. Well, actually two budgets. There is on the one hand the Republican extreme budget, a budget that is irresponsible, a budget that contains a $24 billion black hole of unspecified cuts, a budget that is weighted once again toward the wealthy. On the other hand, you have the Democratic budget. It is a balanced budget, but it focuses on people.

Why do I object to the Republican budget? First, it fails to protect Social Security. It talks about a better way of life, but the administration and the Democrats have said the first thing we ought to do is put every penny of the surplus toward protecting Social Security. That is the people's budget. That is the Democratic perspective.

Second, the Republican budget fails to invest in education. The thing that is most important for our Nation's future is to invest in education, smaller

classes, schools that are in proper repair, schools that are ready to access the Internet. We need to invest there. The Republicans do not see it that way. They have a narrow view that makes draconian cuts in important programs. They do not protect our important investments. I believe we ought to reject the extreme Republican perspective.

UNLV'S NATIONAL CHAMPIONSHIP GOLF TEAM

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

Mr. ENSIGN. Mr. Speaker, I rise this morning to congratulate the golf team from the University of Nevada Las Vegas who last week brought the national championship home to Nevada. The Rebel golf team won the tournament in style, shooting an NCAA record 34 under par as a team.

College golf might not capture the attention of sports fans across the country like basketball or football does, but I can assure my colleagues that these young athletes train just as hard and strive to win just as much as any other competitors. Senior Bill Lunde, juniors Charley Hoffman and Chris Berry, sophomore Jeremy Anderson and freshman Scott Lander not only excelled under the intense pressure of the national championship but conducted themselves with honor and sportsmanship. Head coach Dwayne Knight has realized a goal he stated 10 years ago when he told our community he would build a national championship team.

I want to congratulate the UNLV Rebel golf team. They have made the city of Las Vegas and the great State of Nevada proud and are carrying forward the strong tradition of athletic success at UNLV.

VOTE NO ON ISTOOK AMENDMENT

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, there is no more sacred right that we have in this country than the right each and every American takes when they go into their house of worship. The first amendment has made this Nation unique. I stand here very proudly acknowledging and embracing the uniqueness of the American flag and what it provides for us. Freedom. Freedom to sing ''Jesus loves me this I know.'' Freedom to cross one's heart, to pay attention to one's orthodox views, whatever one might believe in. We applaud it.

That is why I stand today humbly before this House asking for a resounding vote against the Istook amendment, for it is not religious freedom, it is religious oppression. For our children today pray every day in their schools. They have organized prayer groups around the Nation. I would venture to say that everyone who takes any kind of exam in school, I would say to them, you had better pray. Pray in the school. Pray at home. Prayer is available. Freedom of religion is available. The Istook amendment will take that away from you.

UNFAIRNESS IN TAX CODE: MARRIAGE TAX PENALTY

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

Mr. WELLER. Mr. Speaker, I rise in support of this year's balanced budget. I think these questions best state why:

Do Americans feel that it is right that the average working married couple pays more in taxes just because they are married? Do Americans feel that it is fair, is it right, that 21 million married working couples pay on the average of $1,400 more in higher taxes than an identical couple that lives together outside of marriage? Of course not.

Americans recognize the marriage tax penalty is wrong and we need to correct the marriage tax penalty. Twenty-one million married working couples, $1,400 more in higher taxes. $1,400 is one year's tuition at Joliet Junior College in the district that I represent. It is 3 months of day care at a local day care center.

This budget, the budget crafted by the gentleman from Ohio (Mr. KASICH) makes elimination of the marriage tax penalty priority number one, helping 21 million married working families who just happen to be married and just because they are married, they pay higher taxes. Let us pass this budget. It deserves bipartisan support.

BUDGET RESOLUTION IS NOT BASED ON BIBLICAL PRINCIPLES

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

Mr. MCDERMOTT. Mr. Speaker, today we have real irony, because we are both going to vote on prayer in the schools and a budget that cuts Medicare and support and medical care for those less fortunate in our society.

This budget was put together with one hearing. They wanted to put $10 billion in cuts on Medicare. Last night, in the middle of the night, they took that out and they have now gone after the poor.

I think the majority really ought to have had some religious education, because the Bible says, in Matthew 25, verse 35, ''When I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in.'' Then it goes on to say:

And the king replied, ''I tell you the truth, whatever you did to one of the least of these brothers of mine, you did for me.''

Mr. Speaker, it is nice to talk about prayer in the schools, but you ought to have public policy that reflects what you believe. This budget that goes after the poor, that goes after the sick, that goes after the disabled is not a budget based on biblical principles.

SUPPORT THE BUDGET RESOLUTION

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

Mr. TIAHRT. Mr. Speaker, we have heard a lot of talk about the extremist budget by the extremists in the House, the radical Republicans.

Let us take a little walk down history's lane. One hundred thirty years ago, the opponents of a better America were calling the Republicans radical. They were calling them extreme.

Mr. Speaker, it was the radical Republicans who fought for and succeeded in passing the 13th amendment to abolish slavery, the 14th amendment to guarantee the right to life, liberty and the ownership of property, and the 15th amendment to give all citizens the right to vote. They were called radical Republicans, with extremist ideas.

□ 1030

So when you hear the opponents of a better America say the Republican budget is extreme, it attacks the poor, remember history, remember our heritage. It is not extreme to protect Social Security, it is not extreme to limit the growth of the Federal Government, it is not extreme to provide a little tax relief for Americans. It is just common sense.

So I urge my colleagues to support the budget resolution.

SHOW US YOUR CUTS

(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 budget is a sham, rosy scenarios in cuts that will be named later, a plan that would unravel the bipartisan balanced budget agreement. But just do not take my word for it. Here is what other Republicans are saying about the GOP smoke and mirrors.

Quote: ''I can tell you there is no way for this committee to carry out its business in the next 5 years under the Kasich plan.'' That is the chairman of the Senate Appropriations Committee.

Here is what the Washington Post says about the Republican budget, and I quote: ''To promise an election year tax cut on the strength of unlikely spending cuts to be named later, all the while preaching fiscal responsibility, would be a triple fraud.''

Let us end the triple fraud. We know where the Republican cuts will come, if

they would only name those cuts. It will be education, it will be health care. They would jeopardize Social Security.

End the triple fraud. Let us be honest about the numbers. Show us the cuts.

BARRY GOLDWATER

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

Mr. KOLBE. Mr. Speaker, I rise today to note with profound sadness the passing of my fellow Arizonan, Senator Barry Goldwater, a great American statesman.

I was just 10 years old when I met Barry Goldwater at an old-fashioned political rally in the little town of Elgin, Arizona. At the time he was running against an incumbent Democrat Senator, Majority leader Ernest McFarland. Nobody thought he could do it, but he won. The rest, as they say is history.

Six years later Barry nominated me to become his Senate page, and I served in that capacity for 3 years. That is when I got to know, really know, this extraordinary man. He always said what was on his mind. He never shaded the truth.

Mr. Speaker, Barry Goldwater did not spend a lot of time worrying about whether he would be elected or not. He worried instead about principles and about America. He did not change his principles, but America changed.

In an era of cynicism and distrust of public officials, Barry Goldwater's life stands as a reminder of values that are lasting and eternal—honesty, integrity, patriotism. We will miss him, but in our hearts we know he was right.

Farewell, my friend.

JOIN THE CONGRESSIONAL DIABETES CAUCUS

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

Mr. NETHERCUTT. Mr. Speaker, I rise today to advise my colleagues that representatives of the Juvenile Diabetes Foundation will be meeting with each of you today to advocate more Federal funding for diabetes research to cure this very serious disease. Diabetes is one of the leading causes of death and disability in America.

Now these JDF representatives are not paid lobbyists. They are individuals from all walks of life, of Democrat and Republican Party affiliation. They are male and female, Democrats, Republicans, of all religions, and only caring about one thing. That is curing diabetes.

They will tell you their personal story about diabetes. They will ask you to become a member of the Congressional Diabetes Caucus, which now numbers 159 Members. They will ask my colleagues to show that they care about diabetes.

So I urge my colleagues to welcome these individuals to your offices, listen to their stories, fund the Federal research to cure diabetes, and welcome them to Capitol Hill.

IT IS TIME FOR CONGRESS TO EXAMINE THE THREAT TO OUR NATIONAL SECURITY

(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, India and then Pakistan conducted nuclear tests. China transferred nuclear technology to Pakistan and Iran. Now we learn the United States Government may have given missile technology to communist China, the same country that transferred nuclear technology to Pakistan and Iran. But rest assured, we are told, the Chinese communist government has assured us they will not do that any more.

It is time for Congress to examine this threat to our national security. It is time for the White House to explain how it is that transferring authority for satellite waivers from the State Department to the Commerce Department was in our national interest. The White House should respond to a recent Pentagon report that concluded that ''Our national security has been harmed'' as a result of these transfers arising out of China's rocket failure in February 1996.

The President should respond to these questions, Mr. Speaker, before the next nuclear test takes the world by surprise again.

SUPPORT THE RELIGIOUS FREEDOM AMENDMENT

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

Mr. THUNE. Mr. Speaker, there are people out there who are afraid of the Religious Freedom Amendment. They are afraid that it goes too far.

But let me just ask my colleagues this: Is it not going too far to ban prayer at high school graduations when guns and violence have become all too common in our schools?

Is it not going too far to ban nativity scenes and menorahs in public places and replace them with a Santa Claus on every street corner? And then we wonder why Christmas has become so commercialized.

Is it not going too far to ban the Ten Commandments from our schools and replace them with the distribution of free condoms instead?

Things have already gone too far, way too far. It is time to bring the separation of church and state back from the fringe of extremist interpretation. It is time to bring back common sense.

Mr. Speaker, I urge my colleagues to support the Religious Freedom Amendment.

WHO IS MINDING THE STORE?

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

Mr. WELDON of Florida. Mr. Speaker, to look at American policy of helping China develop its missile and rocket programs, one can only ask who is minding the store. While most Americans would think that we should not be arming our adversaries, apparently there are some in this administration who think otherwise. This is liberalism at its most mindless and most dangerous.

How else to explain the administration's policy of helping Communist China develop its missile and rocket program? How else to explain the administration's decision to allow the Commerce Department to overrule the Justice Department and the Pentagon in matters of national security? How else do we explain the administration's decision to help China to perfect its Long March missile? How else do we explain the administration's policy of arming the same country that reportedly has 13 long-range strategic missiles pointed at the United States?

I cannot explain it, and I do not know how the administration is going to attack their accusers this time. It is the American people who are demanding answers.

PROVIDING FOR CONSIDERATION OF H.J. RES. 78, CONSTITUTIONAL AMENDMENT RESTORING RELIGIOUS FREEDOM

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 453 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 453

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 78) proposing an amendment to the Constitution of the United States restoring religious freedom. The joint resolution shall be considered as read for amendment. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the joint resolution shall be considered as adopted. The previous question shall be considered as ordered on the joint resolution, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) two hours of debate on the joint resolution, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, which may be offered only by the Member designated in the report, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. LAHOOD). The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time is yielded for the purpose of debate only.

Mr. Speaker, yesterday the Committee on Rules met and granted a modified closed rule to House Joint Resolution 78. The rule provides that H.J. Res. 78 shall be considered in the House, shall be considered as read, and that the amendment in the nature of a substitute recommended by the Committee on the Judiciary, now printed in the joint resolution, shall be considered as adopted.

The rule provides that the previous question shall be considered as ordered on the joint resolution, as amended, and on any further amendment thereto prior to final passage, without intervening motion except as specified.

The rule provides for 2 hours of debate on the joint resolution, as amended, equally divided between the chairman and the ranking minority member of the Committee on the Judiciary.

The rule provides for consideration of a further amendment printed in the report of the Committee on Rules, which may be offered only by the Member designated in the report, shall be considered as read, and shall be separately debatable for 1 hour equally divided between the proponent and an opponent.

Finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, I do not take amending the Constitution lightly. In fact, I do not think we should even have to amend our Constitution to permit students and teachers to pray. Unfortunately, though, activist judges have prevented the acknowledgment of God in public. Our only remedy is to let the American people decide whether or not they want to allow prayer in schools.

Let me make one thing clear. If this resolution passes both the House and the Senate by a two-thirds majority, it is passed along to the State legislatures. To become part of our Constitution, the amendment then must be approved by three-fourths of the States.

A vote in favor of this amendment is a vote to let the American people decide whether there should be prayer in our schools. Each local community has the right to discuss the issue and decide for themselves what they would like to do. No one is forced to do anything.

Our schools should be places where children can grow in character. When judges keep God out of our schools, they prevent our children from maturing both emotionally and spiritually. Others may disagree, but I firmly believe that the Founding Fathers of this Nation did not intend to prevent our children from praying in school.

Opponents of this amendment will claim that we should not tinker with the Constitution, as if the drafters of the First Amendment meant to exclude God from our public life. God is a part of our public life. ''In God We Trust'' is on our money and here in our Chamber above the Speaker's chair.

To such critics I would respond that we honor the Constitution when we use its time-honored amending process to clarify the intent of its framers.

H.J. Res. 78 clearly protects the right of each and every American to recognize their God without government interference. The plain wording of the amendment forbids the establishment of any state religion and forbids any coercion on the basis of religion.

The intent here is not to force God on anyone. The amendment simply clarifies that we are all free to engage in voluntary prayer in public places. In doing so, the amendment enhances religious freedoms for all of us.

I urge my colleagues to support this rule and allow the debate on this legislation.

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

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

The rule we are considering today would permit a vote on an amendment to the United States Constitution dealing with the subject of school prayer. Let me begin this debate by reading these words:

> Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

For 206 years these words in the Bill of Rights have protected religious freedom and religious liberty in our Nation. Now some in this body seek to amend the First Amendment to alter this basic and fundamental section of the Constitution.

The Founding Fathers, Thomas Jefferson and James Madison, wisely crafted a very straightforward protection for religious liberty in our land. Why then do some wish to amend our Bill of Rights for the first time in our history?

□ 1045

Thirty-six years ago, the United States Supreme Court, in the case of Engel v. Vitale, interpreted the first amendment to bar a New York school board's requirement that students join in prayer composed by the State regents. A year later, in the case of Abington School District v. Schemp, the Supreme Court specifically disallowed State sponsorship of daily devotions which involved oral readings from the Bible and the unison recital of the Lord's Prayer.

I attended public schools in Fort Worth, Texas, in the decade preceding the Engel and Abington decisions. While we did not have an official regents prayer in Fort Worth, we did have daily Bible readings over the public address system. Sometimes those Bible readings were from the Old Testament, and sometimes they were from the New Testament. It did not make any difference to the school that there were dozens of students there who did not follow the New Testament, or that there may have been some who adhered to the teachings of the Koran. The Bible readings blared out over the public address speaker system every single day.

Mr. Speaker, we have traveled some distance since those days in the 1950s, and the most blatant religious practices are no longer followed in our schools. There is a fine line today between permitting students to observe their own faith and interfering with the observation of the faith of someone else. We should not cross that line by enacting the amendment presented to us today.

The Clinton Administration has issued guidelines on religious practices in our schools that make abundantly clear where that line is. As these guidelines make clear, public school students are free to voluntarily pray privately and individually at school. Students have a right to say grace at lunchtime. They have the right to meet in religious groups on school grounds and use school facilities like any other school club. They have the right to read the Bible or any religious text during study hall or other free class time. Similarly, people who wish to engage in religious expression on public property have the same rights as people who wish to engage in comparable non-religious expression.

Not only is a new constitutional amendment unnecessary, Mr. Speaker, H.J. Res. 78 would, in a variety of ways, undermine the religious freedom we now cherish. It would embroil State and local governments in years of divisive and costly debate and litigation over its meaning, and we should all be aware it could well require American taxpayers to provide financial support to churches, parochial schools and other religious institutions.

For over 200 years, the first amendment has protected our right to be as religious as we choose. Congress should not tamper with this most precious liberty. The first amendment should not be rewritten.

Mr. Speaker, some advocates of this constitutional amendment will argue that the amendment is the answer to dealing with our growing problem of school violence. I recently met with a group of public school teachers and administrators in my congressional district to discuss this very important problem. It was clear from that meeting that the real solutions to dealing with our problem of escalating school violence are smaller class sizes, repairing our deteriorating older schools, more counselors and the stationing of law enforcement officers on our middle school and high school campuses. This constitutional amendment will not solve the very serious problem of school violence.

There are millions of people of faith in this Nation. Religion, however, is a uniquely private matter. We draw strength from our faith, but we should

never attempt to impose our religious beliefs on any other person, no matter how well-meaning our actions may be.

Ours is a great Nation, in no small way because of the truly magnificent language of our Bill of Rights which creates a separation between church and State. We should not alter that historic guarantee of religious liberty by passing the constitutional amendment presented to the House today.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, as we begin this important debate on the steps of this historic Capitol, religious leaders from all across America have gathered to voice their strong opposition to the Istook amendment, which would, for the first time in our Nation's history, amend the Bill of Rights.

People of deep faith, because of their respect for the importance of religion in their individual lives, are standing with James Madison and Thomas Jefferson and all of the evidence of human history, which proves that the best way to ruin religion is to politicize it.

If one believes that the way to protect religious liberty is to get government, the Federal Government, involved in private matters such as children's prayers with their God, allow judges to push their personal political views through the use of their offices and positions, and to actually use taxpayer dollars to fund religious organizations, if people believe that is the way to protect religious liberty, I think they are sadly mistaken.

Mr. Speaker, whether one supports or opposes the Istook amendment, and I vehemently oppose it, the fact is that this process, this rule, does a great disservice to that cherished document we call the Bill of Rights.

Whereas Mr. Madison and Mr. Jefferson debated this very issue for over 10 years in the Virginia legislature, the Committee on Rules last night, with many of the Members not even present, decided to send the most important issue in this country, the issue of religious freedom, to this floor with such a limited unfair rule that each of the Members of this House, both for and against Istook, will have less than 13 seconds to express their deep convictions on the important issue of religion and religious liberty.

Again, whether you are for or against the Istook amendment, I would suggest that a vote against this rule would be a vote in respect of the importance of the Bill of Rights. Whether 5 years or 50 years from now, it will set a terrible precedent to have such an important issue, an issue that we have not voted on in 27 years in this House, come to the floor after only one day of hearings in the full Committee on the Judiciary this year, and come to the floor of this House with a rule that only allows 12 to 13 seconds of debate.

Mr. Speaker, I would say to my friends on both sides of the aisle, my friends on both sides of the issue, I would urge you to search your conscience and think about the precedent we are setting when we say that we have such a cavalier respect for the Bill of Rights, and even the first amendment, and even the first 16 words of that Bill of Rights, that we think it is wise and smart to bring this amendment to the floor, prohibiting Members the opportunity to speak out from the heart of their conscience. That is wrong.

We will debate in the hours ahead why I believe and why many religious leaders believe that the Istook amendment is wrong, but, for the moment, I would urge my colleagues to cast a vote of respect for our Constitution, cast a vote of respect for the Bill of Rights, and say that none of the Members should be gagged in their opportunity to express their conscience.

If there is any right we ought to respect in this historic body, it should be our right and our responsibility as the voice for the nearly 600,000 people we represent in our respective districts to speak out for those people of our district, to speak out for the beliefs we hold deep and dear. Vote no on this rule.

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

Mr. Speaker, I would just like to clarify by reading the language in this amendment exactly what we are talking about here today. This simply says, ''To secure the people's right to acknowledge God according to the dictates of conscience: Neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage, or traditions on public property, including schools, shall not be infringed. Neither the United States nor any State shall require any person to join in prayer or other religious activity, prescribe school prayers, discriminate against religion, or deny equal access to a benefit on account of religion.''

Mr. Speaker, that is all there is to it.

Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Mr. Speaker, if the President were to say that there are grave problems within the Executive Branch, we would be wise to listen. If the Speaker were to say that there are grave problems within the Congress, we would be wise to listen. If the Chief Justice of the Supreme Court said there were problems with what that Court was doing, we would be wise to listen.

Mr. Speaker, the Chief Justice has said so. The rulings of the Supreme Court over the last 36 years have used the first amendment not to protect freedom of religion but to attack it; to say that rather than freedom of religion, it is freedom from religion.

I am proud to say that Chief Justice William Rehnquist, as well as many other justices, has been a steady voice in dissenting from what the other justices have done. He has been a steady voice in saying that the Court is going in the wrong direction; that it is undermining our religious liberty, rather than protecting it. Because in 1962 the court began an attack that says, well, if you are on public property, other people have a right to censor you if you want to pray or otherwise express your religion. That is not freedom of religion. That is not even free speech. As so many Supreme Court justices have said over the years in dissent, their brethren have gone the wrong way.

It is incumbent upon us, Mr. Speaker, because the Supreme Court has not corrected it, it is incumbent upon us to correct it, through the only way that works. No presidential guideline makes any difference when the Supreme Court claims something is unconstitutional. No regulation can make a difference. No statute can make a difference. The only remedy left to us is the one that was established within the Constitution itself, for a constitutional amendment.

Previously, for example, the 13th amendment was one of a number of amendments that have been adopted when the Supreme Court went in the wrong direction. When the Supreme Court ruled in the Dred Scott decision that neither the Congress nor the States could put an end to slavery, we passed the 13th amendment. After that terrible bloody Civil War, we put an end to slavery, but it took a constitutional amendment to do it, and we followed the process that has been established to correct things when the Supreme Court goes in the wrong direction.

That is what we are doing today, because the Supreme Court in 1962 ruled that even when it was voluntary, if it was during the school day, children could not come together and say a prayer together. They ruled in 1980 that the Ten Commandments could not be posted on the wall of a public school, because the Supreme Court said children might read them and obey them. Well, in an era when we have guns and knives and drugs in school, maybe the Ten Commandments and prayer would not be as bad.

In 1985, the Supreme Court took a law from the State of Alabama that made a moment of silence permissible and said, no, that is unconstitutional because it permits silent prayer.

In 1992, the Supreme Court ruled that a prayer offered in this case by a Jewish Rabbi at a graduation ceremony was unconstitutional because, they said, it is wrong to expect children to be respectful of something with which they might disagree. Since when, Mr. Speaker, are we teaching our children disrespect, rather than respect?

As a number of Supreme Court justices have said in dissenting from these decisions, and many of them were the narrowest decisions, 5–4 margins, as a number of them have indicated, the way to unite people is to bring them

together in prayer, not to isolate one another and claim that prayer in school is somehow a threat, rather than a unifying force.

It should never be mandatory, Mr. Speaker, but it should be permitted.

□ 1100

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, I rise in opposition to the rule and consideration of this resolution. We are amending the Constitution. We have only had one hearing on this amendment. There have been several hearings during this Congress on religious issues, but only one on this amendment.

Last night we were still slapping the thing together. The final version of the amendment was being drafted after the hearing on the rule itself. This would be the first amendment to the Bill of Rights. Every word is important, and here we are at the last minute still putting together the final version that we will consider on the floor today.

The First Amendment to the Constitution, the Bill of Rights, has saved us from the religious strife that other countries have suffered through. We need to know exactly what this amendment would do. How is it different from our present First Amendment? What difference does it make? We should not be misled by inaccurate anecdotes and political pressure into changing the Bill of Rights.

We have heard the question about the moment of silence. Many States have moments of silence, moments for silent prayer. To direct people to pray during that moment of silence has been ruled unconstitutional, but a moment of silence has been sustained. So we ought not be misled by inaccurate anecdotes into amending the Bill of Rights for the first time in our history.

Mr. Speaker, let us protect our religious freedom that we have enjoyed for over 200 years, and let us defeat this amendment.

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

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I never thought that an occasion would occur when I would have to rise and ask my colleagues to refrain from gutting the First Amendment to the Constitution. One would expect that after 200 years the Bill of Rights would have garnered a little respect in Congress, but gutting the First Amendment is exactly what this bill would do today.

This religious freedom amendment is dangerous in that it breaches the constitutionally guaranteed separation of church and State, thereby reducing religious liberty and equality. Moreover, it would allow official school prayer and government funding of religious institutions.

The most tragic results of this amendment, though, is that it sows the seeds of strife and divisiveness that the Bill of Rights was designed to protect us from. Listen to the level of debate that has occurred lately.

A few weeks ago one of my colleagues rose on the floor and said that those of us who oppose this amendment would be heading likely to hell. I quote from the RECORD:

> Mr. Speaker, there is no doubt in my mind that there is a special place in hell for a number of Federal court judges, as I am sure there will be for Members of Congress.

This level of debate denigrates both the Bill of Rights and this institution, and it also threatens the notion of religious tolerance that has made our country unique. That is why religious groups such as the American Baptist Churches USA, the Baptist Joint Committee, the Presbyterian Church USA, the Episcopal Church, the Evangelical Lutheran Church in America, the Muslim Public Affairs Council, the Reform Jewish Movement, and virtually the entire Jewish community are opposed to this measure.

Proponents of this measure would have us believe that we are attacking religious expression, and that is nonsense. Students currently enjoy the right to religious expression in our Nation's public schools. They have the right to pray individually or in groups, to say grace before meals, to discuss religion with other interested students, to read religious books in their spare time, and to pray before, during, and after tests.

When James Madison and the other early American leaders drafted the First Amendment, they knew full well the capacity of the majority to subjugate the minority when it came to matters of religion. We see it today.

I have just returned from 7 days in the former Yugoslavia, where tens of thousands of people are dead because three governments with different religions decided to impose their will on people who did not believe as they did. That is the path that our Founding Fathers sought very carefully to avoid.

Amending the Constitution is not a matter to be taken lightly. The separation of church and state, and the protections enshrined in the First Amendment so that we are free to practice our religion as we wish, having to answer to no man or no government, has helped to make the United States one of the most religiously diverse nations in this world.

Thomas Jefferson wrote: ''Religion is a matter which lies solely between man and his God that he owes account to none other for his faith or worship, that the legislative powers of government reach actions only, and not opinions. I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should 'make no law respecting an establishment of religion or,'' most importantly, ''prohibiting the free exercise thereof,' thus building a wall of separation between church and State.''

Mr. Speaker, I urge this body to reflect on its words and defeat this rule.

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

Mr. Speaker, just for clarification, one of the previous speakers said that there had not been hearings on this particular issue. There were seven hearings on the issue that is addressed by this amendment. There were 74 witnesses that were heard from at that time.

Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Speaker, we are going to hear a lot of things today about what this amendment does, what it says. I would encourage our colleagues to read the amendment. There is nothing in the amendment that allows funding of religious institutions. There is nothing in the amendment that establishes a church that has particular access to government monies. There is nothing in the amendment that requires anybody to participate.

What this amendment does is restore the Constitution to its practices for the first 175 years. We certainly want to look at the intent of the Founders of the Constitution; and when we look at the intent of the Founders of the Constitution, we do see that they did not want to establish a church. What we also see is that they clearly did not want to remove religion, did not want to remove God from our public discourse, from our public ceremonies, from our public institutions.

In fact, right here in this House this morning, as has been the case every day since the Congress began, we started with prayer. We started with prayer, and now we have a debate as to why we could not have prayer at high school graduations. We started with prayer, and now we have a debate as to why we could not have a prayer before a football game. We started with prayer, and now we have a debate as to why we want to not allow city councils to do that same sort of thing in their public institutions.

''In God We Trust'' is emblazoned above your head, Mr. Speaker, as we debate every day in this House. We cannot go back to the writings of the people who wrote the Constitution, we cannot go back to what George Washington did as our first President, in putting in our public discourse and our public ceremonies the clear understanding that religion and morality were cornerstones for the kind of government we wanted to have, and not see that that was their intent.

In fact, it was their intent until 1962 when the Supreme Court, on a series of decisions that were, as often as not, five-to-four. A five-to-four decision means that even the Supreme Court was not very certain as to what they were doing and wondered what the Constitution might have said. In 1962 the Supreme Court began to say these things that for 175 years we believed the Constitution to say and we believed the Constitution to allow, it no longer would allow, beginning at that time.

We had a high school class invite a Jewish Rabbi to pray at a graduation, and a student decided to sue, and suddenly prayer at high school graduation, one of the cornerstones of those ceremonies from the time we began to have high school graduation, is suddenly unconstitutional.

Many of our schools, many of our communities have chosen, as in some ways we might even say the Congress has chosen, to ignore that prohibition. I encourage we support the rule and support this amendment.

Mr. FROST. Mr. Speaker, I would inquire of the time remaining on both sides, please.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Texas (Mr. FROST) has 16½ minutes remaining. The gentlewoman from North Carolina (Mrs. MYRICK) has 17½ minutes remaining.

Mr. FROST. Mr. Speaker, I yield 2 minutes 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. Mr. Speaker, to the gentlewoman, I do want to acknowledge that, yes, there have been many hearings on prayer in school, but only one hearing on the Istook amendment.

Mr. Speaker, I rise with a completely different perspective, for I believe that it is important to tell the American people what we believe. We believe in the freedom of this Nation and the right to prayer and the right to express our religious beliefs.

I am glad my colleague acknowledged that we in this House do pray. For that reason, we support the fact that Americans pray in whatever manner they so desire.

But I want my colleagues to know that the Istook amendment has nothing to do with our right to pray. It really has a lot to do with the intrusive, oppressive conferring of some particular religion on many, and that religion may not be the religion of the many.

When the flag rose and remained flying after the war in the 1800s, and the Star Spangled Banner was written, the one question asked: Was the flag still there? The reason for that was the flag symbolized freedom, freedom of expression, freedom to believe as we so desire to believe.

The Istook amendment takes away from us our religious beliefs. It does not give them to us. For us to take away the obvious, what the First Amendment already provides, the freedom of religion, what Madison and Jefferson debated for some 10 years, we want to change in 2 or 3 hours.

I would simply ask my colleagues, Republicans and Democrats alike, this is not a partisan issue. This goes to the very underpinnings of what this country stands for. Our children can pray. Our different faiths can be expressed, whether it is Allah or God or anyone else. We have the right to pray in this Nation.

It is tragic that we take some very isolated incidences where court decisions may rule against what we would like and change the whole Constitution. Stand up for what is right. I pray that we do that.

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. TRAFICANT).

(Mr. TRAFICANT asked and was given permission to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, interesting debate. Constitution. The first Constitution allowed slavery. It treated women like property. It treated American native Indians like buffalos.

The Congress, in its wisdom, changed the wrongs of the Constitution and did so by amending it. Now the judges have determined that school prayer is prohibited under the language of the Constitution.

I submit that the Founders are rolling over in their graves, because they did want to separate church and State on a denominational basis, but they never intended to separate God and the American people.

This legal mumbo jumbo is absolutely ludicrous, because of the fact that school kids used to have the three R's of reading, writing, and arithmetic; today there are four R's: rape, rifle, and Ritalin. Ladies and gentlemen, there is a fourth R. It is called run. Run as in run for your life.

My position is very, very simple. I believe where God is omitted, then evil will be committed. Ladies and gentlemen, why is it unconstitutional for Congress to consider the opportunity to let a local school board make that decision?

The Constitution prohibits it; that is what the Supreme Court said. Fine. Change the Constitution. This is the mechanism to do it. If it is a moment of silence, fine. If it is a prayer, it should not be any denomination that is, in fact, promoted.

Ladies and gentlemen, there are several things I think must be understood here. On our bills, we say ''In God We Trust''. We open the session up with a prayer in the Congress. The Supreme Court opens up their session by asking God to preserve the court and preserve the Nation. But our school boards cannot make that decision. So what we have is rape, murder, mass murder, violence, killing, fear in our schools, but they are not allowed to have a prayer. Come on now.

I can remember a debate we had where it was called political posturing to open the session of Congress with a pledge of allegiance to the flag. The motives of those who brought it forward were questioned. On all of these constitutional mumbo jumbo reasons we had these big debates. Now we have a pledge of allegiance. Quite frankly, I think we should.

Quite frankly, the Congress opens the session with a prayer, and we are a bunch of hypocrites by not allowing a local school board to make that decision. Neither are all of the decisions in the Supreme Court. In America, the judges do not govern; the American people do. The American people want to allow prayer in our schools.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Speaker, I would like to address the gentleman from Ohio in his constitutional wisdom, and I am glad he is staying here for it.

First of all, to my good friend the gentleman from Ohio (Mr. TRAFICANT), I would like to point out to him that no Supreme Court decision ever has prevented students from praying on their own.

□ 1115

Not a single decision of any court can be cited for the contrary proposition.

Number two, in the 1962 Supreme Court case of Engel v. Vitale, which I am sure the gentleman has reviewed, it struck down only the practice of having government compose school prayer. In the Wallace case, which the gentleman may or may not be familiar with, it held, ''The government may give objective instruction about religion in public schools and provide for religiously neutral moments of silence, permit students to engage in private, non-disruptive prayer during the school day, and pose no barrier to organized student-initiated religious clubs under the Equal Access act.'' We are not hypocrites.

Mrs. MYRICK. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, the legal decisions say that if a school board wants to have a school prayer, they are prohibited from doing so.

Mr. Speaker, I say to the Members, the judges in America do not govern, they interpret the Constitution. They interpret the law. They do that only. The people of the United States govern. When they see fit to change a constitutional mandate that has been interpreted counter to the wishes of the American people, it is up to the people and the Congress only to make that decision.

I will say this, the gentleman is certainly more knowledgeable on all these decisions, but here is what I am saying. All those decisions the gentleman cited all add up to one thing: We do not allow for school prayer. I am saying that we should. That is what I do support.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. CONYERS. Mr. Speaker, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Speaker, I thank the gentleman for yielding to me.

I just wanted my friend, the gentleman from Ohio (Mr. TRAFICANT),

who has left the floor, to understand that nothing prohibits voluntary prayers, from school boards, courts, or anything else. I am doing this in a friendly way. I am not emotional about it. But it is about time that we learn what the law is that we want to change. I thank the gentleman for his generosity.

Mr. NADLER. Mr. Speaker, this amendment, which should really be referred to as the Religious Coercion Amendment, is an assault on the first freedom which has been protected for 200 years by the First Amendment.

I am amazed at some of my conservative colleagues who do not trust the government to protect the environment or to build new schools in our communities or to regulate the railroads, but are perfectly willing to turn over to government bureaucrats the power to do everything short of actually declaring a State religion, or to involve those bureaucrats in shaping the moral and religious lives of our children.

Many supporters of this constitutional amendment have been irate at the way some schools teach American history, but they are perfectly willing to delegate to those same schools the right to guide a child's religious education.

This amendment, Mr. Speaker, makes a radical departure from our current constitutional framework. The First Amendment now prohibits any ''law respecting an establishment of religion.'' The rewrite we have before us today would narrow that to prevent government only from establishing any official religion. Anything short of establishing an official church which favors one religion, that of the majority, over all others, would be allowed under this amendment.

The amendment says, ''The people's right to recognize their religious beliefs, heritage, or traditions on public property, including schools, shall not be infringed.'' ''The people's right,'' that is a collective term, not an individual right; a radical departure from our constitutional tradition.

What does it mean? It means that the people, ''the people,'' the majority, either by referendum or through council action or action of a local legislative body, a town council, a school board, a city council, could mandate that particular religious symbols, Presbyterian in one area, Catholic in an area, Muslim in a third, Centurian in a fourth, must be prominently placed in every schoolroom, in every courtroom, and that every litigant must do his case in front of that religious symbolism, even if it offends his conscience, and every child in every classroom, likewise.

We can see evidence in the world today of the terrible harm which comes in the government meddling in religious affairs, of allowing some in the community to use the government to further their religious goals.

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. PAUL).

(Mr. PAUL asked and was given permission to revise and extend his remarks.)

Mr. PAUL. I thank the gentlewoman for yielding me the time, Mr. Speaker.

Mr. Speaker, I rise in support of this rule. Today we are having a debate on a very serious problem that does deserve our attention. We can do this by supporting this rule.

I am in entire agreement with the authors of this amendment in their concern for the systematic attack on religious expression throughout the country. There is no doubt hostility exists, especially against conservative religious expression. It is pervasive and routinely expressed in our courts.

Those who attack religious values are, unfortunately, not doing it in the defense of constitutional liberty. Secular humanism, although equivalent to a religion, is passed off as being neutral with respect to spiritual beliefs, and yet too often used to fill the void by forced exclusion of other beliefs.

This is indeed a problem deserving our close attention, but the approach through this constitutional amendment is not the solution. I was a cosponsor of the original version of the amendment, but after serious reconsideration, especially after the original version was changed, I now am unable to vote for it.

The basic problem is that our courts are filled with judges that have no understanding or concern for the constitutional principles of original intent, the doctrine of enumerated powers, or property rights. As long as that exists, any new amendment to the Constitution will be likewise abused.

This amendment opens the door for further abuse. Most of those who support this amendment concede that, quoting the authors of the amendment, ''Because government is today found everywhere, this growth of government has dictated a shrinking of religion.'' This is true, so the solution should be to shrink the government, not to further involve the Federal Government on how States and school districts use their property.

This amendment further enables the Federal Government to do more mischief. The only solution is to shrink the government and raise a new generation of judges and Congressmen who understand the constitutional principles of original intent, the doctrine of enumerated powers, and property rights. If we do this, the First Amendment, freedom of religious expression, will be protected.

Another recourse, less complicated than amending the Constitution, is for Congress to use its constitutional authority to remove jurisdiction from the courts in the areas where the courts have been the most abusive of free expression. Unfortunately, this amendment encourages a government solution to the problems by allowing the Federal Government and Federal courts to instruct States and local school districts on the use of their property. This is in direct contrast to the original purpose of the Constitution, to protect against a strong central government and in support of State and local government.

Until our judges and even our Congress have a better understanding of the current Constitution and a willingness to follow it, new constitutional amendments will do little to help and will more likely make things worse.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, in our country the State is not to sponsor or sanction religious exercises. Neither is it to interfere with the free exercise of religion. That is a delicate balance that the Bill of Rights has protected for over 200 years. It is a delicate balance that the Istook amendment threatens to destroy.

I want to make one point this morning, a quite simple and straightforward point: the prohibition against State-sponsored religious exercises in our country protects not only civic life but also, and more importantly, religious life. Mr. Speaker, it is no accident that a long list of religious communities and religious organizations are lined up in opposition to the Istook amendment.

Amending the First Amendment to permit the State establishment of religion is a threat to our constitutional democracy, to be sure, of which freedom from religious coercion is a cornerstone. But even more, it is a threat to religious faith and practice.

Mr. Speaker, religious liberty is not just freedom from coercion.

Religious liberty is also freedom for the leading of the spirit, freedom to follow and obey God's will. Roger Williams, colonial America's foremost proponent of religious liberty, understood that the prohibition against the establishment of religion was more about protecting the church than it was about protecting the State. Religious freedom protects communities of believers, it protects the lonely conscience of the prophet, it protects the faithful individual.

Mr. Speaker, central to our Christian and Jewish and Muslim traditions is the notion that we stand under God's judgment, that we are not to identify our power and our program with God's will, that we are all sinners and in need of forgiveness. That is central to all of our religious traditions.

Religious faithfulness is a struggle. It is not something that we lay hold of easily or that someone in authority can achieve for us. The life of faith is a struggle for an individual and a community that cannot and must not be dictated or directed by the State. It is a struggle in which we must engage with freedom, as God gives us the light to find the right way.

That is what religious freedom is about, and it is mainly for religious reasons that we must defend the First Amendment and rebuke those who

would put the State's power behind particular religious beliefs or practices. The Istook amendment threatens not only civil liberty but also religious faithfulness, and for that reason we should defeat it today.

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentlewoman from North Carolina for yielding me the time.

Mr. Speaker, I want to get back to something the previous speaker said about the Supreme Court's making a statement that they never came out against school prayer. That was not the case at all. If we look at the Engel v. Vitale case in 1962, a pertinent portion of this debate was when Engel stated, and I quote, ''Neither the fact that the prayer may be denominationally neutral nor the fact that its observance on the part of the students is voluntary can serve to free it from the limitations of the establishment clause, as it might be from the free exercise clause of the First Amendment, both of which are operative against the State by virtue of the 14th Amendment.''

So clearly there is a case where the Supreme Court has said that even voluntary prayer is a problem in terms of their interpretation of the Constitution. Because of that, because of their extreme approach on this, I do support this rule and the Istook amendment.

I think one of the questions, as we get bogged down here, and clearly, Mr. Speaker, this is not a black and white issue, there are some grays in this issue, and I echo the words of the gentleman from Texas (Mr. PAUL), a lot of these items boil down to the size of government, an intrusive Washington command-and-control, one-size-fits-all government approach to everything and every solution.

I still think some of these things do have to be handled on a local level. I think it does not harm society to have some local decisions on things like this.

But we do have to ask ourselves a bigger question. We can all play lawyer here today. It is clear, listening to the debate, that everybody is trying to be lofty and historical and so forth. But let us just ask ourselves some basic questions: Is society better served by having a religious society? Is it more good or more harmful to have a prayer at graduation? Is it more good or harmful to have a prayer at a football game?

□ 1130

If a child comes into school and her mother is sick and a student suggests, as the students get concerned and show concern, can they bow their heads and pray for the young lady's mom, is that harmful? I think if we look at the measure of the results of this, that it would be more helpful to have a more religious society, one that is tolerant and one that respects each other, rather than have these religion-free zones in public buildings, public institutions, whereby if we say anything that is religious, we are the perpetrator of some horrible crime, rather than somebody who is trying to take everyday life to a higher level so that we can acknowledge a Creator and a Higher Being.

I believe if we ask ourselves those questions, we are going to realize that this amendment is not going to solve all the problems; the current situation we have does not solve all the problems, but we have to continue to support religion as a country and in public.

Mr. Speaker, I urge my friends and fellow Members to support the Istook amendment.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, this is a very perilous path we tread. No one knows where this will lead, this vaguely worded amendment, not even the most well-intentioned supporter. There are more unanswered questions than there are answered questions.

There is a presumption of whose religion it will be, and that presumption even goes further. It is a presumption that it will be a Christian religion, and it is a presumption on the part of many that it will be their form of Christian religion. That is not set by this. It can be any cult claiming to be a religion.

Mr. Speaker, that happened to my State. We have a 20-day voter cutoff in our State because a cult, the Rajneeshis, tried to take over a school board, and we were afraid they would bus people in from outside the State to take over that school board and impose their cult on the children of that rural town. That would be allowed under this amendment.

We will fight a pitched battle, community by community, county by county, State by State, over where the tax dollars will flow because this allows tax dollars to flow to private religious activities and institutions. And some support that. Despite the desperate straits of our public schools, some support that.

But, guess what? This amendment also in all probability allows for the first time in our history the taxing of religious institutions. Now, I think many who support the tax dollars for private religious schools will be aghast when they receive a tax bill for their previously-exempt institutions.

There are those who are proposing that somehow this is an answer to the violence in our schools. I live in Springfield, Oregon. No one is closer today to that question than I am. And those who bring forward the simplistic answer that if we only had had an established prayer in that school, a very conservative town that I live in, that we would not have had that violence, that is an insult.

Mr. Speaker, this is a complex problem which goes to many things. This is not a simple solution. It raises more problems than it answers, and it potentially threatens the stability of this Nation.

Do we want to be Bosnia? Do we want to be Northern Ireland? Do we want to be India and Pakistan and have a nuclear war over religious issues? Vote no on this amendment.

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, I rise in strong support of the Istook amendment.

Let me say that I have been concerned in recent years that in our society there seems to be a great deal of legal pressure on our people not to express their religious convictions. And I know that some people honestly are afraid that some religion might be imposed on someone officially, and I think that is what is motivating this.

But what has really happened, the outcome of this is the nature of our society has changed in that, before, our Founding Fathers thought that the expression of religious faith was a very positive thing. This is something that worked to the benefit of our country throughout our history. It gave a solid foundation to the young people of our country because people, whether it was the President of the United States on down, we have ''In God we trust'' right over here in Congress. These expressions were seen as benevolent and positive things in our society.

But, in recent years, we have seen the phrase ''separation of church and State,'' by the way, which is something that is not in our Constitution. That phrase is not in the Constitution. It is ''the establishment of a religion'' is the phrase that is within the Constitution. But that phrase of ''separation of church and State'' has been used to justify all kinds of legal pressures and restrictions on Christians and Jews and other people of religious faith from uttering their belief.

This is wrong. This is wrong, and the only people who are being imposed upon are not people who do not believe in religion or God, but the people who are being imposed upon are the people of religious faith, whatever that faith may be.

Mr. Speaker, worse than that, we have now evolved into a society where Jesus Christ can be taken and can be put into a bottle of urine and called art and it can be subsidized with tax dollars. With people who are sincerely Christian, this is a violation of their sacred beliefs when they complain they are being told this is separation of church and State and they cannot have anything to say about that.

But we actually subsidize a tax of these people's religion while, at the same time, if somebody wants to put a manger scene in front of city hall during Christmas season, they are told, oh, no, that is separation of church and State.

The Istook amendment I think goes back to what our country is based on.

It is not separation of church and State. No one wants to impose religion on someone else. What we are talking about, the basis of our country is freedom of religion. Freedom of religion, especially freedom of religious expression. And that is what the Istook amendment is all about.

We have got all of our priorities haywire here. We are now justifying the separation of religious utterances when it is a benevolent thing and has been throughout the history of our country.

Mr. Speaker, I support the Istook amendment and the rule.

Mr. FROST. Mr. Speaker, may I inquire of the time remaining on each side?

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Texas (Mr. FROST) has 5½ minutes remaining, and the gentlewoman from North Carolina (Mrs. MYRICK) has 4½ minutes remaining.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST), my colleague on the Committee on Rules, for yielding me this time to stand today to oppose this rule.

Mr. Speaker, I asked for an amendment to be considered last night in the Committee on Rules because I share some of the concerns of the proponents of this amendment, although I oppose the Istook amendment. The amendment I asked for would actually go further toward what Thomas Jefferson, George Mason and James Madison had said and used in a lot of our State Constitutions, to make sure we do have freedom of expression. But the Committee on Rules said, no, we cannot improve on this except for one case offered by the gentleman from Georgia (Mr. BISHOP).

Mr. Speaker, I am opposing this rule and opposing the Istook amendment. It is hard to stand up here, Mr. Speaker, to do that because my religious beliefs are really important to me and my family. We do not need to wear them out here on the floor of the House to talk about how important religion is to our family and to us individually.

I seem to remember growing up in Sunday school and in church as always part of my life and learning that we do not need to yell from the street corners our religion, that we should go into a room and pray on our own and not necessarily have to do it like we are doing it today.

So people of faith can stand up here and oppose this amendment, even though I heard in a special order the other night one of my colleagues, the gentleman from Georgia, who said there is a special place in hell for Justices and Members of Congress who oppose this. Thank goodness he is not making that decision. He is putting his place in the place of God.

That is why this amendment is wrong. We need to have religious freedom. We have it right now. The Department of Education has said we have religious freedom. My wife teaches in public school. I have given prayers at football games. We have Bible studies. We have prayer every morning in our public school around the flagpole. We have prayer in our schools. It is not the prayer that the school board wants the students to say, because that is what the Constitution never said. It is prayer that our students want on their own, that their parents provide them the guidance.

Mr. Speaker, that is why we should oppose this amendment. We have prayer in the schools right now. Let us not make it worse by the Istook amendment.

Mrs. MYRICK. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, the gentleman from Texas (Mr. GREEN) just mentioned about yelling from the corner about one's religious convictions. The fact is that we respect the right of people to raise their voice and shout about political things and we respect people's rights to raise their voice and shout about religious things as well.

Certainly we do not want people to get in somebody else's way, nor do we want to force somebody to participate in a chant. But I think that again demonstrates the sort of haywire priority that we have here. That, yes, people have religious convictions and they have a right to express it, but all of a sudden there seems to be this pressure on religious people not to make these public utterances. There is nothing wrong with someone shouting out for the glory of God, if that is how they feel.

Mr. GREEN. Mr. Speaker, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from Texas.

Mr. GREEN. Mr. Speaker, I have no problem with that. They have that right. But they do not have the right to stand up in an algebra class and do it. But they have the right to pray on their own. And so we have to have some reasonableness applied to it. We have prayer in the public schools now.

Mr. ROHRABACHER. Mr. Speaker, reclaiming my time, but they do not have a right to have a little group meeting of that.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY).

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Speaker, I rise in strong opposition to this constitutional amendment. Freedom of religion and freedom from religious coercion has been at the core of American democracy for over 200 years. I believe that the first amendment has served all of us of every religion extremely well.

The separation of church and State does not require the separation of spiritual values from secular affairs. In fact, I believe strongly that private morality and public conscience must guide the formation of our Nation's public policy. But no one individual or individual religion may be permitted to impose one set of religious beliefs on the rest of us.

The American people do not want this Congress telling them how and when to pray. In fact, this amendment is entirely unnecessary. Although the Supreme Court has upheld the separation of church and State, the Court has also clearly stated that all American citizens are free to exercise their religious beliefs in public schools.

In the words of President Clinton: Schools are not religion-free zones. Students can pray privately and individually whenever they wish. They can say grace before lunch. They can form religious clubs and those clubs can and should be treated like any other extracurricular activity. And students reading to themselves have every right to read the Bible or any other religious text they want.

So what would this amendment change? Well, it could allow public tax dollars to be spent on religious schools, shifting scarce resources from public schools and setting up competition among faiths. It would allow mandatory prayers in schools, and it could allow a local school board to endorse certain religious traditions and ignore others.

Mr. Speaker, there is a reason this amendment is opposed by most of the churches, synagogues, and religious organizations in the United States, including the National Council of the Churches of Christ, the Baptist Joint Committee, the American Jewish Committee and the Presbyterian Church of the USA.

I want to say, Mr. Speaker, as a woman of the Jewish faith, my personal religion and the right to pray is important to me and my family and that is why I oppose this amendment.

□ 1145

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

My great grandfather came to this country fleeing religious persecution in the Old World. He was a peddler in East Texas. I would like to quote from the grandson of a peddler from Arizona that some Members on the other side will recognize, the late Senator Barry Goldwater.

In 1994, when Senator Goldwater was asked about his views on a school prayer amendment, he replied,

> It is a waste of time. There is nothing in the law that says people can't have a moment of silence in schools to do what they want, pray or cuss someone out.

Barry Goldwater was a very wise man. I did not agree with him on every issue. He spoke his mind and he spoke it very clearly on this fundamental issue of our Constitution and what should be done with our Constitution and what should not be done with our Constitution.

We do not need to alter the Bill of Rights. It has stood for 206 years and served this country well. It would be a mistake for us to pass the Istook amendment.

I urge my colleagues to vote no when this matter comes to the floor later today.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. I thank the gentlewoman for yielding me this time.

The amendment that we will be debating today provides for equal treatment of discussion about religion, equal to the treatment that we give for discussion on political matters.

The First Amendment protects political speech under our Constitution. Indeed, the Supreme Court has interpreted the First Amendment as permitting students to speak on political matters even contrary to the policy of the school board. I am thinking particularly of the case of Tinker v. Des Moines during the Vietnam War. But it does not afford that same protection to students who on their own wish to discuss or raise issues about religion.

It is important under the First Amendment that we respect religion while we are not respecting an establishment of religion. The First Amendment reads that Congress shall make no law respecting an establishment of religion, but it goes on to point out the importance of not prohibiting the free exercise of religion.

The way that the law is today, the Supreme Court has given greater protection for political speech than it has for religious speech. Those of us who support this amendment today are not asking for any preference for religion. We are merely asking that the right of the people to express their religion be given as much protection as the right the people presently have to express their political point of view.

Those who have expressed great concern about amending the First Amendment must also be responded to. I also share that concern. But what is wrong about using the constitutional process for amending the Constitution, which we attempt to do here today?

The Supreme Court has amended the Constitution regarding the First Amendment at least 14 different times. The First Amendment says Congress shall make no law respecting an establishment of religion or abridging the freedom of speech. The Supreme Court has added, ''except for speech that advocates the imminent overthrow of the United States,'' and ''except for slander and libel,'' and ''except for obscenity.'' ''Except for'' added by the Supreme Court is every bit as much as an amendment to the Constitution as what we propose today.

With these points in mind, I urge support of the rule and support of the amendment.

Mrs. MYRICK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. MYRICK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 248, nays 169, not voting 16, as follows:

[Roll No. 196]

YEAS—248

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Everett
Ewing
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
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
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NAYS—169

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Becerra
Bentsen
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (OH)
Capps
Cardin
Carson
Clayton
Conyers
Costello
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gordon
Green
Gutierrez
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E.B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McHale
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Moran (VA)
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Pelosi
Pickett
Pomeroy
Poshard
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Slaughter
Smith, Adam
Snyder
Stabenow
Stark
Strickland
Stupak
Tauscher
Thompson
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—16

Brown (FL)
Clay
Ensign
Fawell
Furse
Gonzalez
Herger
McGovern
Meehan
Mollohan
Payne
Skaggs
Spratt
Stokes
Talent
Thurman

□ 1210

Ms. VELÁZQUEZ and Messrs. BALDACCI, MEEKS of New York, and MANTON changed their vote from ''yea'' to ''nay.''

Mr. BAESLER changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TICKET TO WORK AND SELF-SUFFICIENCY ACT OF 1998

The SPEAKER pro tempore (Mr. LAHOOD). The unfinished business is the question of the passage of the bill, H.R. 3433, on which further proceedings were postponed.

The Clerk read the title of the bill.

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

The vote was taken by electronic device, and there were—yeas 410, nays 1, answered ''present'' 2, not voting 20, as follows:

[Roll No. 197]

YEAS—410

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Clyburn
Coble
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
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Lewis (CA)
Lewis (GA)
Lewis (KY)
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Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
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McIntosh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
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Moakley
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
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Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velázquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—1

Frank (MA)

ANSWERED ''PRESENT''—2

Mink
Owens

NOT VOTING—20

Clay
Coburn
Collins
DeGette
Fawell
Furse
Gekas
Gonzalez
Houghton
John
Largent
McDade
McGovern
Meehan
Meeks (NY)
Mollohan
Payne
Skaggs
Skelton
Smith (OR)

□ 1229

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read:

A bill to amend the Social Security Act to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide beneficiaries with disabilities meaningful opportunities to work, to extend Medicare coverage for such beneficiaries, and to make additional miscellaneous amendments relating to social security.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SKAGGS. Mr. Speaker, due to my son's high school graduation I missed 2 votes earlier today. Had I been present for Roll Call 196, I would have voted ''no,'' and on 197 I would have voted ''yes.''

□ 1230

PERSONAL EXPLANATION

Mr. ROTHMAN. Madam Speaker, yesterday on rollcall vote numbers 193, 194 and 195, I was detained in New Jersey attending my son's band concert. Had I been present, I would have voted ''yea'' on all three of these rollcall votes.

CONSTITUTIONAL AMENDMENT RESTORING RELIGIOUS FREEDOM

Mr. CANADY of Florida. Madam Speaker, pursuant to House Resolution 453, I call up the joint resolution (H.J. Res. 78) proposing an amendment to the Constitution of the United States restoring religious freedom and ask for its consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mrs. EMERSON). The joint resolution is considered read for amendment.

The text of House Joint Resolution 78 is as follows:

H.J. RES. 78

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

''ARTICLE—

''SECTION 1. To secure the people's right to acknowledge God according to the dictates of conscience: The people's right to pray and to recognize their religious beliefs, heritage, or traditions on public property, including schools, shall not be infringed. The Government shall not require any person to join in prayer or other religious activity, initiate or designate school prayers, discriminate against religion, or deny equal access to a benefit on account of religion.''.

The SPEAKER pro tempore. Pursuant to House Resolution 453, the amendment recommended by the Committee on the Judiciary printed in the joint resolution is adopted.

The text of House Joint Resolution 78, as amended pursuant to House Resolution 453, is as follows:

H.J. RES. 78

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

''ARTICLE—

''To secure the people's right to acknowledge God according to the dictates of conscience: Neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage, or traditions on public property, including schools, shall not be infringed. Neither the United States nor any State shall require any person to join in prayer or other religious activity, prescribe school prayers, discriminate against religion, or deny equal access to a benefit on account of religion.''.

The SPEAKER pro tempore. After 2 hours of debate on the joint resolution, as amended, it shall be in order to consider the further amendment printed in House Report 105–563 if offered by the gentleman from Georgia (Mr. BISHOP) or his designee, which shall be considered read and shall be separately debatable for 1 hour, equally divided and controlled by the proponent and an opponent.

The gentleman from Florida (Mr. CANADY) and the gentleman from Michigan (Mr. CONYERS) each will now control 1 hour for debate on the joint resolution.

The Chair recognizes the gentleman from Florida (Mr. CANADY).

GENERAL LEAVE

Mr. CANADY of Florida. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Joint Resolution 78.

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

There was no objection.

Mr. CANADY of Florida. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, today the House considers House Joint Resolution 78, the Religious Freedom Constitutional Amendment, a measure which responds to the public's valid concern that certain court rulings have been hostile to religion, have erected barriers to religious expression and exercise, and have attempted to remove religious influences from the public arena.

In the past 3 years, the Subcommittee on the Constitution of the Committee on the Judiciary has held a total of seven hearings in Washington and across the country examining the issues that are addressed by this amendment.

We conducted hearings in Harrisonburg, Virginia; Tampa, Florida; New York City; and Oklahoma City, Oklahoma. The subcommittee heard testimony from 74 witnesses.

The record of our hearings is clear: There is a fundamental and widespread misunderstanding of what the Constitution requires with respect to the prohibition on the government's establishment of religion. This misunderstanding is so significant and pervasive that a constitutional amendment promises to be the most effective means of providing a meaningful remedy.

Americans are a religious people, and opponents of this amendment are fond of citing church attendance statistics to support their argument that there is no problem with the free exercise of religion in America. Although the first amendment was certainly designed to protect worship in a church, temple or synagogue from governmental interference, the protection afforded by the free exercise of religion in the first amendment was intended to reach much further than that. Yes, we are a profoundly religious country, and we do enjoy great freedom in America today, but we must not be complacent while that freedom is eroded.

Many State and Federal courts have misinterpreted the first amendment under the flawed notion that the Constitution requires a wall of separation between church and State. By the wall of separation, they do not mean that the government should not interfere with the freedom of churches and other religious organizations. We all agree with that principle. What they mean is any religious influences should be removed from the public sphere. That is what the proponents of the wall of separation contend.

Chief Justice William Rehnquist condemned the Court's reliance on the phrase ''the wall of separation between church and State'' and said in a dissenting opinion over a decade ago, ''The greatest injury of the wall notion is its mischievous diversion of judges from the actual intentions of the drafters of the Bill of Rights. It is a metaphor based on bad history, a metaphor which has proved useless as a guide to judging. It should be frankly and explicitly abandoned.''

In an effort to satisfy this extra-constitutional and extreme theory of separation of church and State, courts have confused governmental neutrality towards religion with the concept of required public secularism, thus moving toward a public arena with no mention or sign of religion at all.

The result of this distorted view of the first amendment is that, wherever government goes, religion must retreat, and in our time there are few places government does not go. Thus, religion is slowly being eliminated from more and more of our public life.

Religious liberty that can only exist in one's private home is not true religious liberty. It is far removed from the liberty the framers of the first amendment embraced.

House Joint Resolution 78 seeks to correct this fundamental problem. It reaffirms that government may not establish any official religion, and I would ask the Members to pay particular attention to that language in this amendment. This is an important part of the amendment and, unfortunately, a part that many of the critics of the amendment seem to ignore.

The amendment also prohibits the government from requiring ''any person to join in prayer or other religious activity and from prescribing school prayers.'' These provisions, taken together, ensure that the coercive power of government will never be used to compel any Americans under any circumstances to participate in any religious activities against their will.

House Joint Resolution 78 protects the right of the people to pray and to recognize their religious beliefs, heritage or traditions on public property and prohibits government discrimination against religion. It also forbids the denial by government of equal access to a benefit on account of religion.

All of these provisions are designed to eliminate government hostility toward religion and to recognize the historic role that religion has played in our life as a Nation.

All too often, religious Americans of all faiths find that their speech is curtailed specifically because of its religious character. Under the prevailing understanding of the first amendment in many quarters, there are scrupulous concerns to ensure that no person be exposed to any unwanted religious influence but woefully inadequate concern for the religious person whose expression of faith is not publicly tolerated.

The first amendment was designed to foster a public sphere which gave religious citizens, as Madison described, the ability to participate equally with their fellow citizens in public life without being forced to disguise their religious character and conviction.

Another form of government-sanctioned discrimination, besides that affecting speech, is the denial of benefits to religious organizations and individuals.

The benefits provision of the religious freedom amendment, greatly misrepresented by some opponents of this proposal, merely states that the government cannot use religion as a basis for preventing a qualified organization or person from receiving governmental benefits. Public programs should be open to all who meet the objective purposes of the program. Equal access does not mean equal funding. Equal access simply means receiving a fair chance.

Contrary to the claims of its critics, the religious freedom amendment does not change the first amendment. The first amendment, as written, needs no improvement. Unfortunately, however, the first amendment, as interpreted by the courts and as widely understood by many governmental officials, has strayed both with respect to the meaning of the establishment clause and the free exercise clause and the relationship between those two clauses. That is what House Joint Resolution 78 is designed to correct.

As we debate this proposal, I would submit to the Members of this House that it is important that we all recognize that people of good faith can disagree on the merits of this particular proposal. I understand that there are some people who feel very passionately that this amendment is not the right public policy, and I can respect that, although I vehemently disagree with

their position. But I think it is also important that we all recognize that there is a problem that urgently demands our attention.

Now, today as we stand here in this Chamber of the House of Representatives, the people's House, we stand under the words ''In God We Trust.'' They are inscribed on the wall. I would submit to the Members of this House that, as we stand here under those words, there is a problem when students in this country are told they cannot carry their Bibles to school, and there is a problem when students in this country face the threat of being fined by a Federal judge if they mention God, so much as mention God, in a commencement speech.

Now, things like that are happening in America today. The opponents of this amendment will claim that many of the things that are happening that we find troubling can easily be corrected, but the fact of the matter is, there is a persisting pattern of these sorts of problems. We discovered that in the hearings that were conducted by this Subcommittee on the Constitution all across the country, where we heard from so many different people who told of the personal experiences where they had been subjected to discrimination simply because of their religious faith.

Now, things like this are happening in America today, and it is simply not right. It is an infringement of the free exercise of religion, and it is an injustice.

This amendment, which is before the House today, gives this House an opportunity to protect the free exercise of religion and to put an end to the injustices that are being done in the name of the first amendment. I urge my colleagues to support this proposal.

Madam Speaker, I reserve the balance of my time.

Mr. SCOTT. Madam Speaker, I yield myself 5 minutes.

Madam Speaker, this constitutional amendment would have dire consequences if ever ratified. As a former member of the Virginia General Assembly, I take great pride in Virginia's religious freedom tradition. This country's very first religious freedom statute was drafted by Thomas Jefferson and enacted by the Virginia General Assembly in response to a failed system of government-sanctioned religious practices very similar to that which would occur if this amendment is ratified.

The mistakes made and corrected in Virginia became the foundation for the religious freedoms included in the United States Constitution, and it is because of our Bill of Rights that we have enjoyed centuries of peace, free from the religious divisions that continue to mar the lives of millions of people across the globe.

H.J.Res. 78 is touted by its supporters as a restorer of religious freedom. Nothing could be further from the truth.

First of all, we already have religious freedom. This freedom has existed for over 200 years in the form of the first amendment to the United States Constitution. Unfortunately, the words that protect us from religious persecution, that is that Congress shall make no law respecting an establishment of religion nor prohibiting the free exercise thereof, those words are under attack by this proposed amendment.

The language in the proposed amendment ends the church-State separation by allowing religious groups to be directly funded by the government. So what happens when the Catholics must compete with the Baptists for limited school funding? How much safer will society be if only people willing to practice certain religions are able to get treatment for drug addiction? Which religious groups would and would not be funded? How safer will our schools be when children begin fighting over which prayers will be said or which religious expressions should or should not take place before each class day? How much better off will churches be once they become dependent on government funding?

□ 1245

Although the answers to these questions are not at all clear, we know for sure that, if this amendment is ever ratified, the religious freedoms that protect all Americans would be transformed into a divisive manifestation of the very problems the first amendment was designed to protect us from. If the amendment is ratified, it would recklessly disrupt the religious tranquility that we have, that we have appreciated for hundreds of years.

This amendment strips the individual of his or her right to pick his or her own prayer or to practice his or her own religion without having to subject their beliefs to the manipulation or interference by arrogant majorities.

I am specifically referring to the language in the proposed amendment's first sentence. The effect of this language would be to overturn the Supreme Court cases on religious expression and schools. Nothing in this amendment would stop schools or classrooms from choosing by majority vote to actively recite certain prayers or express certain religious beliefs that are most popular in the school or classroom.

So what happens to the losers of these popularity contests? That is why the National Education Association and the American Federation of Teachers oppose this amendment, because of the potential disruption that will occur when 40 percent of the students are not able to express their beliefs while they are subjected to the beliefs other than their own. This amendment will not encourage religious freedom; and, in fact, it invites religious divisiveness.

Despite the assertions of this amendment's proponents, school prayer is alive and well. It is often said that, as long as there are math tests, there will be prayer in public schools. In fact, children praying in school is not now prohibited. What is prohibited is making those who want to pray pursuant to a different religion or not pray at all to be subjected to someone else's prayer.

In fact, a broad coalition of religious and civil liberties groups, including both proponents and opponents of the Istook amendment, prepared a document entitled ''Religion in the Public Schools: A Joint Statement of Current Law'' to make it clear that religious expression is permitted in schools.

Madam Speaker, we should not be misled by inaccurate anecdotes. The proponents of H.J. Res. 78 often mention incidents where children are told they cannot bring bibles to school or say grace before eating lunches. These are clearly permissible under current law.

In fact, it is this kind of anecdotal evidence, of a need for a constitutional amendment, that is misleading in large part because most, if not all, of the examples used by the proponents of this amendment result from misstatements of fact or misinterpretations of current law.

That is why we need to preserve our Bill of Rights. That is why we need to join many religious groups in opposing this amendment. Those groups include the American Baptist Churches, the United Church of Christ, the National Churches of Christ, the Presbyterian Church, the Episcopal Church, the Southern Leadership Conference, and many other groups. Let us join these religious organizations to preserve religious freedom by opposing this attack on our first amendment.

Mr. CANADY of Florida. Madam Speaker, I yield 8 minutes to the gentleman from Oklahoma (Mr. ISTOOK), the sponsor of the amendment under consideration.

Mr. ISTOOK. Madam Speaker, I rise not only on behalf of myself but over 150 Members of this body who are cosponsors of the Religious Freedom Amendment because we are tired of seeing what the Supreme Court has done to change the first amendment. We cherish the first amendment of the United States of America. It has been attacked and twisted and warped by the U.S. Supreme Court.

For some people who say, oh, all these problems can just be corrected with a phone call, before I even talk about some of the Supreme Court decisions, let me tell my colleagues the story of Zacharia Hood, a first grader in Medford, New Jersey.

He was told, because they had a reading contest in school, you get to read the story you want to, to class. He said great. He said, I want to read this story about two brothers that reunited after being apart. He wanted to read the story of the reunion of Jacob and Esau from his copy of the Beginners Bible. The story does not even mention the word God. But his teacher said, oh, horrors. We have been told there is separation of church and State. You cannot read it.

This disappointed six-year-old told his parents, and they tried making

these phone calls. No good. They tried going to the school and the school board. No good. They said, this is an infringement on religious liberty; we are going to exercise our right in court.

The Federal judge, just a few months ago, said, oh, no, under all these cases from the U.S. Supreme Court, the schools can tell us we cannot read a story from the Beginners Bible no matter what it says or does not say; that, rather than the first amendment, all they pay attention to is what somebody said. Oh, it is separation of church and State.

What does that mean? As the gentleman from Florida (Mr. CANADY) said, it has been condemned, using that phrase as a substitute for what the Constitution really says and was meant to say. The Chief Justice of the U.S. Supreme Court, the one that is sitting right over there in the Supreme Court chambers right now, has said that is wayward. That is wrong. That diverts people from knowing what the Constitution really is and what it is supposed to be.

Yet, that Supreme Court, with him dissenting and with a number of other judges dissenting, has embarked upon a pattern of attacking people and saying, if we are trying to express a prayer, same way we started Congress, but if we are trying to express a prayer on public property, we are going to be limited. We are going to be restricted.

Other things, hey, do what we want. They protected Nazi Swastikas on public property. They have protected burning crosses. Supreme Court decisions.

But in 1962, they said, even when it is voluntary, for children during the school day to pray together is against the Constitution.

In 1980, they said, if the 10 Commandments is posted on the wall of a school, it is unconstitutional, because students might read them and might obey them. Imagine, in an era when guns, knives, and drugs are common in public schools, we are told the 10 Commandments is not welcome if not permitted.

In 1985, the law from the State of Alabama said we can have a moment of silence; and one of the many purposes to which you can apply this, if we choose, is silent prayer. The Supreme Court said, nope, that is unconstitutional to permit silent prayer.

In 1992, they said, to have a minister, in this case it was a Jewish Rabbi, to come and speak at a school graduation was unconstitutional because there might be some students there that would disagree with the prayer, and they would not want to be expected to be respectful with something with which they disagree. That is what the Supreme Court said; fortunately, not all of them.

What we are doing today in the Religious Freedom Amendment is taking what the justices who disagreed with the rest of them, taking what Supreme Court justices said ought to be the policy, what the intent was of the Founding Fathers, and we have put that into the Religious Freedom Amendment.

As in several of these cases I have cited, they were 5/4 decisions. One of them was the graduation prayer case. I want to read what four Supreme Court justices wrote about prayer in this case, which was Lee v. Weisman (1992).

Justices Rehnquist, Scalia, White, and Thomas wrote this about the proper interpretation of the first amendment, had the Supreme Court not gone awry. They said, ''Nothing, absolutely nothing, is so inclined to foster among religious believers of various faiths a toleration, no, an affection for one another than voluntarily joining in prayer together to the God whom they all worship and seek. Needless to say, no one should be compelled to do that. But it is a shame to deprive our public culture of the opportunity and, indeed, the encouragement for people to do it voluntarily. The Baptist or Catholic who heard and joined in the simple and inspiring prayers of Rabbi Gutterman was inoculated from religious bigotry and prejudice in a manner that cannot be replicated. To deprive our society of that important unifying mechanism in order to spare the nonbeliever what seems to be the minimal inconvenience of standing or even sitting in respectful nonparticipation is senseless.''

That is what we say in the Religious Freedom Amendment: It is senseless to say that everyone else must be censored and silenced because someone chooses to be intolerant. Prayer is not divisive. Prayer is unifying. What is divisive is for people to teach that we should not respect the prayer of another person or that we should not respect prayer in general. If you teach your children that, shame on you. But if we want people to be united, give them the chance to come together and express things positively.

The Religious Freedom Amendment does that. No compulsion. Government cannot dictate anything. Government cannot say we must pray. Government cannot tell us what our prayer must be. But government has to get out of the censorship business.

The Pledge of Allegiance is the proper standard. The Supreme Court has ruled, in the late 1940s, no one can be compelled to say the Pledge of Allegiance. I agree. But they did not permit someone who did not want to say it to censor and stop the rest of the students in that classroom who did want to join together.

That is the proper standard for prayer in public schools. If we want to do it, it is permitted. If we do not want to, we do not have to. But we do not have the right to shut people up and censor them just because we choose to be thin-skinned and intolerant when someone else is trying to express their faith.

I urge support of this amendment.

Mr. SCOTT. Madam Speaker, I yield as much time as she may consume to the gentlewoman from California (Ms. PELOSI).

(Ms. PELOSI asked and was given permission to revise and extend her remarks.)

Ms. PELOSI. Madam Speaker, I rise in opposition to the Istook resolution because I cherish the first amendment.

Under the First Amendment, students and citizens are not prohibited from the opportunity for religious expression. Students are free to pray privately or at school. Constitutional protections now are sensitive both to the needs of those who practice various religions, and to those who choose to remain silent. It should be quite telling that scores of religious organizations are strongly opposed to this legislation.

First amendment protections on expression of religious beliefs are available, have served our country well for many years and are appropriate to allow religious expression to thrive without improper government interference. We have not had to be worried about government favoritism of a particular religion or of conflict between religious organizations for government resources. This legislation would change all that.

This amendment is an extreme attempt to dismantle the protections so carefully drawn between church and state. I urge my colleagues to protect the religious freedom of all in our nation and oppose this unnecessary harmful legislation.

Mr. SCOTT. Madam Speaker, I yield 1½ minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Madam Speaker, I rise in opposition to this resolution.

Today, I speak as the product of two generations of Lutheran clergy and as an active member of my congregation. I speak also as a life partner of your former colleague, Walter Capps, a professor of religious studies for over 30 years at the University of California.

Last year, my husband, Walter, made a strong statement in opposition to this legislation; and I quote him in part from the statement. He said, ''I believe I understand what the framers of this amendment have in mind, but I truly believe that the consequences of what this amendment does will place religion not in freedom but in bondage and under great threat. If we imperil religion in this country, we undermine indispensable articles of faith. Indeed, we commit grave injustices to the life of the human spirit.''

As a school nurse for over 20 years, my concern is what this bill would do in our schools. For example, it would permit students to use the school intercom to lead captive classroom audiences in prayer, creating a host of troubling questions, such as whose prayer will be prayed?

I firmly support the current constitutionally protected role of religion in our schools. Students can now pray and read the Bible privately, say grace at lunch, distribute religious materials to their friends, and join voluntary religious clubs.

The Religious Freedom Amendment would go much further and turn public schools into arenas of religious coercion and conflict. In short, the Istook amendment is unneeded and would harm religious liberty in America. It is contrary to the heritage of religious freedom in this country.

I urge a ''no'' vote on this bill.

Mr. CANADY of Florida. Madam Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Madam Speaker, I rise today in support of the Religious Freedom Amendment, and I commend my good friend, the gentleman from Oklahoma (Mr. ISTOOK) for introducing this important legislation.

America was founded on Judeo-Christian principles, and the Founding Fathers, therefore, took steps to ensure that the individual's freedom of religion would always be protected. Unfortunately, recent trends have infringed on this important freedom, and children and adults nationwide are finding that their rights have been suppressed.

□ 1300

I think that the Founding Fathers would be sorely disappointed. Today we have the opportunity to ensure that Americans are once again able to freely express their religious beliefs by passing the Religious Freedom Amendment. The amendment does not infringe on anyone's rights. It simply protects the individual's right to pray and to express his or her religious belief. In my opinion, it is the key to restoring true religious freedom in America.

In closing, please allow me to share an excerpt from a 1995 article by Jeff Jacoby about the Founding Fathers' sentiments on religion and freedom:

> In linking religion to American liberty, Adams and Jefferson were not simply bowing to the political correctness of their time, or verbalizing empty sentiment that no one was expected to take seriously. They were articulating a core principle of American nationhood: Religious faith, and the civic virtues it gives rise to, is as indispensable to a democratic republic as freedom of speech or the right to own property. Religion can survive in the absence of freedom, but freedom without religion is dangerous and unstable.

I urge my colleagues to remember the wisdom and wishes of our Founding Fathers, and to take steps to ensure that free expression of religion once again reigns in America. Support the Religious Freedom Amendment.

Mr. SCOTT. Madam Speaker, I yield 3 minutes to the gentleman from Florida (Mr. WEXLER).

Mr. WEXLER. Madam Speaker, I rise with great trepidation to oppose a bill or a resolution that purports to restore religious freedom, but this bill does nothing of the sort.

If I thought for one moment, one moment, that thousands of American teenagers, because of a 15-second or a 30-second school-sponsored prayer, were going to stop taking drugs or stop being involved in teen relationships or stop using alcohol, I might vote for this bill.

If I thought for one moment that a 2-minute prayer exercise at a commencement program is going to take guns out of the hands of kids across America, I might just vote for this.

If I even thought that thousands of kids in America would come home after this school-sponsored prayer, come home and simply hug their mother or hug their father and say, ''Mom, I honor you,'' just like the Ten Commandments say, I just might vote for this.

But let us really think, outside of the constitutional context, what will really happen to children across America? Let us think about those thin-skinned children that the sponsor spoke of, that courageous young child that will be in a high school football game after this one-size-fits-all prayer is said by the majority will of the students, and since when is our First Amendment determined by majority will? There is no such thing as majority will built into the First Amendment. But that is what we will have.

What will that young, courageous child be subjected to, that thin-skinned child? They will be humiliated. They will be scorned. In the worst-case scenario, they will be beaten up and involved in fights. Why? Because they had the courageousness of their convictions to say that one of the most beautiful things about being an American is that no matter how powerful or influential a person or a group is, you cannot tell me how to pray, and you also cannot tell me to sit down or shut up, and do it respectfully, while somebody else tells me how they are going to pray at their school, at their commencement.

I love being an American. I cherish being an American, because as an American we have an opportunity to say that we and our family will learn religion the way our family wants it to be learned. We have an opportunity to pray or not pray the way our families have prayed for thousands of years, because of a thing called the Bill of Rights.

The Bill of Rights is not determined by the majority, it is not determined by a political whim, it is determined by the greatness of our Founders; that little children will have the opportunity to stand and pray as they choose, without consideration of whether the school said they sponsored it or not sponsored it, and without the consideration of whether they happen to be in the majority or the minority.

Do not, do not change the Bill of Rights. Do not change the First Amendment. It is one of the things that makes this country so great, and which most Americans cherish until they will have the opportunity not to, if this amendment were in some way passed today.

Mr. CANADY of Florida. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. ARMEY), the majority leader.

Mr. ARMEY. Madam Speaker, I thank the gentleman for yielding me the time.

Madam Speaker, I want to first compliment my friend, the gentleman from Oklahoma (Mr. ISTOOK). The gentleman has spent so many long hours, so many days working on this, and working with so many people, constitutional scholars and others. I want to also thank the committee for their hard work.

This is a good piece of legislation. For 150 years we in this Nation understood and we practiced a restraint of government against the pattern that we had seen, our Founding Fathers had seen and found aberrant in so many other cases where governments imposed religion on people.

Our Founding Fathers understood that the role of the government in this right, as in all other human rights, was to recognize and honor and appreciate that these rights are given to man by God Almighty, and that it is the role of the State to protect those rights.

But beginning in the fifties and then in the sixties, we saw what anybody that had any common sense understanding of personal liberty and religious conviction would understand to be bizarre decisions made in the courts, and sometimes, in fact, in regulations by the Federal Government.

For example, in San Francisco, after 63 years, a cross that had stood in a public place was declared unconstitutional, while in nearby San Jose, $400,000 of taxpayers' money was used to erect a statue to an ancient Aztec God.

In April last year a minister was arrested by police for praying on the steps of the Supreme Court. In 1988, a South Carolina man was told by his county government to stop his weekly Bible study in his own home because it violated zoning ordinances.

Last year, a Florida student was suspended for handing out religious literature before and after school hours. Two students in Texas were told by their principal they could not wear their rosaries, because he thought it meant they were part of a gang; and maybe they were, part of God's gang. But rosaries?

An elementary student received a zero because she wrote a thesis on her hero, and her hero happened to be Jesus, and that offended somebody. A district judge was told by another court that he could not display the Ten Commandments in his courtroom. And in Stowe, Ohio, recently, a court ordered a cross removed from its seal, as had happened in Edmond, Oklahoma. It took a congressional action to block proposed Federal regulations which would have regulated what on-the-job workers could or could not mention about religion.

Nobody, nobody with any common sense can believe that it is the role and the function or legitimately acceptable by agencies or courts of the Federal Government to impede people's ability to practice their faith in their home, in their school, in their job, as long as they do so freely and voluntarily. That is what this is about. It is about respect. It is about respect for any person of any faith in this Nation to be protected, and their right and their ability to express that faith.

We protect the American people in many ways, in many ways that are important to us: our fortunes, our families, our health, our safety, our security, our nourishment. Is not our faith, each and every one of us, individually, separately, and in our own way, as important a dimension of our life as our food, shelter, clothing, nourishment, health?

Does this government not have even more so a sacred responsibility to protect the practice of religion, and to restrain itself from prurient impulses, derived out of thinking that can be called nothing other than sophistry, to repress people's practice of their faith? It is time we set this straight. In doing so, we will have the ability to understand the faith of our Founding Fathers, the decency to respect it, and the courage to require it for our children.

Mr. SCOTT. Madam Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Madam Speaker, I thank the gentleman from Virginia for yielding time to me.

Madam Speaker, I rise today to oppose this amendment. I recognize that in opposing this amendment, that there are good intentions on both sides.

I am the grandson of the chairman of the deacon board, and I strongly believe in prayer. This is the graduation season. I have spoken to a lot of students about the importance of spirituality and faith in their lives. But the fact remains that despite its good intentions, this amendment will not work, and will in fact lead to an infringement on the rights of others.

I had the opportunity to discuss this amendment with the sponsor, who is very sincere and well-intentioned. But when we got to the fine points of how this would be implemented, when we got away from the general language we all agree on, we came down to some fundamental questions, questions such as who decides on what day who gets to pray for how long, and who gets a turn? What about the satanists? Do they get a turn? Personally, I do not think I should be subjected to that, nor should my child be subjected to that.

This is not philosophy. This is not a question of exposing people to other philosophies. This is religion. Religion is a very personal, perhaps the most personal of all rights and all beliefs. People have the right to protect that and not be exposed. They have the right not to hear or be forced to hear beliefs with which they disagree. This is not an academic exercise. This is religion, this is faith.

We have in our current system the ability to pray in schools, not just because of math exams. We have the right to pray before school, during lunchtimes, after school. The Department of Education has issued regulations making it clear that students can say grace, students can meet in religious groups, students can use all school facilities to exercise their religious rights, like any other club or group. There are over 10,000 religious clubs in America, and I think that is a good thing. I think they ought to exercise their rights on school property.

But as we used to say when I was in law school, the exercise of your right stops at my doorstep. I do not believe we should have a system that infringes on my rights so you can exercise your rights. I urge us to reject this amendment. It is well-intentioned, but it is wrong and it is unworkable.

Mr. GOODLATTE. Madam Speaker, I yield 1½ minutes to the gentleman from Alabama (Mr. RILEY).

Mr. RILEY. Madam Speaker, a government that silences its people and denies them their religious beliefs should be considered nothing less than oppressive. We would expect this behavior from a nation where freedom is neither respected nor revered. We would expect it in a nation where the Almighty is the state and faith is a dirty word. However, we would never expect this in the United States.

Nevertheless, with increasing hostility and insensitivity, our courts have systematically stripped us of our First Amendment right to the basic and fundamental right of religious expression. It is time we reversed this trend of suppressing religious expression. It is time we pass a new constitutional amendment that retains and strengthens the Constitution's original intent.

Government should neither compel nor control religious expression. We must pass this amendment so no other generation will ever be deprived of its constitutional right of religious expression due to some extreme and overly zealous Supreme Court justices.

Mr. Speaker, a 5 to 4 majority in today's court should never overrule 220 years of constitutional authority. If this amendment passes, it never will again.

Mr. SCOTT. Madam Speaker, I yield myself 1 minute.

Madam Speaker, I would respond to a couple things that have been said. Several anecdotes have been given, and I think we need to respond to them a little as we go.

One suggested that a student could not read the Bible in class. The court held in that case that the student could read the Bible all he wanted, but could not proselytize religion to a captive audience. It also concerned itself with what would happen if other students wanted to practice the same freedom in religions that their parents were not interested in having them listen to.

□ 1315

So that was the holding in that case. Not that they could not read the Bible, but they could not read it to a captive audience and they did not want other religions being given the same, all religions including Satanism and everything else, being given the same freedom.

Also, the F that was received because someone wrote on the topic of Jesus Christ, both the Federal court and appeals court found that the F was not because of the religious discrimination but, quote, her refusal to comply with the requirements of the teacher, including changing her paper topic without permission and choosing a topic which she was already familiar with, and the assignment was to do something they were not already familiar with.

The first amendment already protects the student's right to address religious topics in homework if relevant and otherwise complying with the assignment.

Madam Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Madam Speaker, for more than 200 years the Bill of Rights has protected our liberties and has served as an example to the world of how democracy can work. The United States is the most religiously diverse and the most religious Nation in the world.

Fifty percent of Americans go to church at least once a week or more. Our religiosity, our religious quality makes us a strong Nation. The separation of church and State spelled out so eloquently in the Bill of Rights by our Founding Fathers has allowed people with very, very diverse views to live together in peace and to flourish for hundreds of years. But now for the first time in our Nation's history we have an amendment that would change the Bill of Rights.

Children can pray in school right now any time they like, so long as the prayer is not organized by the school. They can hold a prayer group, a Bible study class during lunch, recess or study hall or in a classroom at the end of the day. They can close their eyes and they can pray silently right at their desk or any time that they wish. And, yes, they can even pray before a math test.

There are Bible clubs and prayer clubs all over this country. The Istook amendment would jeopardize that freedom and dangerously politicize religion. This amendment would, for the first time in our Nation's history, allow for government-sponsored religion. It would allow for the imposition of government into our citizen's private religious beliefs. It would allow town councils to set an official prayer. It would allow government to fund religious activities.

That is why we have such a broad coalition of mainstream religious groups who oppose this amendment: The National Council of Churches of Christ in the U.S.A.; the Presbyterian Church, U.S.A.; the Episcopal Church; the United Church of Christ; the United Methodist Church; the Evangelical Lutheran Church in America; the Religious Action Center of Reformed Judaism, and many others.

Madam Speaker, I urge my colleagues to support religious freedom.

Support the flourishing of religion in America in the proud tradition fostered by the first amendment. Support the Bill of Rights and vote against the Istook amendment.

Mr. GOODLATTE. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, I rise in strong support of House Joint Resolution 78, the Religious Freedom Amendment offered by the gentleman from Oklahoma (Mr. ISTOOK). I would like to commend the gentleman for offering this much-needed constitutional amendment.

Madam Speaker, in the last few decades courts throughout the United States have twisted the traditional understanding of the first amendment to require the government to favor the nonreligious over the religious. The courts have pitted the Constitution's establishment clause against the free exercise clause rather than reading them as equal parts of the same first amendment. This misinterpretation has led to the government, whether it be through teachers, judges or public officials, placing barriers on all types of religious expression.

Abusive courts are using the first amendment as the club to drive anything with even the slightest religious overtone out of the public sphere. Religious expression now enjoys no more protection in our culture than obscenity or libel. According to the courts, flag burning is protected by the first amendment, pornography is protected by the first amendment, but posting the Ten Commandments on a public school wall is not.

Madam Speaker, where is the common sense? Religious expression, the one form of expression specifically carved out for protection by the first amendment, is the one form of expression under the heaviest attack. We clearly have a problem in this country when children are told they cannot sing Christmas carols or Chanukkah songs at school, when students in our schools are not allowed to have open prayers, even observe moments of silence.

The Religious Freedom Amendment does not amend the first amendment, it restores it. This amendment merely restates the understanding of our Founding Fathers and the vast majority of the American people today that government should protect the religious freedom of its citizens, not infringe upon it.

The Religious Freedom Amendment protects the rights of Americans to express their religious views in the same way that Americans currently enjoy the right to express nonreligious views. It does not permit the government to compel prayer to occur or to compel participation in religious activities. It simply permits prayer or other religious activity to occur on a voluntary basis among those individuals who choose to participate.

Madam Speaker, as Americans, we should encourage the open expression of our many religious backgrounds and the knowledge and tolerance that can be gained from the sharing of our religious histories. We should once again embrace our Nation's diverse religious heritage, not reject it.

I urge my colleagues to vote in support of this important amendment.

Mr. SCOTT. Madam Speaker, I yield myself 30 seconds to respond to one of the things that was said.

Madam Speaker, in ''Wallace v. Jaffree'' the Court held that the government may give objective instruction about religion in public schools and provide for religiously neutral moments of silence, permit students to engage in private, nondisruptive prayer during the school day, and impose no barrier to organized, student-initiated religious clubs under the Equal Access Act. That is a 1985 decision.

Madam Speaker, I yield 2½ minutes to the gentlewoman from Indiana (Ms. CARSON).

Ms. CARSON. Madam Speaker, I need no sanction from the United States Congress to confirm my abiding faith and do not need congressional authority to pray when and where I desire.

The unanimous Declaration of Independence of July 1776 says that when in the course of human events, to paraphrase it, it becomes necessary to exercise a vote of solemn conscience to uphold and defend the Constitution, a decent respect to the opinions of mankind requires a declaration of the causes which impel the stand, that vote, in the service of the oath of this high office of our Congress. Our vote to uphold what our forefathers so eloquently wrote, that Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

These are the very first words of the very first change of the fundamental document at the root, the base of our scheme of government: the first amendment to the United States Constitution.

Much has been said in support of this proposal to amend, that it will redress and resolve a crisis endangering religious freedom. It is also urged that our moral decline or even school gun violence will be arrested by amending the Constitution. Yet crisis often helps faith to flower. In this time of asserted crises our citizen of all walks of life are everywhere engaged in religious pursuits, praying, worshipping, building churches, helping those less fortunate to find comfort and faith and nourishment.

The crisis that was the life of cruel deprivation suffered by so many who worked so hard and gave so much to make America so great worked wonders in the creation of our Nation, and religious worship survived and came to flourish.

There is written in the book of Matthew:

> But thou, when thou prayest, enter into thy closet, and when thou has shut thy door, pray to thy Father which is in secret; and thy Father which seeth in secret shall reward thee openly.

Mother Teresa was once quoted as saying that,

> Prayer is needed for children. Children need to learn to pray, and they need to have their parents pray with them.

Madam Speaker, I recognize that the vote that we cast here today, the way we vote today will come under rigid political scrutiny. I commend those who, like Paul, remain unmovable and unshakable in our abounding belief in the Constitution as it now stands.

I will cast my vote to uphold the Constitution as it now stands. I would encourage my colleagues to do likewise.

Mr. GOODLATTE. Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Madam Speaker, first of all, I want to thank Mr. ISTOOK for his leadership on this issue; and I want to commend him for being willing to change his proposal from last session. He has put some new safeguards in there. It sounds as if some of the Members are arguing against his proposal from last session and that they have not read this one.

Frankly, it is quite unfortunate that we must even have this debate today here in America, the most free country of the world. Yet it has come to the point that a primary aspect of our freedom, our right to practice the religion of our choice, is no longer afforded to everyone.

We are talking here about free speech protection for students; and we are talking about student-initiated, not teacher-initiated, not government, not school-sponsored prayer, but voluntary, student-initiated right to free religious speech. Just as they have protection on political speech or philosophical speech, they should have the right to the protection for religious speech.

What we have proclaimed throughout the world now must be practiced here in the United States. Madam Speaker, the Religious Freedom Amendment is needed today to correct and clarify 36 years of Supreme Court decisions which have warped the plain and simple meaning, original meaning, of the Constitution as far as religious rights being protected under the first amendment are concerned.

The Religious Freedom Amendment simply states that individuals in this land have a constitutional right to acknowledge God according to the dictates of their conscience. It states specifically, and I quote, ''neither the United States nor any State shall establish any official religion,'' end quote. Yet although the United States cannot establish an official religion, neither should it prevent its people from this free exercise; and that is why people of all faiths can support this amendment.

This amendment would in no way infringe on an individual's rights to pray or not to pray. The amendment would, however, support the opportunity that people in this country have to practice

their beliefs and even to recognize their religious heritage or traditions on public property.

Even though the Religious Freedom Amendment allows students to initiate school prayer explicitly, it does not permit the government or its agents to dictate that a prayer be given or dictate any contents of a prayer. Schools should be able to simply permit prayer, voluntary prayer, to occur, much like that which is practiced in this body, right here in this Chamber.

The Religious Freedom Amendment follows the same standard which the Supreme Court applied to the Pledge of Allegiance. That is, no student can be compelled to take part, but those who do not want to participate are not permitted to censure and silence those who do.

Madam Speaker, this goes to the heart of the first amendment rights. It goes to the heart of who we are as a people in America. We are, after all, one nation under God.

Therefore, Madam Speaker, I urge the Members to support this amendment which would practice freedom of religion, not freedom from religion.

Mr. SCOTT. Madam Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. HOSTETTLER).

(Mr. HOSTETTLER asked and was given permission to revise and extend his remarks.)

Mr. HOSTETTLER. Madam Speaker, I rise in reluctant opposition to the amendment, and I thank the gentleman from Virginia (Mr. SCOTT) for yielding me this time.

Madam Speaker, I have two principal objections.

First of all, this amendment legitimizes the Supreme Court's application of the establishment clause of the first amendment to the States.

I should note that it was not applicable to the States from 1791 through 1947. In fact, many States had established religion at our Nation's founding. Massachusetts, for example, paid the salaries of the Congregational ministers in that State until 1833, 42 years after the ratification of the first amendment.

Indeed, it was proposed but rejected by Congress to directly apply the religious clauses of the first amendment to the States.

In 1876, 8 years after ratification of the 14th amendment, Congress considered a constitutional amendment introduced by Senator James Blaine of Maine. The Blaine amendment read, quote, ''no State shall make any law respecting an establishment of religion or prohibiting the free exercise thereof,'' end quote. This amendment was debated at length and defeated in the Senate.

Madam Speaker, if this amendment is ratified, our States will forever lose their ability to define the appropriate level of public expression of religion.

My second objection to the amendment is in its apparent definition of ''establishment.'' The language of the RFA suggests that any action beyond ''acknowledgment'' or ''recognition'' of God may be in violation of establishment.

□ 1330

Indeed, the entire amendment is prefaced on the mere right to ''acknowledge.'' Does this mean that 30 years from now we will be told by the Supreme Court that mentioning the Bible or wearing a cross or crossing oneself is prohibited by the RFA because it goes beyond acknowledgment and into the particular? Does this mean that school prayers which go beyond simple recognition will be forbidden? What about worship?

Time will tell. Or maybe, I should say, a future Supreme Court will tell. The First Amendment is not the problem. The Constitution is not broken. I do not believe that the RFA will restore true religious freedom in America today.

Mr. GOODLATTE. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Madam Speaker, I thank the gentleman from Virginia for yielding me the time.

I support the religious freedom amendment, and I thank my friend, the gentleman from Oklahoma, for introducing the legislation. For 200 years our Constitution was interpreted as allowing for the free expression of religion. It was not until 1962 that a liberal Supreme Court changed Thomas Jefferson's meaning of the wall of separation between church and State.

The right to free speech is one of the most highly revered rights in our Constitution, but the Constitution does not protect freedom from religion. It guards against having one religion imposed on us all. The drafters of the First Amendment did not intend to bar religious speech and actions. This amendment requires that those who express their religious beliefs receive the same treatment as those who express nonreligious views.

For instance, it will prohibit discrimination against student religious groups and provide them the same opportunities nonreligious groups now enjoy. This amendment will allow public prayers to be offered but it will not require any student to participate. A single student will no longer be able to silence the prayers of others.

I urge my colleagues to support the religious freedom amendment.

Mr. SCOTT. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN. Madam Speaker, I thank my colleague from Virginia for yielding time to me.

I rise in opposition to the Istook amendment. It is uncomfortable to be opposing it because I think a lot of Members on both sides of the aisle, on both sides of this issue, feel uncomfortable in talking about prayer because prayer has often been such a private matter. I believe in the power of prayer and I know it works, and that is why it is uncomfortable to be opposing it because I worry, just like my colleague from Indiana, that the Istook amendment goes much further and does things that maybe they do not realize.

Frankly, we already have prayer in our schools. My district, I have a number of public school districts in my district and my wife is a high school teacher. She has been teaching since 1969. She teaches math. And in the last 3 years, ever since the Department of Education sent out their guidelines, ''Dear Superintendent,'' I have this here, if there is a school board member or administrator that is watching today or if some Members want this, they need to ask the Department of Education, August 10, 1995, where it takes the guidelines from the court opinions and where we do have prayer in our schools.

At my wife's high school, Aldine High School, there is Bible study for teachers on their own time. It is voluntary. In the mornings, around the flag pole, that is one of those 10,000 at my wife's high school, 10,000 student groups around the country have the ability to pray every morning voluntarily. There is not an administrator, there is not a teacher there, but it is organized.

I have been honored for a number of years to give prayers at our football games because in the district my kids went to school in, we have four high schools. Obviously, in Texas football is important so we obviously pray for a win. But I have been honored to do. We have prayer at our schools. I worry the Istook amendment goes much further than we want.

The Washington Post on May 7, an article talked about in public schools, religion thrives. We have religious expression in the public schools. That is why it is so important that we defeat the Istook amendment today.

Mr. SCOTT. Madam Speaker, could the Chair advise us of the time remaining?

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Virginia (Mr. GOODLATTE) has 29½ minutes remaining, and the gentleman from Virginia (Mr. SCOTT) has 38 minutes remaining.

Mr. GOODLATTE. Madam Speaker, I yield 1½ minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Madam Speaker, religion is important to every single Member in this House. I think that this is a real healthy debate because Members on both sides of the issue have concerns.

My friend, the gentleman from Virginia (Mr. SCOTT), I would say that when it comes to not shying away from being religious or right, the Black Caucus, regardless if we agree on fiscal issues or not, always stand out in front for their beliefs. I laud especially the Black Caucus. For that they take second to no one in this body. I think because of those reasons and those concerns, I think this is a healthy debate.

But there has been, my concern is that there have been abuses. My wife is a principal in an elementary school. I do not think it is wrong to be able to have a Christmas tree at Christmas, but at the same time I do not think it is wrong to celebrate Hanukkah or any other religion.

When I was dean of a college, one of my staff members, his name was Mostafa Arab, he was on the Shah's Gold Cup soccer team, came to me and said, ''Can I pray to my God at the school?'' And his God happened to be Allah. I said absolutely. Would I want him to conduct lessons in the Koran? No. But if he wanted to offer a prayer prior to an event, I would say yes.

Maybe that is why this is so much of a problem, is that people do not know what is yes, what is no. But there have been abuses. I support the Istook amendment because I think it clarifies our position. Let us clear up the abuses and support the freedom of religion.

Mr. SCOTT. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. BENTSEN).

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Madam Speaker, I rise in opposition to this proposed constitutional amendment, which is in the guise of expanding religious freedom but will actually narrow religious freedom for all Americans.

First, there is simply no need for this legislation because the First Amendment to the Constitution already protects religious freedom and expression, including in our public schools and public institutions. But I think more importantly I am in some respects offended by what this amendment seeks to do.

I deeply value the role that religious and moral beliefs have in shaping the history of this Nation and they continue to have today. As a person of faith I personally believe that it is my obligation and right to pass on these beliefs to my children as I see fit, and as do millions of parents across the country.

But I abhor the belief that the State should usurp my authority as a parent to make such a choice, and that is exactly where this amendment is headed. I am offended by those who would seek to impose their will on my children absent my consent. Each of us is less free when a government is given the power to intrude upon this right.

I oppose the amendment, and hope my colleagues would do the same.

Mr. GOODLATTE. Madam Speaker, I yield 5 minutes to the distinguished gentleman from Illinois (Mr. HYDE), chairman of the Committee on the Judiciary.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Madam Speaker, I appreciate being given this opportunity to talk on this very important issue. Essentially stripped of all the verbiage, this amendment seeks a couple of things: basically to permit and to guarantee a right to pray in schools and, secondly, to afford equality of treatment between faith-based social service providers and treat them the same as secular ones.

So reduced to its simplest terms, this amendment provides more free speech by removing prayer in a public space from the list of constitutionally forbidden conduct. It recognizes the value to our society, as the founders and framers did, of religiously-based providers of social services.

So it expands free speech. It does not narrow it. It restores free speech to the original dimensions that we find in the Declaration of Independence, where God is mentioned four times. That must drive some people crazy when they go by the Archives, knowing that in that building is the Declaration of Independence, our country's birth certificate, that talks about the Creator and nature and nature's God in four different places. It certainly would not pass muster with the Supreme Court today.

So this expands free speech and seeks to correct constitutional distortions that have crept into our jurisprudence as a result of a series of misbegotten court decisions.

Now, our Nation, we all agree, was founded by people searching for freedom. The First Amendment, properly interpreted, guarantees the free exercise of religion and at the same time prohibits the government from establishing a religion or showing any preference toward any sect or particular religious faith. The aggressive secularism that now constitutes our establishment was never intended by those who drafted and who ratified our Constitution.

It is unfortunate that we must amend the Constitution to repair the damage done to our liberties by foolish and ill-considered interpretations of the Constitution by the Supreme Court, but this is the situation we find ourselves in today. Basic liberties are being infringed because of judicial wrongheadedness and, frankly, secularist bias.

Today we must seek to restore the equality and genuine neutrality with respect to religion that inspired our founders and framers. Neutrality towards religion, not hostility, is the ideal we seek. That is what the Religious Freedom Amendment is intended to repair.

This amendment preaches more than mere tolerance. It says equal protection of the law applies to religious expression with the same force as it does to secular expression. In a word, it preaches equality.

This is not a perfect vehicle, but it makes a statement that I share and am proud to associate myself with.

Mr. SCOTT. Madam Speaker, I yield 2 minutes to the gentleman from West Virginia (Mr. WISE).

Mr. WISE. Madam Speaker, I do not question the sincerity of anyone on either side of this issue because people of faith are on both sides of this issue.

I believe in prayer. I believe in God. I believe in the importance of prayer. But I do not believe that the best thing to do is to amend the Constitution of the United States.

Can children pray in school? They are praying every day. They can pray quietly or silently at any time. Bow your head right now, if you want, and say a prayer to your Lord. They can say grace. They can go to a prayer club like thousands are now in schools.

Madam Speaker, my faith, I want to get personal for a minute, comes from my heart. I seek, and I know many do, God in many ways, and we each find him in our own way through our parents, through our churches, through our community groups, through our pain, through our joy, through our many errors. That is how we find God. I take comfort in Matthew, Chapter 6 and Verse 6, ''and when thou prayest, pray to thy father in private and he shall hear you.'' I think those are important words because that is the prayer that the Lord hears.

Madam Speaker, I have great respect for everyone in this Chamber, men and women devoted to their government and to doing right. But with all due respect, I want this Chamber writing laws, I want us writing budgets, I want us writing resolutions. I do not want politicians writing my children's prayers. Let my children find God as we all must find God, through ourselves and our churches and our communities and our parents and our upbringings and our many experiences.

I urge a ''no'' vote on this amendment.

□ 1345

Mr. SCOTT. Madam Speaker, I yield 1 minute to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Madam Speaker, I rise in strong opposition to this amendment. It is both unwise and unnecessary.

We have heard time and time again anecdotal evidence from the proponents of this amendment. That evidence only highlights the need to set the record straight as far as what the establishment clause currently allows in the United States Constitution.

There were hearings held on this issue as identified in the committee report. One of them was held in my hometown of Tampa in which some children were under the misunderstanding they could not carry their Bibles to school, which of course is incorrect.

Our focus here should be on educating principals, teachers, parents and students about what rights they currently enjoy to protect their religious freedom in schools. The United States Department of Education has issued guidelines which clearly state that students have the opportunity to voluntarily pray privately and individually in school, to say grace at lunchtime, to

meet as religious groups on school grounds, and to read the Bible or any other religious text during free class time or study hall. These are rights we should jealously protect.

This amendment has the opposite effect. It will introduce the government into policing and refereeing the competing faiths among children in our schools. Far from clarifying the religious freedoms of Americans, this amendment would lead to greater confusion, more court cases, and further misinterpretation by schools and the courts. Is this body ready to endorse the taxpayer funding of religious schools? Are we here today voting to allow judges to lead a courtroom or a jury inprayer before a trail? And ultimately, are we endorsing public school prayers over public address systems? If so, how can we possibly accommodate the diversity of faiths that exist in our society without so diluting the prayer's content that it becomes a watered-down, homogenized recitation? That indeed would trivialize religion and ignore the robust tradition of religion and diversity which has enriched and strengthened our Nation for over 200 years.

We do not need to inject the government into this very intensely personal and private exercise on the part of each individual. We need to use those rights we have, and we need to defeat this amendment.

Mr. GOODLATTE. Madam Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. DICKEY).

Mr. DICKEY. Madam Speaker, there is a story that comes from Pine Bluff, Arkansas, that explains why I am for this amendment and want to speak for it at this time.

Some 8, 10 years ago, there was an organization called the Fellowship of Christian Athletes at Pine Bluff High School. A minister had been over the years taking care of it. He got transferred out. He could not find anybody, no faculty member, nobody else. He came to a group of us adults and he said, Would you all take over the Fellowship of Christian Athletes and just kind of monitor it and see if you can continue to do the good that we have tried to do? We said yes.

We met once a week during school. We would have prayer, we would provide prayer before ballgames, we would get the kids at the ballgames to go get the other kids after the game and those that wanted to would pray in the middle of the field, and we did those things.

We also did other things. We tried to raise funds in the community so that we could go to national camp. At one time we sent 75 kids to national camp. They all got together and they sold different things, car washes, and everything else. We did things on the weekends. We would have a hobo olympics on the weekends. No one objected to that.

But all of a sudden there started to come in some objections from other areas. Not the parents or anything else. We had a lot of minority. We would go into their churches when they would have times when they were called to preach and so forth. We would all just kind of converge on the churches of our members.

Then all of a sudden people started complaining. Well, what church is behind this? Or how much is the school paying for this? We had to prove these things and prove these things.

Then came a letter one day and it said, ''If you don't stop this, we're going to take your school to court.'' We had to stop it.

Now, the reason I am here is to tell you that I could not answer the question that came by phone after that. One of the athletes, he was not a very good athlete, but he was an athlete which qualified him for this organization, called me and said, ''Mr. DICKEY, tell me, are we going to have FCA next week?'' I said no.

He said that he had heard that. He said, ''How about the week after that?''

''No,'' I said, ''we're not.''

And he said to me a question that I cannot answer. He said, ''Why not? What have we done wrong?'' I tried to answer him but I could not.

What I hope this amendment will do and what I trust this amendment will do will answer that young man so that we can have organizations like this across the Nation.

Mr. SCOTT. Madam Speaker, I yield 1 minute to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Madam Speaker, if you listen to this debate, you would think that if you oppose this amendment, you are against religion. Nothing could be further from the truth. Many of us who are believers or have a belief do not wear it on our shirt. My belief is that if it ain't broke, we don't need to fix it. This amendment fixes something that isn't broke.

The thing that is most disturbing about it is this. If you look around the world, at Northern Ireland, the Middle East, South Asia, the Azerbaijanis and the Armenians, all of those are religious-based conflicts. We have managed to avoid that in this country.

We have always had a party of fear. There was a party of fear called the Know-Nothings, which was really the base of the Republican Party in the 1850s. They did not like Catholics and they did not like anybody who did not speak English. So they did not like Germans and they did not like Irish immigrants. That is the nature of this debate.

There is an exhibit opening in the Library of Congress today about the issue of religion in this country. My belief is we ought to pay attention to Ignacius who said, ''Give me a boy to the age of 6. After that, you can have him.''

You choose the prayer in his schools, you affect his life.

Mr. SCOTT. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Speaker, under the first amendment, individuals have a sacred right to religious expression. Students have the right to pray, read the Bible, initiate prayer clubs, and distribute religious materials.

The constitutional amendment before us would go far beyond the first amendment by sanctioning organized prayer and display of religious symbols. Instead of guaranteeing religious freedom, this amendment would actually burden the religious rights of individuals.

Questions like this are presented by the amendment: Which prayer? What symbols? What happens to those whose prayer and symbols are not included?

How is everyone's religious freedom served by this amendment which would allow a particular prayer to be organized, broadcast over the school intercom and participated in by a teacher or other administrator.

The first amendment protects the balance necessary to ensure individual religious freedom. This constitutional amendment jeopardizes that balance so carefully crafted by the founders of our Constitution. Their wisdom prevails to this day and should not be rejected by passing this amendment.

Mr. SCOTT. Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me this time. The Founding Fathers recognized that faith in God was critical to this Nation and any Nation. Indeed, they said our inalienable rights were God-given, not by the State, not by the king, but God-given.

Mr. Speaker, I believe that no government on earth is powerful enough to exclude my God from any place that a person of faith raises their voice to pray to my God. I believe that faith is critical.

But I also believe like the Act of Religious Toleration, passed in Maryland in 1643 by a Catholic colony concerned that the majority of Protestants in that colony would force them to practice the Protestant religion rather than the Catholic religion.

Mr. Speaker, the concern here is to protect faith, to protect church, to protect those who choose to pray and who choose to worship in their own way. I believe that the first amendment was designed specifically for that purpose.

Roger Williams, indeed a Baptist like me, was an antecedent to the creation of the first amendment. I believe that we do not need to amend this provision. But we do need to stress that faith in God and raising our voices in prayer continues to be one of the most important things that Americans can do.

Mr. SCOTT. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut (Mrs. KENNELLY).

Mrs. KENNELLY of Connecticut. Mr. Speaker, this Nation rests on a foundation of religious liberty. None of our freedoms are more jealously guarded. I

would urge my colleagues to approach this amendment very cautiously, because it could very well undermine the freedom we so cherish.

The truth is, this amendment is not about religious freedom, which is already guaranteed in the United States of America. It is not about religious expression in public places, which is permitted under current law.

The amendment is about something else, about allowing one person's religious commitment to encroach on another's, about letting a student prayer leader use school microphones to lead class prayer, or letting a judge lead jurors in prayer.

I am deeply concerned about the impact this amendment could have on public education. This amendment could require public funding of nonpublic religious schools and shifting dollars and resources from our public system at a time when public schools are literally crumbling and our education system is struggling to keep the resources in our classrooms and keep our students at pace. I urge my colleagues not to do this today.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. COOK).

Mr. COOK. Mr. Speaker, I thank the gentleman from Virginia for yielding me this time.

Mr. Speaker, I rise in strong support of the Religious Freedom Amendment. Our Founding Fathers never intended the Constitution to be used as an argument against the very freedom of religious expression that brought our earliest forefathers to this great land in the first place.

In the last 20 years, our right to free, personal religious expression has been virtually destroyed by misguided court rulings and wrongheaded public policy. We now live in a world where birth control devices can be dispensed at public schools but a voluntary moment of silent worship is often forbidden.

We have become so afraid of personal religious expression in schools and public places that in my State, ironically a State founded by those fleeing religious persecution, and on a national level, teacher unions are decrying a return to conservative values and, in particular, personal religious expression. They say those values and those religious expressions are a threat to public schools. Why? Because they are liberals, and they are out of touch with 80 percent of the people of my State and indeed this country, who believe that we should get violence out of our schools and allow into our schools personal religious expression. Religious speech is as free as any other form of speech, yet the courts have regulated religious expression more stringently than they regulate pornography. This amendment would return our Nation to a balanced approach that says personal religious expression shall be permitted, not restricted.

This clear, commonsense amendment does not limit. It does not ban. It does not require. It does not proscribe or compel. It simply allows people to exercise that most fundamental of human rights, the right to acknowledge their God and their religious traditions and beliefs in all places, according to the dictates of their own consciences, not just at home, behind closed doors, but in public places, on public property and in our schools.

Mr. SCOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I teach my daughter she can pray and anytime, anywhere she wants, and my daughter does that. She has taught me a lot of things about prayer. My wife knows she can pray anywhere she wants at any time. I urge my colleagues to recognize that we already have this right. All we need to do is fight for it. We do not need to change the Constitution of the United States.

In a letter that was sent out to the Constituents of the gentleman from Texas (Mr. EDWARDS) the Christian Coalition, said this amendment would allow all Americans the freedom of religious expression in public places and would ensure that school children are not punished for creating a valentine to Jesus or for reading a Bible during free time.

They can do that right now. If someone seeks to punish them, they should use their freedom of speech under the Constitution and protest, however they have to protest.

Let's just fight for our rights under the Constitution, instead of trying to change it.

Mr. SCOTT. Mr. Speaker, I yield 1 minute to the gentlewoman from Maryland (Mrs. MORELLA).

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

Mrs. MORELLA. Mr. Speaker, I rise in opposition to the Istook amendment. I am really concerned that this amendment would have more far-reaching and negative effects than most Americans realize.

First of all, the issue of prayer and religion in public schools touches deep emotions in most Americans. It has spawned much heated debate here in Congress, and in State legislatures across the Nation. In 1978, the State of Maryland passed a moment of silence law allowing schools in the State to incorporate voluntarily a daily moment of silent meditation into opening exercises. A part of this law allows teachers or students to pray or read silently from the Holy Scripture during this moment of meditation. Other States have passed similar laws.

Amending the Constitution is a serious business. Our Founding Fathers were wise to set up a wall separating church from State matters. We should not be rewriting the religious freedom provisions in the Constitution. The establishment clause substantially protects the religious freedom of every American. Under the establishment clause, the bells of religious liberty ring in every corner of our Nation with clarity, with harmony and without discrimination.

I urge my colleagues on behalf of all Americans to vote no on this issue.

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Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Speaker, I rise to lend my voice to allow every American citizen the fundamental right to express their religious faith on public grounds. The previous speaker from Maryland, my good colleague, has indicated that the States are starting to do what we are trying to do here in Congress. So the fever and the enthusiasm to have voluntary prayer is spreading across this Nation already, and I think it goes to the heart of the matter that we in Congress need to do this on a national basis.

In fact, in a recent poll in which voters were asked about moral issues that are confronting this Nation, almost 70 percent agree that America needs a religious freedom amendment that would simply allow voluntary prayer.

Mr. Speaker, Benjamin Franklin rose during the gathering of the Constitutional Convention in Philadelphia in 1787 and stated, quote, the longer I live, the more convincing proofs I see of this truth, that God governs the affairs of men, end quote. He went on to suggest at that point that the Convention begin its very own sessions with prayer ''imploring the assistance of heaven, and its blessings on our deliberations.''

We pray in the Senate, we pray in the House. We are simply asking for voluntary prayer today. Why can not schoolchildren rise today, just as Benjamin Franklin did 211 years ago, and ask for God's providence and assistance at the start of their day?

This amendment is simply the very essence of our Constitution and our cultural history, to allow the free religious expression of the American people that every American was able to enjoy for 190 years of our Nation's existence.

So, Mr. Speaker, I think the Religious Freedom Amendment is very important. It would eliminate the ambiguous constitutional question that has been established as a standard for religious expression. This amendment does not force religious choice on anyone who does not want to participate.

Mr. Speaker, I urge its adoption.

CHRISTIAN COALITION,
CAPITOL HILL OFFICE,
May 28, 1998.

PROTECT RELIGIOUS FREEDOM—VOTE FOR THE RELIGIOUS FREEDOM AMENDMENT

DEAR REPRESENTATIVE: On Thursday, June 4th, the House will hold a truly historic vote. For the first time in 27 years, you will consider an amendment to the United States Constitution concerning the fundamental right of an American citizen to publicly acknowledge his or her religious faith. This constitutional amendment will guarantee the same First Amendment protection to religious speech as for non-religious speech, including voluntary school prayer. In a nation

that was founded on the principle of religious liberty, we must take steps to restore the rights that our Founding Fathers intended to protect. And in a recent poll in which voters were asked about moral issues confronting the nation, almost 70% agreed that America needed a Religious Freedom Amendment that would allow voluntary school prayer. The Christian Coalition strongly urge you to vote for the Religious Freedom Amendment (H.J. Res. 78).

The most dramatic example of a religious freedom that has been whittled away is the right to religious speech. The right to free speech is one of the most highly revered and protected rights in our Constitution. Yet, a series of Supreme Court rulings over the past 35 years have misinterpreted the Constitution to ban and censor free speech when that speech is religious in nature. Specifically, the Supreme Court has censored free speech in only three areas: inciting violence and insurrection, obscenity, and religious speech. It is absurd for the Supreme Court to equate the act of expressing one's faith in God with expressions of insurrection or obscenity.

This amendment would protect the right of school children to organize prayer during the school day, while explicitly reigning in the influence and participation of the government in such activities. The government, represented by either a teacher or a school administrator, would be prohibited from requiring, writing or forbidding prayer.

With the protection of the Religious Freedom Amendment, courts would no longer issue rulings such as the one in which the judge upheld a teacher's decision to give a young Tennessee student an ''F'' on a research paper simply because the student decided to write her paper about Jesus. (Settle v. Dickson County School Board). And the highest court in our land would be required to enforce the right of a rabbi to offer a nonsectarian prayer at a middle school graduation.

Enactment of the Religious Freedom Amendment is the only effective means to truly restore our religious freedom. On behalf of the Christian Coalition, I strongly urge you to vote yes for final passage on Thursday, June 4th.

Sincerely,

RANDY TAKE,
Executive Director.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Speaker, I thank the distinguished gentleman from Florida, chairman of the Subcommittee on the Constitution on which I am very proud to serve, for yielding this time to me.

Mr. Speaker, I would ask those of our colleagues here today who argue against this proposed amendment, ''What exactly is it that you fear? What is it in this amendment that makes you so fearful of having the American public debate and decide this issue, that causes you to deny even the American people the right to debate and vote on this issue?''

Is it that perhaps, if the American people had the issue presented to them through their legislatures in a clear-cut way what this amendment, proposed amendment, will do, that they might actually in large numbers all across America, not just in my district in Georgia which strongly supports this but all over the country rise up and tell their legislatures, yes, we do want America to return to its roots; yes, we do want schoolchildren to know that perhaps the Bible and the scriptures, the Old and New Testament and other religious writings are better than guns to solve problems? Is that what they truly fear? Because if it is, then I think this debate ought to really recognize that and ought to highlight that here today. America truly is at a crossroads.

Where we see schoolchildren taking up not the scriptures, not the Ten Commandments, but guns to silence their colleagues, their friends in school, their teachers, then something is wrong. Why are we not to try some new approaches, which after all are not really new approaches at all?

This is an old, old approach. It is an approach recognized by our Founding Fathers, recognized through the greater part of our history and in our schools and our community institutions all across America, that in order to solve our problems here on this earth we ought to have the option of recognizing that there is a power greater than ours to which we ought to turn for guidance and for solutions to our problems.

All we are asking here today is for our colleagues to give the American people what the American people not only want but have an absolute right to, and that is a right to debate this issue. I urge adoption of this so that the States can decide this important issue.

Mr. SCOTT. Mr. Speaker, I yield 1¼ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, freedom of religion is certainly a vital cornerstone of this country. The right to pray, the right to seek divine guidance should be unimpaired, and heaven only knows by watching this Congress in action, or this year in inaction, we have more and more to pray about every day.

But throughout recorded history our forebears have recognized the importance not only of religious conviction but of religious freedom and tolerance, for throughout recorded history there have been those who, as Jonathan Swift so aptly put it, had just enough religion to make us hate and not enough to make us love. And so it is this country was founded on the concept of religious freedom, to respect the rights of others, and that concept has served this Nation very well.

As we look around the world today we think of the divisions caused in society over religion. We look to South Asia or to the Balkans or to the Middle East. But indeed we have our own religious Ayatollahs right here in this country. Some of them unjustly attacked our colleague the gentleman from Texas (Mr. EDWARDS), and others like Jerry Falwell have declared, ''I hope to live to see the day when there will be no public schools. What a happy day that will be.''

That is what this amendment is all about, the movement to destroy public education and to substitute religious arrogance for religious freedom.

Mr. SCOTT. Mr. Speaker, I yield 3 minutes 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. Mr. Speaker, I thank the gentleman from Virginia and the gentleman from Texas, Mr. Edwards for his leadership and for yielding this time to me, and it is interesting that he would have the honor of presiding over this very important debate, for it was in Virginia when those very able gentleman like Madison and Jefferson debated for 10 years this whole concept of the freedom of religion, something we do today in a mere 2 hours? What a tragedy that we have failed to remember those who fled Europe to avoid persecution because of their religion.

Although this H.J. Res. 78, has received so much attention and phone calls are coming in, and it appears at first innocuous. Further, it seems like it is something those of us who are believers would want to stand up and say, ''Lord, we want to see this passed,'' or Allah or whoever we might believe in. But yet it is something that denies the freedom of religion. It interferes with the First Amendment that respects that there should not be a federal establishment of one religion over another. This freedom of religion in our Bill of Rights is a fundamental and imperative part of who and what America is. Both court decisions and the First Amendment have already allowed our children to pray to whomever their ultimate religious guider is.

This is not running away from the freedom to pray. This is to acknowledge what faiths from all over this country have said, like the Baptist Joint Committee that stated, that this amendment is unnecessary and would in fact completely upset the balance our founders provided between the obligations of religion and those of government in a religiously pluralistic society. The Union of American Hebrew Congregations and the Central Conference of American Rabbis have said that this amendment poses a grave danger to the American Jewish community by seeking to radically rework the entire relationship of government entities with religious faith.

I heard my colleague the gentleman from California (Mr. CUNNINGHAM) and he knows that we have respected each others' differences, but yes, we can pray in schools, 10,000 prayer groups around the country pray in our schools, yes, students do gather to pray everyday they are protected by the first Amendment. The question is, who do you want to have dominate the prayer line if this amendment passes? Will you be accepting of everyone's prayer? Or will you want your child to pray quietly and be able to have the freedom of joining groups of like kind and then going to their respective houses of worship, being trained and loved by their

parents or guardians as they desire. These same children can read the scripture wherever they might find it and pursuant to their conscience.

This is a bad amendment, and there are too many religious groups to name who oppose it. I take special issue with the characterizations of those of us who believe in the Founding Fathers' premise of the Bill of Rights and the freedom of religion in the purest sense, so that we do not develop a Bosnia or an Ireland who have fought all these years, that we are unbelievers. We do believe and our faith is strong and that faith is exercised under the first amendment.

I resent being accused of being nonreligious and nonspiritual. It is a private issue. It is an issue that we have died for. It is an issue, when our National Anthem was written, the one thing they looked for: Is the flag still there? This flag protects the freedom of religion; H.R. 78 destroys it.

Mr. Speaker, I pray today that we do the right thing today.

Mr. Speaker, I come to the floor of the House today to urge Members to oppose H.J. Res. 78, the ''Religious Freedom Amendment.'' First colleagues let me say that we already have Religious Freedom. It's called the First Amendment. The First Amendment states that ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.'' Prohibiting the free exercise thereof. The Establishment Clause of the First Amendment prevents the government from funding religious ministries or entangling the government in the affairs of religious institutions. In 1787, Thomas Jefferson said to James Madison ''I do not like . . . the omission of a bill of rights providing clearly and without the aid of freedom of religion.'' Jefferson also said in 1813 to Richard Rush that ''Religion is a subject on which I have ever been most scrupulously reserved. I have considered it as a matter between every man and his Maker in which no man, and far less the public, had a right to intermeddle.'' These constitutional safeguards provide religion with a great degree of autonomy from the influences of government. Thus, the Establishment Clause prohibits the government from funding sectarian institutions in order to further a particular mission. H.J. Res. 78 would overrule this fundamental provision of the Bill of Rights. I am always very wary of any attempt to alter the Constitution of the United States. Amending the Constitution is a serious undertaking. It should be reserved for those rare instances where there is a compelling need to establish rights that cannot be secured by other means. Moreover, it must be done in a manner that expands the rights of all individuals—not that expands the rights of some persons by diminishing the constitutional rights and protection of others.

Although the language of H.J. Res. 78 appears at first to be innocuous, it would, in fact, operate to weaken the First Amendment's Establishment Clause. The Establishment Clause, in conjunction with the surrounding court decisions that have arisen from it, is a carefully balanced set of rules to try to settle the tension between a religious (or nonreligious) people's need to express their religion, and at the same time be free from a Government that seeks to compel religion, either religion generally or a particular religion. The Baptist Joint Committee states that this amendment is unnecessary and would, in fact, completely upset the balance our founders provided between the obligations of religion and those of government in a religiously pluralistic society.'' The Union of American Hebrew Congregations and the Central Conference of American Rabbis have said that this amendment ''poses a grave danger to the American Jewish community by seeking to radically rework the entire relationship of government entities with religious faiths. The National Council of the Churches of Christ in the USA state that this ill-conceived attempt to amend the First Amendment is opposed by most of the mainline churches and synagogues in the United States. They also state that a Congress that prides itself on being somewhat conservative could do nothing more radical than amending the First Amendment.

The National Council of Jewish Women believe that amending the Constitution to protect religious expression is unnecessary. Currently, students can pray silently at any time, and student-led religious clubs can meet on school property to pray and study Scripture. They think that this amendment goes too far. While proponents of this legislation will likely argue that it is intended to bolster individual religious freedom, the Istook amendment is both unnecessary and dangerous. H.J. Res. 78 rests on the false premise that current law does not adequately protect religious expression in public places. The courts, however, continue to uphold religious freedom, making a constitutional amendment unnecessary and duplicative. Recent court decisions have reaffirmed the right of citizens to erect religious symbols in public areas and to have access to public facilities for religious activities. Students have the right to pray, read the bible, and distribute religious materials to their friends.

H.J. Res. 78 would go much further and would permit organized prayer and other sectarian activities in public schools. Any student would have the right to lead the class in prayer or other form of worship, because the school would not be able to ''discriminate'' against the student's religious expression or exercise. The amendment would also permit a teacher to join in the religious worship, because any attempt to prohibit the teacher could be deemed ''discrimination'' against the teacher's religious expression or beliefs. The Constitution currently respects religious beliefs as a deeply personal manner. Under this amendment, parents could no longer be certain that the religious beliefs, ideas, and modes of prayer taught in the home would not be undermined at public school. Whether a student is ostracized for refusing to participate in the prayer practiced by the majority of his or her classmates, or is pressured to participate in that prayer, organized school prayer would burden the religious liberty of individual students. H.J. Res. 78 would also have the effect of allowing government funds to go to pervasively sectarian institutions to finance thoroughly religious activities. The amendment would mandate that the government directly fund religious schools, houses of worship, and other ''pervasively sectarian'' institutions that can not be funded under current law. If a government entity denies funding based on the pervasively sectarian nature of an institution, the religious group could claim ''discrimination'' under the amendment based on ''religious belief, expression or exercise.'' The Founders of our great nation were all too aware of the dangers of allowing government to promote religion. Such a role on the part of the government would almost inevitably result in the promoting of selected religions over others. Because of that concern, the Establishment Clause prevents the government from funding religious ministries or entangling the government in the affairs of religious institutions. This measure is the fifth amendment considered on the House floor so far this Congress alone—represents a continuation of an unprecedented assault on our Constitution and our civil liberties. It would significantly harm religious liberty in America and is contrary to our heritage of religious freedom that is ensured by our nation's current doctrine of separation of church and state. James Madison and Thomas Jefferson were right two hundred years ago and the American public is right today. We already have a religious freedom amendment; it's called the First Amendment.

I have heard from several of my constituents on this issue. Ryan Dickerson writes: ''I believe that the real effects of this amendment go far beyond hat its supporters claim. The amendment would allow government officials to make decisions in their jobs that favor one particular faith.'' Anne Hanzel writes that, ''this legislation, if enacted, would dismantle the existing constitutional separation of church and state by allowing the promotion of prayer in schools, the display of religious symbols on public property, and the use of tax dollars to subsidize private religious schools. Congresswoman, she writers ''these are dangerous steps.'' I leave you with the words again of the great Thomas Jefferson who stated that ''I should indirectly assume to the United States an authority over religious exercises which the Constitution has directly precluded them from. It must be meant, too, that this recommendation is to carry some authority. Civil powers alone have been given to the President of the United States, and no authority to direct the religious exercises of his constituents.'' Let's listen to Jefferson and Madison and defer to the First Amendment. Vote for religious freedom and liberty and Vote No on H.J. Res. 78.

Mr. SCOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. VENTO).

(Mr. VENTO asked and was given permission to revise and extend his remarks.)

Mr. VENTO. Mr. Speaker, I rise in opposition to House Joint Resolution 78, and I understand that the sponsors of this want to do something positive. They want to help in terms of freedom of exercise of religion.

The fact is that the existing language in the Establishment Clause that this addresses is 16 words long. They propose about 85 words to replace this, and they suggest that the court decisions revolving around these 16 words have caused great consternation, and so they propose to send to the Supreme Court and the other courts of this land 85 words to be involved with in terms of judicial review.

So I would just suggest to my colleagues, just on the basis of that particular analysis, now I understand that there is over 200 years of judicial review, and for a nonlawyer like myself

that represents a substantial amount of reading. So what they are suggesting is to set that on the shelf and to add to it these 85 words, and my concern is that in their zeal to in fact provide for greater liberty and exercise of religious freedom they in fact may do something very, very different, adding over five times the verbiage for the courts to interpret.

I think that the fact is that if this is a solution, it is a mighty peculiar problem that our colleagues are trying to deal with. I just suggest that they stop and take a deep breath and look at what they are doing in terms of this constitutional amendment.

This establishment provision in the Constitution, while sometimes being interpreted incorrectly by some institutions and historically has evolved in meaning by the courts, has in fact served us very well in terms of trying to establish the proper balance, regards church and state. I am very concerned that the language that is presented to us today as a solution may in fact wrap our religious freedom around the axle with regards to the exercise of religion an essential liberty. The establishment clause in the Constitution is to establish that freedom, and I hope the Members will vote ''no'' on House Joint Resolution 78 which undermines the first amendment and our religious liberties.

I rise today in opposition to the Constitutional Amendment, H.J. Res. 78. While I support the right to the free exercise of religion guaranteed to all Americans by the First Amendment, I do not support amending our basic document of governance, the U.S. Constitution, to superimpose government sanction and regulation of religious activities.

This measure is completely unnecessary. The United States already has a Religious Freedom Amendment, which has worked for the past 200 years—it is called the First Amendment! The First Amendment would be undermined by the provisions in this measure, not enhanced. Struggles in the colonies created a distaste about unions of church and state, and fostered a movement to eliminate existing establishments. Therefore, the very first Congress of the United States correctly laid the groundwork for government neutrality in religious affairs.

One major point of contention with this legislation is the issue of school prayer. I want to be absolutely clear about this. I support the right of students to voice their beliefs in ways which do not interfere or disrupt the rights of other students in a school setting. The First Amendment certainly provides for the religious expression by students while maintaining the people's freedom from government-sponsored religion. This measure would tear apart that existing balance.

There are several ways that students express their religious beliefs in schools. Student prayer and religious discussion groups are becoming more common within such settings. Students may speak and express opinions about religion, just as they would speak about political opinions, or any other topics. Students may well express their beliefs about religion in the form of chosen topics, written projects. artwork, and other assignments or endeavors. Furthermore, schools today, with the rights confirmed by the First Amendment, may not bar students from expressing their personal religious views or beliefs solely because they are of a religious nature. School authorities may not discriminate against private religious expression by students. It is clear that the First Amendment provides ample room for religious expression by students, while at the same time maintaining freedom from government sponsored religion.

Not only is this measure unnecessary, it represents a grave risk. The language of this legislation would permit the government to fund establishments such as churches, synagogues and parochial schools. Rather than solve a problem, this creates new problems and undermines an over 200 year old Constitutional balance.

First of all, it creates an entanglement of church and state. Government funding leads, necessarily, to government monitoring. Government-subsidized religion would invariably trigger battles among legislators and religious groups about who gets a cut of the limited money in the public purse. Inevitably, only majority religions would prevail—religions that can, in essence maintain popular support!

This amendment has vast implications regarding school prayer and school funding. Existing interpretations of the establishment of religion clause clearly prohibit government-financed or government-sponsored indoctrination in to the beliefs of a particular religious faith. If the Religious Freedom Amendment were passed, private elementary and secondary schools would be fully eligible for direct government funding. The result? Tax dollars would be diverted to religious school voucher programs. The public will is clear on this point, ''public tax payer dollars should be used to support public education''.

With some substantial effort, taxpayers already support a school system. They can't and shouldn't be expected to support multiple systems, some of questionable purpose and quality, most with a religious mission, and others which are for the wealthy in our society.

The First Amendment to the Constitution has long served as a protector of religious rights and provide a safeguard against using public funds to establish a religion or advocate religious practices. The amendment has served our nation well, and there is absolutely no reason to alter it. H.J. Res. 78, a transparently politically inspired measure, undermines our liberties. This legislation has been trumped up for political purposes, not to expand the rights of American people but rather to make virtue of force feeding extreme religious views to the public, willing or not to accept those views. The effect would be to dishonor and undermine both of our rights and our liberties concerning religion and free expression. I urge my colleagues to join me in opposing H.J. Res. 78.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. ADERHOLT).

(Mr. ADERHOLT asked and was given permission to revise and extend his remarks.)

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Mr. ADERHOLT. Mr. Speaker, the Constitution was intended to guarantee freedom of religion, not freedom from religion, but there are those who have clearly been determined to drive out all traces of religion from the public sphere. They have ignored the religious traditions upon which this great Nation was founded.

When a small child in De Kalb County, Alabama, is subjected to two restrictions on how, when and where they can pray, this is not freedom. When tax dollars are used against people that will go to pay court-appointed monitors to go into the schools, this is not freedom.

This amendment does not endorse any one religion, but it, rather, states that religious expression such as prayer, which has deep-rooted significance in the history of this Nation, should not be excluded from the public square.

How can we promote integrity in our leaders and improve the moral fiber of our people without a basis and some absolute standard? George Washington, of course, the Father of our Country, probably said it best in his farewell address when he said morality could not be maintained without religion. His words were, ''National morality cannot prevail in the exclusion of religious principle.''

As has been mentioned here today, we open each session with prayer in this Chamber, the face of Moses looks down on us all as we stand here this afternoon, and we should not deny that same privilege to our children and the people of the United States of America.

This amendment reaffirms that we are a Nation dedicated to religious liberty, and I am proud to stand here on the floor of the United States House of Representatives to speak out in support of public religious expression and against the proposition that religious values and people of faith should be relegated to the back seat of public life.

I commend my colleague, the gentleman from Oklahoma (Mr. ISTOOK), for bringing this issue to the national attention, and I strongly urge my colleagues to support religious freedom.

Mr. SCOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, this amendment seeks to solve a problem that does not exist and then quietly create a very serious problem.

There is no constitutional prohibition against children praying in school. Yes, teachers have told children not to read the Bible on the school bus or say grace before meals. Those teachers were wrong. Teachers are not infallible. Children have the right to do that. At all of those many moments during the school day when, without disrupting the regular procedure, children are free to talk, to read, to decide what to do, they may themselves pray, if they have been taught to do so.

The real problem here, and I find this ironic from people who talk about themselves as ''defenders of family values,'' is that there are many in this country who do not think that the average family, left to its own choices,

will inculcate enough religion in their children, because any schoolchild who has been brought up to be religious will find innumerable chances during the day in school, and certainly before and after at school clubs that are sanctioned, as they should be, to pray. They can read the Bible on the school bus. They can say grace before they eat. They can say a prayer as they walk to class. They can say a prayer in the school yard at recess.

But people think children, left to their own, will not do enough, so this amendment seeks to allow us as a society to use the mechanism of compulsory school attendance to inculcate in official settings more religion in schoolchildren than they would learn at home.

Nothing now in the law prevents children from expressing themselves religiously, if they have been told to. But people who think they should be in charge of other people's religious instruction think that this does not provide enough. They want to use the coercive school mechanism, so that children who would not otherwise pray will be pressured into doing so, or pressured into doing so in a certain way.

Religion does not need now, as it has not in the past, the help of these self-appointed volunteers. Let us leave religion to the families and to individual choice. That choice can be freely expressed in school, as it can elsewhere, in the way that prayer has always been meaningful.

Mr. SCOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. SKAGGS).

Mr. SKAGGS. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, let me ask my friends, how has the first amendment failed this country? I do not understand what we are doing here today. How has the first amendment failed this great land?

As with other parts of the Bill of Rights, the Founders had the foresight to set aside this precious area of individual religious choice and belief as free and insulated forever from majority rule, a terribly important central principle in a land as huge and as diverse as ours.

What this amendment, if it were to pass and become part of the Constitution, will do is to reverse that. It will make the use of public places and public spaces for religion subject to majority rule.

For those of you who believe we should have prayer in those places, including prayer in school and other religious observances, please think for a moment again about how fragile this country of ours is in matters of religious tolerance, how much care and work it takes to keep its fabric together, keep it from coming undone.

If we take this step, if we say to our friends in this country who do not share the majority faith, that you will be subjected, as will inevitably happen if this were to become part of the Constitution, in that most private and precious individual area of faith, to having your beliefs subordinated to those of the majority in the public business in this country, think again as to whether that really contributes to keeping this country whole, to living up to that value of one out of many. And reject this amendment.

Mr. Speaker, all year long we've been neglecting our work. There are important measures the House should be taking up, to properly attend to the people's business. But this is not one of them.

In fact, rewriting the bill of rights the way this amendment would do is something we should not be doing—not today or any other day.

This proposal is unnecessary. It's also profoundly unwise. Its adoption would undermine, not advance, our country's heritage of religious freedom. Its adoption would be breaking faith with our proud heritage of liberty.

Its supporters say that its primary purpose is to protect the ability of students to join in voluntary prayers in a school setting. But in fact, that's a problem that's already been addressed. Thanks to the Equal Access Act, passed in 1984 and upheld by the Supreme Court in 1990, thousands of students are joining in prayers and other religious expressions organized not by the state but by voluntary, student-run clubs that meet before or after classes—just like other extracurricular groups.

In fact, the free exercise of religion in America is alive and well among students and adults alike—protected by the same First Amendment whose establishment clause also protects against imposition of state-sponsored religion.

But this amendment is not just unneeded. It's also a bad idea. By revising the bill of rights, it would replace the familiar, balanced protections of the First Amendment with new language, language that hasn't been applied in any context or tested in any court. That means this amendment, if adopted, will create new disputes; it will trade new lawsuits for old ones. In other words, it's a prescription for new controversies, not a recipe for resolving old disputes.

Also, the language isn't just new. It's also very sweeping. The first part of the proposed amendment says ''the people's right to pray and to recognize their religious beliefs, heritage, or traditions on public property, including schools, shall not be infringed.'' Note that this would establish a right that could be exercised on any public property—not just in schools.

Whose right would this protect? Who are ''the people''? It could mean anyone and everybody—it could be an individual right of any person. If so, what would that mean?

Well, public school teachers and administrators are people, so arguably this would mean that they stand and recite prayers in classrooms, regardless of the wishes of the students or their parents.

Judges are people, and courtrooms are public property, so presumably all judges could place symbols of their various faiths in their courtrooms, regardless of how offensive this might be to people of other faiths who are legally summoned to come to those courtrooms and to comply with the rulings of those judges.

Sheriffs, prosecutors, and prison wardens are people, too, so presumably they also could insist on offering prayers or displaying religious symbols in their offices or in prisons, regardless of the different religious beliefs of their deputies, the members of the public with whom they come into contact, or the prisoners under their control.

The doctors, nurses, and administrators of Veterans' hospitals are people, and so are their colleagues in city-owned hospitals or similar facilities—so, again, those public properties could be used to emphasize or support one faith, regardless of the views of some of the very taxpayers who support them or the patients they treat.

And the same goes for every other public employee and every public official, great or small, in every community, and on every kind of public property.

On the other hand, as a legal term ''the people'' often means people acting through their governments, not as individuals. If that's what is meant here, then this amendment may establish a new right for the people of a community, acting through their state or local government, to use public property to set up religious symbols or to otherwise give official recognition to some religious traditions but not others.

So, whatever ''the people'' may mean, this amendment—even though it starts out by saying that neither the federal government nor any state government can establish any official religion—will have the predictable effect of entangling religion and government throughout the country, leading to exactly the ugly disputes and bitter resentments that have so deeply divided so many other societies. Why would we want that?

And that's not all. The proposed amendment also says ''Neither the United States nor any State shall * * * deny equal access to a benefit on account of religion.'' Again, this would be new language, untested language. What could it mean?

Well, it could mean that religious institutions serving a particular faith could insist on ''equal access'' to any program funded by any taxes—local, state, or national. According to the many groups who form the National Coalition for Public Education, it can be read to mean ''public schools being used to support religious education and * * * tax dollars being diverted to religious schools''. Others may not agree with that—but, again, this is new and untested language and so at a minimum it means new controversies, new litigation, new divisions.

As I said, Mr. Speaker, this is not what we should be about. We should get on resolving our problems, not adding to them. We should be working together to meet our country's needs and enabling Americans to improve their lives. We should not be doing things that will produce new and unnecessary divisions and controversies. We should focus on making the government work better, not on trying to revise the bill of rights. We should reject this resolution.

Mr. SCOTT. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER), a member of the Committee on the Judiciary.

Mr. NADLER. Mr. Speaker, this amendment should really be labeled the religious coercion amendment, or the establishment of religion amendment, because it does so. It establishes religion according to the tenets of the majority in a given local area in three ways:

First of all, it says it is a school prayer amendment, a coercive school prayer amendment. Someone once said that there is plenty of prayer in the public schools; that as long as there are math tests, there will be prayer in the public schools. Of course, that sounds funny, but it recognizes reality. Children are free to pray at any time they want in the schools.

What nobody is free to do is to have organized prayer in a coercive manner, to coerce someone to pray or to have to separate himself or herself from the group and say, ''I am different and I do not want to join in your prayer.'' That is coercive prayer. This amendment would permit that. That is what the Supreme Court does not, and properly does not, permit.

Secondly, this is far more than a coercive prayer amendment in two ways. This amendment says the people's right to recognize their religious beliefs, heritage or traditions on public property, including schools, should not be infringed.

What does that mean? The people, collectively, through their local city council or school district board or legislature, the people's right to put a cross or a Star of David or a crescent or a centaurea symbol above the judge's bench in the courtroom or in the school, will not be infringed.

If you are a member of the minority and a member of a jury and you do not want to be on the jury in front of a religious symbol that is not yours, too bad. If you are a member of the minority in that town, if you are a Catholic and they have a Protestant symbol, or vice versa, and you do not want to be in the school room with that, too bad. Because the right of the people, the majority, to bring their religious beliefs, heritage or traditions into public property, including schools, shall not be infringed.

Finally, what does it say? It says neither the United States nor any State shall deny equal access to a benefit on account of religion. What does that mean? What that means is that you cannot deny access to a benefit on account of religion.

Let us assume we establish, as we have, a hot lunch program for poor people, and let us assume that a church wants to be the agent for distribution of the hot lunch program and submits a grant proposal. That is fine.

But let us assume that that church, as a condition of giving out the hot lunches, wants to subject the people to proselytizing, to a religious sermon or to a prayer first. Right now, they cannot do that. You are entitled to the hot lunch if you qualify. But we cannot deny to the church the benefit of distributing the hot lunches on account of religion, so now we can have religious tests for getting benefits from government. The church cannot be denied the right to religiously proselytize in order to get the benefit of participating in the government program.

This, Mr. Speaker, is a coercive reestablishment of religion amendment, and I submit it is extraordinarily ill-advised.

Mr. SCOTT. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FAZIO).

Mr. FAZIO of California. Mr. Speaker, the Founding Fathers struggled long and hard over the very issue that we are spending relatively little time on here today on the floor, but I can say I think from listening to this debate that the Members on both sides of the aisle speak from deep conviction. Their comments today about their own personal faith that they bring to this debate I think have made the debate on this issue exemplary. I am particularly impressed by those Members who perhaps do not talk about their religion on a regular basis but who have today talked about their belief in God and the way in which they attempt to communicate with their God through private prayer.

But, unfortunately, I think the amendment we are voting on today is unnecessary and, frankly, could do damage to the first amendment that gives Americans the freedom to practice whatever religion they choose and the protection, which we often overlook, of not having religion forced upon them.

Our Founding Fathers were just as concerned about the people who came to this country to practice their beliefs out from under organized, government-sanctioned religion. This is not simply a concern about religion influencing a secular world. We all believe that spiritualism and prayer can infuse themselves into our public deliberations in a private way, but we are also concerned about somehow government making a determination as to what private prayer can be and what people can do under the first amendment protection of Freedom of Religion.

I am convinced that all of us understand that while there have been some decisions made at some levels of government that have confused or confounded us about the appropriateness of public displays of religion conviction, that the essential benefit of the first amendment of the separation of church and State is ultimately a protection of those who believe in religion and practice it daily.

So I am very hopeful that, despite the elevated nature of this debate and the sincerity with which the positions are held, we will come to the conclusion that it is not timely to abandon the first amendment of the Constitution, now over 200 years old. Protect our rights and vote against this misguided amendment which is so strongly opposed by most of our nations organized religions.

Mr. CANADY of Florida. Mr. Speaker, I yield 3½ minutes to the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Mr. Speaker, I think it is time to restore some perspective on what we are discussing and what we are not. This is the text of the Religious Freedom Amendment. ''To secure the people's right to acknowledge God according to the dictates of conscience: Neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. Neither the United States nor any State shall require any person to join in prayer or other religious activity, prescribe school prayers, discriminate against religion, or deny equal access to a benefit on account of religion.''

That is what is at issue before us, and people that do not like it seem to fall into, they say, one of two categories.

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Either those who say there is no problem or those who say, well, there is just no solution. Those who say there is no problem, I have gotten very tired of hearing people say, oh, they already have prayers in school; because we have got math tests, we have got prayer in school; or because we do have Bible clubs that are permitted to meet on school grounds.

Ladies and gentlemen, read the law. Read what the Supreme Court said. They are permitted to meet on school grounds before school or after school. They are not permitted to meet during instructional time like any other student club is: Spanish club, chess club, Future Teachers of America, whatever it may be. They can meet during a recess. They can meet during a lunch time. They can meet during a study hall. But not a faith-based club.

Read the Supreme Court decision on the equal access law. Maybe some are still doing it; they are practicing civil disobedience, and more power to them, because, perhaps, the ACLU and the other groups that oppose this amendment have not gotten around to filing suit there yet. That is why we still have some prayer in different environments. They have not yet filed all the suits.

Someone mentioned football game prayer. Great. I think it is fine. They are suing in West Virginia to stop it. Look at Ohio, with the ACLU suing to stop the use of the State motto, which is ''With God, all things are possible.''

I mean, they are coming down on it right and left all over the country. Do you say there is no problem, or do you say, well, there is no solution? To those who say maybe there is a problem but this is not the way to go about it, get your heads out of the sand. What are you doing about it?

I could not believe I heard one Member earlier say that, yes, we have a problem but we already have the right to do the same things that this says, so just fight for it. If they seek to punish us, just protest and fight.

What are they saying? Do they or do they not respect a court opinion even if they disagree with it? Are they saying that the solution is for people to go out

there and fight against what the Supreme Court has said, or use the orderly process set up by the Constitution to fix it when the Supreme Court has gone astray and has twisted and distorted the beautiful, plain, simple words of the First Amendment? That is what we are trying to do, use the peaceful process to resolve the disputes.

If my colleagues say, well, yes, there is a problem but we ought to do something about it, then what is their solution, and why are they not helping us?

I have heard persons say there is a problem but we do not want this amendment. Those persons have not done diddly to help with this effort. Vote for the RFA.

Mr. SCOTT. Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina (Mr. HEFNER).

(Mr. HEFNER asked and was given permission to revise and extend his remarks.)

Mr. HEFNER. Mr. Speaker, I had signed on to support this amendment, and I started calling some of my friends that I had known for years. For some 16 years I traveled all over this country and into Canada and places, singing gospel music, and I have been in every kind of church that my colleagues can imagine. I have been in the churches where their religious beliefs led them to take up the serpent. I never did get into that too much, but I have been in all kind of churches.

My grandfather started Happy Hill Baptist Church in Alabama, where I am still a member. I went there last Sunday. About 40 people. People got up and testified and talked about what God had done for them. Over these 16 years that I traveled all over the country, I have seen every type of religious philosophy.

You would think from some of the calls that we have had in our office that only the people that support this amendment can be Christians. You would believe, if you believe these calls that we are having, that unless you support this amendment, that when you stand before the bar of God and you stand before the bar of judgment, they are going to say, ''Sorry, you cannot come in here because you did not support the Istook amendment. Sorry about that. You have been good. You have been a good family man. You have supported your children. You have gone to church. You have tithed. But you did not vote for the Istook amendment and you cannot come in here.''

My good friend the gentleman from Texas (Mr. EDWARDS), who I have known many years, there is not a better family man, a better moral man in this body than the gentleman from Texas (Mr. EDWARDS). When somebody takes the liberty to send out a massive mailing that says that this man is a bigot, and the author of this amendment last night on television refused and would not say that he acknowledged that he was a bigot, he would not deny it, and when they send out a letter this way and a card and say this man is a bigot, that to my knowledge, and I do not judge, but that is not Christian.

This is one of the finest family men, one of the most devoted men that I have ever met. To say that he is a bigot and there is no place for him in this Congress or in this country because he is against the Istook amendment is wrong.

Ladies and gentlemen, I am leaving this body at the end of this year. I have had threats, and most of the threats that I have had over the years had to do with religious issues. The Christian Coalition is sending out a letter that says this is going to be on the report card; if Members vote against the Istook amendment, we are going to get them in the next election.

Some of this posturing reminds me of the Pharisees when they stood in the temple and said, ''Lord, look at me. I have given all this money, and I have done all of this.'' The people that have labored in the vineyard, that have helped the hungry and the needy, went about their business of praying in private. Give me that crowd rather than the ones that posture and try to make political mileage out of something that is so precious to all of us.

I will say this today. I believe that when I stand before the bar of judgment and God looks at my record, He is going to judge my record, not only whether I voted for the Istook amendment, but He is going to rate me on what I have done to obey His word and to do what I am supposed to do for the most needy in this country. I will take my chances on that.

Mr. CANADY of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. LEACH).

(Mr. LEACH asked and was given permission to revise and extend his remarks.)

Mr. LEACH. Mr. Speaker, few issues are more difficult for a legislative body to deal with than those that affect religion. At issue today is the question of whether the First Amendment to the Constitution should, in effect, be modified.

The approach brought forward today represents an attempt to ensure that the faith which founds our lives as individuals and the religious values that bind us together as a society can have free expression. This is an honorable and most worthy motive and the only credible grounds for opposition must be based on the assumption that the First Amendment to the Constitution crafted by Jefferson and Madison is a greater protection of prayer and worship than the approach brought before us today.

The question this House must answer is thus whether expressions of faith in America will be freer with or without this proposed amendment.

My view is that the Constitution as it currently is written, which carries with it certain court decisions which at times are perplexing, nevertheless better protects freedom of religion than the well-meaning but potentially counterproductive language of the proposed amendment.

I reach this conclusion reluctantly, because I realize this amendment is championed by individuals and groups which have the well-being of our children, families, and Nation at heart.

I also realize we are considering this amendment at a time when a seeming epidemic of lethal violence perpetrated in some instances by children against children has led to deeply troubling questions as to how and even whether the faith and values that have sustained this country for over two centuries can be transmitted to the next generation of Americans.

Yet I am convinced that faith will be freer and thus more meaningful under the Constitution as it is now crafted than under the strictures under consideration today.

Nowhere more than in the First Amendment is the genius of our Nation's founders more clearly revealed. Its sixteen words—''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof''—establish for the first time in human history that coercion would be replaced with persuasion in the religious life of a people.

The founders understood that citizens derive their values from faith, but that faith should be practiced willingly, not on demand. Proselytizing under the Constitution can only occur with permission, not compulsion.

I believe Congress would be wise to validate the appropriateness of moments of silent prayer or meditation in public schools, but for all its good intentions, the amendment before us opens the door to the authorization of majority-crafted spoken prayer in public schools. To say that children need not participate and would, for example, be free to leave the room is to deny the coercive power of peer pressure on young people.

As a Member of Congress, I frequently visit schools. When the prayer in school issue is raised, students are generally divided. But to the question: ''Assuming prayer is required, would you prefer spoken prayer or a moment of silence?'' every class I have spoken to has overwhelmingly indicated a preference for silent prayer or meditation. ''Group prayer,'' one 9th grader told me, ''would embarrass too many of my friends . . . It would be unfair.''

My advice to the students I talk to is to pray at home, pray in church, pray in school and on the playground, but pray in your way, alone with God, and don't forget to pray for tolerance and those of differing faiths.

Moreover, no matter how carefully and sincerely stated, any prayer, especially if written by an official or arm of the State—i.e., teacher, principal or school board—can too easily offend members of one or another Christian denomination. For some, a ''non-denominational'' prayer that makes no mention of Jesus Christ would lack depth. For Protestants and Roman Catholics, the difference regarding the status of Mary and the saints and the role of the church hierarchy is profound.

For Jews and Christians, piety takes very different expressions. For Muslims, prayer involves turning toward Mecca and prostrating one's self. For Islam prayer is adoration of Allah, involving no requests and asking no blessings, as most Christian prayers do. For the son or daughter of Vietnamese-American Buddhists a ''voluntary'' prayer satisfactory to Southern Baptists or the Eastern Orthodox is likely to be unintelligible.

James Shannon, one of the most thoughtful theologians of our times, points out that in

both the Hebraic and Christian traditions, specific modes of prayer, going back to Mosaic and early Christian times, distinctly demarcate the prayer lives of scripturally oriented Jews and Christians. The name of God, Shannon notes, is so sacred in the Mosaic code that it is to be used seldom in prayer or speech. Hence the preference in Hebraic prayers for alternative expressions that praise the majesty and other attributes of God without specifically mentioning the sacred name of Yahweh. For Jews there are right and wrong ways to conduct a conversation with God, and it is unlikely a public school board is a competent institutional forum for developing modes of prayer inoffensive to Jewish students.

At the same time, because prayer is the most intimate expression of the human mind and heart, anything prepared with the specific intent of being inoffensive to all would be form without substance, not prayer in any genuinely spiritual sense.

Such an empty effort would be demeaning to sincerely religious individuals and run the risk of leading children to view religion as just another expression of the hypocrisy they already see in so much of the adult world.

On a more mundane level, the amendment before us would permit—or by some readings even require—the government to fund religious activities on the same basis it does secular activities. This would violate the constitutional principle that taxpayers not be forced to support religious institutions. It would also open the door to an unseemly and contentious competition between religious groups for public funds.

More importantly, government funding inexorably leads to government regulation, which would precipitate a most pernicious unintended consequence. Government regulation would undermine the autonomy of religious organizations and in the process rob churches, synagogues, mosques and temples of the vital prophetic role they play in America's national life.

In the United States there is no state ''Church.'' But by recent count there are thousands of organized religious groups which provide solace and inspiration to the individual believers who belong to them. Without intending to do so the amendment before us could undermine the ability of these institutions to serve as independent, vibrant witnesses to our nation on behalf of the values on which they are founded.

Our founding fathers established a Nation ''under God,'' one in which revolution against British authority was premised upon ''self-evident'' individual rights and an appeal to a higher law of conscience which precedes the more mundane civil laws of society. But in appealing to conscience to justify a revolutionary government, America's first citizens labored carefully to construct, in Jefferson's terms, a wall between church and state.

When erecting this Constitutional barrier between church and state, the crafters of the Bill of Rights looked inward to well as outward and turned a wary eye to the American as well as European experience. They fully understood that it was religious authoritarianism in Europe that drew many of the early settlers to our shores, but that upon arriving in the New World, some like the Puritans invoked a rather exclusionary discipline of their own, with witchcraft trials and stocks and pillories used to coerce alleged nonbelievers. ''Who does not see,'' Madison warned, ''the same authority which can establish Christianity in exclusion of all other religions may establish, with the same care, any particular sect of Christians in exclusion of all other sects?'' The strength of the haven we have provided for oppressed people the world over comes from a tolerance for diversity rather than an enforced conformity.

It is sometimes suggested by politicians that God has been excluded from the public schools and that we must amend the Constitution to put God back into our schools. Is this not blasphemy? Just as the Supreme Court cannot keep God out of our schools, Congress cannot put Him back in. God is not an object like a bicycle or candy bar. He is the Creator of Heaven and Earth, and anyone—adult or child—may speak to Him from the heart whenever and wherever they are moved to do so. As long as human tribulations exist—whether caused by a math test or unreturned glance—prayer will not be locked out of schools.

Twenty years ago, in the seminal decision of the Supreme Court banning group prayer in public school, Justice Hugo Black wrote that the Establishment Clause ''stands as an expression of principle on the part of the Founders of our Constitution that religion is too personal, too sacred, too holy, to permit its 'unhallowed perversion' by a civil magistrate,'' Justice Black went on to say of the faith in the power of prayer which animated so many of the authors of the Constitution:

> These men knew that the First Amendment, which tried to put an end to government control of religion and of prayer, was not written to destroy either. They knew rather that it was written to quiet well-justified fears which nearly all of them felt arising out of an awareness that governments of the past had shackled men's tongues to make them speak only the religious thoughts that government wanted them to speak and to pray only to the God that government wanted them to pray to. It is neither sacrilegious nor antireligious to say that each separate government in this county should stay out of the business of writing or sanctioning official prayers and leave that purely religious function to the people themselves and to those the people choose to look to for religious guidance.

Rather than stifling prayer or religious worship, the principal purpose of the First Amendment is to preserve religion in the United States from the inevitably corrupting influence of secular authorities.

Finally, that individual to whom Christians look first for religious guidance, Jesus of Nazareth, warns in the Sermon on the Mount to ''beware of practicing your piety before men in order to be seen by them.'' He goes on to say in Matthew 6:6, ''When you pray, go into your room and shut the door and pray to your Father who is in secret; and your Father who sees in secret will reward you.''

Prayer is an expression of the individual soul's longing for God as the source of all that is true, good, and beautiful. As such, it is far too central a part of life to be tampered with by any government body, be it a local school board or the Congress of the United States.

While the arguments of those who would tamper with our Bill of Rights are not persuasive to this Member, the premise of their arguments cannot be lightly dismissed. America is indeed in need of a spiritual awakening. Evidence mounts every day of the breaking down of family bonds and governmental ethics. But to transfer to the state responsibilities that historically have been the province of the church and family is the ultimate in welfare statism. Americans must come to understand that there are no easy panaceas to moral challenges and no public substitutes for the inculcation of personal values at home.

As for public life, the best reflection of faith is that of example. There is no substitute.

Mr. CANADY of Florida. Mr. Speaker, I yield 1½ minutes to the gentleman from Mississippi (Mr. WICKER).

Mr. WICKER. Mr. Speaker, I thank the gentleman from Florida (Mr. CANADY) for the time. I rise in enthusiastic support of this legislation today.

The Religious Freedom Amendment would not change the First Amendment to the Constitution, nor has the First Amendment failed this Nation, as some of my colleagues have said today. It is a narrow majority of the United States Supreme Court that has inaccurately interpreted the First Amendment. That is why we are here today.

The fact is that we do have emblazoned on the wall behind me the words ''In God We Trust''. We do have a picture of Moses, one of the great religious leaders of all times. We do begin each session of this Congress with prayer. Oftentimes I might not agree with that prayer, and oftentimes I might not agree with the religion represented, but even so, that in itself is enlightening to me and I am glad for it.

But in auditoriums, gymnasiums and other public buildings around this Nation, people are deprived of that same freedom of religious expression, and that is not what the Founding Fathers intended.

Let me point out, Mr. Speaker, that this debate is not about government-imposed prayer. It is about voluntary prayer. One of my colleagues said he did not want the government writing a prayer for his children. Go back and read this legislation. Nothing in this amendment would allow a school to require prayer or to write a certain prayer for a child. There is no coercion here.

But here is what our children need to know, Mr. Speaker, and this message ought to be sent out from this Congress today: that faith and religious beliefs have always been at the center of this Nation's conscience; that faith-based convictions are an integral part of our Nation today; and that there is no place in America for court-imposed, government-sanctioned hostility to religious expression.

Mr. SCOTT. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I rise in opposition. Religious freedom flourishes in America. Individuals already have the right to pray, talk about their beliefs, express their spirituality, and read scriptures, whether they are in a school, in a courthouse, or on the street.

The most precious thing about that freedom is that it protects individuality. It forces no leaders and demands no followers.

The so-called Religious Freedom Amendment would rob Americans of their individuality. It would break down the barriers between church and State and permit individuals to force their beliefs on others.

Mr. Speaker, this amendment allows the government to endorse a particular religion by displaying certain symbols. It allows the government to fund sectarian groups and creates the likelihood that some groups will be excluded.

Recently conducted polls show that Americans are pleased about their current religious freedom. More than 60 groups representing dozens of faiths are speaking out against this bill. We cannot let one voice take away our freedoms. We must not let the political right take away our religious right. Vote against this.

Mr. CANADY of Florida. Mr. Speaker, I would inquire of the Chair concerning the amount of time remaining on both sides.

The SPEAKER pro tempore (Mr. DICKEY). The gentleman from Florida (Mr. CANADY) has 9½ minutes remaining. The gentleman from Virginia (Mr. SCOTT) has 7¼ minutes remaining.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentlewoman from Idaho (Mrs. CHENOWETH).

Mrs. CHENOWETH. Mr. Speaker, I thank the gentleman from Florida for yielding to me. Mr. Speaker, much has been said in this very interesting debate, and I would just like to put and enter into the record part of what Justice Douglas opined in 1952 in a case entitled Zorach v. Clauson.

Justice Douglas opined that the First Amendment does not say that in every respect there should be a separation of church and state. He wrote that ''it studiously defines the manner, the specific ways, in which there shall be no concert or union or dependency one on the other.'' That is what the Istook amendment continues to clearly define.

Douglas wrote ''That is the common sense of the matter. Otherwise, the State and religion would be aliens to each other, hostile, suspicious, and even unfriendly.'' I do not think anyone in this body would want to see us reach that result.

Douglas went on to write that ''We are a religious people and our institutions presuppose a Supreme Being. When the State encourages religious instruction or cooperates with religious authorities by adjusting the schedule of public events'' or even prayer ''to sectarian needs, it follows the best of our traditions.''

The Justice found that there was no constitutional requirement making it necessary for government to be hostile to religion. In fact, he found quite the opposite. ''The government'', he said, ''must remain neutral when it comes to competition between sects.''

Justice Douglas said, ''We cannot read into the Bill of Rights such a philosophy of hostility to religion.''

The government remaining neutral is exactly what Mr. Istook has drafted into this amendment. It allows for all people of religious convictions to be able to pray.

Mr. CANADY of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Under existing law, if a student group wants to invite a political figure to address their graduation, they may do so. I remember my brother's graduation. Ramsey Clark was invited, and he gave a political speech. If that same group of students invites a religious person, however, that religious person may not give a prayer. That is the Supreme Court ruling in 1992.

A second example: Right now, if a political group wants to hold a meeting and express themselves at a public park, they may do so, and there is no obligation that anybody else must be there to water down what they say.

□ 1445

Democrat, Republican, Libertarian, Communist, Independent, all their speech is permitted, with no obligation for anybody else to have to be there to water down what they say. Yet, if a religious group wants to put up a menorah at Chanukka time or a manger scene at Christmastime, the Supreme Court has held it may not do so unless there are also items of non-religious significance so surrounding the manger, so surrounding the menorah, as to deprive it of its religious content.

This is what is known, rather sadly, as the infamous ''plastic reindeer rule'' of the Supreme Court, that you can only put up a crib at Christmastime if you have enough Frosty the Snowmen, candy canes, snowflakes, and reindeer so as to deprive the religious component of the message.

So I come to the conclusion that given the way the Supreme Court has interpreted the first amendment, religious speech has less protection under our Constitution than does political speech. I do not believe it should have more, but it should not have less.

I quoted two recent Supreme Court opinions that apply in this area of the law. There are others that recently were decided on a 5 to 4 decision going the other way, in fact, going the way that I think it should be, but still, only by 5 to 4. One case dealt with a grant of special education privileges to students who were in particular need of physical rehabilitation, and whether that could be provided on the premises of a parochial school.

The Supreme Court originally said no, I am sorry, you have to take the children down to the fire station, with expense to the school district or to the parents. That was in 1985. Just recently, the Supreme Court eventually got around to reversing itself.

The other recent case is where the Supreme Court said, after a number of years of contrary interpretation, that if a school pays money for some student publications, then it ought also to have to pay money for a school publication by students who have formed a group that is religious in nature.

But look what I have just gone through—two Supreme Court opinions that bind us today that are, in my judgment, quite wrong (that you may only put up a Christmas scene if you have reindeer and that students may not invite a religious speaker who chooses to pray at the commencement address), and two other cases that could have been wrong, but for one Justice.

What we do today is to protect the expression of religion, that it be as fairly allowed in our country as the expression of a political point of view, and we do it the constitutional way.

To those of my colleagues of very good intent who say we must never amend the first amendment, I put to them, please, walk out of our Chamber and look across the street, and they will see the Supreme Court of the United States, where they amend the first amendment regularly. What is wrong with us following the constitutional method, the constitutional route, for doing so?

Let me conclude by saying what is tremendously right about this amendment. If we do not vote for this amendment today, the only way for the States to propose amendments to the Constitution is through a constitutional convention, and then the entire Constitution is open, whereas if we take the narrowly drawn restrictions of the amendment before us today, that is all we put to the States.

We stand in the way of the States' consideration of this amendment. I believe we should vote in favor, to allow the States to amend our federal constitution to guarantee that religion will be on the same level as political speech in our country.

Mr. SCOTT. Mr. Speaker, I yield 3 minutes and 15 seconds to the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Speaker, in 1994 we got a new majority in this body. They came saying that they were part of a conservative revolution. They were going to be conservative. Who would have ever guessed that that conservative group would have introduced 118 amendments to the United States Constitution? Who would have ever guessed that that conservative group would have voted on 10 amendments in one session, 10 amendments to the Constitution in one session of Congress more than the whole 10 sessions of Congress leading up to it? And they called themselves conservatives, protecting conservative philosophy. They must believe that they are smarter than the Founding Fathers.

So here we are today. We can either have George Washington or we can have Istook. We can have Alexander Hamilton or we can have Istook. That is the choice we have. They say they can draft it better, when our Founding

Fathers said it in 10 words: ''Congress shall make no law respecting an establishment of religion.'' They take 86 words to say that they are doing the same thing, using the same word, ''establish.''

If the Supreme Court is having trouble understanding what ''establish'' means in the existing Constitution, how are they going to understand it any better in this Constitution? If the Supreme Court is having trouble deciding what it means to discriminate under the existing Constitution, how are they going to have less trouble understanding it under this Constitution?

If the Supreme Court is going to have trouble understanding what it means to deny equal access under the existing Constitution, how are they going to find out, all of a sudden, because the gentleman from Oklahoma (Mr. ISTOOK) drafted 86 words, and the words of our Founding Fathers were not sufficient? It is a cavalier notion to think that we somehow have a better insight into how to deal with this, with the same words, I might say, than the Founding Fathers.

This is not a conservative proposition we are about, here. Amending the Constitution of the United States is a revolutionary principle. Amending the Constitution is a revolutionary proposition, so they can be true to part of what they said. They said they were going to be a revolution, and they can have a revolution, but if they are true to their word that they are going to be part of some conservative revolution, the principle there is to uphold the most conservative document of our country, the United States Constitution.

Mr. SCOTT. Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. EDWARDS), who has done such a lot of good work on this amendment, and has taken a very courageous stand.

The SPEAKER pro tempore (Mr. DICKEY). The gentleman from Texas (Mr. EDWARDS) is recognized for 4 minutes.

Mr. EDWARDS. Mr. Speaker, America already has a religious freedom amendment. It was not written by the gentleman from Oklahoma (Mr. ISTOOK), and passed through this House after less than 1 day of committee hearings and 2 hours of floor debate. Rather, it was written by Mr. Madison of Virginia, after debating with Mr. Jefferson for well over a decade, 200 years ago. Those 16 words that begin the first amendment of our Bill of Rights have served this Nation extraordinarily well. We should not change it for the first time today.

Mr. Speaker, I would like to respond to some of the things I have heard on the other side of this debate today. First, I have heard that prayer and God have been taken out of our schools. In fact, the gentleman from Oklahoma (Mr. ISTOOK) this morning in a debate with me said the gentleman from Texas (Mr. EDWARDS) wants to take God out of our schools. Nothing could be further from the truth.

I would say, Mr. Speaker, to the gentleman from Oklahoma (Mr. ISTOOK) and others that the God I deeply worship and pray to cannot be taken out of any classroom, anyplace, anywhere in America, any time, not by the Supreme Court, not by any Member of this Congress.

I have heard it said that we are talking about, as we change the Bill of Rights, student-initiated prayer. I must wonder, that begs the question, are we going to have committees of 8-, 9-, and 10-year-old schoolchildren in the first, second, and third grade with the responsibility to defend the constitutional rights of the other children in that classroom? Children who have a hard time picking up their toys at home are going to be laid with the burden of protecting the constitutional rights of other children in their schoolhouses?

We heard this will be voluntary prayer. There is nothing voluntary, Mr. Speaker, about an 8-year-old Jewish child who, because of his faith, must leave a classroom every morning, since 99 percent of the other children in that classroom and 99 percent of the prayers in that classroom are Christian.

There is nothing voluntary about a Christian child having to leave because his parents do not want him to be forced to listen in a classroom that the law says he must attend, in most States, must listen to an Islamic prayer, or some other prayer.

We have heard a lot about tolerance from the other side, Mr. Speaker. Let me tell the Members about the kind of tolerance that has been engendered by the supporters of the Istook amendment.

The Christian Coalition sent out this letter in my district: ''The Edwards bigotry'', and they were saying my bigotry because I simply opposed the Istook amendment, ''The Edwards bigotry directed at Christians and other people of faith is outrageous and must be stopped. His attitudes have no place in Texas or anywhere in America.''

Mr. Speaker, I never thought I would be accused of being un-American because I stand with Jefferson and Madison in defense of that wonderful Bill of Rights. That is not the kind of tolerance we should have. If this is the kind of tolerance and respect we are going to have for diverse religious and political views in every classroom across America, that is the kind of divisiveness our schoolchildren do not deserve.

I have heard that the modern day Supreme Court, the liberal Supreme Court, has somehow prostituted the original intent of our Founding Fathers. Let me first point out that seven of the nine Justices of the modern day Supreme Court were appointed by Republican Presidents, including that well known liberal, President Ronald Reagan.

Let me point out that the gentleman from Oklahoma (Mr. ISTOOK) and I do not have the right to change the Bill of Rights every time we disagree with a court decision. Had we maintained that belief, there would not be a Bill of Rights.

If we pass this today, what is next? Do we amend the freedom of speech, the freedom of association? I ask Members to vote against the Istook amendment. The Bill of Rights have served this Nation well for 207 years.

Mr. CANADY of Florida. Mr. Speaker, I yield the balance of my time to the gentleman from Oklahoma (Mr. ISTOOK).

The SPEAKER pro tempore. The gentleman from Oklahoma (Mr. ISTOOK) is recognized for 3½ minutes.

Mr. ISTOOK. Mr. Speaker, we are closing the debate on general debate, but we will have a further discussion about a proposed amendment in just a moment. I think it is very important that we keep in mind, Mr. Speaker, that I have heard many people say, we do not want majority rule. That raises a lot of questions in people's minds, because most of the Supreme Court decisions which will be corrected by the Religious Freedom Amendment were decided by the narrowest of all possible margins, 5 to 4 on the Supreme Court. But they refused to correct it. They have refused to fix it.

So I guess they do not want the majority of Americans to rule, they only want the slimmest possible majority on the Supreme Court to dictate and say that, in today's era of political correctness, there is not much worse than having somebody offer a prayer if there is someone else in the room that does not want to hear it.

What a false standard. It is not just about freedom of religion, it is about free speech. If we cannot say something to a group unless everybody there agrees with us, we do not have free speech.

□ 1500

And if we are told that we cannot offer a prayer when we are on government property, and that is everywhere today, then we do not have the right to pray and we do not have religious freedom, if we only have it when we are in a confined area, selected for us by the U.S. Supreme Court. We are not advocating government interfere with religion. We are advocating that government stop interfering with religion and stop dumping on the constitutional rights.

Now, I heard the gentleman from North Carolina (Mr. WATT) say, how will the Court understand this any better than the first amendment? Because we have taken the same structure and said, do not have an official religion, but this is what the people's rights are. And we have spelled out what is permitted.

And I noticed, maybe it was a Freudian slip, the gentleman read the first part of the first amendment, ''Congress will make no law respecting the establishment of a religion,'' and he entirely

left out the next phrase, ''or prohibiting the free exercise thereof.'' Because that is what the Supreme Court has done. They have left out the second part of the first amendment.

They have only focused on there cannot be an establishment of religion; and having a prayer in school is the same thing, the same thing as having an officially chosen church for people in the country; and they leave out the next part of the first amendment that says we cannot not prohibit the free exercise of religion. They are so scared that somebody will be offended that they forget that they have offended almost everybody in the process.

How about the people that want to be able to pray in a group? The Lord taught us not only to pray in private and singly but also to pray together. And if my colleagues do not believe that, read the Sermon on the Mount and see where He prayed with multitudes, not just singly or in private.

Mr. Speaker, we believe in traditions of prayer that are both private and public. They are both good. They are both positive. They are both what should be protected by the Constitution of the United States of America.

The Supreme Court has wrongly said we are only going to protect it when it is private or in secret and nobody else knows about it. We want to be able to come together. Come let us reason together. Come let us pray together.

As four Justices in many of those 5–4 decisions wrote, nothing, absolutely nothing is so inclined to foster among religious believers of various faiths a toleration, no, an affection for one another, than voluntarily joining in prayer together. Justices Rehnquist, Scalia, Thomas and White. That is the standard we seek to apply.

Mr. DINGELL. Mr. Speaker, I rise in opposition to the Istook Amendment. The First Amendment already guarantees the Nation religious freedom. Do we really need another guarantee? The Istook amendment is both unnecessary and dangerous. This Amendment is an attack on the balance struck by two centuries of jurisprudence on the separation of church and state. Indeed, this amendment would put American religious liberty at risk.

It seems to me that the Founding Fathers thought a thing or two about religion. And they felt so strongly about it being a good thing that government should leave it alone—that it is a personal matter. Indeed, they told us that ''Congress shall make no law respecting an establishment of religion.'' But today, proponents of this amendment want to make some law on the subject by changing the Constitution. I can only assume that many of the supporters of this language desire to further the Founding Fathers' notion that religion is good. However, that is where they part company.

The Founding Fathers realized that an important, if not the most important aspect of any faith, is to have the freedom to pursue it as one desires. Indeed, it is curious to me that advocates of the virtues of this amendment would go about advancing religion in a fashion that would effectively force religion on Americans in many settings, including our students in their classrooms. Compulsion controverts freedom. Freedom is vital to our democracy. And that freedom is what has allowed religion to prosper here for all these years. Moreover, what seems to be most religiously constructive is for an individual, if at all, to come to a belief on one's own accord. This amendment would permit an opposite result.

The result of this amendment would be that teachers, judges, generals, and wardens could hold prayer sessions with their respective audiences and limit such prayers to their own or the majority faith of the surrounding community. And it doesn't take much to see that, under this amendment, some actions would be permitted which heretofore have been limited by other powers under the Constitution. For example, could a group of high school students engage in sexual activity on school grounds because their particular faith has taken a literal interpretation of the Biblical passage in Genesis instructing humanity to go forth and reproduce? The answer under current law is clear: No. With the amendment, litigation could result because the students' acts might be protected from ''infringement'' or ''discrimination'' by this legislation.

On the matter of prayer in the classroom, government-supported school prayer would make strangers of children who do not share the same beliefs as are being prayed in their own schools. Religious minorities, especially, would suffer. As a practical matter, it is nearly impossible for students who wish not to participate to feel comfortable leaving the classroom. Students will be whip-sawed: excuse yourself and feel ostracized or stay and feel uncomfortable. The prayers could be lead by government officials. Whose prayers could be required for your children? Bahai, Baptist, Catholic, Jewish, liberal, conservative, or Orthodox, Greek or Russian, Muslim, or Mormon.

Already, current law allows for prayer and other religious expression in public schools. This amendment is unnecessary. Students' religious rights are already protected. They can pray individually or in groups and discuss religion in groups. In addition, under the Equal Access Act Congress passed more than a decade ago, schools must give extra-curricular student religious organizations ''equal access'' to space, time, and resources that is provided to non-religious groups.

Regarding religious institutions, this amendment would permit, if not require, government funding. This is not a proper role of government. Government should not be medding in the affairs of institutions of faith or religion. It would violate the conscience of the American taxpayer who would not choose to support the religions that are aided in such fashion. Already, organizations that are religiously affiliated, like Catholic Charities, but which are not pervasively sectarian, can and do receive government grants for social programs as long as they do not advance religion or discriminate or the basis of religion. The amendment would allow taxpayer resources to go to persively religious institutions that would be able to use the funds for their own purposes.

Mr. Speaker, the Constitution should only be amended in rare circumstances and only where necessary. My Republican colleagues view matters differently and propose amendments like this one for political purposes, after only one day of hearings. The reasoned and better approach is not to dismantle our Founding Fathers' wisdom in the Bill of Rights with this amendment. Ours is a proud experiment that has permitted religious freedom to flourish in this country, and we should not change that with a politically-motivated attack on that very freedom.

Mr. STARK. Mr. Speaker, I rise today to oppose House Joint Resolution 78, the so-called ''Religious Freedom Amendment.'' This proposed constitutional amendment would obliterate the separation of church and state and would result in government-sanctioned worship, taxation to benefit religion, and majoritarian oppression.

In order to serve its own interests, the radical right is overlooking what is already current law. Religious expression is protected by the First Amendment, and private religious expression is legal everywhere, including public schools. Under the First Amendment, students can pray silently at any time and even aloud in groups so long as they are not disruptive. Student-led religious clubs can meet on school property to pray and study Scripture. Religious speech in the public square already abounds.

We learned at the beginning of this Republican-led Congress that the government does not hand out money without strings attached. This proposed Amendment to our Constitution goes much further by permitting a wide array of government-sponsored religious expression. It would allow state endorsement and financial support for religious activity not only in schools, but on all public property, including government offices, court houses, and military bases.

It is coercive and vain to impose religion, to require our government to recognize or single-out one faith from another when it is one of thousands of beliefs, faiths, doctrines, and creeds. Allowing government to endorse religion in this way turns religion into a political tool and sends the message that those who do not hold a certain faith are outsiders—and not full members of the political community.

Nearly every mainstream religious group, including the Baptists, the Presbyterians, the Muslims, the Unitarians, the Episcopalians, the Lutherans, and the entire Jewish community oppose this amendment. It is clearly supported by a radical religious minority who seek public endorsement of what should be a private affair.

Rather than promoting religious liberty, the ''religious freedom'' amendment presents a grave peril to the crucial principles protecting religious liberty that are part of the framework of American law. What is not broken needs no repair.

Mr. LEWIS of California. Mr. Speaker, I rise today in reluctant opposition to this proposed constitutional amendment. I have always and will always support voluntary school prayer. I believe the right of all people to worship according to the dictates of conscience is fundamental. Reviewing this amendment, however, I am not convinced amending the Constitution is the right answer to bring prayer back to our schools.

As some constituents in my congressional district have pointed out to me, a Constitutional amendment could do more harm than good. It is quite possible that, if enacted, this amendment could even be used to force children to be subjected to religious briefs well out of the mainstream. At the very worst, this amendment could be used to shoehorn cult-beliefs into our schools. One thing is for certain, enacting this amendment would result in

even more litigation on religious questions going before the same liberal-leaning judiciary.

I have long supported refining the law to allow maximum room for religious expression. You may remember the House of Representatives passed the Religious Freedom Restoration Act in 1993 with my positive vote. But I have been repeatedly dismayed by judicial decisions on religious questions, most recently by the Supreme Court decision in Boerne vs. Flores which overturned the Religious Freedom Restoration Act. I am pleased, however, with the results of the Equal Access Act of 1984 and at least one 1990 Supreme Court decision which got it right. As a result, we now have thousands of voluntary student prayer groups flourishing around the country in public schools as a result.

This is a subject which is very important to me, and I have given it a great deal of thought. It is with reluctance I can not support House Joint Resolution 78, an amendment to the Constitution. Nevertheless, I will continue to work with my colleagues in Congress to find statutory remedies for mistaken decisions of the courts regarding religion.

Mr. POMEROY. Mr. Speaker, I rise in opposition to House Joint Resolution 78, the Religious Freedom Constitutional Amendment. This amendment, which proposes to dramatically alter the First Amendment to the Constitution, is simply unnecessary.

Mr. Chairman, I feel very strongly about preserving the complete freedom of religious expression that is part of what makes this nation great. I also believe that the First Amendment of our Constitution has safeguarded this freedom for over 200 years, and continues to do so today. The First Amendment maintains the delicate balance between the church and state established by the Founding Fathers, and House Joint Resolution 78 threatens this hard-won balance by unnecessarily amending the Bill of Rights of the first time in our nation's history.

However, I do recognize the concerns of several of my colleagues about the impact of certain court decisions on religious expression. Unfortunately, no court can be completely free of human error when interpreting the Constitution. I believe, as do most of my colleagues, that religious expression does have a place in public life. Prayer should not be prohibited in graduation ceremonies. Valedictorians should not be prevented from mentioning God in their speeches. Children should be allowed to engage in voluntary prayer in schools, or anywhere else. By passing House Joint Resolution 78 would not protect religious liberty any more effectively than the First Amendment already does.

Ironically, House Joint Resolution 78 does more to restrict religious freedom than it does to preserve it. By forbidding federal and state governments from denying ''access to a benefit on account of religion'', House Joint Resolution 78 encourages religious organizations to complete for government funding. Because all groups cannot be funded equally, the awarding of government funds represents unofficial government sponsorship of religious organizations. This is the very situation the First Amendment was enacted to prevent. Government funding of religious groups allows government hands into the workings of these groups, makes them financial dependent on government funds, and is just as bad idea.

Mr. Chairman, I believe that House Joint Resolution 78 needlessly tampers with out nation's strong tradition of the protection of religious liberty. We do not need to amend the Bill of Rights for the first time in our nation's history to protect religious freedom in this country, and I would urge my colleagues to oppose this amendment.

Mr. CLAY, Mr. Speaker, I rise in opposition to this measure because its clear intent is not to ensure the freedom to engage in religious activity on public property, but rather to open the door to the diversion of hundreds of millions of dollars from public schools to private religious schools.

I find it ironic that after three failed attempts to get school voucher legislation enacted during this Congress, the Republican majority is now pushing a constitutional amendment that would make public funding of religious schools lawful. We repeatedly told the majority it was unlawful during the floor debates on the various voucher bills, but they rejected our claim and the court decisions that supported it. I am pleased the majority now admits that their voucher scheme was legally flawed, but I continue to oppose direct Federal funding of religious institutions.

The amendment before us states that neither the Federal Government nor any State could deny equal access to a benefit on account of religion. This would mean that whenever public funds are being dispensed to a non-sectarian organization for a program or activity, a religious organization would be entitled to make a claim to the same funding. The religious organization would be free, however, to integrate their philosophy and practices with its service delivery—something that many taxpayers seeking services might find objectionable. But, as a result of this amendment, these organizations would have a constitutionally protected right to do so, no matter whether the focus of the program or activity is education, health care, housing, or criminal justice.

Mr. Speaker, our Founding Fathers did not believe it appropriate for the Government to subsidize religious activity. I believe that, today, this remains a wise policy. The first amendment to the Constitution has served the Nation well for over 200 years by protecting religious expression while also prohibiting Government entanglement in religious practices. This delicate balance should not be disturbed.

Mr. KLECZKA. Mr. Speaker, I rise today in opposition to House Joint Resolution 78 which would amend the constitution to allow prayer in public buildings, including prayer in public schools.

Of the thousands of issues I have debated and cast votes on as a Congressman, none has been more volatile and contentious, nor has any decision been more agonizing than this, because it touches on religious beliefs and practices which are at the very core of our lives. And it is precisely because of the great importance of this issues, to me and to my constituents, that I must oppose this constitutional amendment. There are three reasons for my opposition.

First, the language of H.J. Res. 78 is seriously flawed, will not accomplish what its authors intend, and may in fact invite the very result—government intrusion into private religious beliefs and practices—which its supporters hope to outlaw. Two distinguished constitutional scholars, whose legal and conservative credential are unquestioned, submitted testimony at House Judiciary Committee hearings held on this resolution last summer, and each drew the same conclusion: H.J. Res. 78 is fundamentally and, in their view, fatally flawed.

Consider the observations of Professor Michael W. McConnell of the University of Utah College of Law, ho said: ''. . . the supporters of this amendment are to be commended for continuing to focus public attention on the importance of religious freedom . . . [but] the multiple ambiguities in the current proposal make it an unacceptable vehicle for accomplishing its intended purpose.'' And the statement of Michael P. Farris, a constitutional lawyer and President of the Home School Legal Defense Association, who said: ''I am in full accord with the principle goals of [the resolution's] supporters. I want to fully invigorate the right of the free exercise of religion. I simply point out that I do not believe this language achieves the goals of its well-intentioned supporters in either the free exercise or establishment arena.''

Second, three recent Supreme Court decisions have substantially strengthened the freedoms at issue in this debate: The Court held that private religious speech is a right entitled to as much constitutional protection as private secular speech (Capitol Square Review & Advisory Board v. Pinette (1995)); that it is unconstitutional for a public institution to deny benefits to an otherwise eligible student organization on account of the religious viewpoint of that organization's publications (Rosenberger v. Rector & Visitors of the University of Virginia (1997)); and that its earlier decision forbidding certain types of educational assistance to children attending religiously affiliated schools should be reversed (Agostini v. Felton (1997)). According to Prof. McConnell, the reach of these decisions, along with similar rulings in the U.S. Court of Appeals, ''represent a major step forward, and in fact solve a majority of the problems with [this] constitutional doctrine . . . '' In short, the resolution's broad and ambiguous language would, if adopted, threaten the reasonable gains which these recent Court decisions embody.

Finally, and perhaps most importantly, though, I believe that any constitutional amendment—but especially one such as this which is so central to who we are as a nation and as individuals—should endure debate, examination and scrutiny of the most rigorous standard before it is ratified by lawmakers and the people we represent.

It is no accident that, despite hundreds of attempts, the Constitution of this beloved nation has been amended a mere 27 times since its ratification in 1789, and 10 of those were ratified at once as the Bill of Rights. The original authors understood the importance of this document, and possessed the wisdom to write it as a timeless testament to freedom from oppression and tyranny, political and religious. As I reflect on this blessed history, I harbor no doubt whatsoever that each and every one of those men beseeched his God—the same God to whom we turn every day for guidance—to bestow on him the wisdom to understand the profound historic moment they were creating with His helping hand. That guidance served them well then, serves us well now, and requires no constitutional amendment upon which to draw its strength and purpose.

Mr. POSHARD. Mr. Speaker, after much reflection and careful consideration, I must rise

in opposition to this resolution, a constitutional amendment intended to preserve the freedom of religious expression. This is not a decision I make lightly, and because of the complexity of this issue, I feel compelled to share with my colleagues my thoughts and concerns.

Like most Americans, and I am sure like all of my colleagues, I believe very deeply in our Constitution and its Bill of Rights. Amending this document and altering in any way its fundamental principles, which have guided this nation through centuries of growth and change, is something to be done only in the rarest of circumstances. I have been extremely reluctant to tamper with the delicate balance of political and moral tenets embodied in the Constitution, and I am not prepared to do so today.

For 200 years, the First Amendment has guaranteed the protection of all Americans from government intrusion on religious freedom. Under this amendment, students currently enjoy significant opportunities for religious expression within the school environment. School children are free to say grace before lunch, pray privately, read the Bible during a study period, distribute religious materials to their friends and join voluntary religious clubs. I strongly support a moment of silence in schools, during which students could pray, reflect or meditate according to their own beliefs and desires. However, Representative ISTOOK's amendment would go much further by permitting organized prayer and other sectarian activities in public schools, as well as in other public arenas such as courtrooms and government offices. We cross a dangerous line when we move from respecting a student's right to pray in private to imposing a particular kind of prayer or expression of faith on a group of students regardless of personal choice.

Under the First Amendment, government is not permitted to entangle itself in the affairs of religious institutions. This is a fundamental safeguard which has allowed many religions to flourish in this nation and has provided religion with a large measure of autonomy from government influence. Rather than preserve this separation, the Istook amendment would permit, or even require, the government to fund religious activities on the same terms as secular activities. It would, in essence, allow the use of tax money to advance particular religions, without regard for the personal, spiritual beliefs of individual taxpayers. Furthermore, once religious organizations begin to receive government assistance, they become subject to government restrictions, further infringing upon the fundamental guarantees of the First Amendment.

Mr. Speaker, my faith and religious convictions are deeply held. I unequivocally support the right of all Americans to practice and express their personal religious beliefs and the right of all students to worship privately in a school setting. However, I believe that we already have a Constitution and Bill of Rights which guarantee these freedoms. We must remain vigilant and ensure that government continues to respect and protect the freedom of religious expression that has been enjoyed in America for over 200 years. But we must not allow government to become entangled with religion in such a way that the delicate balance constructed by our Founding Fathers is upset. I will therefore vote against this amendment, secure in the conviction that the deeply personal choices inherent in religious faith should remain not with government, but with the individual where they belong.

Mrs. EMERSON. Mr. Speaker, I rise in strong support of H.J. Res. 78, the Religious Freedom Constitutional Amendment. I am proud to be an original cosponsor of this bill and would like to thank the author, Congressman ISTOOK, and Judiciary Chairman HYDE for their hard work on this critically important issue.

President Reagan once remarked, ''The First Amendment of the Constitution was not written to protect the people of this country from religious values; it was written to protect religious values from government tyranny.'' President Reagan recognized that the Founding Fathers did not intend for the First Amendment to limit or prohibit all religious expression in public life, which has been the unfortunate interpretation of liberal courts and high-minded bureaucrats. The courts and bureaucracies have systematically eroded our First Amendment right, which is why the legislation before us today is so necessary.

One of the most glaring injustices resulting from liberal court rulings is the restriction of voluntary school prayer. It is a disgrace that the law actually discourages children from religious expression. I have authored a Constitutional Amendment, H.J. Res. 12, to reaffirm the right to voluntary school prayer, and H.J. Res. 78 would also achieve this important goal.

I urge a strong yes vote on the Religious Freedom Constitutional Amendment.

Mr. WELDON of Florida. Mr. Speaker, I rise in support of H.J. Res. 78, a Constitutional Amendment restoring religious freedom, of which I am a cosponsor, because I believe strongly that it is necessary to restore the rights of individuals to freely express their religious convictions wherever they may be: the workplace, a school, or on government property.

It is essential that we ensure the religious liberties guaranteed in the Constitution to all Americans. I believe that in many instances, the pendulum has swung in the opposite direction and, in response to fears of lawsuits, government and school officials have been overly restrictive and, in many cases, have denied individuals their Constitutional rights to express their religious views in the public sphere. Also, in the workplace some employers have silenced religious expression because of fear of lawsuits by employees who are intolerant of religious expression.

It is wrong for a teacher to give a child a failing grade because the child chose to write their school assignment on Jesus Christ. It is also wrong to stop a child from saying a blessing over their meal at the school cafeteria. Also, it was wrong for the courts to rule that a moment of silence at public school is unconstitutional because it could be used by students for silent prayer. These acts have silenced religious expression and run counter to the First Amendment.

This Constitutional Amendment declares that people have a right to pray and to recognize their religious beliefs, traditions, and heritage on governmental property and in schools. In addition, it states that the government cannot require people to participate in religious activities, discriminate against religion, initiate or designate school prayers, or deny equal access to a benefit because of a religious affiliation. I rise in full support of this amendment which will remedy the damage done by past court decisions that have silenced religious expression.

Mr. PORTER. Mr. Speaker, I rise in opposition to the resolution offered by my good friend from Oklahoma, Mr. ISTOOK. Our first Congress carefully drafted the First Amendment of the Constitution to include special protections for religious freedom. The government may not impose or establish religion, nor may the government restrict individuals from practicing their religion.

I believe that the First Amendment and the Equal Access Act adequately protect religious liberty in public schools and other public places. The Supreme Court already permits voluntary, individual prayer in public schools. Given the degree to which American school children and their teachers enjoy the right to freedom of religion, the proposed constitutional amendment seems entirely unnecessary.

My opposition to this proposed constitutional amendment does not reflect hostility toward religion. To the contrary, I am sure that all citizens treasure the religious freedom we enjoy in our country. For well over 2000 years, the First Amendment has guaranteed our right to worship as we choose, while at the same time guaranteeing our right to be free from religious coercion, We already have a ''Religious Freedom'' amendment, it is the First Amendment, and it has served our nation well.

Mr. COSTELLO. Mr. Speaker, I rise today in opposition to the Istook Amendment. I believe prayer, reflection and spiritual observation are important individual liberties—liberties that are already protected by the First Amendment. Our First Amendment freedoms are the basis of our democratic institution. It is precisely because of these constitutionally protected freedoms that our country has flourished.

At a time when most Americans want the government to leave them alone, the Istook Amendment injects the federal government into an argument where it is not needed—to regulate prayer in our nation's classrooms. The Religious Freedom Amendment would authorize government-sponsored prayer; I think this sets a very dangerous precedent. The government should not be in the business of approving or disapproving specific prayers in public places—including schools. The government instead should be working to keep our constitutionally-protected right to freedom of religion. Today, America's school children can and do pray in their own schools, during recess, at breaks and before and after they go to school. The lesson to pray is one taught by their parents at home, not by their public school teacher.

The Istook Amendment is a threat to preserving our freedom to worship as we see fit and without government interference. Will schools and the government begin to decide which prayers and which religions are ''good'' for our children? In my opinion, this opens the flood gates for community division based on religious beliefs. If a school has a class of Catholic, Muslim, Baptist and Jewish students, what time do each of them pray? Are some students excused so that an organized section of school time can be set aside for a specific religion's prayer? These children now pray as they are allowed under the First Amendment. Nothing more is necessary.

I can think of few issues other than school prayer which create such a debate on this

House floor and across the Nation. I would like to point out again we already have voluntary prayer in schools. Quiet moments or periods of reflection, before school meetings and after-school religious clubs have been protected by our courts and by Congress. Thousands of students across the country are exercising their right to express and debate their religious views at school.

I am also concerned that this amendment could mandate the use of public funds to support private schools. We have many problems in our education system. We will have many more if we allow limited tax dollars to be diverted to nonpublic education. Rather than siphoning money away from public education, we should focus on fixing the problems so that all school children will benefit. It is bad public policy to abandon our federal commitment to public education. What will happen to students left behind in public schools when their resources are given away?

Mr. Speaker, America's children have all of the protection they need without further government oversight of school prayer. I urge my colleagues to vote no on the Istook Amendment.

Mr. HOSTETTLER. Mr. Speaker, I rise in reluctant opposition to this amendment because I understand the motivation behind the Religious Freedom Amendment, or RFA, and share its supporter's frustration with the Supreme Court's misguided applications of the First Amendment.

But the RFA is the wrong means to instruct the Court. In fact, I fear that should the RFA be ratified, supporters of religious freedom will—for a short-term gain—jettison the very heritage they seek to protect.

My colleagues, the RFA is not a clarification of the First Amendment, it is a new amendment.

This becomes clear when we consider the establishment clause of the First Amendment, which we are today seeking to amend.

The establishment clause states, as it has since 1791, that ''Congress shall make no law respecting an establishment of religion.''

This clause is not without meaning.

Let us first take the term ''Congress''.

This term clearly limits the application of the clause to the federal legislature, not to the states. In fact many states had established religion at our nation's founding. Massachusetts, for example, paid the salaries of the Congregational ministers in that state until 1833—42 years after the ratification of the First Amendment.

Indeed, it was even proposed but then rejected by Congress to directly apply the religious clauses of the First Amendment to the States.

In 1876, eight years after ratification of the Fourteenth Amendment, Congress considered a constitutional amendment introduced by Senator James Blaine of Maine.

The Blaine amendment read: ''No state shall make any law respecting an establishment of religion or prohibiting the free exercise thereof. * * *'' This amendment was debated at length and defeated in the Senate.

With this clear legislative precedent, one must wonder how the establishment clause came to be applied to the States.

Well, the fact is that it did not occur until 1947.

In that year, the Supreme Court—for the first time—decided that the establishment clause should apply to the states.

The Court found—despite a complete lack of historical evidence—that the phrase ''liberty'' in the Fourteenth Amendment included, or in their words ''incorporated'' the establishment clause. Keep in mind, the Fourteenth Amendment was ratified eight years prior to the Blaine amendment's failed attempt to apply establishment principles to the states.

Since 1947, the Court—with its newfound power over the states—has prohibited all 50 states from allowing prayer, Bible reading, and the posting of the Ten Commandments.

What has the Supreme Court's application brought us? A severe curtailing of the public expression of religion.

As Mr. ISTOOK has pointed out, in nearly every state of the nation our local and state officials have come under the control of the Supreme Court not only out of touch with the Constitution, but also a Supreme Court with its own policy agenda.

And herein lies my first objection to the RFA.

Rather than keep the control over the public expression of religion with state and local government—as did the First Amendment until 1947—the RFA legitimizes the Supreme Court's control.

If this amendment is ratified, our states will forever lose their ability to define the appropriate level of public expression of religion.

The RFA is not a clarification, it is a new amendment.

So what did the establishment clause prohibit Congress from doing? It says ''Congress shall make no law respecting an establishment of religion.''

What is an establishment?

Clearly, it refers to the appropriate level of expression of religion either on public property, by public officials, or through public funds.

What level of public expression of religion constitutes an establishment has been the subject of much debate.

Opinions currently range from those, on the one hand, like Justice Joseph Story in 1833 and the House and Senate Judiciary Committees in 1853 and 1854, who believed that establishment means a national church or denomination, to, on the other hand, the current Supreme Court which believes that any government action that might advance religion constitutes establishment.

Whatever the historical meaning of the term ''establishment,'' I have reservations about the RFA's apparent re-interpretation of that term.

The language of the RFA suggests that any action beyond ''acknowledgment'' or ''recognition'' of God is in violation of establishment.

Indeed the entire amendment is prefaced on the mere right to ''acknowledge.''

Does this mean that thirty years from now we will be told by the Supreme Court that mentioning the Bible, or wearing a cross, or crossing yourself, is prohibited by the RFA because it goes beyond acknowledgment and into the particular?

Does this mean that school prayers which go beyond simple recognition will be forbidden?

What about worship?

Time will tell.

Or maybe I should say, a future Supreme Court will tell.

The First Amendment is not the problem. The Constitution is not broken.

The problem we face is with judicial misinterpretation, or misapplication, which Congress could address, if it had the will.

What we are really doing here, my friends, is redefining the meaning of religious freedom which was cherished and flourished until 1947—when a Supreme Court on its own agenda—ventured into the policy arena.

We are limiting religious freedom under the RFA to the right to merely acknowledge or recognize.

I do not believe that the RFA will restore true religious freedom in America.

Mr. PACKARD. Mr. Speaker, I rise today in support of H.J. Resolution 78, the Religious Freedom Amendment. This bill will guarantee that individuals may recognize and express their religious beliefs, heritage or traditions anywhere in America, including public schools.

Let me point out that H.J. Res. 78 does not mandate religious worship in public schools, allow the government to promote religion, or force people to pay taxes to support religion. In fact, it specifically states that ''the government shall not require any person to join in prayer or other religious activity.''

The Bill of Rights guarantees the freedom of religion, not freedom from religion. I find it very disturbing that while the courts support the rights of everyone from flag burners to Klansmen, activist judges continue to restrict religious expression anywhere and everywhere in America.

The Amendment we are debating today is very simple. We are not just protecting any particular religion or set of beliefs. This amendment protects the very foundation this nation was built on and it should be supported by every Member of this body. Mr. Speaker, this is a subject of deep personal conviction for me. Again, I rise to support the Religious Freedom Amendment.

The SPEAKER pro tempore (Mr. DICKEY). All time for general debate has expired.

AMENDMENT OFFERED BY MR. BISHOP

Mr. BISHOP. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BISHOP:

Page 3, line 18, strike ''acknowledge God'' and insert ''freedom of religion''.

Page 4, beginning in line 1, strike ''discriminate against religion, or deny equal access to a benefit on account of religion'' and insert ''or otherwise compel or discriminate against religion''.

The SPEAKER pro tempore. Pursuant to House Resolution 453, the gentleman from Georgia (Mr. BISHOP) and the gentleman from Florida (Mr. CANADY) each will control 30 minutes.

PARLIAMENTARY INQUIRIES

Mr. ISTOOK. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ISTOOK. Mr. Speaker, I want to make sure that everyone understands, the amendment that is offered by the gentleman from Georgia (Mr. BISHOP), which is very worthy of consideration, actually has two different topics that are addressed in it. I believe under the Rules of the House that it is proper to request a division when it comes time to vote so we will have separate vote on the first issue and then a separate vote on the second one.

I want to make a parliamentary inquiry if that is correct and if it is at this time or a later time that I need to make the request for the division.

The SPEAKER pro tempore. The gentleman may make that request now.

Mr. ISTOOK. Mr. Speaker, I request that when the vote is called upon the amendment now before the House, that the question be divided so that we may vote separately on the first part relating to the mention of God, and the second part separately relating to benefits.

Mr. SCOTT. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SCOTT. Mr. Speaker, I would ask if this is permissible under the rule that was adopted for the consideration of the bill.

The SPEAKER pro tempore. The rule does not prohibit a division of the question for the purposes of voting on the amendment.

Mr. ISTOOK. Mr. Speaker, I request that division.

The SPEAKER pro tempore. The question on adopting the amendment will be divided between the first instruction to strike and insert on page 3 and the second instruction to strike and insert on page 4.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. BISHOP).

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

Mr. Speaker, this is a very, very serious and profound amendment. And as all of the speakers thus far indicated, this is not to be taken lightly.

I offer an amendment to the Istook amendment. While I am a cosponsor of Istook, I do believe that Istook can be improved upon to meet some of the objections raised by the critics. But before I get into the details of my amendment, I would like to make some general comments.

Many years ago in England, Charles Dickens wrote in his book, A Tale of Two Cities, that it was the best of times and it was the worst of times. Today, here in America, I am reminded of those words, for we, too, have the best yet the worst of times.

On the one hand, times are good. The economy is booming; the stock market is soaring; employment is up; wages are up; inflation down; interest rates down; corporate profits up. The deficit is coming down. The budget is on the way to being balanced. The major crime rate is down. More people are healthier and have access to health care than ever before. Things appear to be going well.

But, on the other hand, there are strong indicators that our morals have decayed and that too many of our children are not learning and living the high moral values and do not have the respect for human life and human property.

Youth crime and violence is up. Children are breaking and entering and stealing guns and ammunition and opening fire on their teachers and their students, and youngsters angry at parents set fire to the beds that they are sleeping in, killing them without remorse.

Drive-by shootings in urban and rural areas killing rap stars and innocent babies persist. Drugs, dropouts, hopelessness, 12- and 13-year-olds fully believing that they will not live to see their 21st birthday. Yes, it may be the best of times, but it is also the worst of times.

When I was a boy growing up in Mobile, Alabama, each and every day for 12 years I started school with The Lord's Prayer, the Twenty-third Psalm, the Pledge to the Flag, and My Country Tis of Thee. The stated moral values that are repeated day in and day out in those passages of the respect for the flag, the patriotism learned from the pledge and the song gave generations of students, including me, a foundation of character, patriotism and love for our country.

That is not so today. For over 30 years with the series of Supreme Court decisions, the pendulum has swung away from the freedom of religion that was envisioned and embraced by the Founding Fathers, to a wall of separation, of hostility and of contempt for the expression of religious faith in public places, including our schools.

There is now more protection for nude art and pornographic literature than there is for religious expressions in public places. That, Mr. Speaker, is simply not right.

So I congratulate the gentleman from Oklahoma (Mr. ISTOOK) for leading the effort to restore religious freedom to our public life. I am a cosponsor of the Istook amendment, and I intend to vote for it. But I believe that it can be perfected and it can be made just a little bit better.

The first portion of my amendment, which has been asked to be divisible, would establish as the amendment's purpose to secure the people's right to freedom of religion, as opposed to the committee's version, which would secure the people's right to acknowledge God.

Because God is a term that is used in western religions to refer to a deity, but other religious faiths use other terms rather than God, such as Allah or Vishnu or Shiva or Brahma, in the case of Hinduism, or Kami, in the case of Shintoism. And some such as Taoism do not center themselves about a deity.

I believe, Mr. Speaker, that in order to make the Istook amendment more ecumenical so that it will not be targeted to those of us who share the Judeo-Christian faith but rather open to reflect the diversity of all of America's religions, I believe that it would be appropriate for us to amend that language.

The second part of my amendment would simply remove some of the language that has been criticized by speaker after speaker today, and that is the language that is called the equal advice language that would remove the denied equal advice to a benefit language and prohibit the United States or any State from requiring any person to join in prayer or other religious activity, prescribe school prayer or otherwise compel or discriminate against religion.

This would eliminate a lightning rod for litigation or what would constitute equal access. Here we are dealing with something that is obviously going to cause reasonable minds to disagree. Rather than fret over that, if we can protect religious expression and carefully crafting the language so as not to invite disagreement, I believe we can accomplish the purpose.

Mr. Speaker, I do not have all of the answers to what is happening in our society today. But I believe that the values that I learned day in and day out for 12 years reciting those passages of scripture, the prayer, pledging to the flag and singing My Country Tis of Thee helped give me a grounding in values and respect that seems to be devoid with today's generation.

It is my hope that by the adoption of the language in the Bishop amendment that we would be able to accomplish the purpose of restoring the right of people to stress their religious heritage and faith in public places, including schools, without discrimination and without the ethnocentric or Judeo-Christian emphasis on an anthropomorphic God.

I would ask the Members of this House to consider if they do not feel comfortable voting for the Istook amendment as drafted, here is something that they can vote for. It answers the problems that many of the critics have raised, and it still accomplishes the purpose.

If this amendment is adopted, our Constitution would simply have these additional words: to secure the people's right to freedom of religion according to the dictates of conscience, neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. Neither the United States nor any State shall require any person to join in prayer or other religious activity, prescribe school prayers or otherwise compel or discriminate against religion.

Here we have it. Fully balancing the right to participate and to express religious traditions and faith or not to do so. Not tipping the balance one way or the other.

I would like to ask that Members consider this is not coercive, this is not a religious test for benefit of government. In fact, we remove the benefits language altogether. It is clear that there will be no establishment of a religion. It is clear that people will be allowed to recognize their beliefs and heritage on public property, including

schools and that that will not be infringed.

□ 1515

How will that happen? People say we do not want to embarrass a child. This will foster diversity. One of the beautiful things about America is that we have a diverse population. And as early in life as school children can learn that there are differences that need be respected, the better we will be and the better they will be as adults. So if they can learn to hear dissenting or differing views in the proper context on an equal basis, that would, I believe, stimulate the democratic principle of diversity and would help us to have a much more congenial society, helping us to be able to disagree agreeably.

I believe that if we adopt this language, this will take place.

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

Mr. CANADY of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do rise in opposition to this amendment. I want to acknowledge that the gentleman who is proposing this amendment has been a supporter of the underlying proposal and I appreciate his support for this proposal. I respect his motivation in offering these amendments. I understand that he believes that this is a way to improve and perhaps make the amendment somewhat less controversial, but I must strongly oppose the amendment offered by the gentleman from Georgia, notwithstanding my respect for his intentions.

I would just ask that the Members focus on exactly what the proposal of the gentleman from Georgia would do. It essentially has two provisions, as he has explained. I think if we look at these two provisions, we should conclude that this amendment is not worthy of adoption by the House.

The first provision in this amendment would simply remove the reference to God in the phrase ''to secure the people's right to acknowledge God according to the dictates of conscience.'' It would take that reference to God out of this proposed amendment to the United States Constitution.

The other provision that the gentleman has proposed would eliminate the prohibition on the denial of equal access to benefits on account of religion that is contained in the amendment.

I believe that both of these proposals would move the amendment in exactly the wrong direction. I would simply ask Members of the House to consider, what is the problem with recognizing the people's right to acknowledge God according to the dictates of conscience? I am afraid that this amendment that the gentleman is proposing fits in with the prevailing politically correct view that it is somehow inappropriate or offensive to mention God in our public life. That is one of the things that we are attempting to combat with this particular amendment.

Again, I am struck by the irony that we would be considering a proposal to remove God from the underlying amendment as we stand here in this Chamber debating, when on the wall inscribed above the Speaker's chair are the words ''in God we trust.''

Mr. BISHOP. Mr. Speaker, will the gentleman yield?

Mr. CANADY of Florida. I yield to the gentleman from Georgia.

Mr. BISHOP. Mr. Speaker, the gentleman is aware that nowhere in our existing Constitution now does the word ''God'' appear, not even in the First Amendment. And while we recognize that on our money and in the Constitutions of most States the word ''God'' does appear, not in the supreme law of the land, our United States Constitution.

Mr. CANADY of Florida. Reclaiming my time, Mr. Speaker, I understand the gentleman's point, but I think that the fact is that I believe in all 50 State Constitutions reference to God is made. In our Declaration of Independence reference is made to the Creator. Throughout our life as a Nation references have been made to God in public documents and public events. So to attempt to cleanse the underlying amendment of the word ''God'' I think is simply moving in the wrong direction and is inconsistent with the fundamental purpose of this amendment.

I would just suggest to the Members that they look at what this amendment would do and judge it in light of the history of our Nation and in light of the 50 State Constitutions.

Turning to the second part of the amendment, which would remove the prohibition on the denial of benefits on account of religion, I would simply ask, why should anyone, any individual or any institution, be denied a benefit on account of religion? Why should we allow that to take place?

Why should any person or any institution be subjected to a disadvantage because of that person or institution's religious nature or religious activity? It seems to me to allow such a policy of disadvantaging people and institutions simply because they are religious is the antithesis of our goal of protecting the free exercise of religion. Indeed, to deny a benefit on account of religion is to punish the free exercise of religion.

I am not suggesting that the gentleman from Georgia intends to punish the free exercise of religion. I do not believe that is his intention. But I would have to submit to the gentleman and to the Members of the House that I believe that that would be the result, the unintended result of the adoption of the proposal that he is advancing.

It makes no sense to deny someone or some institution a benefit on account of religion. That is not what the First Amendment was intended to do. It is a perversion of the First Amendment that we see court decisions and other governmental decisions that have had that impact, and I believe that the underlying amendment, in its provision prohibiting the denial of equal access to benefits on account of religion, is very much on target in correcting a very real problem that exists. I would suggest that we would be stepping very much in the wrong direction to adopt the gentleman's proposal on this point.

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

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

The gentleman spoke to the striking of the portion that refers to God. It is clear that we have more religions in this country, we have a very diverse country, and that there are a number of religions where the deity is referred to by a name other than God.

The gentleman and I share a common religious heritage and of course God is certainly appropriate in our faith. However, there are other religions which we are duty bound as upholders of the Constitution, in providing equal protection of all of our laws, to support. For example, the term Allah in the religion of Islam, which they believe means the one and only God; or Vishnu, Shiva, Brahma in the case of the religion of Hinduism; Kami in the religion of Shintoism. Then there is the religion of Taoism which is not centered around a deity at all.

And with the complete diversity that our country now shares, it would seem totally inappropriate for us to introduce for the first time into the supreme law of the land, our Constitution, the word ''God'' to the point that it would discriminate against all of these other religious heritages and traditions. For that reason, for that reason only, we want to make it sectarian, neutral and ecumenical, so that rather than saying to secure the people's right to acknowledge God, that we say to secure the people's right to freedom of religion and that protects whatever that person's religious heritage might be.

Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. BALDACCI).

Mr. BALDACCI. Mr. Speaker, the gentleman's amendment is going to make some technical changes that are going to make an objectionable bill a little bit better. It is going to delete provisions saying that governments cannot deny equal access to benefits on the basis of religion. But still, in the underlying bill, as it was in 1960 for President Kennedy, as it is for us today and for the Founding Fathers when this country was established, there has been a belief in a separation of the church and State which is absolute.

This amendment is in search of a problem. It is based on the false premise that the Constitution merely prohibits the establishment of a national religion. In fact, the first Congress considered and rejected earlier drafts of the First Amendment that would have simply prohibited a national religion. So this amendment would effectively permit the government to sponsor religious expression.

The Bishop amendment is going to go to make these technical changes, but the underlying amendment to the Constitution that is being proposed is an amendment that would effectively permit the government to sponsor religious expression. Whose prayer will be used? If prayers are read over the intercom, where do students go who object to prayer going on during that time? Would the government be required to financially support religions, and which ones?

The fact remains that religion has not been shut out of the public square or public school. Court decisions have reaffirmed the right of private citizens to erect religious symbols in public areas and to have access to public facilities for religious activities. Under the Constitution as it stood for the last 200 years, individuals in public schools and other public places clearly have the right to voluntarily pray privately and individually, say grace at lunchtime, hold meetings of religious groups on school grounds, use school facilities like any other school club, and read the Bible or any religious text during study hall, other free class time or breaks.

This amendment, the underlying amendment to amend the Constitution, in fact would significantly harm, not help, religious liberty in America, and is contrary to our heritage of religious freedom that has ensured our Nation's current separation of church and state. It seems very ironic, Mr. Speaker, that in 1960 when President Kennedy was going around trying to make sure that people understood that there was a separation, that we seem to be trying to embrace it today.

Mr. CANADY of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. MCINTOSH).

Mr. MCINTOSH. Mr. Speaker, I thank the gentleman for bringing this bill to the floor. I rise in opposition to the amendment.

More than 100 years ago our young Nation faced the first great test in its dedication to the principle that all men are free. In that Civil War more than 600,000 soldiers gave up their lives, more casualties than any other war in our country's history, for the moral cause of ending slavery and securing freedom.

During that war, the abolitionist Julia Ward Howe visited a Union camp near Washington, and amidst the carnage of war, the valor and courage she saw there inspired her to write one of our Nation's favorite songs, the Battle Hymn of the Republic. The final stanza of this hymn is particularly moving to me:

''In the beauty of the lilies Christ was born across the sea, with a glory in his bosom that transfigures you and me. As he died to make men holy, let us die to make men free, while God is marching on. Glory, glory, hallelujah.''

Today in this Congress we fight a new moral battle. Through this battle we will determine whether or not our sons and daughters will be free to practice their faith in accordance with their conscience and whether the constitutional guarantees that our Founding Fathers wrote into that document of religious freedom will live on or will perish.

Over the last 30 years, the Supreme Court has failed to apply the true meaning of the First Amendment. In case after case the court has chosen to support not freedom of religion but freedom from religion. It rulings seek to systematically wipe out any manifestation of faith from every part of the public sphere.

For example, one of the most endearing memories that I have in my first term of Congress was when I spoke to a graduating class in Triton High School at Shelby County, Indiana. Every graduating senior said a prayer for his or her classmates that day, yet the Supreme Court would not let them have a minister come and say an invocation.

□ 1545

That is freedom from religion, not freedom of religion.

In another part of my district, in Parker City, Indiana, the Indiana Civil Liberties Union sued the local school district to stop a 30-year-old tradition of staging a live nativity scene during the Christmas holidays. The court in that case forbade the children from participating in the nativity scene during school hours and banned the nativity scene from the school grounds. Again, this is not freedom of religion, it is freedom from religion.

These battles continue today. In Elkhart, Indiana, the Indiana Civil Liberties Union is suing once again, this time to remove the 10 Commandments from a pillar that was erected as a monument to World War II 40 years ago. Again, freedom from religion, not freedom of religion.

The monument in question was donated to the city by the Fraternal Order of Eagles in a Memorial Day ceremony in 1958. In that ceremony, local protestant, Catholic and Jewish clergy all spoke and endorsed the monument. It happens to include two Stars of David, a Pyramid with an Eye, a Christian Kairos symbol, an eagle and a flag.

What do the opponents have against the 10 Commandments? Is it the first commandment, ''You shall have no other gods before me''? Or the second commandment, ''You shall make for yourself no graven image''? Or the third commandment, ''You shall not take the name of the Lord your God in vain''? Or is it the fourth commandment, ''Remember the sabbath day and keep it holy''? Or the fifth commandment, ''Honor your father and your mother''? Or the sixth, ''Thou shalt not kill''? Or maybe the seventh commandment, ''You shall not commit adultery.'' Is it the eighth commandment, ''You shall not steal''? Or the ninth, ''You shall not bear false witness against your neighbor''? Or maybe the 10th commandment, ''You shall not covet your neighbor's property.'' What is it that they oppose from having that posted on that pillar?

America was founded so that all men and women would be free to worship God. The future of that freedom is at stake in today's vote.

My colleagues, I ask you for a moment, let us put politics aside. Above us are the words ''in God we trust.'' I ask you to search your heart and decide whether you will be on the side of freedom or the side of repression. Will you make the same commitment today that the Union soldiers of the Civil War made 140 years ago to the freedom of all human beings?

Let us all, Republicans and Democrats, put aside politics and vote for the freedom of religion amendment. Let us restore freedom of religion and not freedom from religion in the Constitution. Let us vote yes so that when we look back on this day, it will one day be said, ''As He died to make men holy, we lived to make men free.''

God bless you all.

Mr. BISHOP. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of the Bishop amendment. I do so because I have basically been taught that the true mark of statesmanship is to seek common ground and find it, and then proliferate it and show it so that others can see it.

I believe that that is exactly what the Bishop amendment attempts to do. It attempts to put in broad perspective the freedoms that we have in this country to worship as each individual determines. I listened to the last speaker talk about the idea of freedom to make men holy, to make men free, to allow each and every individual to do in a way his own kind of worshiping. The only thing that I have heard today that actually would do that would be the Bishop amendment.

I would urge my colleagues, those who are in favor, those who are against the main idea, to look at the Bishop amendment as a way of providing something for everybody in America relative to religious freedom. I thank the gentleman for his amendment.

Mr. BISHOP. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. HEFNER).

Mr. HEFNER. Mr. Speaker, I am a little bit confused. The Istook amendment I would like if only the Baptists were protected and we can set the prayer and whatever. But that is not what we are talking about.

But the way I understand it, and I hope the gentleman from Florida is listening, he objects to taking out the word ''God'' in this amendment. If you do that, do you exclude the Muslims, do you exclude the Buddhists or what have you, which is not something that is high on my agenda, I do not understand those religions, but if the amendment is to have a freedom of religion,

and these are classified as religions, they can only have a prayer that says ''God.''

Mr. CANADY of Florida. Mr. Speaker, will the gentleman yield?

Mr. HEFNER. I yield to the gentleman from Florida.

Mr. CANADY of Florida. Mr. Speaker, no one is excluded from this protections of the amendment any more than people or ideas are excluded by the words ''in God we trust'' here on the wall of this Chamber.

Mr. HEFNER. The point I am trying to get at, we spend lots of money to get elected to come here. We do not have to come for the Pledge of Allegiance or whatever. But in these other areas where you are talking about, these children come and some of their parents are Muslim, all different kinds. In that context, if the word ''God'' is in there, then you are excluding some people. It seems to me that you would say that you will not infringe on the religious beliefs.

Mr. CANADY of Florida. If the gentleman will yield, I simply think the gentleman is mistaken about the impact of the language. No one would be excluded from the protections of this amendment. All religions would be protected, all people of faith, and, quite frankly, people not of faith are protected.

The problem we are trying to get at in this amendment is there has been a desire to kind of exclude people of faith from the public arena and any reference to God or faith in the public arena. That is what we are trying to address. I understand the gentleman's concerns. I simply do not think they are well founded.

Mr. HEFNER. What I am getting at, a Muslim child or their parents are Buddhist, they could not say the prayer, could they?

Mr. CANADY of Florida. Again, if the gentleman will yield, that is simply not accurate.

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

I have to point out in response to the gentleman from Florida that it is clear from the wording of the first sentence of this amendment that everything that follows is prefaced as its purpose upon securing the people's right to acknowledge God. This is a technical amendment. I am trying to help the committee's amendment and the Istook amendment by at least making sure that no one is discriminated against, that any religious tradition or belief is protected, not just those people who want to acknowledge God, whom I would want to acknowledge, but there are Muslims, there are Taoists, there are Shintos, there are Hindus, there are Buddhists, there are Zoroasters. All of these religions deserve the same protections if they are practiced by people who have the protections of our Constitution.

Unless this language is changed, I believe that this amendment will be fatally flawed, because it is targeted solely at those people who believe in God. All I want to do through my amendment is to broaden it to the point where it protects the freedom of religion, whatever that religious tradition might be, whether it is the practice of worshiping God, as I do, or Allah or any of the other of the world's recognized religions.

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

Mr. INGLIS of South Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding me this time.

I want to start off by saying I have great respect and sincerity for my friend from Georgia, but I disagree with him on this particular issue in terms of using the word ''God.'' I think removing the word ''God'' is not just a casual suggestion or a technical correction. It is a very meaty change to the gist of this.

In fact, what many people want to do is acknowledge God, not to the exclusion of other religions but to say that God is the head, regardless of what you call him. We think God is great. We think God is good. We want to have the word God in there. Guilty as charged.

The words up here that I look at, in God we trust, should we say in blank we trust? Or maybe instead of saying God Bless America in the great song, maybe we should say fill-in-the-blank bless America. Or in the Pledge of Allegiance, one Nation under fill-in-the-blank with liberty and justice for all.

At some point, you have to say, enough is enough.

Today, Mr. Speaker, we have lots of constitutional scholars. People are coming out of the woodwork as constitutional experts today. I am glad. I did not know we had 435 of them in this Chamber. It is going to be something good for all issues from here on out.

But whenever you bring out something simple, like allowing children in a school to have a student-led prayer for somebody who has a sick mother or before a football game or before a graduation, you get all these experts in there. You know, are these things really to be feared? A prayer before graduation? A prayer before a football game? Somebody's mother gets sick and you say, let us all pray for Susie's mother who was in a horrible car wreck. Are these things to be feared?

These prayers will not be headed by the teachers. The school cannot endorse a religion. The school will not be funding religions. But the rhetorical terrorists who are against this and generally against school prayer would have you believe that we are trying to publicly finance religion. It is not the case.

Vote down this amendment. Vote for the legislation. Let us give our school kids the right to enjoy prayer before football games.

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

Mr. Speaker, I appreciate the comment of my colleague from Georgia. However, I must respectfully disagree with him. This is a very fundamental question of tolerance and fairness.

I think that the intent of this amendment is good. The intent of the Istook amendment is good. I certainly intend to vote for the amendment, because I think it is high time that we protect religious freedom. However, the only way that we can protect religious freedom is to protect everyone's right to worship in his or her tradition. This use of the word capital G-o-d, God, is a term that is used in the Judeo-Christian tradition. It is not used in the Muslim tradition or the Hindu tradition or the Buddhist tradition or the Taoist tradition or the Shinto tradition.

For that reason, if we are going to be the land of the free, the home of the brave, if we are going to allow equal opportunity for all to enjoy the protections of this amendment and not just those people who believe in God, then we ought to say, ''In order to secure the people's right to freedom of religion,'' whatever that religion may be.

Mr. Speaker, may I inquire of the time remaining?

The SPEAKER pro tempore (Mr. DICKEY). The gentleman from Georgia (Mr. BISHOP) has 7½ minutes, and the gentleman from South Carolina (Mr. INGLIS) has 17 minutes.

Mr. BISHOP. Do I have the right to close, Mr. Speaker?

The SPEAKER pro tempore. No, the gentleman from South Carolina has the right to close.

Mr. BISHOP. On my amendment, sir?

The SPEAKER pro tempore. The gentleman is correct.

Mr. INGLIS of South Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HOUGHTON).

(Mr. HOUGHTON asked and was given permission to revise and extend his remarks.)

Mr. HOUGHTON. Mr. Speaker, I respect the gentleman from Georgia (Mr. BISHOP). He has talked eloquently about a very, very sensitive subject. There is no question that this amendment improves the bill. However, it does not change the basic premise of it, that is, a bill which I basically oppose.

It is hard to sort out the issues here, because both sides claim they are on the side of the righteous. Since 1995, we have had a religious equality amendment and a religious liberty amendment, and now we have got a religious freedom amendment. What are we trying to do? Who are we trying to help? What are the facts?

□ 1545

Well, the facts are, as I see them, these:

This is a constitutional amendment. It will alter the First Amendment's religious clause for as long as we can see; and, thirdly, it expands government's involvement in religious activities, and

is this really what we want? When I was elected here in 1986, one of the premises on which I came down here was to try to get government out of peoples' lives.

I received a letter 2 days ago from an 83-year-old lady in my district, and let me just read you part of it:

> I remember when there was mandatory prayer in my public school. Before the prayer, which was recited by the teacher, those who were non-Christians had to leave the room and stand in the hall until the prayer was over. I am a Christian, but I decried this practice then and I do now 60 years later. The Supreme Court did not take God out of our schools. Parents have taken God out of their children's lives by not praying with them. People are screaming to get the government off our backs, but they turn around now and want the government to tell our children how to pray, a function which is only between them and God.

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

Mr. Speaker, I would hasten to point out that there is nothing in the Istook amendment nor the Bishop amendment that would require that any school child have to stand outside because they disagreed with a prayer that was being said. Nothing in this amendment would require such nonsense, and if it were ever implemented in such a way that require such nonsense, then I would be the first to urge the ACLU and every opponent to take the necessary steps to see that those school boards discontinue such practice.

Mr. Speaker, that would be nonsense to do that, and neither this amendment, the Bishop amendment, nor the Ishtook amendment would countenance such conduct.

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

Mr. INGLIS of South Carolina. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. BOEHLERT).

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, we are taking an extraordinary and an unprecedented step even though we are not actually confronted with any problem. Every study demonstrates that Americans are by far the most religious people in the industrial world. Students can voluntarily pray and study scripture in school and other public facilities. Religious education at church and parochial schools and home is thriving. The United States remains a beacon and a sanctuary for those seeking religious freedom.

It simply is untrue to say that students are prohibited from praying in school. Indeed, Time Magazine just recently devoted an article to the explosive spread of voluntary student prayer clubs.

Now I understand the sentiments that motivate people in support of this amendment. Many of us have the feeling that families have weakened, that morality is not what it once was, that society has become more violent. But these problems cannot be addressed by eliminating basic constitutional protections.

Let us not allow legitimate concerns about morality to curdle into an effort to restrain religious freedom. Americans are already God-fearing people. There is no reason to make them fear their Constitution.

PARLIAMENTARY INQUIRY

Mr. EDWARDS. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore (Mr. DICKEY). The gentleman will state his parliamentary inquiry.

Mr. EDWARDS. Mr. Speaker, I would like to inquire, as we debate this fundamental issue dealing with whether the word ''God'' should be in our Constitution and the issue of whether there should be funding of religious organizations with taxpayer dollars, that fundamental issue, do I understand that under the rules of this bill, that Democrats who would respect the point of the gentleman from Georgia (Mr. BISHOP) but who would oppose his amendment were not given any block of time? Is that correct?

The SPEAKER pro tempore. The time was divided under the rule.

Mr. EDWARDS. So under the rule on this fundamental issue dealing with the Constitution and the First Amendment, Democrats were not given a block of time to even debate this issue which, regardless of one's point of view, is an extremely important debate.

The SPEAKER pro tempore. It was not directed to any one side. It was divided between the proponent of the amendment and a Member opposed.

Mr. EDWARDS. I understand. Mr. Speaker, I think that makes my point.

Mr. INGLIS of South Carolina. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I think this is an important amendment because really it goes right to the heart of what we are talking about here. What the gentleman from Georgia (Mr. BISHOP) would like to do is strike out the words ''to acknowledge God'' and to replace them with a more generic sounding series of words, and really that is sort of the nub of the issue about this amendment. I think that this is why the underlying language is the better language rather than the proposed amendment.

The reason for that is this: I think the Founding Fathers fully anticipated that there would be a public expression of a private faith. They did not want a public expression of a public faith. They had experience with that, with the king, and they did not like that. It turned out to be a corrupt system, really more corrupting the church than the state.

But they did not want that. They did not want a public expression of a public faith, but they surely expected a public expression of a private faith, and that is what we are here debating, is the ability of Americans to express their private faith publicly, to go to the public square and to have the rights that everyone else has in the public square.

Now I think if the Founding Fathers were here present they would think, now this is rather strange that they are taking time on the floor to discuss this because surely this is what we intended, a public expression of a private faith. Why do they need to reiterate this? Well, the reason is unfortunately a series of decisions and a whole milieu that is created out of those decisions makes it so that we have to reiterate this.

The last speaker at this podium said something about the explosive growth of prayer groups in schools and the ability of students to pray. Well I think it is interesting. Yesterday I met with a recent graduate of Riverside High School in Greenville, South Carolina, a young man named Allan Barton. Allan formed a Bible club at school, and as my colleagues know, in what some would consider the shiny buckle on the Bible Belt, that is, my hometown, they were not allowed to meet.

In fact, the principal of the school said, ''Oh, my goodness, horrors. No, we couldn't do that.'' The school board said they could not do that, and it took this high school student, Allan Barton, courageously and not in a militant way, but rather in an appropriate and a respectful way going before the school board repeatedly to say, ''Please, let us get together as a group of students and study our Bibles just like the chess club can get together.''

As my colleagues know, it is interesting that again in what some people would consider the shining buckle in the Bible Belt, it was a split decision at the school board. It was a close vote as to whether this student would be allowed to have a Bible club at Riverside High School. Well, thankfully we won, and yesterday I presented him with a certificate thanking him for his work on establishing the principle of religious freedom in Greenville, South Carolina, at Riverside High School.

Now what I think this indicates is we have come a long way. This started out saying the Founding Fathers thought we had a public expression of a private faith. The gentleman from Georgia (Mr. BISHOP) wants to take out those words and make it more generic so that basically we are not acknowledging God, we are sort of acknowledging something generic.

Well, I think that is a mistake because what we are trying to do here is say clearly to Allan Barton at Riverside High School, ''Allan, you're right. You obviously have a right to meet equal to the right of the chess club.''

Now thankfully the school board in Greenville decided to go along with him, but that was after the Rutherford Institute threatened to sue, and it should not be that it takes a threat of a lawsuit in order to enforce our constitutional rights. In fact, we should be able to exercise those rights without seeking redress to the courts. These are rights under the Constitution.

So I would ask my colleagues to vote against the Bishop amendment and

vote for the underlying language because we need to reestablish this principle.

Mr. BISHOP. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, the previous speaker apparently is a little bit confused in suggesting that we would in our amendment take out the word ''God'' and acknowledge something generic. All we are trying to acknowledge in the language that would be substituted is the title of the very amendment that we are voting on, the Religious Freedom Amendment, and we are saying that the purpose is to secure freedom of religion. It is titled the Religious Freedom Amendment, RFA.

Why that would be ironic or contrary to the desires of people who want to have the Religious Freedom Amendment passed, I do not know. It seems to me to make good sense. It is ecumenical. It will support and protect the religious traditions of all people, not just those people who believe in the God, capital G-O-D. It would reflect those who believe in any other deity or no deity.

I personally am Christian. I believe in God, in Jesus. However there are others who do not, and I respect their right under this Constitution of the United States to that belief.

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

Mr. CANADY of Florida. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, I would like to focus on the words behind you, and I sure do not want to change it to ''In Religious Freedom We Trust.'' It has the word ''God'' in it. And Lewis Farrakhan, time after time I have heard him refer to God. When I was in Egypt President Sadat said, ''Intrahlah,'' which means, ''In God we trust,'' and that was out of his own words ''in God.'' Mostafa Arab on my staff at National University came to me and asked me, said, ''Duke, can I pray to my God?'' which was Allah, and I think that is correct. I think by using the word God, if the gentleman were saying Jesus Christ, then maybe he would have a point, but we use God for all different religions, and from what I have heard all different religions use God.

Mr. BISHOP. Mr. Speaker, will the gentleman yield? I will yield him back the same amount of time I consume.

Mr. CUNNINGHAM. I yield to the gentleman from Georgia.

The SPEAKER pro tempore. The time of the gentleman from California (Mr. CUNNINGHAM) has expired.

Mr. BISHOP. Mr. Speaker, I yield myself 30 seconds.

In the context of this amendment it is spelled capital G-O-D, which is specific, as opposed to the context in which the conversation the gentleman had where it was used, it was a small g-o-d; to my god, it would be a small g-o-d. In that context it is not universal.

In the context that we want to put it in the Constitution it should be universal, and that is why we are asking to substitute that language of the Religious Freedom Amendment, to protect, to secure freedom of religion.

The SPEAKER pro tempore. The time of the gentleman from Georgia (Mr. BISHOP) has expired.

Mr. BISHOP. Mr. Speaker, I yield 10 seconds to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. In Vietnam even Buddhists dispense with the ''God'', and I do not know of any religion that uses ''God'' with a little G. To all of us it is a big G just like it is up here, and let us not change this to religious freedom. Let us keep it ''In God We Trust.''

□ 1600

Mr. BISHOP. Mr. Speaker, in Islam, the god is Allah, which means the one and only god, with a small ''g.''

Mr. CANADY of Florida. Mr. Speaker, I yield 2½ minutes to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I want to thank all of the participants for this debate today. I think this is a very important debate.

Just the other night, all of us were invited to a presentation by the local public television station. They are doing a three-part series on the Face of Russia. It was interesting, because the public television group has gone over there. They spent 5 years making this film. And on the cover of this invitation, there is a picture, a replication, of the Holy Icon of Vladimir.

Now, they also asked us to watch an 18-minute video which talked about Russian culture. In that video, fully two-thirds of the time was taken talking about the influence of religion on the Russian culture. Perhaps I was the only one in that audience, knowing that we were going to have this debate later on this week, who saw the irony, that you cannot talk about the culture of Russia without a serious discussion of the effects of religion on that culture. Yet here in the United States we are almost barred today from having an honest discussion of the influences religion has had in our culture.

That is why I think this is an important debate.

We can debate, and I think the gentleman from Georgia (Mr. BISHOP) is, in effect, saying, yes, it is time that we have this debate; the courts have gone too far. And we can argue about the language, and perhaps this amendment will not pass today, but this is not the end, this is the beginning of a very important debate to return some form of balance to our public discourse and the influence that religion has on our culture.

Let me also suggest it was about a year ago that his All Holiness, Bartholomew, the head of the Greek Orthodox Church, came to this Capitol and received the Congressional Gold Medal. When he gave his remarks after receiving that medal, he said some very important things. He talked about religion in the Eastern European continent, particularly in Russia, and what an influence religion had had.

When his All Holiness closed his remarks that day, he closed with a very powerful statement, because he said that he had been following the religion and the effects of communism on religion in the Eastern Bloc, and he said this, and we ought to all be reminded. He said, ''Faith can survive without freedom, but freedom cannot long survive without faith.''

I think that is important for us to discuss as we discuss this important amendment. This is a very important discussion. It is time for us to restore balance in the public square and the influence that religion has had upon our culture.

I thank the gentleman for bringing this amendment forward, and I thank the gentlemen for the debate.

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

Mr. Speaker, I would like to, first of all, thank the committee for giving us this opportunity to debate this very, very important issue. I would like to thank the gentleman from Oklahoma (Mr. ISTOOK) for his courage in bringing the matter forward. I would like to thank the ranking member, the gentleman from Michigan (Mr. CONYERS) and his staff, and the gentleman from Florida (Mr. CANADY) and his staff for the courtesies they have offered to me in helping us get to the floor with this, as well as the chair of the Committee on Rules and the Committee on Rules for their kindness and courtesy in helping us fashion this debate so that we could have a full and thorough discussion.

Mr. Speaker, I return back to my opening remarks, that it is the best of times, yet it is the worst of times. We have a great economy, things are going well, but we also have a society that has deteriorating moral values. Our youth seem not to have the values of generations past, and unless we try to recapture those values, our society will be lost.

I believe the 30 years of Supreme Court rulings that have erected this artificial wall between our religious faith and traditions and our public life and our schoolchildren has led us down a primrose path to destruction, and I regret that very much. I hope that through the passage of this amendment, perfected by the Bishop amendment, that we will be able to stem that tide and we can move America into the next millennium with a glorious and bright future.

As I prepare to take my seat and close, I do not know whether this amendment will pass or not, but I leave you with the words that come from one of the Hebrew writers in the Book of Chronicles: ''If My people which are called by My name shall humble themselves and pray and seek My face and turn from their wicked ways, then will I hear from heaven, will forgive their sins, and will heal their land.''

Let us pass a religious freedom amendment. Let us pass the best possible religious freedom amendment, and hopefully it, in part, along with our other efforts, will help to heal our land.

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

Mr. CANADY of Florida. Mr. Speaker, I yield the balance of my time to the gentleman from Oklahoma (Mr. ISTOOK).

The SPEAKER pro tempore (Mr. WICKER). The gentleman from Oklahoma is recognized for 6½ minutes.

Mr. ISTOOK. Mr. Speaker, let me begin with the highest words of praise for the chief Democratic cosponsor of this legislation, the gentleman from Georgia (Mr. BISHOP). I have the highest, highest opinion of his courage, his commitment, his dedication, his efforts.

I know it has been a difficult experience, some of the experiences which the gentleman has gone through on this, and I appreciate his efforts to try to make sure that this legislation is in the best possible form.

As we all know, we are part of the process that includes consideration of the constitutional amendment not only by the House but by the Senate, and we go through a perfecting process, trying to listen at every stage, trying to learn from that.

When I began efforts on this amendment about 4 years ago, we frequently had meetings with 40 or 50 people at a time to try to get a multitude of opinions, and some did not necessarily support the effort. I met with them privately. I met with people who were adamantly in favor of the status quo and did not want anything done. I still met with them.

I even went to the national convention of the group which has financed and pushed so many of these lawsuits. It is a kind of an offshoot of the ACLU called Americans United for Separation of Church and State. I accepted an invitation they were gracious enough to extend to speak to them at their national convention. It was not exactly a friendly reception. But we have all sought to listen and learn, and the lesson ought to be that we ought to understand to be tolerant.

As the Supreme Court justices who dissented from these decisions said, if we will listen to one another, we will develop not just a tolerance but an affection for each other's faith, rather than trying to conceal the fact that there are some differences.

Justice Potter Stewart dissented from the original school prayer cases, saying you cannot conceal the fact that there are differences, and if you try to conceal it and keep it out of the schools, all you will do is make the problem worse. And the problem has become worse, with people saying, I have a right to shut you up because I do not like the way you may pray or maybe I do not like prayer at all.

Now, the amendments of the gentleman from Georgia (Mr. BISHOP), I do not favor them, but I told the Committee on Rules and everyone for years, I support his right to offer those and make sure important issues are addressed.

I believe that we should do what every State in the Union does, which is have an expressed reference to God in the Constitution. In 42 of the 50 States, they do not say ''creator,'' they do not say ''supreme ruler of the universe,'' they say either ''God'' or ''Almighty God,'' and I think that it is proper and in tune with the best traditions of this country to say the same thing.

There is no functional difference between this and the language of the gentleman from Georgia (Mr. BISHOP), but I do think there is an important thing that resonates with the American people. Regarding the language should government benefits be denied to someone on account of religion, should they? We already have Supreme Court decisions that permit it. But the Supreme Court has been going back and forth on it.

We have hundreds of millions of dollars each year that go into social service programs run by churches, including over $1 billion a year to Catholic Charities, USA. We have Pell grants, student loans and GI benefits that go not only to public universities and colleges but also to church ones, whether it be the university where I attended, Baylor University, or Georgetown or Notre Dame or Southern Methodist or whatever it might be.

This is nothing new or different. We are not talking about funding religious activity. But there have been a series of court attacks, and the court's rulings have been one of these precarious 5–4, and this time 5–4 in favor of it, and we wanted to preserve that, lest the court go off and say, we are going to start saying if your group is connected with a religion you are disqualified from any sort of Federal benefit program.

So I know that it invites people to try to claim that we are financing churches, which is not the case whatsoever. We are not requiring any money to go to any group. We are just saying if the government funds some activity for some public purpose, then you do not disqualify somebody from participating just because they may be related to church.

It might be useful to look at the cover story of Newsweek Magazine this week, which is about this very thing, how groups fighting crime, fighting drugs, fighting teenage pregnancy have such higher success rates if they are based in churches and they are faith-based.

We want those programs to be able to continue, because they are good and because they work, and they work so much better because they appeal to values. That is why some people, perhaps, are afraid of prayer in school, because they say, my goodness, the idea of talking about values is threatening.

Sure, parents ought to be talking about it. But do we say that parents, you do your job at home and, by the way, we are going to take your child away for most of the day and put him in school, where they do not have the possibility of the same influences and the same values that you taught at home?

That is the captive audience; not the ''captive audience'' so-called of someone who says, ''I do not want to hear a prayer; therefore, these court decisions give me the right to make you stop it.''

What has happened to our society as that has happened? Look at the guns, the knives, the drugs, the teenage pregnancies in public schools, and you tell me we do not need to make sure that values are repeated every time we can?

And you cannot separate them. You cannot separate them from the moral basis, and you cannot separate a moral basis from a religious basis. Government should never insist, never, never, never, never, never, that people have a particular faith or they be compelled to pray, and this amendment makes sure they never will. But it stops the practice of government interfering and silencing people.

Mr. Speaker, I am thankful for the opportunity to present this. I urge Members, with or without the Bishop amendments, to vote for the Religious Freedom Amendment.

The SPEAKER pro tempore. All time for the debate on the amendment has expired.

Pursuant to House Resolution 453, the previous question is ordered on the amendment offered by the gentleman from Georgia (Mr. BISHOP).

The question on adopting the amendment has been divided between the first instruction to strike and insert, on page 3 of the joint resolution, and the second instruction to strike and insert, on page 4 of the joint resolution.

The question is on the first divided portion of the amendment offered by the gentleman from Georgia (Mr. BISHOP).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. ISTOOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently, a quorum is not present.

The Sergeant at Arms will notify absent Members.

Without objection, after this 15-minute vote on the first divided portion of the Bishop amendment, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the second divided portion of the amendment.

There was no objection.

The vote was taken by electronic device, and there were—yeas 6, nays 419, not voting 8, as follows:

[Roll No. 198]

YEAS—6

Bishop	Fawell	Jefferson
Davis (IL)	Hoyer	Lantos

NAYS—419

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—8

Furse
Gonzalez
Lewis (GA)
McDade
McKinney
Mollohan
Reyes
Ros-Lehtinen

□ 1633

Ms. EDDIE BERNICE JOHNSON of Texas and Messrs. OXLEY, ANDREWS, BILBRAY and SOUDER changed their vote from ''yea'' to ''nay.''

Mr. Jefferson changed his vote from ''nay'' to ''yea.''

So the first divided portion of the amendment was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. WICKER). The question is on the second divided portion of the amendment offered by the gentleman from Georgia (Mr. BISHOP).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. ISTOOK. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a five-minute vote.

The vote was taken by electronic device, and there were—ayes 23, noes 399, not voting 11, as follows:

[Roll No. 199]

AYES—23

Berry
Bishop
Boucher
Clayton
Clyburn
Danner
Ehrlich
Fawell
Fowler
Green
Jefferson
Johnson, E. B.
Klink
Lazio
Martinez
Ortiz
Paul
Payne
Scott
Spratt
Tanner
Watt (NC)
Wynn

NOES—399

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clement
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)

Quinn	Shadegg	Thomas
Radanovich	Shaw	Thompson
Rahall	Shays	Thornberry
Ramstad	Sherman	Thune
Rangel	Shimkus	Thurman
Redmond	Shuster	Tiahrt
Regula	Sisisky	Tierney
Riggs	Skaggs	Torres
Riley	Skeen	Towns
Rivers	Skelton	Traficant
Rodriguez	Slaughter	Turner
Roemer	Smith (MI)	Upton
Rogan	Smith (NJ)	Velazquez
Rogers	Smith (OR)	Vento
Rohrabacher	Smith (TX)	Visclosky
Rothman	Smith, Adam	Walsh
Roukema	Smith, Linda	Wamp
Roybal-Allard	Snowbarger	Waters
Royce	Snyder	Watkins
Rush	Solomon	Watts (OK)
Ryun	Souder	Waxman
Sabo	Spence	Weldon (FL)
Salmon	Stabenow	Weldon (PA)
Sanchez	Stark	Weller
Sanders	Stearns	Wexler
Sandlin	Stenholm	Weygand
Sanford	Stokes	White
Sawyer	Strickland	Whitfield
Saxton	Stump	Wicker
Scarborough	Stupak	Wise
Schaefer, Dan	Sununu	Wolf
Schaffer, Bob	Talent	Woolsey
Schumer	Tauscher	Yates
Sensenbrenner	Tauzin	Young (AK)
Serrano	Taylor (MS)	Young (FL)
Sessions	Taylor (NC)	

NOT VOTING—11

Brown (OH)	Hunter	Mollohan
Dreier	Lewis (GA)	Reyes
Furse	Markey	Ros-Lehtinen
Gonzalez	McDade	

□ 1643

Mrs. ROUKEMA changed her vote from ''aye'' to ''no.''

So the second divided portion of the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1645

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the joint resolution, as amended.

The question is on engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SCOTT

Mr. SCOTT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the joint resolution?

Mr. SCOTT. Mr. Speaker, I am opposed to the joint resolution.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SCOTT moves to recommit the joint resolution H.J. Res. 78 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the resolving clause and insert in lieu thereof the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

''ARTICLE —

''Congress shall make no laws respecting an establishment of religion, or prohibiting the free exercise thereof.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Florida (Mr. CANADY) will each be recognized for 5 minutes.

The Chair recognizes the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, this motion to recommit simply restates the first amendment to the Constitution which, as we know, says: Congress shall make no laws respecting an establishment of religion or prohibiting the free exercise thereof. Any further amendments to our Constitution in the guise of protecting religious liberty are unnecessary.

Mr. Speaker, under current law, students can pray and read the Bible privately; they can say grace at lunch and distribute religious materials to their friends and join voluntary religious clubs. The United States Department of Education has issued guidelines on religious expression that have been mailed to 15,000 public school districts in the Nation making it clear that schools are not religious-free zones.

In those few instance where a student's religious speech has been unfairly denied, the law already has sufficient remedy. Education is the key to correcting the mistakes of teachers and educators, not an attack on the Bill of Rights.

Mr. EDWARDS. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Texas.

Mr. EDWARDS. Mr. Speaker, Congress shall make no laws respecting an establishment of religion or prohibiting the free exercise thereof. For 207 years those eloquent words embedded in our Bill of Rights have protected America's religious freedom. Perhaps the single greatest contribution of our experiment as a Nation and democracy is the contribution of the freedom, the religious freedom that we have ensured to all of our citizens from all backgrounds as a result of these very words.

Today, Mr. Speaker, we have heard Members say they admire the Bill of Rights. We have heard Members say they cherish the Bill of Rights. We have heard Members say they respect the Bill of Rights. Well, now all the Members of this House today will have the right to vote for the Bill of Rights; and not only the Bill of Rights, but the first 16 words of the first amendment dealing with religious liberty.

Mr. Speaker, this is a very clear vote. It is very simple. If Members vote for this motion to recommit, they are voting to endorse the first 16 words of the first amendment. If they vote no and then vote for the Istook amendment, they are voting to change the Bill of Rights for the first time in our Nation's history.

But what I would suggest at this moment that the Bill of Rights needs is not just respect or just those who cherish it or admire it, but the Bill of Rights deserves Members of this House voting for it. I urge a vote for the motion to recommit.

Mr. SCOTT. Mr. Speaker, reclaiming my time, the first amendment to the Constitution and the first 16 words of the Bill of Rights have never been amended. They have served us well for over 200 years. This first amendment offers us all the protection we need against religious discrimination and to avoid the strife which has saddled other areas of the world with religious strife, killings, murders for many years.

I urge my colleagues to support the motion to recommit and to reaffirm our belief in the first amendment to the Constitution.

Mr. CANADY of Florida. Mr. Speaker, as the gentleman has indicated, the motion to recommit would simply result in the reenactment of language that is already in the Constitution in the first amendment to the Constitution.

As we have discussed repeatedly throughout this debate, those of us who are in support of the underlying proposal find no fault with the first amendment to the United States Constitution. We believe that the framers of the first amendment were wise in the words they chose. The problem we have is with the interpretation that the courts and various other government officials have placed on those words of the first amendment.

Now, the truth of the matter is, if the motion to recommit were to be adopted, it would simply endorse the status quo. It would simply endorse all of the decisions that have trampled on the free exercise of religion in this country. It would endorse a situation which we are faced with in this country today where students giving commencement addresses are faced with the prospect of being fined by a Federal court if they mention the name of God. That is what is going on. That is what courts in this land are doing, and it is not right.

It is not what the Founders intended. It is not what the framers of the first amendment intended. It is wrong, it is an injustice, and we have a responsibility to correct it.

The Subcommittee on the Constitution of the Committee on the Judiciary held hearings all over this country. We heard from more than 70 witnesses. Many of those people who came to testify before the subcommittee told us of the ways in which their religious freedom had been trampled on under the status quo, and we need to do something about it.

Mr. Speaker, we are the people's House. We have a responsibility to ensure that the rights of the people, the free exercise of religion are respected in this country. And people who want to reinforce protection for religious freedom will reject the status quo. They will reject this motion to recommit and will support the bill.

Mr. ISTOOK. Mr. Speaker, will the gentleman yield?

Mr. CANADY of Florida. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Speaker, a vote for the motion to recommit is a vote for the status quo. It is a vote for all the court decisions that have restricted religious liberty. It is a vote for the Stone v. Graham case whereby, 5 to 4, the Supreme Court said the Ten Commandments cannot be on the wall of a public school. Four justices said they could stay; 5 said they have to come down. If Members vote yes, they are voting they have to stay down.

A vote for this is a vote for the Lee v. Weisman decision, where they said that a Jewish rabbi's prayer at a school graduation was unconstitutional, a 5–4 decision. If Members vote for the motion to recommit, they are voting for the five Justices that said the rabbi could not pray with these kids at that graduation. If they vote against it, they are voting for the four Justices that said it was wrong.

We have had a lot of court decisions. If Members vote for this motion to recommit, they are endorsing each and every one of them.

They are endorsing the decision where Judge DeMint in Alabama ruled in Federal court that the schools are permanently enjoined, Members would be endorsing the court interpretation under which he issued an order which reads that the schools are permanently enjoined from permitting prayers, biblical and scriptural readings and other presentations or activities of a religious nature at all school-sponsored or school-initiated assemblies and events including, but not limited to, sporting events, regardless of whether the activity takes place during instructional time, regardless of whether attendance is compulsory or noncompulsory and regardless of whether the speaker is a student, school official, or nonschool person.

That is what they are doing under the misinterpretations of the first amendment. That is why we need the Religious Freedom Amendment.

If Members want to keep with the current court decisions, tell that to this first grader, Zachariah Hood, who was told he could not read a story from the Beginner's Bible that did not even mention God but was told by a Federal judge he cannot read that story at school. Not because there is really anything religious about the particular story he chose but simply because it came from the Beginner's Bible.

That is what the courts are doing and twisting and distorting the first amendment and what is meant to be a guarantee of religious freedom in the United States. That is why Members should vote no on the motion to recommit and yes for the Religious Freedom Amendment.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. SCOTT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule XV, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage of the joint resolution.

The vote was taken by electronic device, and there were—ayes 203, noes 223, not voting 7, as follows:

[Roll No. 200]

AYES—203

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Becerra
Bentsen
Berman
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Ensign
Eshoo
Etheridge
Evans
Farr
Fattah
Fawell
Fazio
Filner
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gilchrest
Gilman
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Leach
Lee
Levin
Lewis (CA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Moran (VA)
Morella
Murtha
Nadler
Neal
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Porter
Poshard
Price (NC)
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schumer
Scott
Serrano
Shays
Sherman
Sisisky
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stump
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOES—223

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Foley
Fossella
Fowler
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson, Sam
Jones
Kasich
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryun
Salmon
Sandlin
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Furse
Gonzalez
Lewis (GA)
McDade
Mollohan
Reyes
Ros-Lehtinen

□ 1714

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. WICKER). The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 224, noes 203, not voting 7, as follows:

[Roll No. 201]

AYES—224

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Ensign
Everett
Ewing
Foley
Forbes
Ford
Fossella
Fowler
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Gingrich
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson, Sam
Jones
Kasich
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
Lazio
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryun
Salmon
Sandlin
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOES—203

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Becerra
Bentsen
Berman
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fawell
Fazio
Filner
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gilchrest
Gilman
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran (VA)
Morella
Murtha
Nadler
Neal
Northup
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pickett
Pomeroy
Porter
Poshard
Price (NC)
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schumer
Scott
Serrano
Shaw
Shays
Sherman
Sisisky
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stump
Stupak
Tauscher
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
White
Wise
Woolsey
Wynn
Yates

NOT VOTING—7

Furse
Gonzalez
Lewis (GA)
McDade
Mollohan
Reyes
Ros-Lehtinen

☐ 1724

The Clerk announced the following pair:

On this vote:

Ms. Ros-Lehtinen and Mr. Mollohan for, with Ms. Furse against.

So (two-thirds not having voted in favor thereof) the joint resolution was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SENSE OF CONGRESS THAT THE PRESIDENT SHOULD RECONSIDER DECISION TO BE FORMALLY RECEIVED IN TIANANMEN SQUARE BY PEOPLE'S REPUBLIC OF CHINA

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 454 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES 454

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the resolution (H. Con. Res. 285) expressing the sense of the Congress that the President of the United States should reconsider his decision to be formally received in Tiananmen Square by the Government of the People's Republic of China. The resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion except: (1) one hour of debate on the resolution equally divided and controlled by the Majority Leader or his designee and a Member opposed to the resolution; and (2) one motion to recommit.

The SPEAKER pro tempore (Mr. GOODLATTE). The gentleman from Florida (Mr. DIAZ-BALART) is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. SOLOMON).

(Mr. SOLOMON asked and was given permission to revise and extend his remarks.)

Mr. SOLOMON. Mr. Speaker, I rise in very strong support of the legislation and the rule.

Mr. Speaker, nine years ago the world witnessed the massacre of at least a thousand people by the Communist Chinese regime in a place called Tiananmen Square.

It was one of the most brazen and contemptible acts of terror by a government in recent history, violating all internationally recognized human rights, and cutting to the core against one of the most cherished American values, that of freedom of political expression.

Yet in a few weeks, the President of the United States will condone that terrorist act by the Communist Chinese regime, place those internationally recognized human rights on the back burner, and throw those cherished American values into the trash can by being formally received by the Butchers of Beijing right in that very place where the massacres occurred!

For years, Mr. Speaker, I have been appalled and aghast at the depths of shamelessness to which this administration has sunk in its cowardly but relentless effort to appease the government of Communist China, but this decision by President Clinton is the topper.

At least one can make a plausible-sounding, even if incorrect, case for granting Most-Favored-Nation trade status to China. But how in the world can this totally indecent decision be defended?

What reason could possibly be good enough? Are there jobs at stake if the President doesn't go to Tiananmen Square?

Would China perhaps do something irrational in its foreign policy if President Clinton doesn't go to Tiananmen? Of course not.

The only reason for President Clinton to engage in this full-blown publicity stunt for the Butchers of Beijing is the same reason that explains all of the rest of his appeasement policies toward China.

This administration has long since lost any sense of a moral compass when it comes to foreign policy, period.

The administration that said in 1992 that it would be the most ethical in history has categorically subordinated American values and

U.S. national security interests to the interests of the business community, which always wants to appease all foreign governments.

We have known this for years, but President Clinton's forthcoming farce in Tiananmen Square takes us to a new and extremely low level.

Now this administration is not only betraying our most fundamental principles, but it is doing so openly, brazenly, and apparently with no shame whatsoever.

It is disgusting, and the very least the President can do is reverse this decision.

This is an excellent resolution and I urge unanimous support for it.

Mr. DIAZ-BALART. Mr. Speaker, for the purpose 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.

Yesterday, Mr. Speaker, the Rules Committee met and granted a closed rule to House Concurrent Resolution 285. The rule provides for consideration of the concurrent resolution in the House with 1 hour of debate equally divided and controlled by the majority leader, or his designee, and a Member opposed. The rule also provides for one motion to recommit.

Mr. Speaker, today is the ninth anniversary of the massacre at Tiananmen Square. It was on June 4, 1989, that the Chinese tyranny killed hundreds, perhaps thousands, of students who were peacefully calling for democracy in that square.

The gentleman from Virginia (Mr. WOLF) in a letter asked us if we might wear a sign, and I am wearing here on my lapel a sign of memory, in memory of, the valiant students who were massacred that day, the unarmed representatives of the Chinese people who were massacred that day.

□ 1730

It is a date that will be recalled by history in infamous terms, in the most infamous of terms.

This month, Mr. Speaker, the President of the United States seeks to become the first U.S. President to visit China since the brutal massacre of 1989, and we are informed that the President of the United States plans to commence his visit to China by attending ceremonies with the Chinese hierarchy precisely at Tiananmen Square. That act, if in fact it takes place, that the President of the United States take part in a ceremony in Tiananmen Square, that act, if it takes place, will be a condemnable act, Mr. Speaker.

Now in the past weeks we have learned that the President of the United States may, may have turned a blind eye as wealthy campaign contributors harmed our national security by helping the Chinese communists improve their ballistic warheads. We have learned that the President of the United States may have accepted campaign donations from the Chinese army, the communist Chinese army, at the same time that he changed United States policy to benefit the Chinese Communist missile program.

We have learned that the President of the United States may have ignored his own Secretary of State and the director of the Central Intelligence Agency and the Pentagon and allowed his campaign donors to help the Chinese communist military. And we have also learned that the President of the United States may have intervened personally to stop the Department of Justice's investigation into this matter.

Now the facts as we are learning them are deeply disturbing, and it is quite obvious that we do not know all the facts. These are serious matters, Mr. Speaker. The Chinese government, the Chinese Communist government, has at least 13 missiles aimed right now at United States cities. It would indeed be shocking if the President of the United States helped China to make those missiles more accurate.

It is clear that the American people deserve a thorough and complete explanation of the facts, and so unless and until we get such an explanation, we believe that the President should reconsider his visit at the very least to Tiananmen Square. We think that the Tiananmen Square visit is without any justification and is inherently not only unjustifiable but insensitive as well.

And so that is what the resolution that is being brought to the floor today in essence is all about, Mr. Speaker. It expresses the sense of Congress that President Clinton should reconsider his decision to be formally received by the Chinese tyranny in Tiananmen Square until the Government of China, of the Peoples Republic of China, acknowledges that Tiananmen Square massacre, pledges that such atrocities will never happen again, and releases those Chinese students that still to this moment remain in prison for supporting freedom and democracy in China.

Nine years ago today thousands of Chinese students peacefully gathered in Tiananmen Square to demonstrate their support for freedom and for democracy while soldiers of the Chinese regime, the Chinese Communist regime, were ordered to fire machine guns and tanks on unarmed civilians. Now according to the Chinese Red Cross, more than 2,000 Chinese pro democracy activists, demonstrators, Chinese citizens who believed in the right of the Chinese people to have self determination and freedom, thousands died that day at the hands of the Chinese tyrants.

And so that is why this simple resolution is just and proper, and that is why on this anniversary that we bring it to the floor.

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

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

Mr. Speaker, I certainly want to thank the gentleman from Florida (Mr. DIAZ-BALART) for yielding me the time.

As my colleague has described, this is a closed rule. It will allow consideration of H. Con. Res. 285, which expresses the sense of Congress that the President of the United States should reconsider his decision to be formally received in Tiananmen Square by the government of the People's Republic of China. This rule allows for 1 hour of debate and provides for one motion to recommit.

While I support this underlying resolution, and I just like to say that I would hope that we could have soon some resolution like this on the floor for the country of Sudan that I just returned from an 8-day trip, where 2 million people lost their lives and there is hardly any publicity about it, there is hardly any press about it, there is hardly anybody in the world that really cares about it. It just breaks your heart to see so many children and mothers that are dying from starvation, and to walk into and see killing fields where people have absolutely been shot, killed, hacked up with knives, being eaten by vultures. We talk about all these countries of the world, but there are so many countries where millions of people died and there is never a squawk out of this Congress. So I hope that some day we can start putting Sudan on the map.

I just like to say, relative to this resolution, I do have some reservations about the process in this Resolution 285. It was just introduced and the committee of jurisdiction has held no hearings that I know of, or markups on it. The rule was voted out of the Committee on Rules last night around 11 p.m. It is a closed rule which allows no amendments. This should be an open rule to allow the House to work its will. However, I reluctantly rise in support of this rule because of my concern for human rights abuses in China.

Today is the anniversary of the Tiananmen Square massacre. It has been 9 years since the killings of hundreds of unarmed civilians by the Chinese army in Beijing. The Chinese authorities have taken no steps to investigate these human rights violations, and Congress needs to send a strong message to the People's Republic of China that we have not forgotten Tiananmen Square.

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

Mr. DIAZ-BALART. Mr. Speaker, I would inform the gentleman from Ohio (Mr. HALL) we have no other speakers, and I would inquire as to whether he does.

Mr. HALL of Ohio. Mr. Speaker, I have no Member here to speak on this particular rule, and therefore, I yield back the balance of my time.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I believe that even in the short period of time that we have discussed this rule it has become apparent, especially because of the significance of the date that we bring this

rule to the floor, the date that we are acting, it has become apparent, the importance of this statement that the House will be making very clearly pursuant to the resolution that is being brought to the floor by this rule.

This is a date, the 4th of June, that will forever be recalled as an infamous date, as a date where unarmed people who represented the dignity of an entire nation were slaughtered by the weapons in possession of a totalitarian dictatorship that is still in power, that, as the gentleman from Ohio (Mr. HALL) stated, has not only not acknowledged its crime but continues to perpetuate crimes.

We have recently learned that the Chinese government is in the business of selling organs, human organs from prisoners, and if the price is right they will simply shoot the prisoner and sell the organ. That is the regime we are talking about. It is a regime that now Mr. Clinton, the President of the United States, is going to visit, and even though I still find it hard to believe, he apparently is going to be received officially for his state visit at the square where those thousands of Chinese innocent students were slaughtered. What pleasure, what profound and limitless pleasure would be obtained by the Chinese murderers if the President of the United States, the elected leader not only of the only superpower in the world but the ethical and moral leader of the world, agrees to be received by that regime of thugs in the same physical place where thousands of students were murdered for believing in the ideals that are also the ideals of the United States of America.

And so what we will be saying in this resolution is, ''No, Mr. President, if you think you have to go, and we think you shouldn't, but if you think you have to go, at the very least do not give the Chinese thugs the ultimate pleasure of showing their people that the President of the United States of America is willing to receive honors in the same place where the blood of the Chinese people flowed in rivers simply some years ago, a few years ago now. No, that is unacceptable.''

That is what we are saying in this resolution.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. GILMAN. Mr. Speaker, pursuant to the provisions of House Resolution 454 and as the designee of the majority leader, I call up the concurrent resolution (H. Con. Res. 285) expressing the sense of the Congress that the President of the United States should reconsider his decision to be formally received in Tiananmen Square by the Government of the People's Republic of China, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The text of House Concurrent Resolution 285 is as follows:

H. CON. RES. 285

Whereas 9 years ago on June 4, 1989, thousands of Chinese students peacefully gathered in Tiananmen Square to demonstrate their support for freedom and democracy;

Whereas it was with horror that the world witnessed the response of the Government of the People's Republic of China as tanks and military units marched into Tiananmen Square;

Whereas Chinese soldiers of the People's Republic of China were ordered to fire machine guns and tanks on young, unarmed civilians;

Whereas ''children were killed holding hands with their mothers'', according to a reliable eyewitness account;

Whereas according to the same eyewitness account, ''students were crushed by armored personnel carriers'';

Whereas more than 2,000 Chinese pro-democracy demonstrators died that day, according to the Chinese Red Cross;

Whereas hundreds continue to languish in prisons because of their belief in freedom and democracy;

Whereas 9 years after the massacre on June 4, 1989, the Government of the People's Republic of China has yet to acknowledge the Tiananmen Square massacre; and

Whereas, being formally received in Tiananmen Square, the President would bestow legitimacy on the Chinese Government's horrendous actions of 9 years ago: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President should reconsider his decision to be formally received in Tiananmen Square until the Government of the People's Republic of China acknowledges the Tiananmen Square massacre, pledges that such atrocities will never happen again, and releases those Chinese students still imprisoned for supporting freedom and democracy that day.

The SPEAKER pro tempore (Mr. GOODLATTE). Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from Indiana (Mr. HAMILTON) each will control 30 minutes.

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

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

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I commend the distinguished gentleman from Texas (Mr. ARMEY) for taking the time to craft this very timely and important resolution. H. Con. Res. 285 expresses a sense of the Congress that the President should reconsider his decision to be formally received in Tiananmen Square in the People's Republic of China by the government of the People's Republic of China. In light of China's actions in Tiananmen Square 9 years ago, it would be inappropriate for the President to go there. That square was the site where thousands of students and workers who held up a replica of the Statue of Liberty and looked towards our Nation for support were brutally gunned down and run over by the tanks in the People's Liberation Army.

□ 1745

Subsequent to that unforgivable crime against their own people, authorities within the PLA tried to smuggle to Los Angeles, to the street gangs here, Stinger missiles and thousands of AK–47s.

The People's Liberation Army runs a vast network of prisons and labor camps throughout China and occupied Tibet and holds untold numbers of Christians, Muslims and Buddhists for attempting to practice their religion without authorization from the state.

The People's Liberation Army threatens democratic Taiwan and fuels the nuclear arms race in South Asia by transferring nuclear and ballistic missile technology to Pakistan. Recently, high-placed authorities within the PLA were accused of influencing U.S. policy in order to obtain very critical and sensitive ballistic missile technology.

Our full Committee on International Relations and the Committee on Government Reform and Oversight today has conducted a joint hearing on the sale of body parts by the People's Republic of China. The PLA is at the center of an international sale and transplant scheme that takes kidneys, corneas, livers and lungs from condemned prisoners and transplants them into wealthy patients who can afford the price.

There comes a time, Mr. Speaker, and a place, to put a limit on just what our Nation needs to do in order to engage China and its military. The administration gave a 17-gun salute in Washington to the Chinese general who orchestrated the Tiananmen massacre.

I ask, does the President really need to stand on that bloodstained Tiananmen Square so that Beijing can feel comfortable trading with us? I think not. Accordingly, I strongly urge my colleagues to join us in supporting H. Con. Res. 285.

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

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

Mr. Speaker, I oppose this resolution. I think it is a bad policy, I think it is bad politics, and I think it is bad procedure.

On the face of it, the resolution seems innocuous. It declares the sense of Congress that the President should reconsider his decision to be formally received in Tiananmen Square when he visits China later this month, until the Chinese Government acknowledges the Tiananmen Square massacre, pledges that such a tragedy will never occur again and releases the Chinese students still imprisoned for their participation in the pro-democracy movement in 1989.

It is important to note, I think, that the resolution does not oppose the President's trip to China itself, but it does put conditions on the reception ceremonies that would inevitably make a successful visit less likely.

This resolution claims that, by attending arrival ceremonies in

Tiananmen Square, the President will somehow bestow legitimacy on the cruel events that took place there 9 years ago today. I think that is unfair to the President. I think it is absurd.

President Clinton has spoken out time after time against the brutal actions of the Chinese Government at Tiananmen Square. As Members will recall, President Clinton gave China's President a public lecture on this very issue at a joint press conference in Washington at the summit last fall, a lecture that many Members praised at the time.

The President, through his policy of engagement, has pushed aggressively on human rights, and he has gotten results. China has, with American prodding, released a number of political and religious prisoners, including Wei Jingsheng and Wang Dan. It has acknowledged its obligation to abide by the terms of the International Covenant on Civil and Political Rights, a concession that makes it now impossible for Beijing to argue that human rights is a domestic concern in which we should not intrude.

China has begun to tolerate a level of public discussion and dissent that even a year ago would have been unimaginable. Of course, China has a long way to go in its human rights practices, but we should also recognize that the typical Chinese today has more personal freedoms and a better quality of life than at any time in history.

Tiananmen Square is the central feature of Beijing. The Great Hall of the People faces one side and the entrance to the Forbidden City faces another. It is China's equivalent of the White House south lawn. It is where heads of state visiting China are formally welcomed. It is where Prime Minister Major, President Chirac, Prime Minister Hashimoto and Prime Minister Netanyahu have all been welcomed in recent years.

So Mr. Clinton's presence there is similar. It has no suggestion of approval of China's human rights policies, any more than the presence of many Members of this body who have, accompanied by their Chinese hosts, visited Tiananmen Square in the past.

May I remind Members, for instance, that just last year the Speaker of the House of Representatives visited Tiananmen Square; and during his visit to China the Speaker enunciated a fundamental truth when he said, and I quote him now, ''If you can be respectful but firm, you can get a long way talking with the Chinese.''

China is a sovereign country. We cannot tell it where to hold its welcoming ceremonies. We would be deeply offended if the Chinese tried to dictate this to us. Why does anyone imagine that they will react differently?

The real question this resolution raises is how we can best promote human rights in China. Do we advance our human rights concerns by telling the Chinese where to receive the President of the United States, or do we advance those concerns by engaging with the Chinese?

This resolution suggests that we can improve China's human rights record behavior by telling the President not to go to Tiananmen Square. Frankly, in my view, that is a very superficial way to deal with a very difficult, complex issue. Do we really believe that this resolution will improve human rights conditions in China? And, if it does not, what then is the purpose of the resolution?

The only practical way to promote human rights in China is by maintaining the policy of engagement toward China that has been followed by every administration, Democratic and Republican, since President Nixon. Engagement works. It is not easy, it does not produce results as quickly as we might like, but if we are to have any chance of pushing the Chinese toward greater respect of human rights, we must continue to engage with them. Insults will not do the trick.

There are things that we can do that hold out the promise of improving human rights in China.

We must make it clear to China that, until it changes its human rights practices, it cannot become a modern, stable, prosperous country.

We must make it clear to China that, unless it improves its human rights performance, it will never be a fully accepted member of the international community.

We must make it clear that it is in China's own interests that it adhere at least to minimal international standards of due process, accountability, transparency and the rule of law.

We must continue to press China on these contentious human rights issues. We must not abandon our efforts, but we must be ready for the long pull.

I do not question the sincerity of those who will speak in support this resolution today, and I fully understand how the votes will go in a few minutes. All of us were appalled by China's brutal actions in Tiananmen Square 9 years ago. All of us agree that the Chinese Government should formally and publicly repent its tragic actions and immediately release those who are still imprisoned for their participation in the pro-democracy movement of 1989.

We are not considering this resolution today in isolation. This resolution must be put in the context of other measures this House has debated in recent months. It is part of a pattern that has seen this House take up one anti-China resolution or amendment after another since the U.S.-China summit last fall. Together, these measures are immensely complicating the management of this most difficult foreign policy relationship.

I understand that many Members of this House do not favor a policy of constructive engagement with China. That is, of course, their prerogative. For myself, I do not want to undermine the policy of engagement. I do not want to promote a policy of confrontation, and that is what I believe these resolutions and amendments do.

There are many Chinese policies that I abhor, as much, I think, as any Member of this House. We should speak out against those policies, but we should also think about what actions will change those policies and bring results.

Anti-China rhetoric may make some feel good, but it will not bring the results that we seek. It complicates the issue. The President's policies have led to some improvements in the human rights situation in China. This resolution will not.

Finally, I voice my dismay with the procedure followed for this resolution. It was introduced only yesterday and went directly to the Committee on Rules. The Committee on International Relations has jurisdiction over such resolutions, but apparently the chairman waived consideration in order to facilitate the resolution coming up today.

I understand that today is a significant date, but that is not an excuse for a flawed, hurried process. There has been no consideration of this resolution or the difficult issues it addresses by the Committee on International Relations. There has been no consultation with the administration, at least to my knowledge. Little thought has been given to the foreign policy implications of this resolution. This is not a deliberative, careful process. A flawed process is producing, I think, a flawed product. This does not reflect well on the House of Representatives.

Mr. Speaker, I take second place to no one in my support for human rights and freedom in China, but that is not what we are debating in this resolution. Let us consider how we can promote the values of freedom and justice in China, but let us do it thoughtfully, deliberatively and free of partisan and political motives.

This resolution will not advance freedom in China. It will not help those who, 9 years after the tragedy we commemorate today, continue to suffer for their belief that the Chinese people should enjoy the same liberties we in this country so cherish.

This resolution will not prod Chinese authorities to open their country to the forces of pluralism and the winds of democracy. It will do none of these things. It will only convince Chinese leaders that many in this institution, the House of Representatives, want to declare a war of words against China. It will promote confrontation and make it less likely that the Chinese will listen to us on human rights or the other issues of deep importance to us.

The administration, of course, opposes this resolution, and so should all those who are interested in results and not just rhetoric. I urge my colleagues to vote no on this resolution.

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

Mr. GILMAN. Mr. Speaker, I am pleased to yield 6 minutes to the gentleman from New Jersey (Mr. SMITH),

our distinguished chairman of the Subcommittee on International Operations and Human Rights.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding me time.

Mr. Speaker, I urge a yes vote on this important human rights resolution. Nine years ago today, the ground of Tiananmen Square was hallowed by the blood of thousands of peaceful democracy advocates. Those Chinese patriots were slaughtered by a communist regime that remains unapologetic for its actions and that continues to deny the truth of what happened. It is repugnant that the President of the United States of America, the country that, foremost of any of the world, ought to bear the standard of freedom and democracy, would meet at the very site with dictators who continue to lie about the murders committed less than a decade ago.

□ 1800

This resolution is not anti-China. It is anti-abuse, the abuse that was endured by those democracy activists, that was witnessed by the world via C-SPAN, via CNN and other networks that were there on the scene.

Mr. Speaker, in December of 1996 General Chi Haotian, the Defense Minister of the People's Republic of China and the operational commander of the forces that attacked the pro-democracy demonstrators, was invited to the United States by the Clinton Administration. During his visit, he was given full military honors, a 19-gun salute, visits with several military bases, and a tour of the Sandia Nuclear Laboratory. He even had a personal meeting with President Clinton at the White House.

General Chi said that not a single person, and I quote, not a single person lost his life in Tiananmen Square. He claimed that on June 4, 1989 the People's Liberation Army did nothing more violent than pushing people whom he called hooligans.

The supposed idea behind these official visits such as General Chi's visit and President Clinton's trip to Beijing is to foster mutual understanding. That is just what they say. If we are going to live in the same world with governments run by people like General Chi, the argument goes, we had better get to know each other.

General Chi's big lie about Tiananmen Square certainly helped many Americans understand what he and his government are really like. However, in China the visit by the Butcher of Beijing was a public relations coup. He could not have gotten better press, being feted at the White House and being given all of these honors. Again, this is the man that ordered the killing of those students.

I believe that the process of getting acquainted must be a reciprocal one. In an effort to help General Chi understand that in America it matters whether you tell the truth, my Subcommittee on International Operations and Human Rights invited him or any other representative of the Chinese Government to appear at a hearing on the Tiananmen massacre. If he could present convincing and compelling evidence that the massacre was really a myth after all, those of us who view the Beijing government and had our views shaped by that massacre would have to admit that we were wrong.

We were prepared to give General Chi an opportunity to substantiate his claim that China has sold no illegal weapons to Iran. Perhaps he could have shown us that there were no persecuted Christians in China, no ethnic and religious persecution in Tibet and Xinjiang, no forced abortions, which are millions per year, women who are literally thrust and brought into these abortion mills, no coerced sterilizations, and no dying rooms for unwanted children. These claims would have all been contrary to the evidence, but in America everyone is given a fair opportunity to be heard.

Unfortunately, General Chi did not respond to our invitation, and the place we had saved for a representative, either he or a member of the government, sat empty during that hearing, at which time we heard from multiple eyewitnesses, including an editor from the People's Daily who recounted the horrors of Tiananmen Square.

In commentary about Tiananmen Square, Mr. Chairman, Nicholas Kristoff of the New York Times, who was in the Square that night, reported, and I quote, ''The troops began shooting. Some people fell to the ground, wounded or dead. Each time the soldiers fired again and more people fell to the ground.''

When he went to the Xiehe hospital, the nearest to the Square, ''it was a bloody mess with hundreds of injured lying on the floors. I saw the bullet holes,'' Nicholas Kristoff goes on to say, ''in the ambulances.''

Jan Wong of the Toronto Globe and Mail, looking down from the balcony at the Peking Hotel, ''watched in horror as the army shot directly into the crowds. People fell with gaping wounds.'' Later, she reported, ''The soldiers strafed ambulances and shot medical workers trying to rescue the wounded.'' ''In all,'' she reported, ''I recorded eight long murderous volleys.'' Dozens died before her very eyes.

This is what Tiananmen Square means to the people of China and to the world. If President Clinton goes there and stands shoulder to shoulder with the very people who ordered the massacre, that gesture will be a thousand times more powerful than any mere words he may exchange with those who mowed down and bayonetted students and democracy activists. It will be the diplomatic equivalent of dancing on the graves of the courageous and innocent victims of Tiananmen square.

Mr. President, for God's sake and for the sake of the people of China and for the sake of everything the U.S. used to and hopefully still stands for, do not mark the ninth anniversary of the murder at Tiananmen Square by celebrating with the murderers at the scene of the crimes.

Mr. HAMILTON. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Speaker, I thank the distinguished gentleman from Indiana for yielding to me.

Mr. Speaker, I rise to oppose the resolution. I put a question to my colleagues: What were 122 Members of the House of Representatives doing visiting Beijing in 1997? I visited there four times with 39 of them, including the Speaker of the House, the distinguished gentleman from Arizona (Mr. KOLBE), chairman of the Committee on International Relations, and the distinguished gentleman from Nebraska (Mr. BEREUTER), chair of the Subcommittee on Asia, 39 members.

On the visits each time, each one of us went to Tiananmen Square. No one in this House failed to condemn the atrocities in Tiananmen Square, nor are in support of what happens there.

The President has spoken clearly and often in condemnation of human rights violations in China. When we traveled there, Speaker GINGRICH, I was there on March 30 when he said if we can be respectful, but firm, we can get a long way talking with the Chinese.

I have been in those rooms with the Prime Minister and the Vice Premier, with other distinguished Chinese persons. In each instance our priorities were human rights, democracy, the rule of law; and in each instance we raised those questions time and time again.

Fundamentally, the question of the arrival ceremony becomes a question about whether or not President Clinton goes to China. When a foreign leader goes to China, the leader has a welcoming ceremony, and that is where the ceremony is, period.

We have discussed it with the Chinese at great length. Not surprisingly, the Chinese leaders consider China their country, not ours, and feel that a guest should have the ceremony where they always have had it. I am not aware of other countries that do arrival ceremonies where and when we tell them.

Finally, I will put this question to my colleagues: When President Richard Nixon went to China, the Red Guard, Mao Tse-tung, and countless other official individuals reigned supreme. The question that I put: Was China as bad on human rights then when President Nixon visited? The answer is, of course, it was. But it was right to be engaged then, and it is right to be engaged now.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 5 minutes to the distinguished gentleman from Indiana (Mr. BURTON), chairman of the Committee on Government Reform and Oversight.

Mr. BURTON. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I have heard some of my colleagues say that we have to make it clear to China that if they are to join the people of nations, that they are going to have to change their policies. I have heard some of my colleagues say that we have to be respectful, but firm. I have been in Congress now for 16 years, and every single year I have heard that same kind of statement. Every single year, the situation either remains the same or worse.

Recently, a Clinton administration official said frankly on the human rights front, the situation has deteriorated. They are rounding up dissidents and harassing them more.

There were 7,300 young men and women who wanted nothing more than liberty and freedom 9 years ago and were brutally massacred or hurt in Tiananmen Square. Many of them are still in communist Chinese gulags today.

What are we going to do about it? We have got to continue to be engaged with them. We have a $60 billion trade deficit that is really putting pressure on communist China. They are using 10 million men, women, and children in slave labor camps, gulags, to make tennis shoes and things that we buy in this country every day.

Yet, when they commit human rights atrocities like Tiananmen Square, we say we have to keep engaged. We have to be respectful, but firm. We have to make it clear to them they have got to change, but they do not change. It goes on year after year after year.

Today, we had a hearing before our committee. The gentleman from New York (Mr. GILMAN) and I cochaired that meeting. We had Harry Wu testify before our committee, and Wei Jingsheng before the committee. Both of them told us very clearly that in the prisons over there they are killing prisoners for body parts.

They come to foreign countries, and they say to foreign countries, if you want a kidney, we will get it for you for $30,000. Then they go back for tissue samples and blood samples, and they find a prisoner or group of prisoners. They say, okay, come over here on a certain date, and I will kill them and give you their kidneys, and they do it.

They are making an estimated minimum of $60 million a year by harvesting body parts off of prisoners, many of them possibly political dissidents, and selling them to people around the world. I cannot hardly believe that. It is ghoulish. Yet, we turn our backs on that.

It is going on today. They are doing it in Taiwan. They are doing it in Macao. They are doing it all over Southeast Asia. They are doing it even here in the United States, where people have already been arrested trying to sell these body parts.

But we have to stay engaged with them. We have to look the other way while these human rights atrocities continue to take place. I say, why? Are we our brother's keeper or not? Are we supposed to turn our head and look the other way just for the almighty dollar? Is American business so callous that they do not care about people in other parts of the world?

Obviously we want to make money. Money is very important. But, for God's sake, what about human beings who are suffering? We look the other way.

What kind of penalties do we impose on the Chinese Government for these atrocities? Nothing. Nothing. We talk about it year after year after year. Many of my colleagues have been here as long as I have, and nothing changes. There are still 10 million people in those gulags making tennis shoes for us, slave labor camps, being paid nothing, but we look the other way. We have got to stay constructively engaged with no penalties.

I submit to my colleagues, we have got to put some pressure on them. We have done it before, I think, when we had some property rights. A couple years ago I think we put some pressure on China and they relented, but it was only because we put pressure on them. But we do not do that anymore. Very rare cases.

So I would just like to say to my colleagues we need to put pressure on communist China. We now believe that we have had technology transferred that has endangered the very security of every man, woman, and child in this country, or possibly may have. We know that the Chinese Communist government has given political contributions in this country, and they do not do it for their health. They must have been doing it, trying to influence our policies in some way.

These things need to be investigated thoroughly before the President of the United States goes over there in Tiananmen Square where this massacre took place and starts shaking hands with the President of China, who lied to the American people when he said there were no political contributions coming from them into this country, and he knew it.

I would just like to end up by saying this to my colleagues: For God's sweet sake, think about those people over there who are dying today while we are so callously looking the other way.

Mr. HAMILTON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, as I listen to this debate, I think we are back into debate like we just finished on the prayer amendment. The question is: Does the President of the United States condone what happened in Tiananmen Square? Is anybody seriously asserting that the President of the United States condones what happened there? The answer is absolutely not. He has spoken about it over and over again.

I would respect the matters of this resolution if they would put in it what they really want, which is that the President should not go. To say to the President of the United States, look, Bill, when you get over there, tell them where you are going to land and where you want to meet them and what door you want to go into, the Great Hall of the People. Just send over a letter to the Chinese Government and say, I am not coming in the front door, I want to come in around back through the alley.

That is so ridiculous as to make the Chinese either laugh or be angry, one way or the other. It is their country. They decide how every official delegation comes to China.

I traveled with the President on his South American trip and his African trip. People in Brazil and Argentina were distressed by the amount of intrusion we made about how the President comes into a country.

□ 1815

For us to stand here on the floor and seriously say he should not go to the official reception place of the Chinese Government is just simply ridiculous.

Now, I believe that we have no choice but to remain engaged with China. For us to return to the pre-Nixon era, when we said they are communists so we are not going to talk to them, is simply not possible. Clearly, the events in South Asia that everybody was out here 2 weeks ago passing resolutions about, that is, the exchange of nuclear technology with Pakistan, and the whole problem of the Pakistan-China-India triangle, is an issue that must be discussed at the highest level.

If Members and I share a concern about peace in the world, we have to be talking to the people who have the ability to control that situation. For us to say to the President, why do you not start by insulting the Chinese, tell them where you are going to land, you are going to go into Nanking, the old south capital, you are not going to Beijing because that represents a bad place, would be like saying to Yeltsin, I do not think I am going to come into Moscow because that is where a lot of tragedy and trauma occurred.

Mr. Speaker, I think this resolution is very ill-conceived and bad public policy.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Arizona (Mr. SALMON).

(Mr. SALMON asked and was given permission to revise and extend his remarks.)

Mr. SALMON. Mr. Speaker, I wholeheartedly support this resolution, which could not have come at a more poignant time. Nine years ago today thousands of young Chinese men and women lost their lives while demonstrating support for freedom and democracy. This peaceful demonstration came to a violent end when Chinese soldiers of the People's Republic of China were ordered to fire machine guns and tanks on these innocent unarmed civilians. Many of the survivors remain incarcerated today.

I realize I have a somewhat different point of view than many of my colleagues. In fact, I urged the President to go to China. There was a letter circulated recently asking him not to go. I think that would be a tragic mistake. I think he should go. I think there are a lot of valuable things he could accomplish. I think he can reaffirm the moral values of the American people in terms of human rights, nonproliferation, and on and on. He should have gone long ago, in fact, not for just some kind of a photo opportunity, but to discuss the serious issues facing our Nation today.

However, he should not go to Tiananmen Square. In fact, just 3 days ago I sent a letter to President Clinton, and I will quote it:

> I must urge you in the strongest terms to avoid any official activities in Tiananmen Square. No American President should appear at Tiananmen Square, at a minimum, until Chinese officials acknowledge young Chinese men and women whose blood was shed 9 years ago this week. Your visit there would set back the Chinese struggle for human rights, and would be an insult to those heroic students who gave their lives for the cause of freedom.

Mr. Speaker, Chinese officials must acknowledge the bloodshed that occurred in Tiananmen Square if they expect to advance a constructive relationship with the United States. I urge all of my colleagues to support this resolution. It is not about trying to dictate to the President where he should go or where he should not go, it is simply about common sense. It is simply about reaffirming our values. That is a great opportunity to build constructively this relationship.

A lot of folks who have said that MFN does not work, they say so because I do not think we have been constructively engaged. We do not take the opportunities to use the bully pulpit to speak plainly with our colleagues on another continent.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. WEXLER).

Mr. WEXLER. Mr. Speaker, I, too, am outraged at the atrocities at Tiananmen Square 9 years ago. I, too, as the concurrent resolution states, am outraged that children were killed holding the hands of their mothers, outraged that students were crushed by armored personnel carriers. As the resolution says, I am outraged that more than 2,000 Chinese, pro-democracy demonstrators, died that day.

But is this resolution about changing policy in China? Unfortunately, it is not. It is just yet another partisan political attempt to embarrass the President. While I would never dare impugn the motives of those speaking in favor of the resolution, where were all the voices, where was the Speaker's voice, when he supported extending China once again Most Favored Nation trading status? Where were all the voices who support extending Most Favored Nation trading status on China? Why were they not talking about the atrocities then?

To support China-MFN and to support this concurrent resolution is intellectually incompatible, because to do so is to argue that these brave souls, 2,000 of them that lost their lives, their lives are worthy of changing a ceremony but they are not worthy of changing our economic policy. Those lives are worthy of changing some ceremonial thing that the President will do, where he will walk, but they are not worthy of us, God forbid, losing a buck.

I am sure those that bring back the memory of those whose lives were lost in Tiananmen Square are very genuine, very genuine in their memories. But I respectfully suggest to bring up the memories of such brave freedom fighters in the context of something that is not a great debate about policy about China, but is yet just another attempt to rebuke the President on an international stage, is not what we ought to do.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. COX).

Mr. COX of California. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, our relations with the People's Republic of China are multidimensional. We have trade relations, we have security relations, and yes, we care about human rights in China. Yes, we should talk about these things always together. But there are people of good will on both sides who believe that keeping tariff rates low is a way for us to engage China. That is the view of the President of the United States.

While I am one who has voted against MFN, and so probably do not fall into the category that my colleague just described of being inconsistent, I do not see it as hypocrisy when people wish to stand up for human rights and also wish to stand up for low tariff rates.

It seems to me that when we have a vote on this in just a little while, we are likely to have about 90 percent of the Congress voting together, because on either side of the MFN issue, we ought to agree that human rights in China are important. Because our relations, our bilateral relations with the People's Republic of China are complex, it is, to state the obvious, that human rights is not all there is.

But if the President of the United States were to appear in Tiananmen Square, with all of the symbolism that that carries, were to appear in this very public killing field, that visit, that event, would be all about human rights and nothing else. That is why the President ought not to do it.

It is not just that over 2,000 people were killed by PLA troops and tanks on that day, as estimated by the Chinese Red Cross and other reliable sources, including eyewitness accounts. It is that the survivors of those democracy demonstrations are still in jail today, in 1998. It is awfully difficult to imagine an America that stands for freedom sending its President to the very site of this notorious event, which all the world saw and still concerns itself with, and not send the kind of signal that all of us hope is not sent, that America no longer cares about freedom. We do care about freedom. I believe President Clinton cares about freedom. That is why he should not go there.

Last year I went with the leadership of this Congress to meet with President Jiang Zemin in Beijing. We were not received in Tiananmen Square. It was not necessary for us to be received there. The Vice President of the United States, AL GORE, last year went to the People's Republic of China. He was not received in Tiananmen Square.

President Clinton should not become the first American President, the only American President, to be received in Tiananmen Square since that horrible occurrence in 1989. That is what this resolution is all about. I am very confident that it will receive broad and bipartisan support. I am very confident that the advice that we will be giving I think will be received as it is intended, for the good of the United States of America, for the good of human rights around the world.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. BERMAN), the ranking member of the Subcommittee on Asia and the Pacific.

Mr. BERMAN. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I do not think supporting this resolution is standing up for human rights. I think well-intentioned people can disagree about this, but for me this is the essence of meaningless symbolism over real substance.

If Members do not think the President should go to China, bring forth a resolution saying that the President should not go to China. If Members do not believe in the policy of constructive engagement, then come out and speak against that particular policy. If Members want to do something that will hurt the Chinese and bear the consequences of it, then come out for MFN. If Members want to withhold imports and trade benefits because of the constant and continuous policy of proliferation of nuclear and missile technology, deal with that.

But do not say, all this is fine, constructive engagement is good, going to China makes sense, renew MFN, but, Mr. Speaker, do not go to the place that for all of us symbolizes the most horrible, indescribable terror imaginable and the example of brute government force, do not go there, as your statement of protest.

Mr. President, go there, speak against that horror, speak against what we do not want, push an agenda which is meaningful and real in terms of helping America's interest in stability and the interests of nonproliferation and the cause of human rights, but

do not take the cheap symbolism of this kind of resolution as a substitute for a policy.

I have watched, too much, people who write letters urging the President to allow American satellites and Chinese launchers and then pass one House bill to stop it, and people who stand up and decry China and then go vote for MFN because American corporations want it.

I agree with the gentleman from Florida (Mr. HASTINGS) about his point, and I urge a ''no'' vote on the resolution.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Speaker, I rise in very strong support of this resolution. The resolution calls for the release of prisoners. The gentleman from New Jersey (Mr. SMITH) and I went into prison. In fact, this is Beijing Prison Number 1. This is the back of the head of the gentleman from New Jersey (Mr. SMITH).

These were prisoners, Tiananmen Square prisoners, and we picked the socks up off the line that the prisoners were making. There were 1,000 to 2,000 people killed, but there were men, many of them or most of them, and I see the gentleman from New Jersey (Mr. CHRIS SMITH) in the back there, who remembers vividly when we went in the Beijing Prison Number 1. What it says was Hosiery Factory, when it was basically a very, very brutal prison.

For their families, it is absolutely important to pass the resolution. It is not a free vote, because I will tell the Members, tomorrow morning on Radio Free Europe and Radio Free Asia and Voice of America, if you will, this will go on, that the United States Congress has passed this. What it will say is that the people's body, the United States Congress, has passed this resolution.

If you were a mom or dad who had had your son or daughter killed, and I have brutal pictures of those who have been run over by tanks, this would send a message. But for those who are in prison and languishing, it will send a message: One, he ought not to go to Tiananmen Square, and I am one who has been opposed to MFN; but two, I think for the children, for the prisoners that are in there who made these socks, and these have golfers on them and they do not play golf in China, they are for export to the United States, this resolution is a good resolution.

I strongly hope that it is passed by an overwhelming margin, because tomorrow in Beijing when they hear, I think it will send a positive message, and the prisoners in Beijing Prison Number 1 and throughout the gulags will find out about this resolution. Their moms, their dads, their wives, their families within the next couple of weeks will tell them, and that will give them hope.

I appreciate the sponsorship of this, and I strongly support this, and hope it can be almost by unanimous vote.

□ 1830

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the distinguished gentleman from Indiana (Mr. HAMILTON) for yielding me this time.

Mr. Speaker, I come to the floor today with my prized possession which is the great icon, the picture, probably one of the greatest symbols of the 20th century, of the lone man before the tank. And it is signed by almost every important dissident who has come out of China. It is a great treasure to me because of the courage of the people that are represented here.

I rise today in support of the resolution, and I want to tell my colleagues why. But, first of all, I want to associate myself with some of the remarks of the gentleman from Florida (Mr. WEXLER) and the gentleman from California (Mr. BERMAN), because far too often we have resolutions on the floor that serve as a fig leaf for those who, when the really serious issues come up like trade status and the rest, are never with us.

Members are quick to criticize the impact of the President's policies while they have stuck with him every time a vote is taken, but use these issues for political purposes and bring up resolutions, as I say, to make themselves well, when they are voting against the really serious issues that we have to deal with.

Having said that, I want to say that this is not about whether the President should go to China. I think the President should go to China when the time is right. He thinks that is now. I disagree, but I am not against his going to China.

And it is not about whether we should be engaged with China, because we certainly should be engaged with China, but in a sustainably and constructive way, which I do not think we are right now.

The reason why I am opposed to the President being received in Tiananmen Square is because the President is trying to frame his visit as the end of the Tiananmen era. That is not so. And just saying it will not make it so.

The Tiananmen era will not be over until the Chinese regime reverses the decision of Tiananmen Square; until the over 100 people who were arrested at that time are freed and are allowed to speak freely in China; until the over 2,000 political prisoners are freed, not exiled but allowed to stay in China and speak freely, and over 200,000 people who are in reform-through-labor camps because of their political beliefs are released.

Mr. Speaker, in closing, I just want to say that Mr. Harry Wu said this morning if the President goes to Tiananmen Square, he will join the Chinese regime on the wrong side of history. I urge our colleagues to vote aye.

Mr. GILMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Speaker, I thank the gentleman from New York for yielding me this time.

Mr. Speaker, I rise in support of H. Con. Res. 285 expressing the sense of Congress that President Clinton ought not to be received by the Chinese Government on his arrival at Tiananmen Square when he goes there later this month.

Mr. Speaker, as many in this body know, I am one who believes very strongly in a policy of engagement. I am one that supported China MFN. I believe that engagement works. I believe that when American citizens, businesspeople, students, and academicians travel to China, we help to spread our values there. And I do believe that makes a difference. I also do not oppose the President's visiting China. Indeed, I believe he should visit China, because I believe it is an important element of a sound foreign policy for China.

Others that have supported this resolution have talked about the abuses that are going on today in China. They have talked about widespread political prisoners. They have talked about body parts being sold commercially and about forced abortions. We know there are human rights abuses in China—some of them alleged, some that we know take place.

But that is not what this resolution is about. The resolution says that this President ought not to be received as an official part of his visit in Tiananmen Square because of the very symbolism that an event there would suggest. It would suggest that the United States, that the President of the United States, forgives and forgets what happened there only 9 years ago when the Chinese Government callously crushed an incipient student political democracy movement. It was brutal, and we all saw it on television.

And, yes, the gentleman from Florida (Mr. HASTINGS) said that I was in Tiananmen Square with him. Yes, I was there. But I think there is a difference in walking across Tiananmen Square and being officially received there as part of the opening ceremony.

Mr. Speaker, the President should go to China, but he ought to be in control of his own visit. No Chinese visitor would agree to be received on American soil at the site of some atrocity against its citizens in this country, if such an event were to occur. If we believe in freedom and human rights for Chinese, our president should not visit in any official capacity the scene of the brutal repression.

Mr. Speaker, I say, ''Mr. President, make your visit. Stay engaged. But do not say to the Chinese that we condone and forgive what happened there 9 years ago. Mr. President, do not go to Tiananmen Square on this visit.''

Mr. HAMILTON. Mr. 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. Mr. Speaker, I rise in opposition to this resolution.

It was over 20 years ago the Republican President Nixon fought off the forces of isolationism and turned this country towards a direction of engagement with China. When I hear many of the speakers today that are suggesting that our President should not be entertained on Tiananmen Square, that are suggesting which door he should enter when he goes to the Great Hall of China, I am troubled by that, because it seems to me that we have seen clear demonstration over the last 20 years that this policy of constructive engagement has done more to advance the interest of human rights, the interest of religious freedom in China than any policy of isolationism could have ever achieved.

Sure, there are still problems in human rights. There are still problems in religious persecution. But for us to suggest and to dictate to this President how and where he should be entertained is clearly not appropriate. It does not serve us well to dictate to the President that he should insult the host, the President of China and the citizens of China.

Mr. Speaker, I urge Members to vote against this resolution.

Mr. GILMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Speaker, I commend the gentleman from New York (Mr. GILMAN) for his leadership on this.

Mr. Speaker, the President ''continues to coddle China, despite its continuing crackdown on democratic reforms, its brutal subjugation of Tibet, and its irresponsible export of technology.'' That is not my opinion.

Let me read that again. The President ''continues to coddle China, despite its continuing crackdown on democratic reforms, its brutal subjugation of Tibet, and its irresponsible export of technology.'' December 11, 1992, William Clinton when he was President-elect.

Mr. Speaker, talk about a whopper. I mean, if my colleagues wonder why the American people distrust our leadership, it is when they say one thing to get elected and, when they get elected, they do exactly the opposite.

We heard earlier in the debate that he is just yielding to the interests of that country, that they set the schedule. But when another President of the United States went to Bitburg, where Nazi butchers had killed Jews that were buried in that cemetery, there was a justified outcry in America, and from the other side of the aisle, that said that we do not think the President should go to Bitburg.

Mr. Speaker, what is the double standard here? Thousands of students were butchered. Many are in prison today. And the last thing we need from the President of the United States is to break his word that he gave the American people about coddling the Chinese, about not standing up for human rights, because he ran on it. We would like him to keep his word and not do what would be a terrible signal to those who are trying to stand up for human rights and democratic reforms around the world.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from West Virginia (Mr. WISE).

Mr. WISE. Mr. Speaker, I think with the eloquence of many who have spoken here on both sides, it is important to remember what happened 9 years ago in Tiananmen Square. The people must remember. The U.S. Congress must remember. The President of the United States and, yes, the Chinese people and government must remember.

But I have got to ask, too, why do we not remember and remember how important it is to engage? Would anyone have seriously suggested that Presidents Reagan or Bush or FORD or Carter, going all the way back, should never have gone to Moscow to meet with the Soviet Union, now, of course, the Russians, because of the gulags, because of the Korean Air 007 shooting down, because of the oppression in Afghanistan and countless other countries? Of course not. We knew they had to go.

Or Richard Nixon, should he not have gone to China? Talk about human rights violations. Mao Tse-tung and the Red Guard were running in full bloom at the time. Millions massacred, millions incarcerated. Deng Xiaoping himself, a later leader of China, was being subjected to imprisonment by the Red Guard, but we had to engage.

The President of the United States standing in Tiananmen Square does not gloss over what happened there; it highlights it. It highlights it because of the attention it draws, and I think President Clinton will stand well in representing what Americans believe.

We have to look at this trip in the entirety, not in separate events. And that is what I think is important, is what does the President come back with?

Finally, I am a little tired of micromanaging by Congress. I am tired when the Speaker of the House goes to Israel and decides it is okay to bash foreign policy on foreign soil. I am tired of Congress trying to micromanage the foreign policy of this country. It is fair to hold the President accountable, but let the President do what the Constitution says he is to do.

Many, and I am one of them who has supported MFN status, but I would be insulted if someone tried to say that business was trumping blood in that situation. So it is that I feel the President should be given the leeway and the discretion to do what he knows is fair to be done, and then it is fair to judge him on the entirety.

Mr. Speaker, I urge rejection of this resolution.

Mr. GILMAN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROHRABACHER), a member of the committee.

Mr. ROHRABACHER. Mr. Speaker, I am going to be blunt. The presence of the President in the United States, President Clinton with his record on human rights, in Tiananmen Square makes a mockery of this country's sincere commitment to human rights and democracy.

This administration has the worst human rights record of any administration in my lifetime. And any utterance the President of the United States might make about human rights in Tiananmen Square, where thousands of young people struggling for democracy in China were murdered, just takes away from any message that we might have as a people to the peoples of the world that we are serious when we talk about democracy and freedom.

In reality, it will be seen as purely posturing by a President that has time and again said making money and making sure that the Chinese can keep that $50 billion trade surplus to be used to build up their own weapons systems which they then use to suppress their people is much more important than human rights.

President Clinton said, well, we must have Most Favored Nation status again just recently; and he told the people of the United States that this was because China can help us. It is not good in human rights. At least it can help us in a broader role by bringing peace to Asia or whatever. And further evidence of this, of the role they can play, is the important role that the President said that we can be working with China in some strategic relationship in the 21st century.

But what constructive role was he talking about with Beijing as a strategic partner? Since May 26, one week previous to the President's statement, U.S. intelligence has been tracking a Chinese cargo freighter that departed from Shanghai loaded with missiles and electronic components to be used for nuclear weapons steaming for Pakistan. Steaming for Pakistan. With that type of a record I would suggest that China cannot help us with anything, and they are not good for human rights.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from American Samoa (Mr. FALEOMAVAEGA).

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in opposition to House Concurrent Resolution 285 which urges President Clinton reconsider his decision to be received in Tiananmen Square.

Mr. Speaker, President Bush condemned the Chinese government when the killings occurred; and President Clinton has repeatedly been on record

and made clear his view that the breakup of the demonstrations and killing of innocent civilians was unacceptable and a great mistake by the Chinese leaders.

Traditionally, the Chinese Government welcomes heads of state by arrival ceremonies held at the Great Hall of People which is next to Tiananmen Square. All dignitaries from around the world are accorded the same reception at the Great Hall, as was done with Japanese Prime Minister Hashimoto, French President Chirac, British Prime Minister Major, Russian President Yeltsin, and even Israeli Prime Minister Netanyahu.

Mr. Speaker, are we as a Nation greater than all of these democratic nations combined? It seems to me that we are bordering along the line of arrogance to tell another sovereign nation how it should receive our President. The reception of these world leaders at the Great Hall did not signify their government's condoning the Tiananmen Square massacre. Likewise, President Clinton's reception at the Great Hall cannot be construed as bestowing legitimacy on the Chinese Government's brutal actions 9 years ago.

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Mr. Speaker, contrary to the views of my friends in the Republican majority, I honestly believe the presence of President Clinton on Tiananmen Square will reinforce and reaffirm fundamental basic democratic values and principles to all the leaders and the people of China. President Clinton should respect Chinese protocol and use the opportunity of the Great Hall to expressly honor the memories of those who died in Tiananmen Square, while urging that China continue progress at all levels for human rights.

Mr. Speaker, I urge that our colleagues vote against this measure.

Mr. GILMAN. Mr. Speaker, would the Chair advise us how much time remains?

The SPEAKER pro tempore (Mr. GOODLATTE). The gentleman from New York (Mr. GILMAN) has 3 minutes remaining, and the gentleman from Indiana (Mr. HAMILTON) has 2½ minutes remaining.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished 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. Mr. Speaker, in many instances we see bravery by going forward, marching strong and tall. I would hope this country would view the visit of the President of the United States just in that form.

I, too, was outraged and overcome with sadness at the tragedy of Tiananmen Square in 1989. Thousands of Chinese students marched peaceably, children were killed and students were trampled, and horrendous and horrific acts perpetrated on the people of China who wanted freedom.

But I would say that this resolution does not speak to that question. For if it seriously did, and I believe in human rights and have argued vigorously against the travesties in Rwanda and Burundi and Bosnia and places around the world, we would not want our President not to go and confront the leaders and the tragedy of Tiananmen Square.

We would want our President to stand tall in that square and declare a day of freedom for all of those prisoners who are incarcerated. We would want our President to challenge the Chinese on their own territory about the travesty of the lack of human rights and human dignity in that country.

This resolution is not a resolution to bring about those kinds of acts. It is a partisan one, although I do not in any way argue against those who are committed to the issues of human rights. I know that they are standing on solid ground. I simply ask them to reconsider whether or not any action will come out of this.

I believe it is extremely important that our President go bravely into China, stand up for what America believes in, the human dignity of all people, ask for those incarcerated because of their difference in views to be freed now and immediately. That is what I want the President of the United States to do, to stand for freedom and human rights, to do it and say it loudly and to bring the United Nations along with him. I believe we can do this better if we allow our President to represent us in the way he should.

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

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I rise in strong support of the resolution.

Mr. Speaker, I rise in strong support of this resolution that simply asks President Clinton not to be formally received at the site of Tiananmen Square.

Tiananmen Square is probably the site of the worst government violence brought upon an unarmed population in the last thirty years, where at least 2000 people were murdered by their own government.

I adamantly believe that the President, in light of explosive allegations that the Chinese military was attempting to funnel illegal campaign donations to political candidates and because of China's weapons and nuclear proliferation, should not even travel to the People's Republic of China at this point.

But if he is, the President must send the strongest signal to China that we will not accept such butchery on an innocent people.

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

Mr. GILMAN. Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. ARMEY), the distinguished minority leader.

The SPEAKER pro tempore. The gentleman from Texas (Mr. ARMEY) is recognized for 3 minutes.

(Mr. ARMEY asked and was given permission to revise and extend his remarks.)

Mr. ARMEY. Mr. Speaker, this debate has been a good debate and I want to thank the committee for bringing it to the floor. The debate is about H. Con. Res. 285, expressing the sense of Congress that the President of the United States should reconsider his decision to be formally received in Tiananmen Square by the government of the People's Republic of China.

It is unusual. I think we have acknowledged that. It is an unusual thing to bring such a resolution to the floor. It is probably even more unusual for the resolution to have been brought to the floor by me or to have been submitted by me. I listened to the debate, and good points were made on both sides of the debate, and I want to thank everybody who participated in the debate.

Why would I do this? It is not my usual posture to suggest that I should describe for the President how and where he should travel, where he should be received when he travels. What would compel me to do this? What compels me is the love of freedom and the scene of that love of freedom that I saw 9 years ago on this day, the young students in China gathered together on Tiananmen Square.

They gathered for the purpose of celebrating freedom and democracy. They gathered for the purpose of hoping and dreaming, wishing, praying and, no doubt, demanding freedom and democracy for themselves. They gathered around them on that square the symbols of freedom that they knew, even from their relatively closed society, they knew symbols of freedom from around the globe. One such symbol of freedom that they knew of was the Statue of Liberty in the United States. The students had built a papier mache model of that statue and it was, I am sure, something of enormous encouragement to them.

Then the troops confronted the students, armed troops, tanks, we have all seen the pictures. We sit there and we wonder why would a lone figure stand in the face of those tanks. Why would the students risk the carnage that they experienced? The same reason people have risked their personal lives and their fortunes and their sacred honor before, for the love of freedom.

They saw during all that carnage their comrades fall, fellow students. They must have been as horrified as we were as we watched the scenes. They saw the symbol of liberty, the Statue of Liberty in papier mache, crushed under the tanks. They later experienced the arrests and some of them are there today.

One of the things I marveled about 9 years ago and one of the things I marvel about today, no matter how rigorously the Government of China keeps the message of freedom out, the message is heard by these young people. I guess there is an old line, with love all things are possible, and with the love of freedom they hear the message of freedom.

They look to America as the peoples of the world look to America for freedom, and they see in America many, many symbols of freedom, the Statue of Liberty that they reproduced. I expect this building is seen by many people around the world and would be seen by these young people today in their prisons or worrying about arrest, this Capitol would be a symbol of freedom. The White House is seen as a symbol of freedom, the eagle.

Mr. Speaker, to most of the world the President of the United States, the American presidency is a symbol of freedom. What an honor. What an honor for this great Nation to have our head of State recognized as a head of State, as a symbol of a thing so precious as freedom.

They saw the Chinese army crush their symbol of freedom and it broke their hearts. Should these young people now see the symbol of freedom, the American presidency, received in Tiananmen Square, celebrated by that same government that was so callous and so cruel, so harsh, so brutal in crushing their love of freedom?

It is not about the President, Mr. Speaker. It is not about the Congress. It is not about you and I. It is not about American business enterprise. It is not about trade. It is about young people with freedom and the love of freedom in their hearts and their hopes and their dreams, who should not have to observe one of the great world symbols of freedom received on what is to them sacred, hallowed ground by the despotic government that crushed their dream.

Mr. PORTER. Mr. Speaker, nine years ago, the People's Liberation Army and the State Security Forces of the People's Republic of China turned their weapons on a group of unarmed, peaceful demonstrators who had gathered in the center of Beijing for several weeks to protest the corruption of the communist Chinese government and demand democratic reforms and greater freedom. Many of those who had gathered there were students—the best and brightest of China—but there were also factory workers, older people, families and even party members. They had come to Tiananmen Square—the physical and psychic center of China's capital city—to peacefully petition for change in their government. This peaceful petition was met with bullets and tanks. Between 2,000 and 5,000 people were killed in and around Tiananmen Square by Chinese military and police forces. They were shot in the back as they ran away. They were crushed under tank treads. They were killed by indiscriminate machine gunfire. They put their own lives at risk to save others. They are heroes and martyrs, and we will never know many of their names even though we watched their fate unfold on CNN. We cannot allow their memory to die and we cannot allow what they stood for to be diminished.

By ordering Chinese troops and police to fire on their own people, Jiang Zemin, Li Peng and the rest of the Chinese Politburo earned their place in history. Nothing that has happened since can change this fact. President Clinton seems determined, however, to create his own place in history as the American leader who turned his back on the democracy movement in China in order to avoid offending his authoritarian hosts. The Chinese leadership remains unapologetic about the events of June 4, 1989 and they continue to vilify, imprison and exile these brave democracy activists. By standing in Tiananmen Square with these men, President Clinton lends them and their policies—including the actions of June 4th—the veneer of legitimacy they have sought since that fateful day. This is unacceptable.

Tiananmen Square is more than a vast expanse of concrete in the middle of Beijing through which one must inevitably cross. It is more than a typical example of totalitarian architecture; and it is more than a place for ceremonial receptions of foreign dignitaries. Tiananmen Square evokes a visceral emotional reaction within those of us who followed the events of May and June of 1989. It is the place where we saw the spirit of freedom and democracy living in the faces of tens of thousands of Chinese people. It is also the place where we saw their dreams of freedom and democracy crushed by their own brutal and illegitimate government. In 1989, Jiang Zemin and Li Peng—among others—made the decision to use force against peaceful demonstrators at Tiananmen Square. In June 1998, they will be at Tiananmen Square to greet the President of the United States. I believe that such an act is an insult to the memory of those who died in the Tiananmen Square massacre and those who remain in prison or in exile today as a result of their participation in that historic protest. Is this the message that we want to send to those inside China and around the world who are fighting for freedom and democracy?

I strongly support the substance of this resolution and I am pleased that the House has seen fit to bring it to the floor today. I believe that it is important that President Clinton visit China, and that the U.S. remain engaged with China. I do not, however, believe that it is inconsistent with engagement to join my colleagues in calling on the President to honor the memory of those brave Chinese men and women who died nine years ago in the name of freedom and democracy by refusing to stand in Tiananmen Square with the architects of the massacre that is synonymous with that place. Engagement does not mean we fail to stand with those who are our values, rather than those who repudiate our values. Engagement does not mean that must allow the Chinese dictatorship to manipulate a visit by the U.S. president to their own political purposes. U.S. policy should not get ''beyond Tiananmen Square'' until and unless the Chinese government admits that what happened there nine years ago was a mistake and apologizes to the Chinese people for this crime which was committed against them. When that happens, I will be the first one to urge our President to visit Tiananmen Square. Unless he goes to lay a wreath there in memory of the victims of June 4th, however, he should not go to Tiananmen Square on this trip.

The SPEAKER pro tempore. All time for debate has expired.

The concurrent resolution is considered as read for amendment.

Pursuant to House Resolution 454, the previous question is ordered.

The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GILMAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 305, nays 116, not voting 13, as follows:

[Roll No. 202]

YEAS—305

Abercrombie	Diaz-Balart	Hyde
Aderholt	Dickey	Inglis
Archer	Doggett	Istook
Armey	Doolittle	Jackson (IL)
Bachus	Doyle	Jenkins
Baesler	Dreier	Johnson (CT)
Baker	Duncan	Johnson (WI)
Ballenger	Dunn	Johnson, Sam
Barcia	Ehlers	Jones
Barr	Ehrlich	Kasich
Barrett (NE)	Emerson	Kelly
Bartlett	English	Kennedy (RI)
Barton	Ensign	Kennelly
Bass	Etheridge	Kildee
Bateman	Evans	King (NY)
Bereuter	Everett	Kingston
Bilbray	Ewing	Klug
Bilirakis	Fawell	Knollenberg
Bliley	Foley	Kolbe
Blunt	Forbes	Kucinich
Boehlert	Fossella	LaHood
Boehner	Fowler	Lampson
Bonilla	Fox	Lantos
Bonior	Franks (NJ)	Largent
Bono	Frelinghuysen	Latham
Boswell	Gallegly	LaTourette
Boyd	Ganske	Lazio
Brady (TX)	Gejdenson	Lee
Bryant	Gekas	Levin
Bunning	Gephardt	Lewis (CA)
Burton	Gibbons	Lewis (KY)
Buyer	Gilchrest	Linder
Callahan	Gilman	Lipinski
Calvert	Gingrich	Livingston
Camp	Goode	LoBiondo
Campbell	Goodlatte	Lowey
Canady	Goodling	Lucas
Cannon	Goss	Maloney (CT)
Capps	Graham	Maloney (NY)
Cardin	Granger	Manton
Castle	Greenwood	Manzullo
Chabot	Gutierrez	Mascara
Chambliss	Gutknecht	McCarthy (NY)
Chenoweth	Hall (OH)	McCollum
Christensen	Hall (TX)	McCrery
Clay	Hansen	McHale
Coble	Harman	McHugh
Coburn	Hastert	McInnis
Collins	Hastings (WA)	McIntosh
Combest	Hayworth	McIntyre
Cook	Hefley	McKeon
Cooksey	Herger	McKinney
Costello	Hill	McNulty
Cox	Hilleary	Meeks (NY)
Crane	Hinojosa	Menendez
Crapo	Hobson	Metcalf
Cubin	Hoekstra	Mica
Cunningham	Holden	Miller (CA)
Davis (VA)	Hooley	Miller (FL)
Deal	Horn	Minge
DeFazio	Hostettler	Moran (KS)
Delahunt	Hulshof	Morella
DeLauro	Hunter	Nadler
DeLay	Hutchinson	Nethercutt

Neumann
Ney
Northup
Norwood
Nussle
Obey
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rivers
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Royce
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Woolsey
Young (AK)
Young (FL)

NAYS—116

Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Borski
Boucher
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Carson
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeGette
Deutsch
Dicks
Dingell
Dixon
Dooley
Edwards
Eshoo
Farr
Fattah
Fazio
Filner
Ford
Frost
Gillmor
Gordon
Green
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Houghton
Hoyer
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kilpatrick
Kim
Kind (WI)
Kleczka
Klink
LaFalce
Leach
Lofgren
Luther
Markey
Martinez
Matsui
McCarthy (MO)
McDermott
McGovern
Meehan
Meek (FL)
Millender-McDonald
Mink
Moakley
Murtha
Neal
Oberstar
Olver
Ortiz
Owens
Pastor
Pickett
Rahall
Rangel
Rodriguez
Roemer
Roybal-Allard
Rush
Sabo
Sawyer
Skaggs
Skelton
Smith, Adam
Stokes
Stupak
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Wynn
Yates

NOT VOTING—13

Burr
Engel
Frank (MA)
Furse
Gonzalez
Lewis (GA)
McDade
Mollohan
Moran (VA)
Myrick
Reyes
Ros-Lehtinen
Serrano

□ 1916

Ms. KILPATRICK, Mr. CLYBURN, Mr. OLVER, Ms. VELÁZQUEZ, Mr. TIERNEY and Mr. MEEHAN changed their vote from ''yea'' to ''nay.''

Messrs. MCINNIS, WALSH, MCHUGH, MASCARA and MANTON changed their vote from ''nay'' to ''yea.''

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BLUNT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the concurrent resolution just agreed to.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1614

Mr. SKAGGS. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor from H.R. 1614.

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

There was no objection.

CONFERENCE REPORT ON S. 1150, AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM ACT OF 1998

Mr. SMITH of Oregon. Mr. Speaker, pursuant to previous order of the House, I call up the conference report on the Senate bill (S. 1150) to ensure that federally funded agricultural research, extension, and education address high-priority concerns with national or multistate significance, to reform, extend, and eliminate certain agricultural research programs, and for other purposes.

The Clerk read the title of the Senate bill.

UNFUNDED MANDATES POINT OF ORDER

Mr. SOLOMON. Mr. Speaker, I rise to a point of order under section 425 of the Congressional Budget Act regarding unfunded intergovernmental mandates on every single senior citizen homeowner in America.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. SOLOMON. Mr. Speaker, this does increase property taxes on senior citizens, and everybody ought to be listening.

Pursuant to section 426 of the Congressional Budget Act, the language on which this point of order is premised is contained in section 502 of the subtitle A of title V, ''Reductions in Payments for Administrative Costs for Food Stamps,'' of the conference report.

(For section 502, see CONGRESSIONAL RECORD of April 22, 1998, page H2185.)

The SPEAKER pro tempore. The gentleman from New York makes a point of order that the conference report violates section 425(a) of the Congressional Budget Act of 1974, and according to section 426 (b)(2) of the Act, the gentleman must specify the precise language of his objection in the conference report on which he predicates this point of order.

Having met this threshold burden, the gentleman from New York (Mr. SOLOMON) and a Member opposed each will control 10 minutes of debate. Pursuant to section 426 (b)(3) of the Act and after debate, the Chair will put the question of consideration, to wit: Will the House now consider the conference report?

Will the gentleman from Oregon (Mr. SMITH) claim the 10 minutes in opposition?

Mr. SMITH of Oregon. Mr. Speaker, I am in opposition.

The SPEAKER pro tempore. The gentleman from Oregon (Mr. SMITH) will be recognized for 10 minutes in opposition, and the gentleman from New York (Mr. SOLOMON) is recognized for 10 minutes.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I might consume.

I do want the Members to listen up. It is very, very important. We are about to force every single senior citizen homeowner in America to pay more real estate taxes. That is why I raise this point of order against this unfunded mandate.

This conference report would lower each State's reimbursement for administrative costs in the food stamp program by an amount to be determined by the Secretary of Health and Human Services. That provision, my colleagues, according to CBO would limit the Federal Government's responsibility to provide funding to States and local governments to cover the administrative costs of the food stamp program.

Mr. Speaker, the National Governors Association opposes this provision, and almost every single individual governor in America has expressed outright hostility to this reneging on them and putting more costs on our States and our local governments, and that is wrong.

Mr. Speaker, I mentioned CBO had scored this legislation as exceeding the unfunded mandate threshold in the law, which is $50 million. In fact, those costs on the States are much, much higher, in the hundreds of millions of dollars in administrative costs to our individual States and each one of our counties and cities and towns and villages that we represent. And that is according to the National Governors Association, my colleagues.

Overall, this represents a cost shift from the Federal Government to the States as high in my State of New York as $280 million, $280 million, of which local governments are going to have to pay 25 percent of that cost. That is what we are leveling on our senior citizens. What that means, Mr. Speaker, is a ''yes'' vote for this unfunded mandate is a vote to increase property taxes on every single one of our homeowners that own a home in America.

Mr. Speaker, there are so many families living in my district on fixed incomes that it is almost impossible

today for them to even pay the taxes. As my colleagues know, we have tremendous school taxes and land taxes, all of which are caused by the cost of welfare. When State and local governments are forced to raise taxes and ordered to pay for this unfunded mandate from Washington it is going to get even worse.

Taken together, this legislation reserves a fundamental principle of the American majority, of the Republican majority in this House, returning power and influence to the States and letting them not be saddled with these terrible unfunded mandates.

Mr. Speaker, I reserve the balance of my time in order to let other people speak as strongly as I have.

Mr. SMITH of Oregon. Mr, Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have the utmost and greatest respect for my friend from New York. But I must, Mr. Speaker, correct the issue here because without question this is an unfunded mandate, and we are asking our colleagues to recognize what kind of an unfunded mandate this truly is. Certainly not in the minds of those who passed the unfunded mandate law, but indeed by decision, this is an unfunded mandate. How did it occur?

These are funds, Mr. Speaker, that were allocated to the States as a cushion should the welfare rolls go up and we have a huge downturn in the economy. They are funds that we do not anticipate being used, certainly in the near future, maybe not ever, so they are funds residing within each of the States that may never be used. That is because of the action of this Congress in reducing the welfare rolls by requiring people to work and by reducing the need for food stamps.

So if these funds were not used in the manner in which we have provided to our colleagues in the conference committee report, they would be used for some other purpose, maybe for highways, maybe for other purposes. Certainly there is a great demand for the use of these funds. This in no way is an increase in property taxes, this is in no way an increase in senior citizens' costs, in no way.

Mr. Speaker, let me also advise my colleagues, particularly from these States: California, New York, Florida, Illinois, Maryland, Massachusetts, Nebraska, New Jersey, New York, Rhode Island, Washington, and recently Texas, that funds are already being used, State funds, for the very purposes that we talk about here in the bill and in the conference committee report regarding legal aliens' food stamps. Already States are paying, through State coffers, for these exact kinds of funds for food stamps for illegal aliens. Therefore, the passage of this bill will relieve States like New York and Texas and other States who may choose to substitute the conference committee report for State funds.

It makes great sense to pass this. Believe me, not addressing the unfunded mandate kills the conference committee report.

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

□ 1930

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

Mr. Speaker, I do not know, I have heard of smoke and mirrors in my lifetime, but let me tell you, I have been a town mayor, I have been a county legislator, I have been a State legislator, and nobody knows more about this welfare system in this country than I do.

Let me tell you, when you take away the administrative cost of this, you are going to give them something on one hand and take something away on the other. Let me tell you, that is a smoke and mirrors.

This letter from the Governors Association says this would deny several hundred million dollars in food stamps and Medicaid funding from New York State alone, and $3.6 billion in Federal costs to the States by forcing States to absorb food stamp and Medicaid administrative costs, and it goes on and on and on.

Let me tell you, in New York State, and I think it is the same in most every State in the Union, the local share is raised by property taxes. That means that older Americans that are paying property taxes today are going to have to pay that increase, a very substantial increase, to pay for somebody else's food stamps in another area.

That is wrong. If you are going to give those food stamps, at least pay for them out of Federal coffers, and do not force local governors to raise property taxes.

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

Mr. SMITH of Oregon. Mr. Speaker, I yield 3½ minutes to the gentleman from Texas (Mr. STENHOLM), the ranking member of the Committee on Agriculture.

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

Mr. Speaker, I must say I was reminded of the famous quote of Will Rogers, when he observed that, ''it ain't people's ignorance that bothers me so much, it is them knowing so much that ain't so is the problem.''

The gentleman from New York is totally nonfactual in what he was saying. All States are not affected by this bill. States are affected only to the extent they charge common AFDC food stamp administrative costs, and the only States that will be detrimentally affected are those that have been double-dipping, and that is something that we would not want to see done.

First, make no mistake about it, a vote against consideration of S. 1150 will kill the bill, and that is what the gentleman from New York honestly wants to do, is kill this bill. Funding for crop insurance research and rural development and nutrition will be denied.

Now, Federal mandates are generally thought of as any provision that imposes an enforceable duty upon a State, except as a condition of Federal assistance. The original intent was simply to require the Federal Government to pay for requirements placed on States. The Committee on Rules identified the purpose of the unfunded mandates bill as being to prevent Congress from passing feel-good legislation that transfers the cost burden from the Federal Government to State and local governments, for example, the Occupational Safety Health Act, the Clean Air Act and the Clean Water Act.

The provision we are considering in this bill today is unlike any of these. Technically, a Federal intergovernmental mandate is any provision that relates to a program which provides $500,000 annually to States if the provision would decrease funding to the State and the State lacks authority to amend their programmatic responsibility.

An unintended consequence of the 1996 welfare reform bill allows States to shift administrative costs previously charged to the AFDC program and already included in their Temporary Assistance for Needy Families grants, the TANF block grants, to the food stamp program. The result is duplication of Federal administrative reimbursement to States for the same activity, since these costs are included in the TANF block grants and would be matched at a 50 percent rate by the food stamp program.

S. 1150 would close this loophole by annually adjusting States' claims for administrative cost reimbursement by the amount that was included in their TANF block grants for the same purpose. The CBO has identified this provision of S. 1150 as an unfunded mandate relative to the food stamp program because there would be a reduction in funding for that program without a commensurate reduction in administrative requirements.

While this determination is technically correct for the food stamp program in isolation, the provision is drafted to deal with interaction between the two programs. Therefore, when the provision in question is examined from a broader perspective, it prevents States from being overfunded due to the combined effects of TANF block grants and the change in the food stamp cost allocation methodology.

It is difficult to see the provision as an unfunded mandate in this light. Without S. 1150, CBO estimates payments to States for food stamp administrative costs will be $2.5 billion more than prior to welfare reform. Even with enactment of this conference report, States will receive over $800 million more for administrative costs than they were projected to receive prior to enactment of welfare reform.

Welfare reform was never intended to allow States free access to the Federal

Treasury, to double-dip for reimbursements to carry out these programs. I certainly am speaking for the State of Texas, who has informed me they support what we are attempting to do for the reason that the gentleman from Oregon (Chairman SMITH) mentioned a moment ago. We are one of those States that will, in fact, benefit fairly from the passage of this act, and double-dipping or having an unlimited access to the Federal Treasury is something I believe this body would not want us to do.

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

Mr. Speaker, let me just say to the previous speaker, you know, he says, ''All SOLOMON wants to do is kill the bill.'' The gentleman from Texas (Mr. STENHOLM) came here when I did 20 years ago. The gentleman knows that I represent an agricultural district in this country. We are the 20th largest dairy-producing district in America. The last thing I want to do is kill this bill. I just want the Federal government to pay for it and not saddle the local property taxes with the costs.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. BARTON) to counter what the other gentleman from Texas just said.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I thank the distinguished gentleman from New York for yielding me time.

Mr. Speaker, I will enter into the record a letter received by every Member of Congress from the National Conference of State Legislators, dated June 4, 1998, signed by Representative Tom Johnson, Ohio House of Representatives.

It says, ''As reported by the conference committee, S. 1150 contains a substantial unfunded mandate to States, confirmed repeatedly by CBO, that not only violates the Unfunded Mandate Reform Act but breaks the agreement crafted by the Congress and the States on welfare reform. The proposed offset reducing the Federal reimbursement rate for State food stamp administration represents a $1.7 billion cost shift to States without similar reduction in programmatic responsibilities required under the Unfunded Mandate Reform Act.''

The National Conference of State Legislators supports the point of order of the gentleman from New York (Mr. SOLOMON).

Mr. Speaker, under the savings that were found in the conference, there were $2 billion of administrative cost savings found in the overall administration of the food stamp program. The conferees allocated $800 million to restore benefits for certain categories of legal aliens in this country. That is 40 percent of the increase. They did provide an additional $500 million for crop insurance and $600 million in a new program for agricultural research and an additional $100 million for other agriculture research programs.

Those are good programs that would stand the scrutiny of this House. I am not sure that $800 million restoration of food stamp benefits for legal aliens would withstand the scrutiny of this House if we had a full vote.

I hope we would sustain the point of order of the gentleman from New York (Chairman SOLOMON). Let us eliminate the unfunded mandates that are in this bill. Let us report out the money for the farmers and the research universities that needs to be reported and then work on the food stamp program as a stand-alone issue.

Mr. Speaker, I include the letter from Representative Tom Johnson for the RECORD.

NATIONAL CONFERENCE
OF STATE LEGISLATURES,
Washington, DC, June 4, 1998.

DEAR MEMBER OF CONGRESS: The National Conference of State Legislatures fully supports the Rules Committee's decision to allow a point of order on S. 1150, the Agricultural Research bill and urges you to support the point of order when it is raised by Representatives Rob Portman and Gary Condit.

As reported by the conference committee, S. 1150 contains a substantial unfunded mandate to states (confirmed repeatedly by CBO) that not only violates the Unfunded Mandate Reform Act (UMRA) but breaks the agreement crafted by the Congress and states on Welfare Reform. The proposed offset reducing the federal reimbursement rate for state Food Stamp administration represents a $1.7 billion cost shift to states without similar reduction in programmatic responsibilities required under UMRA.

The National Conference of State Legislatures has long been supportive of efforts to restore Food Stamp benefits to legal immigrants; however, we vehemently oppose the funding of these benefits through a reduction in federal Food Stamp administrative reimbursement to states. It is disingenuous for the Congress to solve one cost shift to states by imposing another.

We urge you to support the point of order on S. 1150 and look forward to continued partnership with the Congress in restoring Food Stamp benefits to legal immigrants.

Sincerely,

TOM JOHNSON,
Ohio House of Representatives, Chair, NCSL Federal Budget & Taxation Committee.

Mr. SMITH of Oregon. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. COMBEST).

Mr. COMBEST. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, the conference report includes a provision that corrects an unintentional consequence in the 1996 welfare law reform. That provision would have allowed some States to be paid twice for the same administrative costs for determining eligibility for food stamps. That is corrected in the conference report.

What we are presented with is a situation in which it is an obvious windfall extra payment to some States that must be corrected. If I were one of those States or representing one of those States, I would probably like to be a part of the recipient of $2.5 billion of Federal money that is not due to those States. If in fact that is the desire of Members, to give them $2.5 billion more than is necessary, then vote with the gentleman from New York (Mr. SOLOMON). If it is not and you have a desire to see the bill continue to move forward, vote on the position of the gentleman from Oregon (Mr. SMITH).

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. SAM JOHNSON), one of the most respected Members of this body.

Mr. SAM JOHNSON of Texas. Mr. Speaker, you know, it is funny that we pass welfare reform and then turn around the next year and destroy it. It is also kind of funny that we have a provision in here that does not address just crop insurance and agricultural research, which is what we should be addressing. Instead, we add to it a bunch of unfunded mandates, which has been admitted by the Committee on Agriculture chairman, and those same unfunded mandates that are coming out of our hide are going to be asked of the Committee on Ways and Means again, we just learned today, to take another $16 billion out of this very same program.

Somewhere, the well runs dry. We have to pay the piper. It is time to stand on the laws that we passed. It is time to stand with our welfare reform and not suck the States into more spending.

Mr. SMITH of Oregon. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. DOOLEY), also a member of the conference committee.

Mr. DOOLEY of California. Mr. Speaker, I think every Member has to fully understand what would happen if you vote with the gentleman from New York (Mr. SOLOMON) on this point of order. You would ensure that we would not provide the largest increase in agriculture research which will benefit U.S. farmers in a generation. You will ensure we will not provide the crop insurance money which is vitally needed by a lot of farmers struggling out there.

A year ago, we passed welfare reform by a large bipartisan margin. That welfare reform decreased AFDC benefits, it decreased food stamp benefits, and it was certainly not the intention of those who supported welfare reform to increase administrative payments to the States.

What we are doing with this legislation is ensuring we are going to have a commensurate reduction in the administrative costs to the administration of the welfare programs. This is a sound fiscal approach. The States should not be allowed to double-dip when we are reducing their obligations under our welfare reform policies.

Ensure that we can maintain the agricultural research funding. Ensure that we can maintain the crop insurance funding. Vote against the gentleman from New York (Mr. SOLOMON).

Mr. SMITH of Oregon. Mr. Speaker, I yield 30 seconds to the gentlewoman from North Carolina (Mrs. CLAYTON), a member of the Committee on Agriculture.

Mrs. CLAYTON. Mr. Speaker, I also want to emphasize the fact that this may be an unfunded mandate in its technical sense, but you have a way to close this and you also have a way of correcting the unintended result.

Please know when you vote yes for the gentleman from New York (Mr. SOLOMON), you vote against agricultural research, you vote against crop insurance, and you vote against the opportunity to correct something that we should not have had in the first place. Plus you do good by allowing legal immigrants to have food they so desperately need, particularly children and senior citizens and the disabled.

Mr. SMITH of Oregon. Mr. Speaker, I yield myself the final 30 seconds.

Mr. Speaker, I would just point out again to Members that this unfunded mandate does not impact States because they are not in a position to use it, as has been indicated by the gentleman from Texas (Mr. STENHOLM) and others. They are in no position to use it. It is excess money that will never be used.

Here is a chance to reinvigorate agriculture, for crop insurance, for research and for food stamps for legal aliens in this country. Here is our chance to do it. If you vote for the gentleman from New York (Mr. SOLOMON), you lose that opportunity. Please vote no.

Mr. SOLOMON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let us clear the record here. The worst thing we can do is to not use accurate figures. In a few minutes we are going to take up the budget for 1999, and I want Members to look at it very carefully, because in that budget we are going to knock off another $16 billion out of this same category, okay? Where is that money coming from? Your State and local governments are going to pick up that. In this alone, we are talking about $3.6 billion.

My good friend from North Carolina, and I have great respect for her, she says that this is a vote against crop insurance and ag research. Let me tell Members what a no vote does here right now. A no vote is to not go forward; and if we carry the no vote, it means that the bill rests on the calendar until we find a better way to pay for it and not mandate this expense on your counties and towns and cities and villages.

□ 1945

We have until June 30 to solve the crop insurance program. Nothing is in danger. We have got another 3 weeks here.

So I ask you to vote ''no'' so that it stays on the calendar so we have time to come here with a manager's amendment from my very good friend, the gentleman from Oregon (Mr. SMITH), who is articulate and very innovative about finding ways to pay for things, and we will pay for this and not mandate it on local governments.

Having said that, Mr. Speaker, you all should vote for every homeowner in America and vote no to go forward at this time, and we will take that bill up in a few days when we find a way to legitimately pay for it.

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

PARLIAMENTARY INQUIRY

Mr. SMITH of Oregon. Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore (Mr. SUNUNU). The gentleman will state his parliamentary inquiry.

Mr. SMITH of Oregon. Mr. Speaker, I am attempting to determine how Members are going to analyze this vote. This is a vote, Mr. Speaker.

Mr. SOLOMON. Mr. Speaker, regular order here. What is the gentleman doing?

The SPEAKER pro tempore. The gentleman will state his point of inquiry.

Mr. SMITH of Oregon. Is this a vote to proceed?

The SPEAKER pro tempore. The question before the House is: Will the House now consider the conference report?

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. STENHOLM. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently, a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 324, nays 91, not voting 18, as follows:

[Roll No. 203]

YEAS—324

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Carson
Castle
Chambliss
Christensen
Clay
Clayton
Clement
Clyburn
Combest
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Edwards
Ehlers
Emerson
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fox
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Goodling
Gordon
Graham
Granger
Green
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastings (FL)
Hayworth
Hefner
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Moran (KS)
Morella
Murtha
Nadler
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Parker
Pascrell
Pastor
Payne
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pomeroy
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rothman
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schaffer, Bob
Schumer
Scott
Serrano
Shays
Sherman
Shimkus
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stupak
Talent
Tanner
Tauscher
Tauzin
Thomas
Thompson
Thornberry
Thune
Thurman
Tierney
Torres
Towns
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)

NAYS—91

Archer
Armey
Barr
Bartlett
Barton
Bass
Bilbray
Bilirakis
Bliley
Bryant
Cannon
Chabot
Chenoweth
Coble
Coburn
Collins
Condit
Crane
Crapo
Cubin
Cunningham
Deal
DeLay
Doolittle
Dreier
Duncan
Ehrlich
English
Ensign
Fawell
Fossella
Fowler
Gallegly
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goss
Greenwood
Hastert
Hastings (WA)
Hefley
Herger
Hinchey
Hostettler
Inglis
Istook
Johnson, Sam
Jones
Kingston
Largent
Livingston
Manzullo
McHugh
McIntosh
Mica
Miller (FL)
Neumann
Pappas
Paul
Paxon
Petri
Pombo
Porter
Rohrabacher
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Sensenbrenner
Sessions
Shadegg
Shaw
Shuster
Smith (TX)
Solomon
Spence
Stump
Sununu
Taylor (MS)
Taylor (NC)

Tiahrt	Wamp	Whitfield
Traficant	Weldon (FL)	Young (FL)

NOT VOTING—18

Burr	Hoyer	Myrick
Engel	Lewis (GA)	Ney
Frank (MA)	Markey	Pelosi
Furse	McDade	Reyes
Gonzalez	Mollohan	Ros-Lehtinen
Harman	Moran (VA)	Yates

□ 2005

Messrs. ARMEY, CRAPO, DREIER, WAMP, GILLMOR, PORTER, BILBRAY, INGLIS of South Carolina, and EHRLICH changed their votes from ''yea'' to ''nay.''

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SUNUNU). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement see proceedings of the House of Wednesday, April 22, 1998, at page H2171.)

The SPEAKER pro tempore. The gentleman from Oregon (Mr. SMITH) and the gentleman from Texas (Mr. STENHOLM) each will control 30 minutes.

The Chair recognizes the gentleman from Oregon (Mr. SMITH).

Mr. SMITH of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of the conference committee report on S. 1150.

Mr. Speaker, first I want to thank members of the conference committee who were responsible for bringing this issue to us after long and deliberate discussion, dating back to last year, in fact, with the gentleman from Texas (Mr. STENHOLM) and the Committee on Agriculture discussions on this very issue, but especially the gentleman from Texas (Mr. COMBEST) and the gentleman from Nebraska (Mr. BARRETT) who served with us, and the gentleman from Texas (Mr. STENHOLM) and the gentleman from California (Mr. DOOLEY), who with myself made up the House side of the conference committee.

I want to say first, Mr. Speaker, that this is a transfer of spending, as most Members understand, mandatory spending to mandatory spending. We have rearranged the priorities here, and we have rearranged them in a way which we think is most beneficial to agriculture, but certainly takes into consideration food stamps to legal aliens as well.

In fact, as some have already identified, the Members' conference committee is bringing to them a bill which provides for $600 million of research money, which we think is the backbone of the future of agriculture. We know it is imperative that we pass crop insurance, and finally we have a 5-year program, mandatory spending at $500 million for crop insurance, which again is going to be used, by the way, by the end of this month, and therefore it is essential that we act, and act today.

Of course, there is a $100 million program for rural development, which all of us in rural areas of America would support, as well as the food stamp money, which is $800 million, to compose totally the so-called unfunded mandate which we just discussed, of about $2 billion.

The urgency of the conference committee report, Mr. Speaker, is simply, as I mentioned, that we must provide a solid program for crop insurance. Risk management is an essential part of the future of agriculture, as is research. So those two factors are addressed directly in this conference committee report.

We have not only provided for crop insurance, but through innovative management we have reduced the cost to taxpayers of some $500 million, so the passage of this research bill will essentially provide a savings of some $500 million in crop insurance itself. As I mentioned, the whole program for crop insurance is now $500 million.

The conference committee report was carefully balanced to offset further reductions in excess food stamp spending, and represents, and I want to underline this, represents no net increase in spending. So if budgeteers are listening, there is no net increase in spending. The conference committee accomplished the most substantive reforms to our agricultural research infrastructure in more than 20 years.

If there is another part of the responsibility of government besides risk management, it is certainly research, because those of us who have found that it is the responsibility of government to provide help in research know that is the underpinning of a huge agricultural export program for this country. We export almost $60 billion, Mr. Speaker, of agricultural commodities to foreign countries. The reason we do that is because we are the most competitive Nation in the world, bar none, in the production of foods and fiber. That is why we can be competitive in the world, and it is the result of research that has been successfully done in the past.

Let me give some examples. For instance, one that most of us know about, I know more, from Oregon now, than I did before, having traveled to Georgia, but the whole question of the boll weevil, the control of the boll weevil has restored cotton production to much of the South, a huge breakthrough for agriculture in America.

The genetically modified organisms that we have heard about, BT corn, Roundup Ready soybeans, the increase in grain crop production and yields, the protections for food safety, all are part of this research program, of which we are quite proud.

Yes, it does include some money for legal aliens coming into this country. Listen to who they are, please: the elderly, over 65, living in this country since August 22, 1996; the disabled, legal noncitizens, living in this country since August 22, 1996; and children under the age of 18, living in this country since before August 22nd of 1996. All of these people must have lived here before August 22, 1996.

We invited them here. They are legal; not citizens, but they are legal aliens. We have invited them to this country.

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And if, for a small time, it is our responsibility to help them with food stamps, it is my belief we ought to do that.

Mr. Speaker, this is the most important agricultural issue and bill that Members will vote on in this session of Congress, without question. This is a huge advance for agriculture production in America, and it is a huge advance for agricultural people and farmers.

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

Mr. STENHOLM. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I rise in strong support of this conference report, and I want to begin by acknowledging and thanking the gentleman from Oregon (Chairman SMITH), the gentleman from Texas (Mr. COMBEST), the gentleman from Nebraska (Mr. BARRETT), and the gentleman from California (Mr. DOOLEY) for their work on the conference that brings us this report tonight, a result of months of hard work by Members on both sides of the aisle.

Mr. Speaker, a number of significant differences between the House and the Senate bill had to be reconciled during conference. I believe the legislation we bring now is a fair and balanced compromise among those competing priorities.

This legislation provides for a number of improvements in our system to conduct and deliver information from federally funded agricultural research. It increases producer input into the research process and authorizes research in several new and important areas such as nutrient management, food safety, and crop diversification.

In addition, this conference report reprioritizes the spending which falls under the jurisdiction of the Committee on Agriculture to provide critically needed resources to a number of important national priorities. By limiting the States's ability to shift administrative cost to the Federal Government, this legislation prevents States from circumventing welfare reform while at the same time providing necessary funding for agricultural research, crop insurance, rural development and nutrition programs.

Despite the fact that this bill results in a $1.2 billion reduction in Federal spending for food stamps, S. 1150 has still won support from nutrition advocates. This legislation enjoys broad support because it reprioritizes spending in the food stamp program to provide needed benefits for those who cannot move to self-sufficiency as envisioned by the recent welfare reform, such as the elderly, disabled, and children. And for those refugees and

asylees who are fleeing political and religious persecution, it provides a realistic time frame to make application for United States citizenship.

In addition, this bill fulfills a commitment made by our government during the Vietnam war to some unfamiliar people, the Hmongs and the Highland Laotians who assisted our military during the Vietnam era. As a result of providing assistance to our military, these people suffered terribly at the hands of Communists. By supporting this legislation, we can provide assistance to those who fought so bravely for us.

S. 1150 will provide funding certainty for the crop insurance program. Farmers will no longer have to worry if crop insurance will be delivered, nor will bankers who require it. But although S. 1150 provides this certainty, make no mistake about it; much more needs to be done. We must continue to search for new and innovative ways to improve the program in order to provide meaningful risk management for our farmers.

In terms of budget discipline, S. 1150 is a perfect example of what balancing the budget is all about. Unlike other bills recently considered which provide no offsetting reductions in spending, this bill will not result in increased government expenditures as was stated by the gentleman from Oregon (Chairman SMITH). I underline that. We do not balance the budget by creating new spending but by redirecting existing resources to needed areas.

Mr. Speaker, this legislation simply reprioritizes existing funds from within the agriculture function. From my perspective, that is the very definition of budget discipline.

This bill does not create unlimited spending but limits it by closing a loophole that the States could use to shift costs to the Federal Government, costs that were funded as a result of welfare reform. We are simply looking at agriculture, rural development, and nutritional needs and reprioritizing our existing resources to address current problems.

If we are going to successfully address problem areas, our programs cannot remain static. With limited resources we have to have the ability to address issues as they arise.

So if Members care about agricultural research, if they care with rural communities, if they want to save farmers' crop insurance, if they are concerned about reducing hunger in America, I urge them to support passage of this conference report. It is a responsible and balanced piece of legislation.

Mr. SMITH of Oregon. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. COMBEST).

Mr. COMBEST. Mr. Speaker, I thank the gentleman from Oregon (Mr. SMITH) for yielding me this time.

Mr. Speaker, I would like to again reemphasize the title of this conference report as the Agricultural Research Extension and Education Reform Act of 1998. Initially, I would like to join with Chairman SMITH in also thanking him but also thank our colleagues, the gentleman from Texas (Mr. STENHOLM), the gentleman from California (Mr. DOOLEY), and the gentleman from Nebraska (Mr. BARRETT) for their hard work and cooperation in bringing the conference report to the floor.

This has been a bipartisan effort from the start, and it represents a lot of hard work on the part of a lot of Members. Agricultural research has brought us a multitude of results, from the mass production of penicillin to the sixfold increase in today's agricultural productivity. For American agriculture to continue to be profitable and competitive in the global economy, it is critical that we maintain strong agricultural research programs.

As chairman of the subcommittee with jurisdiction over ag research, I presided over four hearings which provided the basis for crafting this bill. We worked diligently to improve upon the structure of research education and extension. We increase competition and maximize the research by leveraging private dollars with limited Federal funds.

As we know, this conference report contains several provisions which were not in the House research bill. S. 1150 is the product of some very tough negotiations in conference. In the end, we meet our responsibilities to the truly needy, to the farmers who feed them and the researchers and crops insurers who support them; and we do this by putting unspent Ag Department funds to work.

The funding for food stamps is limited primarily to the truly needed among immigrants who legally entered this country prior to the 1996 welfare reform. Children, the elderly, and the disabled will be included in the coverage. Let me stress, no food stamps will be given to new immigrants, only to needy immigrants legally here on or before August 22, 1996.

This is by no means a wholesale repeal of the provisions of welfare reform. Those who can and should work will still be required to do so. No immigrant who came here after August 22, 1996, will be able to receive food stamps.

The funding for the crop insurance program and ag research programs fulfill a commitment that the last Congress made to our farmers and ranchers. With the passage of the 1996 farm bill, Congress reduced the direct payments farmers have historically received to offset the natural risk of farming. In return, Congress promised to provide better risk management, production and marketing tools to maintain farmers' competitive advantages in the global market.

Mr. Speaker, passage of this conference report is critical to America's farmers and ranchers. They deserve our support. I commend this to our colleagues, and I would urge them to support this conference report.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FARR).

(Mr. FARR of California asked and was given permission to revise and extend his remarks.)

Mr. FARR of California. Mr. Speaker, today we have an opportunity to pass bipartisan legislation built by broad coalition. This should have been a no-brainer, but, once again, the House leadership decided to attack the most vulnerable of our society. I commend my colleagues for their strong vote on opposing the previous rule on May 22 and ask them to join me in supporting this bipartisan legislation.

Mr. Speaker, I rise in strong support of S. 1150, the Agricultural Research, Extension and Education Reform Act, and I would like to thank the hard work of the gentleman from Oregon (Mr. SMITH), our chairman; the gentleman from Texas (Mr. COMBEST); the gentleman from California (Mr. DOOLEY); and the gentleman from Texas (Mr. STENHOLM); along with their staff, for crafting this legislation that is so important to the central coast of California and to the rest of the Nation.

The farmers in my district are the most productive specialty crop growers in the world. They produce over $2.2 billion worth of fresh fruits, vegetables, and horticultural crops each year. I represent the ''Salad Bowl'' of the country. The agriculture industry is the backbone of the communities in my district, and they do this without Federal price supports.

In this highly competitive field of agriculture, research is one of the few ways that the Federal Government can help my farmers. The new money in the Initiative for Future Agriculture and Food Systems will jump-start our efforts on emerging technologies as farming moves into the 21st century. The partnerships for high-value agriculture product quality research will give farmers and researchers the ability to work in conjunction with each other to address a wide range of opportunities facing the research community, including production, packaging technology, and value-added enterprises in rural areas.

Mr. Speaker, the bill contains for the first time an initiative for organic farming and will help this niche market continue to grow. We have barely begun to tap the full potential of organic farming systems today. This initiative will provide competitive grants to facilitate the development of organic agriculture production, processing, and potential economic benefits associated with both domestic and foreign markets.

Lastly, I think we have an obligation to provide food assistance to whose to fell through the cracks when we restored the SSI benefits to the elderly and disabled last year. This conference report restores the nutritional safety net for 250,000 legal immigrant adults and children who were indiscriminately cut off from the food stamp rolls.

Mr. SMITH of Oregon. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I want to make sure that this debate is based upon the manner in which this bill was brought to the floor, that is, with respect and restraint. Now, the facts are that if it were not for the leadership, this bill would not be on the floor. And I will say that one more time. If it were not for the leadership, this bill would not be on the floor.

So from this point on, I hope that this discussion continues on a bipartisan basis, because that is the only way this bill will pass.

Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska (Mr. BARRETT).

Mr. BARRETT of Nebraska. Mr. Speaker, I, of course, rise to urge the adoption of the conference report, S. 1150, and am very pleased, incidentally, to see the House is considering this bill this evening.

The Federal Government's investment in research, except for agricultural research, has increased dramatically over the last several years. The reality is that spending on ag research has barely kept up with the rate of inflation. As a matter of fact, this is the first time that agricultural research has been seriously reevaluated in about 25 years. This bill would correct that situation and provide a total of, as has been mentioned, $600 million over 5 years to boost research for agriculture.

Today, we are at a critical juncture. The 1996 farm bill charted the course for a free market in agriculture. Unfortunately, this year we are experiencing for the first time since passage of that bill a depressed market for agriculture. If Congress does not resist the call to open the farm bill, we could end up seriously distorting our markets, reversing a positive trend toward a free market in agriculture and losing credibility with many of our trading partners.

Agriculture research can help this situation. It could help with the depressed prices by developing new uses and markets for our products and through teaching programs that help farmers and ranchers learn new marketing techniques.

Congress' support for this bill gives agriculture a confidence boost. Farmers and the industry will know that Congress is interested in agriculture and will support it in the future, even if we do not support it in the old way with subsidies and acreage controls. This new way is much more positive. We support research, new and expanded markets for our products, and less restrictions on private land.

Let me say a few words to my friends who are opposed to the bill because it restores food stamps to some legal immigrants. I understand the controversy that this creates for many. I have the same concerns. I supported welfare reform in 1996. I believe, however, that the Congress can do more to further reduce the dependence on and the size and the cost of government. However, I think there are times when one has to swallow the good with the bad; and I think this is one of those times, Mr. Speaker. And in this case, I think the good far outweighs the bad.

Congress is about compromise. We come from all parts of the country. We have widely divergent political and ideological backgrounds, but we are here to achieve the best we can for this country. This conference report is the best thing that we could do for agriculture right now, and we need Members' support.

Mr. Speaker, I strongly encourage all of my colleagues to support the bill.

Mr. STENHOLM. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Ms. STABENOW).

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Ms. STABENOW. Mr. Speaker, I rise tonight to strongly support the conference committee for agricultural research and to first commend our chairman and ranking member, as well as the Chair and ranking member of the subcommittee who have worked so hard.

This is truly a bipartisan bill. It is good for production agriculture and it is good for families in Michigan. It is good for families across the country. We have heard tonight about the important need for crop insurance, critical agricultural research, food and nutrition programs, and I want to speak just a moment about food safety.

My good friend, the gentleman from Missouri (Mr. BLUNT) and I introduced a safe food action plan just a number of months ago. Two critical provisions of that are in this legislation: making food safety a top priority for research, and creating a crisis management team to respond in the case of an emergency in a very rapid fashion. Today also at Michigan State University, where we have a national food safety and toxicology program, we are doing a two-day national research institution conference to focus on risk factors for food safety. Today's action could not come at a better time.

Mr. SMITH of Oregon. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. EWING), a member of the committee.

Mr. EWING. Mr. Speaker, I thank the gentleman for yielding me the time. I thank all on the conference committee for the hard work on this important bill, S. 1150, the Agricultural Research, Extension and Education Reform Act of 1998.

This is the first comprehensive overhaul of agricultural research programs in over 20 years. This is quite an impressive accomplishment. It provides $600 million over the next five years for research. This conference report funds important agricultural research programs, vital crop insurance, rural development programs, and restores food stamps for some legal aliens.

S. 1150 is fully offset from savings from food stamp programs. There is no budget impact with this legislation. If American farmers are to compete in the world of free trade, the commitment that we made in the Freedom to Farm Act must be provided. This is a step in that direction. Crop insurance, research, these are very important elements of keeping the Freedom to Farm movement going in America.

In my part of the country the corn is up, the beans are in the field, and the wheat is green, and it is time that we give them their crop insurance program and let them know what it is so they can move ahead.

This bill also creates some exciting new research opportunities, improving the productivity and efficiency and generating, I think, a better environment, higher quality air and safer and more affordable food products for American consumers. This legislation also establishes an animal waste management research initiative, something we hear so much about today when we talk about confinement livestock operations.

Mr. Speaker, this is an excellent bill. It is time that we move on. Parts of it are very time sensitive, particularly the crop insurance portion. I hope that we will give this a resounding ''yes'' vote tonight. Again, my thanks to the chairman and all on the conference committee.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I thank the ranking member for yielding time to me. Let me also congratulate the chairman and the gentleman from Texas (Mr. STENHOLM) and other members of the committee for bringing this conference report to us. I commend the Republican leadership for bringing this report to the floor.

I hope we now realize it is time to stop balancing the budget on the backs of farmers. Farmers have taken it on the chin, and it is time that we show our support for the people who risk so much to produce the safest, most abundant food supply in the world.

This conference report passed the Senate by 92 to 8. We should pass it in a similar margin in the House. Nothing could have highlighted more the support for this bill than our failure to pass it prior to the Memorial Day recess. I certainly heard about it. I am sure others did.

Americans want to support their farmers. Americans want farm communities to be made whole after a disaster. Americans want research reform that will make our food cheaper and safer. Americans want research reform that makes production agriculture environmentally friendly, and Americans want this bill passed.

The most important part of this legislation or at least one of the more important ones, in my opinion, is the provision on crop insurance. With the traditional safety net for farmers disappearing, crop insurance is the one barrier to ruin for farm families from natural disaster. Maybe the only one left.

In North Carolina farmers have been faced with two hurricane seasons in a row. Without a healthy insurance system in place, many farmers in these communities would have been ruined. This is a good bill for farmers in their communities, which means it is a good bill for all Americans.

I urge Members to cast their votes in favor of these hard-working Americans and the programs that they depend on. Vote ''yes'' on the conference report.

Mr. SMITH of Oregon. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CHAMBLISS).

Mr. CHAMBLISS. Mr. Speaker, I rise in strong support of this conference report. I would like to take a moment to congratulate the gentleman from Oregon (Mr. SMITH) and the gentleman from Texas (Mr. STENHOLM), the gentleman from Texas (Mr. COMBEST) and the gentleman from California (Mr. DOOLEY) for the great job they did in putting this ag bill together.

In 1996 we passed a farm bill that is a very historic farm bill, a farm bill that is a 7-year bill instead of the normal 5-year bill, a farm bill that participated in the balanced budget process, a farm bill that moves agriculture into the 21st century, and a farm bill that gets the Federal Government off the farm and allows our farmers to do what they do best and grow the very finest agriculture products of anybody in the world. In that farm bill we phase out commodity support prices over that 7-year period.

The Federal Government has got to stay involved in agriculture in three areas: Number one, we have got to stay involved from a market standpoint. We have got to move forward to continue to open markets for our agriculture products.

Secondly, we have to provide a safety net, a safety net in the form of a good substantive crop insurance program.

Thirdly, the Federal Government has got to stay involved in the area of research.

Why do we need crop insurance? The year 1997 was a disastrous one in my section of the country from an ag perspective. Going into July we had the most beautiful crops we had ever had and then the rain stopped. We had 60 days of drought, when yields started decreasing and the sun took its toll. Then the rain started again in September and El Nino brought rains into February and March, and our farmers were unable to get their crops out of the field. Crop insurance is extremely important to farmers who are faced with that problem.

Why do we need research? My son-in-law is a farmer. Joe is living the American dream of coming back home and farming with his father. But Joe is only able to do that because through research we are now planting seeds in the ground every day that are more resistant from a disease standpoint than what his father planted, and we are also providing seeds that yield higher yields and better quality yields than what his father was able to produce. That is why we have to have research.

Mr. Speaker, I thank the gentleman very much for this very positive bill, and I urge its passage.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes and 30 seconds to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, the bill that is before us this evening is truly one that is supported on a bipartisan basis, as is evident in the discussion. But I think that it needs to be said that we have gone through a fair amount of turmoil in this body as we have discussed agricultural policy, and there is not unanimity as to the wisdom or the effectiveness of the farm bill under which we are operating.

Agriculture in many areas of this country is in severe economic distress. The bankers in my area tell me that we have more farmers that are facing foreclosure or forced exit from farming than we have had since the mid-1980s, and the condition of the farm economy rivals what we saw in the farm depression of the mid-1980s. The farm bill, by transferring billions of dollars in automatic transition payments, is not truly addressing the needs that many of these farmers face.

What I feel is good news is that the bill that we are taking up this evening indeed does. I believe that agricultural research is something that has paid rich dividends to the American consumer and to the American farmer, and investing in this area is one of the key investments that we should make in this Nation. Agricultural research is every bit as important as scientific research, medical research and other research.

The crop insurance program similarly pays rich dividends because what we are doing is, we are giving farmers a better tool with which to manage their risks. This is not from my perspective a safety net or a welfare program for farmers. This is a tool to manage risk. What we are doing is making sure that we are handling at the Federal level the overhead or the administrative cost of the insurance program and the farmers are paying for the underwriting cost or the risk element of the program.

They choose what level of coverage they wish. I believe one of the more exciting opportunities is to move ahead with what is called crop revenue insurance, and this would enable farmers to not just look at the problems of crop failure but also of marketplace failure; that is, where prices are too low. I hope that the U.S. Department of Agriculture uses the authority that it has and the funds that are now available through this bill to expand the revenue assurance program throughout the country.

Mr. Speaker, I believe that this indeed is an historic occasion this evening, that we are operating on such a bipartisan basis in a body that often is fractured by partisan rhetoric. I look forward to quick passage of this measure.

Mr. SMITH of Oregon. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. LAHOOD).

(Mr. LAHOOD asked and was given permission to revise and extend his remarks.)

Mr. LAHOOD. Mr. Speaker, notwithstanding the assault two weeks in a row by the chairman of the Committee on Rules, I am glad that we are finally at the point where we can pass in a very bipartisan way this bill. I think some of us who have worked for the last year and a half in many ways dislike the tactics that were used to assault a bill that was passed in a very bipartisan way. I am glad that we are at the point now that I am sure it will pass overwhelmingly.

I give a good amount of credit to the gentleman from Texas (Mr. COMBEST) and the gentleman from California (Mr. DOOLEY) for the many hearings that they held, for wanting to reach out to every Member that had any interest in agriculture to say, give us good information and we will put a bill together. And they did that. And to the gentleman from Oregon (Mr. SMITH) and the gentleman from Texas (Mr. STENHOLM), our thanks to them, too.

For me personally, I have one of the four ag research labs in my home town of Peoria. This bill means an awful lot. For agriculture it is just not growing corn and soybeans. Research is the future of agriculture well into the 21st century. That is why this bill is important, because what happens in these ag research labs and what happens at the University of Illinois in Champaign, Illinois as a result of this bill means that corn farmers and soybean farmers and people that grow commodities and crops all over this country will have the advantage of the best research anywhere in the world. I am delighted to have played a very small part in that.

In addition, this bill contains an opportunity for those of us who live in States where these megahog farm operations are beginning to crop up all over to really do some swine odor research over the next four or five years, to really try and go after the problem that has been created by megahog operations not just in Illinois but in other parts of the country. I know that Members grin and smile when we talk about swine odor research but if they have one of these megahog operations crop up in one of their communities, they know it is a very serious problem. This bill also helps address that.

So for the future of agriculture, for the future of research in agriculture, I ask everyone in the House to support the bill.

Mr. STENHOLM. Mr. Speaker, I yield 3 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I thank the gentleman for yielding me the time.

I too want to join and commend the leadership on both sides of the House for bringing this bill to this point and hope that the delicate, carefully crafted, bipartisan compromise conference

report is indeed overwhelmingly supported. Members should know that it provides vital funding for agriculture research, education and extension programs, as well as the restoration of food stamps benefits and much-needed crop insurance.

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This legislation is also critical as it addresses badly needed funding for crop insurance for particular farmers and for those who have suffered disasters in years past.

These moneys will be used for Federal crop insurance research. The moneys will be used for production liability and limiting of a farmer's risk due to natural disasters beyond their control.

I am pleased that the conference report continues to recognize the need for research along with the need for water and sewage on this rural development program.

This agreement continues the education, research and extension programs that are so vital at our county level. They also provide essential funding for the entire agriculture community, providing new research initiatives and priorities, including Pfisteria, a microorganism that has plagued much of our waters in North Carolina, creation of consistent funding standards that all the universities will know how to have access to the funding, and better funding and better accountability for these funds.

It also furnishes integral funding for land grant universities, including historically black colleges and universities, oftentimes who need these research funds to further their education research activities. It also provides much needed funds for Hispanic-serving institutions as well.

Finally, I want to express my heartfelt appreciation and profound support for the restoration of food stamp benefits for legal immigrants. The food stamp restoration program has caused a lot of discussion, but this conference report, I think, targets this to the most vulnerable of our legal immigrants, the elderly, the disabled, children, refugees, those who often come to this country with very little, those who have come to our country who were veterans, who fought alongside other veterans in the U.S. military forces in Vietnam. They were eligible for food stamps prior to the Welfare Reform Act of 1996. When we changed the rule, we really denied these persons who needed these benefits. I am pleased that we are doing the right thing by restoring that.

I represent a rural district where the need for Federal crop insurance is very great and very much appreciated. 1996 demonstrated not only our need but also our utilization of this. I am pleased that we are restoring that today.

The importance, the urgency and the fairness of this conference report both by the producers and the consumers of agriculture products is paramount.

Mr. Speaker, I urge all of my colleagues to support this much needed and very well crafted report.

Mr. SMITH of Oregon. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS of Oklahoma. Mr. Speaker, I rise to support the conference committee report. It has not been all that long ago that we passed the 1996 farm bill, the most dramatic 7-year farm bill in the history of agriculture. At the time that we passed the bill, a majority of the Members of this body supported it, the leadership of this body supported it, the other body supported it by voting for it, and by his signature the President showed his support.

What was one of the main points that we made in the 1996 farm bill? We said, ''Farmers, go forth and farm for the market and we will help provide you with the tools that you need.''

Today, Mr. Speaker, we have a wonderful opportunity to help provide those tools. This bill provides additional resources for agricultural research to the tune of $600 million, a commitment that the Federal Government has been involved in for 130 years that has benefited not only farmers and ranchers but the American consumer, as well as crop insurance, almost $400 million to make that program work, to make those resources maximize themselves.

The amazing thing is, this is funds that the committee in effect made decisions that were saved, the money was saved in other areas and then spent in these areas. The best of all worlds. We live up to our commitments, we use the resources that we have more efficiently allocated, and we have done what we said we would do. I thank the chairman for the opportunity to support this conference committee report.

Mr. SMITH of Oregon. Mr. Speaker, I yield 2 minutes to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Speaker, I want to thank the gentleman for yielding me this time and for all the good work of the leadership on this committee and the leadership of the House in bringing this bill to the floor.

A couple of years ago we did away with production controls and supply management and price supports and deficiency payments and all those things that have marked our farm policy for a lot of years. In doing so, we said to the American agricultural producer that we want you to make your living at the marketplace. But we did not give them very many tools with which to manage their risk. Crop insurance is really the only thing that they have out there to do that. We have the opportunity here today to cure this annual crisis that we have over the funding mechanism for crop insurance. This is very important for that reason.

The second thing that is important is because this legislation provides a mechanism whereby researchers can compete for ag research funding. The reason American agriculture is even remotely profitable today to the extent it is, and many would argue when you have prices below the cost of production that it is even the least bit profitable, but the reason it is is because of the technological breakthroughs that we have seen in the past few years. We have become much more efficient. We have got a lot better yields on a lot less farmable land. If American agriculture is going to be profitable and continue to be profitable in the future, we are going to have to make the investment in research and development.

Agriculture is a tough business under even the best of conditions. We have an opportunity today to say something that is very positive to producers of this country, and, that is, that we want to work with you in making this crop insurance program workable so that you have a tool whereby you can manage your risk, and, secondly, we are going to invest in research, so as we head into the next century that agriculture continue to lead the way and our producers can be the most efficient in the world and our consumers can continue to benefit from the lowest prices for food. This is a very important step in that direction.

Again, I thank the leadership and the chairman for his hard work, diligence and persistence in bringing this bill to the floor and would urge my colleagues to support the conference report.

Mr. SMITH of Oregon. Mr. Speaker, I yield 2 minutes to the gentleman from Montana (Mr. HILL).

Mr. HILL. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in strong support of the agriculture research conference report. As my colleagues know, the United States has led the world in agricultural production. We have the best producers in the world. We can compete on a level playing field with anyone, any producer, anywhere in the world.

Right now things are not very good on the northern plains. We have dry conditions, we have trade imbalances, market failures, and it has created a lot of problems for producers on the northern plains. This bill does not address all those problems, but it does deal with one, and that is the insurance program for our drought conditions. But we cannot continue to compete unless we have research and an investment in research, because it is research that increases the productivity of our farms and ranches, it is how we lower costs, and it is how we increase yields. Frankly it is how we feed America and it is how we feed the world and it is why Americans enjoy the highest living standard in the world.

When the last Congress asked U.S. farmers to compete in the world markets, we said that we would help them manage risk with a better insurance program and assure our commitment to an effective crop insurance program. This bill delivers on that promise. We also said that we would invest in research so that we could assure our

long-term competitiveness. This conference report delivers on that promise as well.

Mr. Speaker, my State leads in agricultural research. At Montana State University, we have research with regard to different grains. At our Agricultural Research Station at Sidney, we are dealing with pest management. At Fort Keogh, we are dealing with increased production for people in the livestock industry. It is research that has increased our production, it is research that will improve our environment, and it is research that will deliver on our standard of living for all Americans. I urge all my colleagues to support the conference report.

Mr. STENHOLM. Mr. Speaker, I yield myself 15 seconds for purposes of saying thank you to the staffs on both the majority side and the minority side for the hours and days and weeks and months of hard work that they have put in to bringing us to this point tonight. We appreciate it.

Mr. Speaker, I yield the balance of my time to the gentleman from California (Mr. DOOLEY), the ranking member of the Subcommittee on Forestry, Resource Conservation, and Research and I thank him for his work.

(Mr. DOOLEY of California asked and was given permission to revise and extend his remarks.)

Mr. DOOLEY of California. Mr. Speaker, I also want to commend the gentleman from Oregon (Mr. SMITH) and the gentleman from Texas (Mr. COMBEST), along with the gentleman from Texas (Mr. STENHOLM), for really continuing the tradition of the Committee on Agriculture to work in a bipartisan fashion to devise ag policy which is going to work in the best interests of our farmers.

I think also that the environment that they have created in the Committee on Agriculture, that bipartisan environment, certainly has contributed to our staffs working in a very effective and bipartisan fashion, too.

I rise today in strong support of the conference report to accompany S. 1150, the Ag Research, Extension and Education Reform Act. It has been a long road, but I believe that passage of this bill is imperative, and I am pleased that the House will vote on it today.

As with any legislation that we consider in Congress, S. 1150 is a product of hard work and compromise. While there will be some here today who will criticize certain provisions of this bill, I strongly believe that we have crafted a good bill that deserves the support of the House.

Mr. Speaker, I believe that the Federal investment in ag research is the most vital component of the agricultural safety net for the future. Our country has a long and successful history of agricultural research innovations, and our system is the envy of the world. I believe that the research provisions of S. 1150 will lead to an even better agricultural research system in our country and provide farmers with the tools that they will need to be competitive in this international marketplace into the next century.

Specifically, the conference report requires a competitive process for high-priority research projects and requires a match for those projects. The conference report does not contain any earmarked projects for specific States or specific universities, and I also think that the peer review and merit review provisions will improve the quality of research conducted at USDA.

The most exciting provision of the bill is the establishment of the Initiative for Future Agriculture and Food Systems. This new program, which is funded at $120 million per year, will provide a new and stable source of competitively awarded research money to be targeted at high-priority issues. I want to applaud Senator LUGAR for his persistence in establishing this program and know that it will begin delivering benefits to farmers in the next few years.

While the research provisions of the bill were a top priority, the crop insurance components are also very important, because they provide the needed ability for farmers to manage the risk that is going to be inherent in the marketplace certainly as we move away from many direct subsidies to farmers.

But one other important component was the restoration of food stamp benefits for certain groups of legal immigrants and refugees and asylees. Many people in this body have criticized this provision, but I take exception to that. As part of the Balanced Budget Act we passed last year, we tried to provide some I think responsible reforms to the welfare act that many of us voted for in a bipartisan fashion.

We are not turning our back on welfare reform. What we are trying to do is provide some important assistance to some people who we invited into our country that have been important contributors to our society. I am particularly pleased about this because in my district I am home to a large number of Hmong refugees who will be benefiting from these provisions.

Oftentimes, we forget the sacrifices that these Hmong and Lao refugees have provided our country in participating in the secret war, participating alongside of our soldiers in the Vietnam War, saving many of their lives. I do not think we have to make any apologies for providing a restoration of food stamp benefits to some of these individuals who we invited into our country and provided service to our country.

Mr. Speaker, I think we have a great conference report here that meets the needs of U.S. farmers and is a responsible bill. I urge the entire body of the House to vote in support of it.

Mr. SMITH of Oregon. Mr. Speaker, I yield myself such time as I may consume. In closing, let me thank again the gentleman from Texas (Mr. STENHOLM) and his great statement about our staff, on both sides. They have worked arduously and well together. Members would be surprised how closely we work. I think they would be proud, as I am, this evening, proud of the conduct of this debate, and the people who are in it, because we who represent agriculture represent farmers. We do not represent anybody else, not huge companies, not foreign interests. We represent farmers. I think that is the reason that we can find ways to accommodate one another's issues and accommodate one another's ideas.

I am especially proud to bring this conference committee report to my colleagues. I might say to them that it is not only because of our work together. There were 71 agricultural organizations in America, I cannot find any organization that was not represented, that not only had great patience with us with this bill when we asked them to have patience but then when we asked them to step forward and to support this bill with Members, they did so enthusiastically. It is out of great respect for the organization of agriculture in America which stood together on this issue is the reason that we are here.

□ 2100

So, Mr. Speaker, I again thank all my colleagues for the debate, and I ask them all to support this very good conference committee report.

Mr. BEREUTER. Mr. Speaker, this Member rises in reluctant support of the conference report for S. 1150, the Agricultural Research Bill.

This Member is voting for the conference report because of the urgent need for crop insurance and the importance of agricultural research. However, this Member is strongly opposed to the provision in the bill that reinstates food stamp benefits for legal immigrants.

Two years ago, we finally passed major legislation that ended welfare as we knew it. The Personal Responsibility and Work Opportunity Act of 1996 contained a provision that barred most legal immigrants from the Food Stamp program, and we need to remember that immigrants are sponsored by American citizens who have agreed to take financial responsibility for their needs during the naturalization process. Too many sponsors have failed in their responsibility. This Member is strongly opposed to the reinstatement of food stamps for legal immigrants that was added to the bill during conference.

However, the need to approve crop insurance funding has reached a critical point. Funding is necessary so that our nation's farmers have in place a safety net to protect them against the natural disasters which are a constant threat. Allowing crops insurance coverage to lapse would make too many producers vulnerable to the uncertainties cause by weather. The farm bill enacted in 1996 creates more freedom and opportunities for farmers, but it is important for crop insurance to remain in place as a viable option.

It is also critically important to reauthorize the agricultural research program. Funding for research offers a long-term and far-sighted approach to supporting producers and improving our nation's food supply. Clearly, the success

of agriculture in the future depends on the research we support now.

This Member is voting for the conference report because of the importance of crop insurance and agricultural research.

Ms. DELAURO. Mr. Speaker, today, I rise to support passage of S. 1150, the conference report on the Agricultural Research, Extension, and Education Reauthorization Act, which reauthorizes these programs for five years. Funding provided through this authorization is used by state research centers to protect and improve the use of crops.

Three weeks ago, I spoke against the rule that would have allowed a vote on this legislation. The rule, if passed, could have stopped funding for food and nutrition assistance.

Today we have a chance to vote on a clean bill. This bill contains funding for some of the most important research done in this country. In my congressional district, scientists at the Connecticut Agricultural Experiment Station have used U.S. Department of Agriculture grants to fund research on ticks that cause Lyme Disease and on yew trees that produce Taxol to fight breast and ovarian cancer.

I support today's bill because it ensures that 250,000 individuals and families will receive needed hunger assistance. I also support this bill because it provides for research that saves lives.

I urge my colleagues to join me in support of this important legislation.

Mr. SANDLIN. Mr. Speaker, I want to commend Chairman SMITH, Ranking Member STENHOLM, and the members of the Committee. I commend you for the excellent legislation we have before us today.

The Agriculture Research, Extension and Education Reform Act will give stability to crop insurance programs, boost spending on agricultural research for the first time in 10 years, and provide an additional $100 million for economic development in rural areas. By doing so, the bill will bring jobs to East Texas and improve long-term productivity and profitability for East Texas farmers and ranchers.

As government subsidies for agriculture come to an end, crop insurance has become one of the last barriers against financial ruin for farm families. The 1996 farm bill guaranteed crop insurance to our agricultural producers, but without this bill, farmers across the nation face the prospect of crop insurance cancellations as early as this month. In East Texas, there are agricultural producers facing drought conditions in some counties and floods in others, and we cannot deny them the crop insurance they have been promised. I share the relief of every crop producer in East Texas tonight as we pass this bill and ensure the continuation of crop insurance.

Equally important is the research component of this bill, providing $600 million over five years in mandatory spending on agricultural research, including funds for the Texas A&M University System across Texas. We have a long history of agricultural research in this country, and it has led to the most productive and most efficient agricultural industry in the world. Continuation of this commitment is vital for America's farmers and ranchers as agricultural subsidies disappear and global markets become more competitive.

Mr. Speaker, this bill has been carefully crafted to pay for itself and protect the future of our agricultural producers and every American who relies on their products. I encourage all my colleagues to cast a strong vote for rural America and pass this bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, thank you for the opportunity to speak on this crucial issue. I strongly oppose the rule striking reauthorizing food stamps for legal immigrants in the United States.

The rule that has been recommended would set up a ridiculous procedure which gives Republican opponents two extraordinary procedural mechanisms to kill the bill. Under this absurd procedure, the House will not even be allowed to debate the bipartisan conference report, even though the conference report has already been filed and has already been approved by an overwhelming bipartisan majority in the Senate. I vote to reauthorize food stamps for those who need them.

We must restore food stamps to our 900,000 legal immigrants including farmworkers. Food stamp recipients are refugees, the elderly, disabled Vietnam veterans and children who are facing food and nutritional deficiencies in larger and larger numbers.

This year, approximately 600,000 U.S. citizen children with immigrant parents will have less food on their tables because of these cuts. Since food stamp access has been cut, a widening hunger crisis has emerged that private charities and State and local governments have not been able to handle.

There simply have not been enough resources to feed all the hungry. Catholic Charities USA, Second Harvest and the U.S. Conference of Mayors have all reported major increases in request for emergency food assistance while food pantries are going empty and are turning people away.

In my home State of Texas, 124,000 legal immigrants lost food stamps. 13,090 of these who lost food stamps are children!!! The State itself is only able to cover approximately 15,000 people under a State program for elderly and disabled during this biennium.

The elimination of food stamp benefits for adults without children is calculated to create a mass of people who are desperate to take any job, no matter how poor the wages and conditions.

It will serve to intimidate all lower paid workers, a valuable and crucial section of the American workforce.

President Clinton singled out these welfare provisions as particularly unfair, and has since asked for $2 billion to restore benefits to about 730,000 immigrants.

Striking this rule would deny almost a million people, old and young, and those contributing as a valuable force to our Nation's economy. I vote not to strike the rule and to reauthorize food stamps.

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

Mr. STENHOLM. Mr. Speaker, I yield back the balance of our time.

The SPEAKER pro tempore (Mr. SUNUNU). All time has expired.

Without objection, the previous question is ordered. The question is on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SOLOMON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 364, nays 50, not voting 19, as follows:

[Roll No. 204]

YEAS—364

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Carson
Castle
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goodling
Gordon
Graham
Granger
Green
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Moran (KS)
Morella
Murtha
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver

Ortiz
Owens
Oxley
Packard
Pallone
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rothman
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schaffer, Bob
Schumer
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—50

Archer
Barr
Barton
Bass
Bliley
Blunt
Brady (TX)
Cannon
Chabot
Coburn
Collins
Crane
Deal
DeLay
Doolittle
Ensign
Goode
Goodlatte
Goss
Greenwood
Hefley
Herger
Hostettler
Hunter
Istook
Johnson, Sam
Kingston
Largent
Manzullo
Miller (FL)
Neumann
Pappas
Paul
Rohrabacher
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Sensenbrenner
Shadegg
Solomon
Stearns
Stump
Sununu
Taylor (MS)
Tiahrt
Weldon (FL)

NOT VOTING—19

Bartlett
Bateman
Burr
Engel
Frank (MA)
Furse
Gonzalez
Harman
Lewis (GA)
Martinez
McDade
Mollohan
Moran (VA)
Myrick
Pryce (OH)
Reyes
Ros-Lehtinen
Talent
Yates

□ 2119

Messrs. GOODLATTE, HERGER and SALMON changed their vote from ''yea'' to ''nay.''

Mr. GALLEGLY changed his vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. MYRICK. Mr. Speaker, earlier this evening, I was unavoidably detained and as a result missed rollcall votes #202, #203, and #204.

Had I been present for these votes, I would have voted ''Yea'' on rollcall vote #202, ''Nay'' on rollcall vote #203, and ''Nay'' on rollcall vote #204.

PERSONAL EXPLANATION

Ms. PRYCE of Ohio. Mr. Speaker, on rollcall no. 204, I was unavoidably detained in traffic. Had I been present, I would have voted ''yes.''

MAKING IN ORDER AT ANY TIME CONSIDERATION OF H.R. 3989, USER FEE AND TAX INCREASE ACT OF 1998

Mr. SOLOMON. Mr. Speaker, after consultation with the minority, I ask unanimous consent that it be in order at any time to consider the bill (H.R. 3989) to provide for the enactment of user fees proposed by the President in his budget submission under section 1105(a) of title 31, United States Code, for fiscal year 1999; that the bill be considered as read for amendment; that the amendment I have placed at the desk be considered as adopted; and that the previous question be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the gentleman from New York (Mr. SOLOMON) and the minority leader or his designee; and (2) one motion to recommit, with or without instructions.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill add the following title:

TITLE IV—TAX INCREASES

SEC. 401. TAX INCREASES.

It is the sense of the House of Representatives that the following tax increases proposed by the President should be enacted as soon as possible:

(1) ACCOUNTING PROVISIONS.—

(A) Repeal lower of cost or market inventory accounting method.

(B) Repeal nonaccrual experience method of accounting and make certain trade receivables ineligible for mark-to-market treatment.

(2) FINANCIAL PRODUCTS AND INSTITUTIONS.—

(A) Defer interest deduction on certain convertible debt.

(B) Extend pro rata disallowance of tax-exempt interest expense that applies to banks to all financial intermediaries.

(3) CORPORATE TAX PROVISIONS.—

(A) Eliminate dividends received deduction for certain preferred stock.

(B) Repeal tax-free conversion of large C corporations into S corporations.

(C) Restrict special net operating loss carryback rules for specified liability losses.

(D) Clarify the meaning of ''subject to'' liabilities under section 357(c).

(4) INSURANCE PROVISIONS.—

(A) Increase the proration percentage for property and casualty insurance companies.

(B) Capitalize net premiums for credit life insurance contracts.

(C) Modify corporate-owned life insurance rules.

(D) Modify reserve rules for annuity contracts.

(E) Tax certain exchanges of insurance contracts and reallocations of assets within variable insurance contracts.

(F) Modify computation of ''investment in the contract'' for mortality and expense charges on certain insurance contracts.

(5) ESTATE AND GIFT TAX PROVISIONS.—

(A) Eliminate nonbusiness valuation discounts.

(B) Modify treatment of gifts of ''present interests'' in a trust (repeal ''Crummey'' case rule).

(C) Eliminate gift tax exemption for personal residence trusts.

(D) Include qualified terminable interest property trust assets in surviving spouse's estate.

(6) FOREIGN TAX PROVISIONS.—

(A) Replace sales source rules with activity-based rule.

(B) Modify rules relating to foreign oil and gas extraction income.

(C) Apply ''80/20'' company rules on a group-wide basis.

(D) Prescribe regulations regarding foreign built-in losses.

(E) Prescribe regulations regarding use of hybrids.

(F) Modify foreign office material participation exception applicable to certain inventory sales.

(G) Modify controlled foreign corporation exception from United States tax on transportation income.

(7) ADMINISTRATIVE PROVISIONS.—

(A) Increase penalties for failure to file correct information returns.

(B) Modify definition of substantial understatement penalty for large corporations.

(C) Repeal exemption for withholding on gambling.

(D) Modify deposit requirement for FUTA.

(E) Clarify and expand math error procedures.

(8) REAL ESTATE INVESTMENT COMPANY PROVISIONS.—

(A) Freeze grandfathered status of stapled or paired-share REITs.

(B) Restrict impermissible businesses indirectly conducted by REITs.

(C) Modify treatment of closely held REITs.

(9) EARNED INCOME TAX COMPLIANCE PROVISIONS.—

(A) Simplify foster child definition under the earned income credit.

(B) Modify definition of qualifying child for purposes of the earned income credit where more than one taxpayer satisfies the requirements with respect to the same child.

(10) OTHER REVENUE-INCREASE PROVISIONS.—

(A) Repeal percentage depletion for certain nonfuel minerals mined on Federal and formerly Federal lands.

(B) Modify depreciation method for tax-exempt use property.

(C) Impose excise tax on purchase of structured settlements.

(D) Reinstate Oil Spill Liability Trust Fund excise tax and increase Trust Fund ceiling to $5,000,000,000 (through September 30, 2008).

(11) REINSTATE HAZARDOUS SUBSTANCE SUPERFUND EXCISE TAX AND ENVIRONMENTAL INCOME TAX.—

(A) Reinstate Superfund corporate environmental income tax.

(B) Reinstate Superfund excise taxes (through September 30, 2008).

Mr. SOLOMON (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

There was no objection.

ORDER OF BUSINESS

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

Mr. SOLOMON. Mr. Speaker, I would like to make an announcement regarding the remainder of the session this evening.

Mr. Speaker, we are about to take up the rule that will make in order the budget for 1999 and two substitutes that go with it. That will be debated fully this evening. There may or may not be a vote on that rule. Then we would go into 3 hours of general debate, and there would be no further votes in the House this evening when that takes place.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, I assure the gentleman there will be a vote on the rule tonight.

Mr. SOLOMON. Mr. Speaker, reclaiming my time, I am glad we got that cleared up. So it is 9:25, and we can expect a vote around 10:25, and then bid you all good night. The rest of us will stay here and debate the very important bill.

PROVIDING FOR CONSIDERATION OF H. CON. RES. 284, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 1999

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 455 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 455

Resolved, That at any time after the adoption of this resolution 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 concurrent resolution (H. Con. Res. 284) revising the congressional budget for the United States Government for fiscal year 1998, establishing the congressional budget for the United States Government for fiscal year 1999, and setting forth appropriate budgetary levels for fiscal years 2000, 2001, 2002, and 2003. The first reading of the concurrent resolution shall be dispensed with. General debate shall not exceed three hours, with two hours of general debate confined to the congressional budget equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, and one hour of general debate on the subject of economic goals and policies equally divided and controlled by Representative Saxton of New Jersey and Representative Stark of California or their designees. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original concurrent resolution for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in part 1 of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part 2 of the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. 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 15 minutes. At the conclusion of consideration of the concurrent resolution for amendment the Committee shall rise and report the concurrent resolution 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 by the Committee of the Whole to the concurrent resolution 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 concurrent resolution and amendments thereto to final adoption without intervening motion except amendments offered by the chairman of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

SEC. 2. Rule XLIX shall not apply with respect to the adoption by the Congress of a concurrent resolution on the budget for fiscal year 1999.

The SPEAKER pro tempore. The gentleman from New York (Mr. SOLOMON) is recognized for 1 hour.

(Mr. SOLOMON asked and was given permission to revise and extend his remarks.)

Mr. SOLOMON. Mr. Speaker, for the purposes of debate only, I yield 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded, of course, is for debate purposes only.

Mr. Speaker, I am not going to bother to repeat and explain the rule itself, because the House Clerk has done a very good job with it.

I would say, Mr. Speaker, last February the President of the United States submitted a budget to Congress that was a relic of the tax-and-spend policies of Democrats of the past. Just 6 months after this Republican Congress and President Clinton enacted into law the first balanced budget in a generation and the first tax cut in 16 years, President Clinton sent us a backward-looking budget. It was just the opposite of what we had been doing.

□ 2130

That budget, ladies and gentlemen, called for 85 new spending programs, 85 new spending programs. It created 39 new entitlement programs. It increased spending by $150 billion, again, going just the opposite direction of what we have been moving to, and it increased taxes and user fees by $129 billion, ladies and gentlemen.

Mr. Speaker, in this Republican-controlled House, that approach to budgeting and governing is a nonstarter. We can thank the gentleman from Ohio (Mr. KASICH) sitting over here, the chairman of the Committee on the Budget, for what I would call unbelievable due diligence of bringing this budget which is not draconian. As a matter of fact, I think if he and I had our total way and we were to dictate the terms of this budget, we would see some further major, major cuts in this bill.

But today the House has the opportunity to move this Nation in a new direction and, I would argue, in the right direction with the passage of the Kasich budget. The Kasich budget establishes an honest blueprint for this Congress to achieve four important goals.

Those four important goals are, Mr. Speaker: paying down our $5.5 trillion debt. That is important. If we polled into our district, the gentleman from Montana (Mr. HILL) just was here telling me what he had done, that is what the American people want. They want us to pay down on that $5.5 trillion debt that is a disgrace to this Nation.

Number two, preserving and protecting Social Security.

Number three, shrinking the growth of government by reducing spending by 1 percent over 5 years. That is not much, but let me tell my colleagues, it is a step in the right direction.

Finally, relieving the tax burden on families through elimination of the marriage penalty, and that may be the most important thing that we do here this year.

Mr. Speaker, this rule allows the House to choose between two distinct investigations of government. One is envisioned by the President and his tax-and-spend plan, which is largely characterized by the substitute offered by our colleague from South Carolina (Mr. SPRATT). It follows the same vision of the President in the budget that he had presented to us.

If we favor increasing spending, and if we favor increasing government and oppose cutting taxes, then we ought to stand up here tonight and vote for the Spratt substitute. If we oppose allowing this Congress even the opportunity to provide a net tax cut for American families, then we should support the Spratt budget. But I do not think we ought to do that.

Mr. Speaker, there is another vision of the government before this House tonight, and that vision is captured in both the Kasich budget resolution and in the Neumann substitute, both of which are good budgets in my opinion.

Both of these budgets seek to make the Federal Government's budget smaller and the family budget larger. Both seek to fulfill our outstanding commitments in Social Security, in Medicare, and to our veterans and even to our children and our grandchildren by paying down the national debt and ensuring, and this may be the most important part of all, ensuring our national defense is the best state-of-the-art that we can give to men and women that serve in our uniforms today.

Both seek to take advantage of our Nation's positive fiscal climate by continuing the country's shift towards a smaller government, greater individual responsibility, and expanding entrepreneurship and economic initiative.

That is really what we ought to be here doing, because that creates jobs and it helps small business across this Nation, particularly small business that creates 75 percent of all the new jobs in America every single year, not only for those that are being displaced by downsizing but young men and women, girls and boys, coming out of high school and college.

Mr. Speaker, in closing I would just observe that the rule before us allows the House to openly debate two different visions of government, one Republican, and one Democrat, and boy, are they different, for a total of 5 hours of debate.

So I would urge my colleagues to support this rule. After the gentleman from Massachusetts (Mr. MOAKLEY) has opened his statements, we want to get into a colloquy with the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Ohio (Mr. KASICH), the Committee on Budget chairman.

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

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman from New York (Mr. SOLOMON), my colleague and my good friend, for yielding me the customary half hour; and I yield myself such time as I may use.

Mr. Speaker, I rise in opposition to this rule and would like to voice my strong opposition to this Republican budget resolution. The Republican budget picks on those who are the most vulnerable in our society. The Republican budget will hurt low-wage working families. It will hurt the victims of crime. It will hurt the students. Mr. Speaker, once again it will hurt the veterans.

This Republican budget cuts Medicaid and children's health programs by $12 billion over 5 years, in addition to the $10.2 billion cut imposed by last year's budget. Republicans remove a guarantee of health care to families in need by block-granting the acute care portion of Medicaid.

Mr. Speaker, the cuts on those in need do not stop there. Republicans cut temporary assistance to needy families by $10.1 billion. This is a change in their reported budget. They must be very ashamed of it because they submitted it only last night, in the dark of night, after the House was in recess.

The Republicans also cut educational opportunities for those in need. The Republicans cut Head Start and grants to school districts with high levels of poverty. The Republicans, listen, Mr. Speaker, the Republicans cut veterans' benefits by $10 billion.

The Republicans also cut law enforcement. They refused to fully fund the Violent Crime Reduction Trust Fund. They eliminate the Legal Services Corporation.

Mr. Speaker, the gentleman from New York said he is proud of this Republican budget. I hope he is, but I am not. I would be willing to bet most Americans care far more about education and law enforcement and preserving a safety net for working families than they do about $101 billion in tax cuts for corporate fat cats and the very rich.

I think my Republican colleagues agree with me, because as draconian as these cuts may sound, nearly every single one of them is set to go in effect in the future, like a budget cut time bomb. This could mean that the cuts will, God willing, never materialize; or it could mean that my Republican colleagues want to be as far away as possible when this blast finally goes off.

Mr. Speaker, the most surprising cuts are those in the areas that the House has spoken out loud and clear. The Republican budget cuts $21.9 billion from the highway bill we just voted on 2 weeks ago. It cuts $21.9 billion from that bill, the highway bill we just sent to the President. The Kasich budget would slice off $21.9 billion.

The Republican budget will also impede the passage of any tobacco legislation. It will hurt our chances of fixing Social Security. It does not stay within the requirements of last year's balanced budget agreement either.

In contrast, Mr. Speaker, the Democratic alternative budget proposed by the gentleman from South Carolina (Mr. SPRATT) will reserve the Social Security surplus until Congress and the President can agree on how to save it. The Democratic alternative will enable Congress to pass the Patient's Bill of Rights and also the tobacco settlement. The Democratic alternative stays within the parameters of the balanced budget agreement.

The bipartisan budget proposal offered by the gentleman from Minnesota (Mr. MINGE) and the gentleman from Texas (Mr. STENHOLM) is also a far better choice than the Republican budget. It is nearly identical to Senator DOMENICI's budget proposal, which means it is very possible it could pass in both Houses, which is exactly why my Republican colleagues refuse to make it in order. Last night at the Committee on Rules it was said that the Minge budget should not be made in order because it is so close to the Senate position; it might pass. That would make that conference just too easy.

Mr. Speaker, the budget of the gentleman from Minnesota (Mr. MINGE) does not hurt Medicaid recipients or needy families or students or crime victims or veterans, and it might win more votes than the Republican budget. It is not surprising that the Republicans will not allow it to come to the floor for a vote.

This rule is a very unusual one, Mr. Speaker, in one respect. Until last year it was traditional for a rule on the budget resolution to guarantee that major alternatives would be considered. Special procedures called king of the hill, queen of the hill ensured that each of the substitutes would at least be debated and voted on. This rule just does not offer that traditional guarantee. If the first substitute is agreed to, the Democratic alternative cannot even be debated.

This rule will not allow Members to vote on the Minge-Stenholm budget. It does not guarantee that the Democratic alternative will be heard. It encourages Members to vote for a dangerous Republican budget.

Mr. Speaker, I urge my colleagues to oppose the rule.

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

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

Mr. Speaker, my hero, Ronald Reagan, used to say, ''Well, you have heard it again. There they go again. There go those Democrats: Tax, tax, tax; spend, spend, spend.'' You just heard the greatest old New Deal speech that we ever heard on this floor.

What he is talking about is creating 85 new spending programs. Spend, spend, spend. Creating 39 new entitlement programs. Spend, spend, spend forever. Forever. Increasing spending by $150 billion. Tax the taxpayers. Increase taxes and user fees by $129 billion.

Mr. Speaker, we have a big difference between these two bills.

Mr. Speaker, I yield such time as he might consume to the gentleman from Pennsylvania (Mr. SHUSTER) so that he can have a colloquy with the gentleman from Ohio (Mr. KASICH), the Committee on Budget chairman, and clear up some misunderstandings.

Mr. SHUSTER. Mr. Speaker, I was dismayed to learn that the committee-reported budget resolution before the body today does not reflect the additional Highway Trust Fund outlays guaranteed and firewalled in the conference report on TEA–21.

The TEA–21 conference report, which is about to be signed by the President, enacts into law firewalls within the discretionary spending caps. These firewalls guarantee that we will spend future Highway Trust Fund tax receipts on highway and transit infrastructure and not continue the past practice of setting spending from the trust fund without regard to the tax revenues being collected.

In drafting TEA–21, we worked closely with the Committee on the Budget and the administration to cut the cost of the bill substantially and to fully

offset the additional spending in TEA–21. Given that TEA–21 is fully offset, and the overwhelming vote of both bodies for the funding levels and the guarantees in TEA–21, I believe that the budget resolution should fully reflect the guaranteed spending levels in TEA–21.

Mr. Speaker, I would ask my good friend the distinguished gentleman from Ohio (Mr. KASICH), chairman of the Committee on the Budget: Is it the position of the chairman of the Committee on the Budget that any budget resolution conference report or any other measure that will be used to govern appropriations in budget actions this year will fully reflect the firewall funding guarantees in TEA–21?

Mr. KASICH. Mr. Speaker, if the gentleman will yield to me, the committee-reported resolution was adopted prior to the conference agreement on TEA–21. As reported, this budget resolution assumed that the additional Highway Trust Fund spending could be accommodated if fully offset. It is my intention that the budget resolution conference report fully comply with the highway trust fund funding guarantees contained in the conference report on TEA–21.

Mr. SHUSTER. Mr. Speaker, I thank the distinguished gentleman from Ohio. Based on those assurances, I urge my colleague to support both the rule and the budget.

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

Mr. Speaker, to the gentleman from Ohio (Mr. KASICH), chairman of the Committee on the Budget, I am just a little confused by that explanation. Can the gentleman tell me how he can accommodate that $29 billion that he took out of the Highway Trust Fund?

Mr. KASICH. Mr. Speaker, if the gentleman will yield to me, let me say to the gentleman from Boston, Massachusetts, my good friend, I am really kind of amazed to listen to his comments, because I think ranking member of the Committee on Rules knows that what we are asking the Federal Government to do is, instead of spending $9.1 trillion over the next 5 years—

Mr. MOAKLEY. Mr. Speaker, I have limited time. Would the gentleman just answer my question?

Mr. KASICH. Mr. Speaker, I am answering the gentleman's question. Instead of the Federal Government spending $9.1 trillion with all these things you talk about, guess what? You are going to get to spend $9 trillion. Do you know something else? The families in your district that are being penalized by the marriage penalty will be helped. We will be able to accommodate this highway bill.

Mr. MOAKLEY. Mr. Speaker, I reclaim my time.

Mr. KASICH. In fact, we will be able to pass the resolution.

Mr. MOAKLEY. Mr. Speaker, I reclaim my time. The gentleman does not want to answer the question.

Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, we are now 45 days and 45 nights late in action on a budget in this Congress. Why? It is not clear to this Member why this Congress has procrastinated and failed to live up to its responsibility to provide the Nation and the appropriations committees and the other institutions with guidance as to our budget policies for this fiscal year and the four fiscal years to follow.

□ 2145

Shame. After 3 years of Blue Dog Coalition budgets coming to the floor of this body, the Committee on Rules has refused to allow such a budget to be considered this week.

Why is that? Is it because a moderate, bipartisan budget was proposed? Is it because it is an updated version of the Domenici version adopted by the United States Senate? Is it because there is fear that a bipartisan budget that is brought to this floor would pass and would defeat the more partisan budgets that are coming from both sides of the aisle?

It is not clear to me, and I think it is truly unfortunate that this body does not have the opportunity to consider a budget similar to the Senate budget, a budget that passed overwhelmingly, a budget that represents a mainstream course in this country, a budget that is designed to put Social Security first, not to spend the budget surplus until we have fixed the financial problems of Social Security; to reserve that surplus, to make sure that we are careful in husbanding our resources and not embarking on numerous new programs, not taking the resources that are so badly needed to eliminate the deficit and spending those resources on other purposes.

We are deeply disappointed that this budget was repudiated by the Committee on Rules, that we have not had an opportunity to bring it to the floor. Shame, shame, shame.

Mr. SOLOMON. Mr. Speaker, one of the reasons why we have a different vision in our party is because of the majority leader of this House. I yield such time as he might consume to the gentleman from Texas (Mr. RICHARD ARMEY) to explain that vision.

Mr. ARMEY. I thank the gentleman for yielding me the time, Mr. Speaker.

Mr. Speaker, a very good friend of mine, Thomas Soul, once wrote a book entitled ''Conflict of Visions.'' It was a good book, and I would commend it to all of us.

But what we are doing here today with this rule is we are setting up an opportunity for this House of Representatives to consider alternative visions. Earlier this year the President of the United States submitted his recommendation, his budget recommendation, to Congress. In that recommendation he set forth what is his vision for America. The President's vision was presented in a budget that called for 85 new spending programs, that created 39 new entitlement programs, that increased spending by $150 billion, and increased taxes and user fees by $130 billion.

Mr. Speaker, the gentleman from Ohio (Mr. KASICH), the distinguished chairman of the Committee on the Budget, and the members of the Committee on the Budget got together, and they all agreed that that was not the vision for America that they would recommend to this House.

In fact, they wrote a vision for America in which we see a contrasting view; that their vision says, let us reduce spending by $100 billion, and let us reduce taxes by $100 billion. Let us take one penny on the dollar out of an annual budget that is $1.7 trillion. A 1 percent spending reduction will allow us to have sufficient tax reduction that we can correct some of the more disparaging things in our tax code.

Mr. Speaker, we all tell our children, our best advice, young man, our best advice, young lady, is for you to get married and settle down. Yet, in today's tax law, they are punished if they do that. The Kasich budget makes available to us through reduced spending an opportunity to eliminate that penalty for marriage, and to do other things that are beneficial to the lives of our children through tax reduction, and to give them also a smaller, more efficient, more effective, more responsive government.

The Committee on Rules has taken these visions under consideration and they have written a fair rule, a rule that says, let us have the contest, let us have the contest between these two contesting visions.

If I might close, Mr. Speaker, with this observation to my colleagues on the Republican side of the aisle, in particular, this is our vision. This is what we believe we want for our children, a budget that reflects the need in this Nation for a government that knows and respects the goodness of the American people, and has the decency to respect that goodness by restraining itself from its excesses, both in the manner in which it takes money out of the pockets of the American working man and woman, and the manner in which that money is spent.

The Kasich budget gives us an opportunity to set a new standard to spend the taxpayers' hard-earned dollar as minimally as necessary to get the greatest service possible per dollar for the people of this Nation.

Mr. Speaker, I ask my colleagues, vote yes for this budget, vote yes for this rule. Reaffirm our vision for America.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. TANNER).

Mr. TANNER. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise today out of sadness. I do not make many partisan statements. I do not do one-minutes. By virtue of the Committee on Rules turning down an opportunity for this

House to talk about the Blue Dog budget, it reminds me of a saying that many may have heard, that the Republicans are more efficient than Democrats. They are. By the adoption of this rule, they have achieved the same level of arrogance in 4 years that it took the Democrats that they accused of it 40 years to achieve.

To deny us a budget debate on this floor that might pass because it has too much bipartisan support says to me that partisan politics is more important than doing something good for this country. I rise out of sadness because we are not permitted to debate the Blue Dog budget.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BOYD).

Mr. BOYD. I thank the gentleman very much, Mr. Speaker, for yielding time to me.

Mr. Speaker, I wanted to spend my minute talking about the transportation issue, but I think at least after the weak attempt to explain why the transportation package that we passed here 2 weeks ago is not included in this budget, we all understand how bad this budget rule is.

I would just tell the Speaker and my good friend, the gentleman from Texas (Mr. ARMEY), the majority leader, that with the majority and with the power of the gavel comes a certain amount of responsibility. That responsibility is to bring to this body a budget which makes a lot of sense.

There is not a budget here presented today that I can vote for, because I believe that we ought to stick with the balanced budget agreement which we passed last year. We ought not to go off on a wild goose chase with a bunch of new spending programs, and we ought not to go off on a wild goose chase with a bunch of tax cuts. We owe $5.5 trillion of debt in this Nation that we need to pay down. We need to take whatever dollars we have and preserve Social Security and pay down that debt.

I would ask Members to vote against this rule.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE)

Ms. LEE. Mr. Speaker, I rise today in opposition to the recommended rule on this budget resolution for several reasons. First, this rule would pit the $10.1 billion cut in Medicare against funding for income security programs such as public housing, disability assistance, and WIC nutrition programs. This proposed rule demands the cruel and callous task of choosing whether to cut vital Medicare programs for our elderly citizens, or programs to provide basic services to our poor.

The policy of pitting people who need critical social service programs against each other is unethical, particularly since we are now experiencing a boom of wealth in our Nation. It is our responsibility to assure that we provide a safety net for those who need it, rather than decide who should fall through it.

I also oppose this rule because it is extremely limiting to this vital discussion in which we are about to engage. The debate on the Federal budget is a discussion of our national priorities, and the fundamental principle of democracy really dictates that we all have an opportunity to participate in the lawmaking process.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, for those just tuning in, this might well be called ''Trillions after 10,'' because as we approach the 10 o'clock in the evening hour here in Washington, we are beginning to consider how trillions of dollars, of taxpayers' dollars of the American people, are to be expended.

Why this manner of consideration? Because this Republican budget, taken up after a full day of dilly-dallying, like most of this Congress, this Republican budget is truly a national embarrassment. It rejects the whole spirit of bipartisanship that produced the first balanced budget in decades, and the largest Federal surplus in the history of this Nation as a result of a bipartisan spirit.

Instead of a bipartisan approach to trying to resolve our budget for the next few years, the approach we hear tonight is the same tired old rhetoric of tax and spend that had to be rejected in order to get us together in a bipartisan spirit for this budget.

We came in as members of the Committee on the Budget to consideration of this proposal in much like the circumstances we find ourselves in tonight, with a take-it-or-leave-it budget, that rejected at the outset the number one goal of budgeting this year, and that is to save Social Security, first and foremost.

We presented an amendment that suggested that every penny of this large surplus ought to be devoted to protecting and preserving the Social Security system. That approach was rejected. It is rejected in this embarrassing Republican midnight budget.

Secondly, we said, recognize that there are a lot of American families out there struggling to make a go of it. Give them a targeted tax cut to address their needs with reference to child care, and support public education for those families that are trying to help their children get through our public schools.

Instead, this Republican budget proposes to eliminate the only Federal program that provides direct assistance to our schools for economically disadvantaged children. It is an embarrassing budget that rejects the needs of America's families and the needs of this Congress to work together.

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

Mr. Speaker, I just have to say, there they go again. I am one of these old-timers. I keep records. Members can go up in my Committee on Rules office up there, and I keep a record on everybody who votes against our rules we bring down here. I just need Members to know that.

I also keep a record of how people vote on increasing spending and decreasing spending. I follow the National Taxpayers Union's rating. I cannot help but call attention to everyone here the fact that most of these speakers who are speaking are the same ones who are rated as the biggest spenders in the Congress by the National Taxpayers Union. Not only are they rated that way by the National Taxpayers Union, they are rated that way by me, because I keep track of them.

All last year when people like myself were offering cutting amendments to all of these appropriation bills, cut a little here, cut a little there, somehow to save a little, to tighten our belts, these same people that are standing up here talking were voting against all of those cuts. As a matter of fact, I have never seen them vote for one cut in spending.

Mr. Speaker, I yield such time as he may consume to the gentleman from somewhere in California (Mr. DAVID DREIER), a real spending cutter.

Mr. DREIER. Mr. Speaker, from somewhere in California, I thank my friend for yielding time to me.

Mr. Speaker, I rise to think back to 3 years ago, when, at the second lectern right behind us, the President, in delivering his State of the Union message to an overwhelming bipartisan ovation, said the era of big government is over.

Then I am reminded of what he did here just this past January, when he unveiled his plan for $150 billion of new spending programs, and it included, as I guess the gentleman from Ohio (Chairman KASICH) told us in the Committee on Rules last night, 85 new programs, 39 new entitlements, $130 billion in new taxes.

□ 2200

And then I was struck with the fact that just a few weeks after that the new premiere of the People's Republic of China, Zhu Rongji, unveiled his plan to close down 14 government ministries and lay off 4 million bureaucrats. And as we debate this China-U.S. problem that we have got that the administration has quite possibly created, I wonder which government is headed in the right direction.

Thank God we are having this debate which is beginning to focus back onto the issue of individual initiative and responsibility and creating a climate where we will have Washington do better with less so that the American family will do better with more.

Now it seems to me that, as we look at this, one of the things that was very troubling to me, and I raised it last night when the ranking minority member of the Committee on the Budget was in the Committee on Rules, was

this idea of saying that any time that we look at the prospect of cutting taxes it has to be offset with a tax increase. I am not a big fan of this paygo provision, because we found that since we were able to reduce the top rate on capital gains what happened? We have generated a tremendous surge in revenues to the Federal Treasury.

Mr. Speaker, 172 Democrats and Republicans joined with us in our quest to reduce that top rate on capital gains from 28 to 14 percent. We did not quite get there. But I am convinced that if we were to go even further we could generate another level of revenues to the Treasury.

I think that what we need to do is we need to have a cut in the payroll tax. 75 percent of the American people pay more in payroll taxes than they do in Federal income taxes. It seems to me that we are now at least starting to get back on the right track, countering what was said here at the State of the Union message earlier.

Mr. Speaker, I urge support of this rule, and I urge support of the Kasich budget that we will be moving forward with.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, as we discuss our budget, we are really discussing the priorities that the American people have for the utilization of its resources. And certainly any budget discussion should include a variety of alternatives. Indeed, the majority denied one alternative which perhaps could have met in a consensus of the Members of this House on both sides. It might not have been the one that I wanted, but still we needed a full discussion of it.

I also rise to say that the proposal that we have here in terms of the Kasich bill denies the bipartisan approach that we had when we had the balanced budget agreement of last year. This violates the principles of it. It violates the undergirding caps of it. It has a black hole. We do not even know how indeed we are going to finance the resources for paying for the transportation bill, which is the bill of authority. And we know there ought to be a fire wall between the trust fund and this bill. It has many inconsistencies that one would think one who would want to be prudent in the spending and caring for priorities would address.

For that reason, I urge that we reject this rule, because it is not only unfair but it is the wrong way to discuss the priorities which will utilize the resources of the American people, and it certainly is unfair for us now to undo what we did last year where we had a balanced budget that indeed was crafted with a bipartisan approach. I urge a ''no'' on this vote.

Mr. DREIER. Mr. Speaker, may I inquire of the Chair how much time is remaining?

The SPEAKER pro tempore (Mr. SUNUNU). The gentleman from New York (Mr. SOLOMON) has 13½ minutes remaining, and the gentleman from Massachusetts (Mr. MOAKLEY) has 14 minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY), the ranking member, for yielding me this time.

Mr. Speaker, here we do go again. After 30 years of partisanship and 30 years of red ink, I thought we learned something in 1997. When the parties work together, they can balance the budget, and we should all be proud that we did that in 1997.

There is a proposal that would build on that tradition. It was put forward by the gentleman from Minnesota (Mr. MINGE) and the gentleman from Texas (Mr. STENHOLM). It deserves a hearing on this floor. It is not perfect. It may not even win majority support. I would support it, as I intend to support the budget offered by the gentleman from South Carolina (Mr. SPRATT), but it deserves a hearing because it builds a bridge between the two parties, and it builds a bridge between this House and the other body.

We should reject this rule because this rule rejects our right to fully and fairly debate all of the alternatives before the American people. Reject this rule. Give us a chance to debate all the alternatives.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Mr. Speaker, I stand in support of the rule, of course, which makes in order three alternative budgets tonight. Frankly, two of them seem to me pretty good ideas.

Both of them, one sponsored by the gentleman from Ohio (Chairman KASICH) and one by the gentleman from Wisconsin (Mr. NEUMANN), they spend less, but they also make a number one priority elimination of the marriage tax penalty suffered by 42 million taxpayers. The Democratic proposal spends more, taxes more, and fails to address the marriage tax penalty suffered by 42 million taxpayers.

Let me explain why elimination of the marriage tax penalty is so very, very important to 42 million taxpayers. Think about it. Do Americans feel that it is fair that under our current Tax Code a married working couple pays more in taxes just because they are married? Do Americans feel that it is fair that 21 million married working couples pay $1,400 more in higher taxes just because they are married than an identical couple with identical incomes that live together outside of marriage?

Americans back home in Chicago and the south suburbs feel that is wrong. Let me give an example of a south suburban couple in the suburbs of Chicago, Joliet, a machinist who works at Caterpillar and a schoolteacher in the Joliet public schools. This Joliet Caterpillar machinist makes $30,500 a year. If he is single, under our current Tax Code, after the standard deductions and exemptions, he is in the 15 percent tax bracket. If he meets and marries a gal who is a public schoolteacher with an identical income and they combine their incomes, under our Tax Code, if they file jointly, their combined income of $61,000 after standard deductions and exemptions still makes them pay more taxes. Almost $1,400 more they pay under our Tax Code today.

That is wrong that the average working married couple pays, on average, $1,400 more just because they are married. And the Republican budgets eliminate the marriage tax penalty. Think about it. For this couple in Joliet, this machinist at Caterpillar, this public schoolteacher at the Joliet public schools, $1,400 is real money. For some in Washington, $1,400 is a drop in the bucket, but for this couple in Joliet $1,400 is one year's tuition at the local community college at Joliet Junior College. $1,400 is 3 months' day care in the local day care center. That is real money for this machinist and schoolteacher.

If we care for working families, let us eliminate the marriage tax penalty. Why? Because it is real money for real people. And I think like I know a lot of my friends do, and it should be a bipartisan concern. We should allow this machinist and this schoolteacher to keep more of what they earn. Is it fair that they pay a penalty because they are married? Of course not. Let us eliminate the marriage tax penalty.

There are three alternative budgets here. Even the one that was proposed that was not listed that everyone keeps referring to on the other side fails to address what should be our number one priority this year, that is eliminating the marriage tax penalty. I urge adoption of the rule and the elimination of the marriage tax penalty.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. SPRATT), the ranking member of the Committee on the Budget.

Mr. SPRATT. Mr. Speaker, the gentleman who just spoke said that our resolution, the substitute which I am offering on behalf of the Democratic Caucus, makes no effort to mitigate the marital tax penalty, and that is not correct.

Section 11 says, it is the sense of the Congress that the Committee on Ways and Means should undertake high-priority tax relief of at least $30 billion over 5 years and lists four things we would like to accomplish; and the fourth is mitigate the Tax Code marriage penalties in a manner at least equal in scope to the 1995 tax relief provision of H.R. 2491, which was a Republican bill.

We are endorsing that. Twice the gentleman from Washington (Mr. MCDERMOTT), a member of the Committee on Ways and Means, has moved

a marital tax mitigation bill. Twice the majority on the committee have rejected it. Last year, he moved it in the Committee on the Budget, and they rejected it. We are calling for action this year in our resolution also.

Mr. MOAKLEY. Mr. Speaker, I yield 1 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. Mr. Speaker, I thank the gentleman from South Carolina (Mr. SPRATT) for letting us on the Democratic side of the aisle come forward and acknowledge that for a long time we have been fighting as well against the marriage penalty, and I appreciate the gentleman's clarification.

Mr. Speaker, we are here today because the budget resolution of last year was a bipartisan effort. But I will assure my colleagues that I am not going to support this rule or any part of this budget that cuts the entitlements of people who are in need of some $56 billion. Entitlements including $12 billion in Medicaid, $10 billion in temporary assistance for needy families.

The proposed Republican plan would terminate all direct Federal assistance to public schools in our poorest areas, particularly repealing Title 1 grants. It is as well shocking that the Republican plan guts the discretionary education program by $6 billion. We who claim to be in support of family values, we who claim to be in support of children, and yet we are cutting some $28.7 million from the State of Texas Child Family Services. Child Care and Adult Protective Services will be reduced by $8.89 million, and the Texas Workforce Commission will be cut by $340,000.

Mr. Speaker, let me say this is a bad bill. I urge my colleagues to vote against the rule and vote against the budget as well.

Mr. Speaker, I rise today to voice my concerns about H. Con. Res. 284, the House Budget Resolution. I strongly object to the Budget that has been proposed by the Republican leadership.

I believe that the hope and future of this country depends on its children, and this Budget Resolution does not provide our young people with the access to child care, health care and education that they deserve and need to become healthy and independent members of our workforce and communities.

The Republican plan misses every opportunity to make constructive investments in our future to improve our government's services and benefits for our citizens who need it most. The Republican plan cuts entitlement by $56 billion dollars. Entitlements including $12 Billion in Medicaid, $10 Billion in Temporary Assistance for Needy Families!

This is a travesty! How can we say that we care about the health and welfare of our future, about our children's health when we remove poor children's access to crucial health care?

And what about our children's chances for education, for advancement, for their chance to be respected, learned and contributive members of our communities? The Republicans themselves have criticized the plan. Senator DOMENICI in relation to the bill said ''You just can't do this. This is just not a possible solution and we [in the Senate] would not do it because we couldn't live with it in the waning days of the session.''

If the Republicans themselves say they cannot live with the bill, how can our most needy and most vulnerable populations live with such a plan? The answer is that our children, our inner city poor, our single parents, will suffer and unfairly, if this absurd Republican plan is passed.

The proposed Republican plan would terminate all direct federal assistance to public school districts in our poorest areas by repealing Title I grants. It is shocking that the Republican plan cuts the discretionary education program by $6 billion below last year's Balanced Budget Agreement and $7 billion below our Democratic plan.

It will eliminate Americorps and the Legal Services Corporation both which provide critical assistance to may of our poor citizens who need to secure housing, fair pay and a fair chance.

We must put the health and welfare of our people, our families, our communities first. The Republican plan would freeze WIC, and head start at 1998 funding levels for 5 years, as well as section 8 Housing causing at least a million households to lose federal vouchers and certificates by 2003.

In fact 14 percent of the Mandatory cuts come from low income programs, hitting those who need the funding the most. Our families who need food stamps for their basic nutritional needs, welfare to work and social service programs, will lose their tentative grip on self-sufficient independent living when all these are erased. Combined with the proposed $12 billion worth of cuts in Medicaid/Children's Health Insurance Program, almost 49% of the Republican's mandatory cuts hit programs for the poor and near poor, even though these programs constitute only about one-fifth of all entitlements.

In the President's state of the Union address, he proposed initiatives in child care, health care and education, yet, the Republicans in Budget Committee voted to reject every single initiative, even the most inexpensive. We have a responsibility to provide for our nation's future—and all the people who need services to survive and to thrive.

In my home state of Texas, proposed cuts in the Social Services Block Grant will result in a loss to the State of Texas of approximately $28.7 million. Child and Family Services, Child Care Regulation and Adult Protective Services will be reduced by $8.89 million from the amount they currently receive, and the Texas Workforce Commission which receives 1.2% of the Texas allocation and supports child care for low income families will be cut by 17% or $340,000. The Department of Human Services providing Family Violence and Community Care Services will lose 14.34 million dollars.

In Harris County where I live, poverty has increased 42%, and 240 thousand children are living in poverty, and 30,000 families are on the waiting list for child care assistance. Child abuse and neglect accounts for 20% of all children's homicides in the county, and only 42.7% of all the children who were abused in Harris County actually received any therapeutic services.

I urge my colleagues to think carefully when they cast their votes this evening on H. Con. Res. 284. It is critical that we consider fairness, and compassion in making their decisions. We must provide adequate resources to ensure our America, our children a strong and healthy future.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. RODRIGUEZ).

(Mr. RODRIGUEZ asked and was given permission to revise and extend his remarks.)

Mr. RODRIGUEZ. Mr. Speaker, in this budget resolution, why are we asking our veterans to give up more than they have already sacrificed? We looked in terms of the recommendations that were being brought up, and it was brought in terms of a ''new vision.'' It was presented as a ''new vision.''

Mr. Speaker, what kind of a new vision is it? I cannot even imagine cutting one of the following programs. This new vision eliminates the cost-of-living adjustments for education and service-connected veterans benefits. It eliminates the cost-of-living adjustments for low-income wartime veterans who receive a pension. It eliminates dependent benefits for veterans whose service-connected disabilities are rated at 30, 40, and 50 percent. It eliminates compensation for veterans with service-connected disabilities rated at 10 percent.

Is that the new vision that the majority is presenting? Is this the vision that goes after those individuals who have fought for our country? Again, even if such drastic benefits reductions have changed and continue to be made, we would still have met less than half of the savings required under the Budget Resolution.

The Committee on Veterans' Affairs has done its fair share through the era of downsizing and cutbacks. I find it profoundly unfair that at this time we come back and hit those individuals that have fought for our country. We are asking to cut $10.4 billion total from veterans service.

At this time, I ask Members to vote against the rule and consider reassessing that warped vision that they have.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. SMITH), the hard-working member of the Committee on the Budget with his very impressive chart.

Mr. SMITH of Michigan. Mr. Speaker, I am a farmer from Michigan and seems to me we need to get the budget hay out of the mow and down on that barn floor where we can chew on it a little bit.

This graph represents what has been happening to spending in this country. There has been a lot of complaints from liberals that would like to spend more, have government bigger and solve more problems in Washington. Of course that would mean increase taxes or increase borrowing.

This chart shows that, in 1994, we were spending about $1.4 trillion. By

2003, the last year of this new 5-year budget, we are going to be spending $1.9 trillion, over a 30 percent increase in spending. Spending even on this budget increases almost twice as fast as inflation.

In the final year of this budget, in the fifth year, 2003, we are spending about $1.9 trillion. If we followed the President's and the Democrats' recommendations, we would be spending $67 billion more in that 1 year alone.

□ 2215

The question before us is do we want bigger government or more efficient government? Do we want more taxes or fewer taxes? Do we want to continue borrowing or pay down debt? What has brought about economic vitality is the fact that government is borrowing less money.

Now, through these years shown on this chart, we are also going to experience the largest surplus in our history. In some of these years tax revenues are increasing four times the inflation rate. So if we want to help American families, if we want to stimulate the economy, if we want to make it easier for working families to spend more time with our children, we need to continue tax cuts. Let us also look at starting to pay down the debt of this government.

As we look back over past years, I think it is fair to say that some of us have been determined to reduce the size of this government, reduce taxes and try to make this huge bureaucracy more efficient. One way to make this government more efficient is to tighten the purse strings. If there is any operation in the United States that has opportunity to be more efficient and at the same time provide more and better services to the American people, it is the Federal government.

I hope that we all appreciate the fact that there are better and more efficient ways to spend taxpayers moneys. There are better ways to serve the citizens of the United States. Even this budget that has been critized for not spending enough, increases spending twice the rate of inflation. In the early 1990s, we had budgets that increased over 9 percent a year. This budget increase spending 2 to 3 to 4 percent a year. In conclusion, let us reduce the growth in spending, reduce taxes, and reduce the public debt and start saving Social Security. We can do that by supporting this rule and supporting this budget.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I rise in opposition to the rule and the budget resolution because again we are playing politics more than balancing budgets. Why, for example, did not the rule allow the Stenholm-Minge budget to be considered? The reason it did not was because it probably would have passed, because it is virtually identical to the Senate budget resolution. Instead we are on the path that we were on in the 104th Congress that led to two government shutdowns. Why are we doing this again?

When you look at this budget resolution, you realize that this budget cannot pass, that we cannot reach agreement on its specifics nor its cumulative impact. For example, $3.3 billion is cut from the Federal Employees Health Benefits Plan. CBO estimates that means Federal employees, instead of paying 28 percent for their health insurance which they do now, in 7 years will be paying 50 percent of their health insurance premiums. Last year we took $5 billion away from Federal employees, and we said in return we are going to at least provide health insurance security, then this year we take it away from them. How are we going to provide the kind of quality professional Federal work force that we need when we cannot retain and recruit people, when we cannot even keep our promises?

Throughout this budget we have got the very kinds of things we encountered in the 104th Congress, things that are going to create problems throughout the rest of this term, things that are bound to create problems within our appropriations bills and are going to put us in the very same situation that caused us to shut down the government. We should not be on this path. We should be finding a way to reach agreement. The Stenholm-Minge budget resolution would have enabled us to do that. That is why it is not part of this rule. That is why we should oppose this rule. What we ought to be doing is trying to find reconciliation instead of trying to foment division.

When you look at what we do to dependent groups, whether it be veterans, whether it be Federal employees, whether it be people dependent on Medicare or the people that are affected by welfare reform, or children stuck in inferior education systems—all of them get hurt far more than our constituents would want. Vote against this budget rule and the budget resolution.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. RIVERS).

(Ms. RIVERS asked and was given permission to revise and extend her remarks.)

Ms. RIVERS. Mr. Speaker, during the budget hearing the gentleman from Ohio (Mr. KASICH) made an amazing statement. He said, ''I know that most Americans, interestingly enough, do not believe that we are actually going to have a balanced budget. We are going to have a balanced budget, but they don't believe it. So not only don't they believe it is going to be balanced, they do not believe there is going to be a surplus.''

Now I call that amazing, not because the public does not trust us, but because the gentleman from Ohio (Mr. KASICH) seemed surprised by the fact that the public does not trust us. Balancing the budget and the surplus comes up in my district all the time. My constituents are not confused by the issue at all. They understand that the budget can be called balanced only when one includes the monies from the various trust funds, most notably Social Security. They also understand that when Social Security monies are removed from the mix, the surplus evaporates and the Federal budget is actually in deficit to the tune of nearly $100 billion a year for the indefinite future.

The Blue Dog budget operates from the realities that I just mentioned. But this rule deprives the public of the opportunity to hear debate on that proposal. Why do not the folks at home trust us? Maybe it is because of decisions like that.

If the chairman is concerned about our credibility out there in the real world, he should reconsider this budget. Why? Well, first, it does not add up. You have heard about a $5 billion hole that has not been fixed as this budget has proceeded. You have heard about double counting the cuts, and about sleight of hand which makes us pretend that decisions like the transportation bill and the food stamp decision earlier this evening do not really exist. It all ignores reality. And the gentleman from Ohio (Mr. KASICH) is surprised that the public does not trust us.

They have also said it is just 1 percent, anybody can take a 1 percent cut, which of course is meant to lead people into believing that all programs will share equally in the cuts. It is not true. Two-thirds of all the spending we do will not be part of these reductions.

Let us take a look at what will happen over the next five years, starting with before the balanced budget agreement started. We find a 21.2 percent cut in international affairs in the face of an increasingly perilous world, 30 percent in housing, 16 percent in regional and community development 2 percent in transportation, 12 percent, 1 percent. It is not so, and we wonder why people do not trust us.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. HAYWORTH), my favorite play-by-play sportscaster.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from California for yielding me this time.

This is not a game nor an athletic event, nor an exercise in partisan politics. My friend from Michigan who preceded me in the well wondered aloud why people do not trust us. There is a fundamental reason for the cynicism, Mr. Speaker. The distrust comes because when we are given an historic opportunity to rein in the growth of government, not to radically cut spending but to rein it in and reduce its size, sadly we hear the familiar litany of fear and smear and that the sky is falling in and that there will be those who will bear the brunt of these cuts.

Mr. Speaker, I am serving my second term in this body, and one thing I know about a budget statement is that

it is a road map, a statement of principles that sets a goal. As we all know, we go through the appropriations process to decide how money is to be spent. So all the talk about all the cuts and all the fear is just talk.

Mr. Speaker, that is why a group who used to control this body no longer does. That is why the American people and my constituents in the 6th District say something very simple. For the last half century, they have been called on time and time again to sacrifice so that Washington could spend more. They tell me overwhelmingly and resoundingly, it is time for Washington to sacrifice so that working families can keep more.

That is the essence of the debate tonight, to restore trust in this process and to restore fiscal sanity and to maintain spending at more than the rate of inflation, certainly not draconian cuts. Reasonableness and common sense demand that we support the rule and support the budgetary process to offer this sensible road map to improve and to build upon what was done before, not to be locked into stagnation or into a revisionist history that would say that tax increases are laudable and desirable, not to continue with the mistaken notion that if we only spend more and if we only tax more and if we only ask more of the American people, then that is the key to nirvana or success. No, nothing could be further from the truth.

The fact is that the minority should stand with us and improve upon that historic agreement by stepping forward to say, let us live within reasonable limits, for those reasonable limits offer true compassion that working families understand and offer that restoration of trust so vital across this country.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the distinguished gentleman for yielding me the time.

I rise in opposition to the rule and to the budget resolution; in opposition to the rule because it deprives this body of the opportunity to debate other alternatives, for example, the Blue Dog budget.

Mr. Speaker, I believe that our budget should be a statement of our national values. But in the budget bill before us the priorities and values are seriously askew. This budget plan is cowardly and irresponsible. It is cowardly because it masks the deep cuts it would make in education, health and nutrition programs by providing few details about which programs will be downsized and defunded. This budget is irresponsible because it violates the carefully crafted budget agreement that everyone is paying homage to here tonight, but this budget violates that carefully crafted budget agreement which passed the Congress last year.

This budget today dedicated budget surpluses to untested private accounts for Social Security, when we should be shoring up the long-term financial health of the entire Social Security system. By cutting Medicaid $12 billion, we miss opportunities to expand health care access for children through the Children's Health Insurance Program. This is a very important investment for our country. The budget targets steep cuts on nondefense programs which are investments which pay off for us.

Once again, when some Members want to look like budget hawks, it is the family, the working families of America, the poor, the young and the old who are their prey. But the programs, the investments that we should be making in Medicare, Medicaid, the Earned Income Tax Credit, food stamps, education and many other vital initiatives would all be cut substantially.

Today we need a spending plan, an investment plan that protects Social Security, health and education, a budget that attends to our domestic strength and security as well as our international strength, and it must be done in a fiscally sound way. I urge my colleagues to oppose the rule and the budget resolution.

Mr. MOAKLEY. Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. STENHOLM), elder statesman of the Blue Dog Caucus.

The SPEAKER pro tempore (Mr. SUNUNU). The gentleman from Texas (Mr. STENHOLM) is recognized for 4 minutes.

(Mr. STENHOLM asked and was given permission to revise and extend his remarks.)

□ 2230

Mr. STENHOLM. Mr. Speaker, I rise in strong opposition to this rule because of its unfair treatment of the Blue Dog budget. We have heard a lot of rhetoric tonight about what is or is not in anybody's budget. Some of it has been true. Some of it has been stretching. The Blue Dog budget that we wanted to offer and have a chance for an honest and open debate on would have moved us toward a consensus by narrowing the differences in this body instead of dividing us as we are hearing tonight. The Blue Dogs tried to find a reasonable, realistic alternative to the budget resolution based on a simple philosophy. When you have a game plan that is working, you should stick with it.

Unlike the President's budget, we did not think it was wise to reopen the budget agreement for new, major spending initiatives. Unlike the majority's resolution, we did not think it was wise to call for another round of spending cuts until we have enacted the spending cuts we said we were going to do in the last year's balanced budget agreement.

We support tax cuts, including the abolition of the marriage penalty. And we agree with many of the initiatives in the President's budget. But we believe that staying the course on the budget agreement until we balance the budget, without relying on the Social Security trust fund, is a greater priority.

Our amendment would have saved 100 percent of the projected unified budget surplus for Social Security and recommend the unified budget surplus be reserved to fund the cost of Social Security reform legislation. Our budget reaffirmed the principle that budget discipline should be maintained until the budget is balanced without relying on the annual surplus in the Social Security trust fund. Our budget was based on the principle that the numbers in our budget should be honest and realistic. That is where our budget differs the most from the budget reported by the committee, especially with the changes in the manager's amendment.

Our budget incorporated the changes in the ISTEA bill, BESTEA bill and the agricultural research bill as estimated and paid for by CBO in order to provide a credible budget blueprint that reflects the realities of this body. We do not reopen Medicare, Medicaid, Federal retirement and other mandatory programs for additional reductions. We did not double count savings as the majority does tonight in the resolution they bring before us. We do not rely on unspecified spending cuts mainly backloaded until 4 or 5 years from now in order to pay for a tax cut up front.

Mr. SOLOMON, there you go again. I remember down the road that magic asterisk in David Stockman's budget that you and I both voted for and we are doing it again tonight with this resolution and I am not going to give credit to the gentleman from Ohio (Mr. KASICH) for this because I know he is not for doing what the Speaker has ordered somebody to do.

We hear a lot of rhetoric around here about free speech. Well, free speech apparently does not apply to action on this House floor when it comes to having alternatives considered and an honest debate, an honest debate between a little different idea between the majority and the minority.

I do not understand what you fear. I fear that every dog in America is going to wake up tomorrow morning a Democrat. I hope he will. Because we are discriminating against dogs. The CATS got their amendment, the Conservative Action Team. They said, ''You bet, come on the floor, debate your idea.'' But the Dogs, ''No, you can't have your time on the floor.'' That is wrong. That is wrong.

We should defeat this rule. We should allow the Blue Dogs and others to have our opportunity to debate our idea in a free and open debate. This rule will shut down the Blue Dogs' opportunity to debate our idea. What are they afraid of? Why not let us have an opportunity to have our day in court.

Mr. DREIER. Mr. Speaker, to close the debate on our side, I yield the balance of my time to the gentleman from Minnesota (Mr. GUTKNECHT) a member

of the Committee on the Budget who is neither a CAT nor a Dog.

The SPEAKER pro tempore (Mr. SUNUNU). The gentleman from Minnesota is recognized for 4½ minutes.

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman from somewhere in California for yielding me this time.

Mr. Speaker, I was thinking about this debate, and what we have been doing for the last several months in talking about the budget. I was trying to figure out what I could say tonight and to my colleagues and to my constituents about this budget. But I was listening to the debate earlier. It was interesting because it almost seems like deja vu. Have we not been here before? Have we not had this debate before? With people saying, ''You can't do that. You can't eliminate 300 programs. You can't balance the budget and provide tax relief. You can't reform welfare. You can't require able-bodied people to work.'' We did all of those things. And the budget is now balanced. We have come so far. Now they are saying, ''Well, you can't reduce the rate of growth in Federal spending by 1 percent and eliminate the marriage penalty tax.'' They are saying, ''You can't do that.''

I was trying to think, how can we use some kind of a prop or some kind of an analogy to demonstrate what this debate is all about. Finally, I came upon it. I asked my staff to go out and see if they could not find a nine foot belt. We could not find a nine foot belt. What we found was three belts. We put them all together. It is nine feet long. Every foot of this belt represents $1 trillion. That is how much the Federal Government is going to spend over the next 5 years, $9 trillion. Anywhere you go, whether it is in Texas, whether it is in Ohio, in Minnesota, Michigan, wherever you go, I think everyone will agree that $9 trillion is a lot of money.

What the Committee on the Budget has come up with is a fairly simple plan. They said if we could get the Federal Government, if we could get our colleagues on the Committee on Appropriations to simply tighten this belt one notch, one notch, we can eliminate that marriage penalty tax. As earlier the gentleman from Illinois (Mr. WELLER) said, this affects about 21 million couples and they pay a penalty of about $1,400 per family. Everyone that spoke tonight has said that is wrong, it is bad tax policy, it is bad family policy, and frankly it is downright immoral that we require married couples to pay a higher tax than if they lived together without the benefit of marriage. And so all we are asking tonight is for our friends on the Committee on Appropriations, and if we work together on a bipartisan basis, I believe, and frankly I will guarantee you 98 percent of the people who might be watching this on C–SPAN will agree that we can get ourselves to tighten this nine foot belt simply one notch.

I know there are people on this side of the aisle, in fact, I think there may even be some people on this side of the aisle who say, ''You can't do that.'' But I will flat guarantee you that out in middle America, most Americans believe that you can tighten this belt one notch. That is all we are asking for.

I submit this rule is fair. We will have a thorough debate of three different alternatives. But in the end, Mr. Speaker, I will suggest to my colleagues that the Kasich budget, it is fair, it is reasonable, it is responsible, and frankly it is long overdue. I think we ought to approve the rule, we ought to vote for the Kasich budget and we ought to send a clear message to America that yes, we can tighten this nine foot belt simply one notch.

The SPEAKER pro tempore. The gentleman from California (Mr. DREIER) has 30 seconds remaining.

Mr. DREIER. Mr. Speaker, with that I would like to urge support of this rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 216, nays 197, not voting 20, as follows:

[Roll No. 205]

YEAS—216

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
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
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
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
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
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 (FL)
Weldon (PA)
Weller
White
Wicker
Wolf
Young (FL)

NAYS—197

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Emerson
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frost
Ganske
Gejdenson
Gephardt
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
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
Lee
Levin
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner

Velazquez	Watt (NC)	Wise
Vento	Waxman	Woolsey
Visclosky	Wexler	Wynn
Waters	Weygand	

NOT VOTING—20

Bateman	Hefley	Schumer
Conyers	Lewis (GA)	Smith (OR)
Engel	Martinez	Stark
Frank (MA)	McDade	Whitfield
Furse	Mollohan	Yates
Gonzalez	Reyes	Young (AK)
Harman	Ros-Lehtinen	

□ 2257

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just passed.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENTS TO H.R. 2709, IRAN MISSILE PROLIFERATION SANCTIONS ACT OF 1997

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 105–566) on the resolution (H. Res. 457) providing for the consideration of the Senate amendments to the bill (H.R. 2709) to impose certain sanctions on foreign persons who transfer items contributing to Iran's efforts to acquire, develop, or produce ballistic missiles, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2183, BIPARTISAN CAMPAIGN INTEGRITY ACT OF 1997

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 105–567) on the resolution (H. Res. 458) providing for further consideration of the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 2300

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 1999

The SPEAKER pro tempore (Mr. SUNUNU). Pursuant to House Resolution 455 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution, H.Con. Res. 284.

□ 2300

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution (H.Con. Res. 284) revising the congressional budget for the United States Government for fiscal year 1998, establishing the congressional budget for the United States Government for fiscal year 1999, and setting forth appropriate budgetary levels for fiscal years 2000, 2001, 2002, and 2003, with Mr. GILCHREST in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the concurrent resolution is considered as having been read the first time.

General debate shall not exceed 3 hours, with 2 hours confined to the congressional budget, equally divided and controlled by the chairman and ranking member of the Committee on the Budget, and 1 hour on the subject of economic goals and policies, equally divided and controlled by the gentleman from New Jersey (Mr. SAXTON) and the gentleman from California (Mr. STARK), or their designees.

The gentleman from Ohio (Mr. KASICH) and the gentleman from South Carolina (Mr. SPRATT) each will control 1 hour of debate on the congressional budget.

The Chair recognizes the gentleman from Ohio (Mr. KASICH).

Mr. KASICH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to, first of all, begin by talking about the fact that last year we were as a Congress able to reach an historic agreement that is going to be able to achieve for the first time since we walked on the moon a balanced budget. We also anticipate that in the course of this year we will have a surplus. It will be generated primarily from the Social Security taxes as part of the budget. And next year, I am going to predict tonight, we will see a surplus in the general fund.

I think it was a significant accomplishment that we were able to move to do something we have not done since we landed on the moon, but, frankly, maybe I need to let you in open a little secret: Our effort here was really never just to balance the budget. Our effort here was really to transfer power, money and influence from this city back to where people live, in every community and every family in America.

Mr. Chairman, Teddy Roosevelt rode into this century with the idea that he should break the monopolies of the big corporations so that people could be set free to be successful. Well, I believe and the members of the Committee on the Budget believe that we ought to ride into the next century and break the monopolies and trusts of the Federal Government so that people can be set free and that we can begin to run America from the bottom up, rather than from the top down.

Whether it is more choice for parents in education or whether it is to allow communities to set the rules and the standards in public housing and in job training or whether it is ultimately to set Americans free, to be able to invest payroll taxes, to be able to prepare for their retirement years, or whether it is beginning to break down that big money-raising machine called the Federal Tax Code that props up the monopolies of the Federal Government, our efforts are to make this city a lot less important, to make this city and government a lot more efficient and a lot more effective, and to make the budget of government a lot smaller and the budget of the family a heck of a lot bigger.

Now, we reached this historic agreement last year. This budget agreement, historic only from the standpoint we have not achieved this in over 30 years, we viewed that agreement as a ceiling on government; not a floor of the growth of government, but a ceiling on government. The President, however, and many of my colleagues on the other side of the aisle, viewed the agreement last year as a floor on government and not a ceiling.

Now, can you imagine, with an American people, an American electorate that has very little confidence in the fact that we can get a balanced budget, that the President came up here to Capitol Hill and he announced a program that would increase fees and taxes by $130 billion? Think about that. The President of the United States, who declared the era of big government over, within a period of 6 months after we signed an agreement and he declared the end of the era of big government, comes to the House, comes to the House and proposes $130 billion worth of new tax increases. And that was not enough, because the tax increases were going to fund $150 billion worth of new spending.

The President of the United States raises taxes by $130 billion and raises spending by $150 billion. He has 39 new entitlement programs. I hear so many of my friends talk about the need to control entitlement programs. He has 39 new ones.

I never heard a peep, never heard a peep out of the minority when Franklin Raines came up here to present this President's budget. In fact, the budget resolution that the Democrats offer will provide for bigger government, breaking the spending caps, and having a philosophy that ''we like government.''

At the same time that the President proposed $150 billion in new spending and $130 billion in new taxes and 39 new entitlement programs, we also developed 85 new spending schemes. This is the President that said the era of big

government was over. But, you know, he could not really stay with it, because too many people in his party believe in running America from the top down.

There is nothing wrong with somebody that feels that way. I just think that we all know across this country, outside of this Beltway, in most communities, it does not work anymore. What we are really trying to do is to empower people and take power, take power from this city and give it back to people all across this country.

Now, what are we asking to do in this budget resolution? I heard the whole litany, the whole litany of all these things we were going to do.

Mr. Chairman, over the next 5 years, the Federal Government is slated to spend $9.1 trillion. Do you know what we are asking in our budget resolution for the government to strain under the yoke of? Instead of spending $9.1 trillion over the next 5 years, and, by the way, in the last 5 years we spent $7.8 trillion, we are going to go from $7.8 trillion in the last 5 years to $9.1 trillion in the next 5 years, and we are suggesting that we really tighten our belt and we really restrain ourselves and we spend only $9 trillion to run this Federal Government.

Do you know what that works out to? Talk about deja vu all over again. Tim Penny and I came to this floor in a bipartisan effort, the same way the President and I got together on the budget agreement last year, and we proposed that we save 1 penny on every dollar. Do you know why? Because the President raised taxes in 1993, and Tim Penny came to this floor and said we should have some cuts. One penny on every dollar.

Now, I am going to ask a question: Do Members not think they can go home and tell people that the Federal Government cannot become more efficient and more effective and save one penny on every dollar in Federal spending over the next 5 years and cannot live within a budget of $9 trillion, rather than $9.1 trillion?

Because you know what they know about back home? They know about the $800,000 outhouse. You know, the Park Service built an $800,000 outhouse at the Delaware Water Gap National Recreation Area. The Park Service built new employee homes in Yosemite at an average cost of $584,000. At the Grand Canyon, the average was $390,000. More than $8.5 million was spent on planning, design and supervision at housing at both parks.

Approximately 26,000 deceased persons in four States receive food stamps worth a total of $8.5 million, according to the GAO. The X-Files, the Forest Service budgeted $500,000 for a motivational conference to help its employees explore alternative reality. I suppose they were studying Washington. How about $34 million so that the Jerry Springer Show and Baywatch can be close-captioned?

We look at the reports on fraud and waste and so many of these big programs that we have not had the guts to dig in and begin to fix. And what we are asking is we cannot get all of this accomplished this year, to fix all of this, but what we are saying is, we can find a penny out of every dollar. We can live with only $9 trillion in spending. And out of those savings, those savings that every American knows is there, we can eliminate the marriage penalty for the 22 million Americans who get penalized because they decided to get married.

You know, the wife goes out to get a job, and all of a sudden she is paying at the high marginal rate. She is paying at the higher tax rate. She is being punished because her husband may earn more than her.

We want to fix that. Do you know why we want to fix that? We want to fix that because we know that the family is the incubator of everything good that happens in our society. And we look around at the tragedies that we have seen in this country over the period of the last couple of years, and we hold our breath, and you know what we all know? We need better families to provide more love, more hope, more discipline.

But do Members know what? Families are hurting. Tax rates are going to be at the highest level and revenues are going to flow in at the highest level since World War II.

Look, this is just an honest disagreement among some of us about the way we think America ought to work. I do not begrudge the fact that 50 years ago in the middle of the Great Depression that it was necessary for us to send a lot of our power, money and influence to Washington to fix some of the biggest problems, including civil rights and some of the gaps in education.

But do you know what I hear people saying? I hear people saying, I am tired of the country being run from the top down. I want to be involved in solutions that are located in my own community. I want to break the monopolies of government. I want to be set free. I want my power, influence and money back so that I can fix the problems in my family and my community and in the area where I live. And that is what we are trying to do.

Are we getting there all at once? The fact is a penny on a dollar is something that is not very satisfying to me. I would like to do a lot more for people in this country. I would like to let them have a lot more in their pockets. So what we attempt to do with this budget resolution is to say people can get it right at home, that the government can become more efficient, that the government can become more effective, that we can squeeze a penny out of a dollar, that we can live with just $9 trillion in spending, that we can save $100 billion, and we can give some of that money to the family.

Because we believe that at every turn of the road the family budget needs to be bigger, the government budget needs to be smaller, and that we need to transfer power, money and influence from government back into the hands of the American people because we trust them and we believe in them. And we are going to work on this every single day.

To my Republican colleagues, when you go home tonight, I want you to think about why we came to power. I want you to think about the fact that this party has always been committed to reducing the size and scope of the government budget, empowering people at the local level.

□ 2315

I want you to think about coming here tomorrow and supporting this. But I am going to tell you, every single day that I am involved in government and in community activities, I am going to fight the fight to give you the power, the American people the power to solve the problems that they know how to solve best.

I urge support for the resolution and would look forward even to maybe a couple of my friends on the other side of the aisle supporting this resolution.

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

Mr. SPRATT. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, my good friend, the gentleman from Ohio (Mr. KASICH), the chairman of our committee, is an effective speaker, so effective that, in listening to him, you would hardly perceive how far we have come in the 1990s and particularly since 1993 in coming to grips with what was the most compelling problem facing the Federal Government, a huge, swelling deficit that we seemed not to be able to get our hands around.

Really, the first step we took was in 1990, when Mr. Bush was the President of the United States. He submitted to a budget summit. It was convened at Andrews Air Force Base, and it went on and on and on and finally came to a resolution that fall. We voted on it twice on the House floor.

The first, it was voted down for lack of support on this side of the aisle. We finally mustered the votes to pass a modified version of it. It kept discretionary spending. It raised revenues. It cut entitlements. It was the first serious effort that we had made since we passed Gramm–Rudman, which was barely followed through on, to come to grips with this compelling problem. Its effects were eclipsed by a recession.

But let me not get ahead of myself. When the votes were counted in support of that provision, that budget that Mr. Bush wholeheartedly endorsed, only 47 Republicans voted for it.

In 1993, when Mr. Clinton came to Washington, the deficit the preceding September was $290 billion and headed upward. Indeed, if the President had read the economic report of Mr. Bush dated January 13, 1993, he would have foreseen, and probably did if he looked at it, that the deficit projected by Mr. Bush for fiscal year 1993 was $332 billion. That is where we were 5 years ago.

Today, today, there is a deficit no more. We are looking at a surplus of $43 billion to $63 billion in September of this year. That is considerable, phenomenal progress. It has been made on the watch of Mr. Clinton. It has been made because of the votes we cast in 1990 and the votes we cast in 1993 when only Democrats in the House and only Democrats in the Senate voted for the Deficit Reduction Act of 1993.

They have had a phenomenal impact on the government of the United States. They have radically changed, fundamentally changed our fiscal situation. It is better than it has been in a generation. Those are not my words. They are Alan Greenspan's words. Better than it has been in a generation.

We have got to go back to the 1960s to find numbers such as we have today with respect to unemployment, with respect to inflation, and certainly with respect to deficit reduction. Indeed, we will have the biggest surplus we have experienced in history this September. That is good news. That is good news.

What we are concerned about here is that that discipline that has brought us this far from $300 billion deficits headed upwards to surpluses as far as the eye can now see, the discipline may be dissipated by the budget resolution that the Republicans have proposed, that the gentleman from Ohio (Mr. KASICH) is pushing. Why is that?

Back in 1990, one of the things we passed was something called a Budget Enforcement Act. This is really esoteric, but there were a couple of common-sense rules in that Budget Enforcement Act.

We said, among other things, we are going to cap, numerically cap, put a dollar cap on discretionary spending for 5 fiscal years. We did it in 1990. We renewed it in 1993. We did it again in 1997. It has worked. We have adhered to those limits, and we have reduced discretionary spending, and we are seeing the results on the bottom line in the form of surpluses that will show up.

In addition, we adopted a common-sense rule called a pay-as-you-go rule, which said simply that, before anybody undertakes to do another tax bill such as the one we did in 1981, they have to pay for it. They can cut taxes, but they have got to offset the revenue losses to the Treasury so it will be deficit neutral either by commensurate cut and entitlements, permanent spending, or by some other adjustments in the Tax Code that would increase revenues to offset the decrease in revenues occasioned by the tax cut. Common-sense rule, but it has worked. That discipline has worked.

What the gentleman from Ohio (Mr. KASICH) would propose is a budget that would unrealistically lower discretionary spending. He proposes it as though it were 1 percent cut, but we all know it is not a 1 percent cut. He is not cutting Social Security. He is not cutting national defense. He is not cutting interest on the national debt. It is obligatory. It has to be paid.

About one-quarter of the budget in discretionary spending is left subject to cuts. Bob Reischauer has written a very compelling article in which he analyzes the different components of this account, called Discretionary Spending, and shows that really only about half of it is effectively cut.

In last year's budget agreement, we effectively cut over 5 years' discretionary spending by 11 percent. This year, the gentleman from Ohio (Mr. KASICH) would take another 7 percent. If you consider that it only will actually affect half of discretionary spending, that means the cuts would have to be 35 percent. Does anybody realistically think that will happen? No.

The Republicans have proposed a bill which backloads the cuts. They will not happen this year. We will adopt them now, and on the strength, the promise that they are going to be realized, we will do a big tax cut. That is the third piece of unraveling the discipline that has brought us to where we are. That is why this is a serious debate, and it is a travesty that we are having it at this time of night, at this point in the day, when this should be given the most serious attention we possibly could.

Mr. KASICH. Mr. Chairman, I yield myself whatever time I might consume.

Mr. Chairman, let me tell you about this discretionary spending that we have just heard about and how we are going to devastate it. Again, gang, do you know what? I appreciate the gentleman saying, you know, he is an effective speaker. You are not an effective speaker because you just say things. You are an effective speaker because you say things and people go, you know, that makes a lot of sense.

We are going to go from $7.8 trillion to $9 trillion in spending, and somebody is making the argument that we are devastating programs. Are you kidding me?

Let me tell you a little bit about the growth in discretionary spending. In 1990, we grew the discretionary budget by 17.7 percent. In 1991, we grew it by 11 percent. In 1992, we grew it by 8.9 percent. In 1993, we grew it by 6.7 percent. Last year, we grew it by 6.7 percent.

I mean, to talk about how we have got to scrimp and how we have got to tighten and how we have got to starve ourselves when we are averaging 7 or 8 percent, the American family wishes they can get 7 or 8 percent a year more in their pockets.

Do you know what we are talking about in the area of entitlement savings? We are talking about saving approximately $50 billion out of $5 trillion in spending so that the families can have a little bit more.

See, the problem is, if the American people had a vote, you would not get $9 trillion to spend. You would not get $9 trillion if we went in their homes tonight, at their dinner tables, and we said the Federal Government was going to go from $7.8 trillion to $9 trillion. Do you know what they would say? Why do you not keep it at $7.8 trillion? Why do you not freeze it, is what they would say.

We are not talking about freezing it. We are talking about saving $100 billion. And we strain under that yoke, and we come here and congratulate ourselves.

Let me just suggest another thing to you. I keep hearing about how the Clinton tax increase did so great for our country. Do you know what it did? Slowed the economy down. Drove up interest rates.

Do you know what Alan Greenspan told us? Well, it is a fact. It is a fact. Let me just tell you what Alan Greenspan said. Alan Greenspan came before the Committee on the Budget, and he said, if in fact you can put a budget together that can balance, interest rates will come down.

So what I would argue to the Committee is, it was in 1995, do you remember the President sent us a budget that had deficits as far as the eye could see? He sent us a budget in 1996 and in 1997 that had deficits as far as the eye could see, and we put the plan together to balance the budget and cut taxes, which you said we could not do.

Do you know what happened? Interest rates came down two points. As a result of interest rates coming down two points and as a result of this Republican Congress having some discipline to not just cut spending but also to cut taxes, yeah, we have seen a great spurt of economic growth.

Now to make the argument that if we save more money, that if somehow the Federal Government saves more money, that that is going to have a negative effect on the economy, I ask you to call the Chairman of the Fed tomorrow and ask him what would happen if we would cut Federal spending by $100 billion and live within the strain of only $9 trillion.

Do you know what I get told? Do you know what the Fed Chairman tells me? If we do not spend the surplus and we can learn to control government, interest rates can come down even further. Do you know what that will give us? More sustained economic growth and surpluses that will allow us to transform Social Security for three generations and, at the same time, to put us in a position to be able to have tax cuts out of the general fund surplus that I will anticipate we will have next year.

The fact is what we are proposing in this is just a little bit of savings and a little bit more efficiency out of the way this government works. I believe that we can get it done. I believe that we can achieve it.

Mr. Chairman, I yield 3½ minutes to the gentleman from California (Mr. HERGER).

Mr. HERGER. Mr. Chairman, I appreciate a chance to address the body.

Mr. KASICH. Mr. Chairman, will the gentleman yield to me for one second?

Mr. HERGER. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, I just want to point out for the record, after the President's 1993 tax bill, a year after the Clinton's 1993 tax hike, long-term Treasury rates moved up from 5.75 percent to 8.25 percent. The trend of real economic growth slowed from 3.3 percent to 1.7 percent. That is what happened 1 year after the President's tax increase.

It was soon after that that the Republicans became a majority in this Congress and put together a plan that balanced the budget that has resulted in lower interest rates for this country to the tune of two points. That is just a fact.

Mr. Chairman, I appreciate the gentleman yielding to me.

Mr. HERGER. Mr. Chairman, I rise to express my strong support for this budget resolution. It is amazing just how far we have come over the past 4 years.

Just prior to the new leadership taking over our Congress 4 years ago, we had the largest tax increase in our Nation's history of $270 billion. I might mention to the gentleman from South Carolina that is why virtually no Republican voted for that bill.

It also was an attempt, a Federal attempt, to take over the health care industry of our Nation, one-seventh of our entire economy. That is also why we did not support it. It had in it a deficit of $203 billion.

In contrast, this last year with the new Congress, we passed a historic budget agreement which placed in law our present steadfast commitment to a balancing for the first time in 30 years the Federal budget. The Congressional Budget Office projects not a $203 billion deficit as it was under the last Congress but a $43 billion to $63 billion surplus this year.

□ 2330

This Congress has also passed the largest tax decrease in 16 years of $95 billion.

While much progress has been made, some still subscribe to the failed budget policies of the past. Mr. Chairman, the President's budget calls for $129 billion in tax increases over 5 years, more than $150 billion in new spending, and 85 new spending programs.

We have a different vision. We know the Federal Government is still too big, too inefficient, and too intrusive in our lives. This budget reduces the rate of growth of government by only one penny out of $1 over the next 5 years. Making the Federal Government tighten its belt for a change will allow us to completely eliminate the marriage penalty, and save 21 million American couples an average of $1,400 each year in taxes.

Mr. Chairman, I urge my colleagues to help build upon our progress, and vote for this budget resolution.

Mr. SPRATT. Mr. Chairman, I yield myself 30 seconds to explain that the gentleman from Illinois (Mr. EVANS) will explain from his vantage point, as the ranking member of the Committee on Veterans' Affairs, a major discrepancy in this bill. Namely, it calls upon the Committee on Veterans' Affairs to reconcile another $10 billion out of veterans' benefits.

Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. EVANS).

Mr. EVANS. Mr. Chairman, I rise to voice my strong objections to the budget recommended by the Committee on the Budget. This is an anti-veterans budget. It represents a direct frontal assault on the benefits and programs which Congress has carefully considered and enacted into law.

This budget proposal assumes the Committee on Veterans Affairs will achieve 5-year savings totaling $10.4 billion, of which $10 billion is to be achieved by prohibiting service-connected disability compensation for tobacco-related illnesses.

Who are we kidding, here? As all of our colleagues know, and as the Committee on the Budget certainly knows, Congress has already spent the savings associated with this provision.

Is there a single Member of this body who does not understand that shortly before the Memorial Day break, Congress included a provision to prohibit service-connected disability compensation for tobacco-related illnesses in H.R. 2400, the Transportation Equity Act for the 21st Century, and the savings associated with that provision have already been spent, to partially pay for the spending authorized by H.R. 2400?

As the chairman of the Committee on the Budget knows, the transportation bill is now awaiting the President's signature. It will become law within a matter of days.

My question to the chairman of the Committee on the Budget is simple and direct: Will he commit to crediting the Committee on Veterans Affairs with achieving this savings directed by House Concurrent Resolution 284, if it reports legislation to prohibit service-connected disability compensation for tobacco-related illnesses? If not, what other veterans' benefits does the gentleman from Ohio, the chairman of the Committee on the Budget, want this committee to reduce or eliminate?

The Committee on Veterans Affairs has always fulfilled its duty to be responsible and meet the reconciliation targets established for it. Since 1986, in fact, reductions in veterans' programs and benefits have resulted in savings to the Federal Government of over $12 billion. That is $12 billion in veterans' benefits savings over 13 years. It is irresponsible to call on veterans to give up another $10.4 billion in benefits this year. America's veterans have already given enough.

I cannot and I will not support this anti-veteran budget being proposed by the Committee on the Budget. I strongly urge the Members of the House to reject House Concurrent Resolution 284.

Mr. SHAYS. Mr. Chairman, I yield myself 10 seconds.

Mr. Chairman, I would point out that the program that the gentleman was referring to was recommended by the President and endorsed by this side of the aisle.

Mr. SPRATT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would like to straighten out the record. The highway bill visits a $10 billion hit on the Committee on Veterans Affairs. It extinguishes benefits for smoking-related illnesses that the general counsel's office had announced were the rights of veterans, if they were service-connected. The highway bill takes away that right.

This bill still requires the Committee on Veterans Affairs to yield another $10 billion in reconciliation, give up another $10 billion. What the President recommended, that is, the extinguishment of those benefits, has already been done in the highway bill. Yet, this bill comes back and hits again for another $10 billion in veterans' benefits. It is a fact. It requires reconciliation of $10 billion in savings in veterans' benefits. After they have already paid once, they have to pay again.

Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I have to hand it to some of our friends on the other side of the aisle. They are really something. They give their poll-driven speeches, they bring cliches and mantras to the floor. Regardless of subject or regardless of content, they utter them with the alacrity that we expect from political slogans in a campaign season.

Their campaign slogans are what passes for thought at 11 o'clock at night in this place, I guess. Then they produce budgets which have virtually nothing whatsoever to do with the rhetoric that they have just expounded.

They pretend they are bringing a 1 percent cut in the budget in discretionary spending to this floor, when in fact, in real dollar terms over the life of this budget resolution we are talking about at least a 18 percent across-the-board cut, and by the time we apply it only to the programs that they expect to cut, we are, as the gentleman from South Carolina (Mr. SPRATT) has told us, really talking about at least a 30 percent cut. So get off this 1 percent baloney. That is exactly what it is, it is baloney. It is a packaging gimmick that has nothing whatsoever to do with what happens to real, live people under the budget.

I would also suggest that, again, the gentleman from Illinois (Mr. EVANS) is absolutely right when he lays out that this budget has a double cut on veterans. It doubles the reduction in veterans' health care benefits that were mandated in the highway bill. For anyone to pretend otherwise in my view is to give hypocrisy a bad name.

I would simply say, there is a very good reason why the Republican leaders in the Senate have already labeled this budget unworkable and extreme. That is because it is. If it were not, we would have the Republicans in the Senate rushing to endorse it, rather than running away from it in their acute embarrassment.

Everyone knows that this is not a program designed to get through the Congress, it is designed to get the Republican Party through the night. They want to vote on this package. At least they want to debate it at 11 o'clock at night when nobody is watching, because they are so embarrassed by it they would not bring it to us in the light of day. That is because the numbers do not work. The numbers clobber real, live Americans.

This is not a 1 percent solution, this is a 35 percent hatchet job, so they can have a campaign slogan that once again involves their mantra of pretend that what they suggest is they are going to cut spending. But if we look at the Kasich budget, it does not cut anything this year. It saves all of the cuts until after the election, so they can package a tax cut before the election. That, too, is enough to give hypocrisy a bad name.

Mr. SPRATT. Mr. Chairman, I yield six minutes to the gentleman from New York (Mr. RANGEL), the ranking member of the Committee on Ways and Means.

Mr. RANGEL. Mr. Chairman, I thank the ranking member of the Committee on the Budget for yielding time to me.

Mr. Chairman, it is a little shocking how confused the majority is tonight, that they cannot even find speakers to speak up on this budget. I know that the Republican leadership told everyone they could go home because there would be no votes tonight. I know that they made it abundantly clear that there will be no opportunity to discuss the President's budget, or Democratic alternatives, so I would think they would have a lot of pride in the document that they have put together.

Why in God's name, in a document, in a budget that is so important, would we wait until midnight to bring it up before the American people? Why would Members do that? Is there any shame that they would have, with something that is this important, that they would want Members to hear, they would want people to hear, and that we should discuss these things?

I know this is an election year. I know tax cuts are popular. Why can we not talk about where the money comes from for the tax cut, who we have to hurt? If we have to hurt the veterans, stand up and say that they get enough. If the cuts are coming from education, and I think that the chairman of the Committee on the Budget, the gentleman from Ohio (Mr. KASICH), he said the used-to-be days of the Roosevelt days, the days of the Depression, where we needed help, we needed Social Security, we needed pension funds, we needed Medicaid, we needed Medicare, we needed aid for education, but we do not need that now. Ronald Reagan brought us a surplus, or was it Bush? I forgot the rhetoric on the other side. Whatever it is, we got this surplus, so now we have to talk about cuts.

Democrats want to talk about tax cuts, too. The only difference between us and these rascals is that we like to tell the Members where they come from, and they like to say they will tell us in 5 years.

If Members really do not believe that the Federal Government should be involved in educating our young people, providing health care for our kids, for older people, day care for mothers who have to work, why do they not stand up in the daytime and say it?

But no, they just cover things, saying, in the bye and bye we will tell you what we are going to do. It is shameful to have a document like this, with no alternatives allowed, restricting the debate that we have on the floor, and tell us that we can debate it at midnight. I said midnight, and someone says it is not midnight yet, and they look at their watches. That is no way to treat a budget that is going to really affect the lives of Americans.

I know, with the coupon clippers, it just does not make any difference, but not all of America is going through the good times. Some want their kids to get an education, to get a decent job, to be productive, and they need the Federal Government there. Some people do not believe that the Social Security fund is going to to be there for them, but they did not discuss that. No, those are the olden days, the Roosevelt days. Everyone can take care of themselves without government today.

Thank God they have done one thing. No one has to say that all of the Members of Congress are alike, that there is no difference between a Republican and a Democrat. I will tell the Members this, before this is over, a lot of Republicans are going to wake up, when the American people see what they are trying to sneak through in the middle of night on them. When they do, they will be calling on Members before November to ask them to stand up and be counted, and say, yes, we want a tax cut, but you owe it to us to say what you have to cut in order to give this to us.

Mr. LEVIN. Mr. Chairman, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from Michigan.

Mr. LEVIN. Mr. Chairman, I applaud the ranking member for his eloquent statement. I want to be very specific, I say to the gentleman from New York (Mr. RANGEL), on what the Republicans are going to do regarding welfare reform.

Any Republican who votes for this budget is voting to undercut welfare reform of 2 years ago. They had $10 billion in cuts in Medicare. They grew nervous, so what did they do? Last night they take $10 billion, instead, out of Function 600.

The heart of that is TANF. They are going to say to us on the Committee on Ways and Means, cut Function 600, and therefore, cut welfare reform, TANF, by 10. It is going to take $20 billion.

This is what State legislators say about this: ''This budget would disproportionately cut State programs, and abrogates a fundamental agreement reached among State legislators, Governors, and Congress in 1996 regarding welfare reform.''

If Members adopt the resolution, ''It will prove that the States cannot trust Congress,'' i.e., you, ''to abide by its word.''

□ 2345

Here is what the governors have to say: ''Your budget resolution is a serious violation of the welfare agreement reached in 1996, and would erode the Federal-State partnership and the future success of welfare reform.''

And they go on to say, ''We urge you in the strongest possible terms to uphold the historic welfare agreement reached in 1996, and reject any cuts in TANF, Medicaid or other welfare-related programs as part of the budget resolution.'' Signed Tom Carper, John Engler, Tommy Thompson, Tom Ridge.

Any Republican from Michigan, from Wisconsin, from Pennsylvania, who votes for this is going to be voting to undercut welfare reform. We are telling the majority this at midnight, and we are going to tell them this tomorrow at 10 o'clock in the morning.

Mr. SHAYS. Mr. Chairman, I yield 5½ minutes to the gentleman from Michigan (Mr. SMITH), who can address the entire Nation, even those in California where it is 15 of 9:00.

Mr. SMITH of Michigan. Mr. Chairman, what is disconcerting is that I think that side of the aisle, I think the Democrats after experiencing success 2 years ago in demagoguing what the Republicans were doing in trying to slow down the growth of the budget, when they realized some success at the polls suggesting that Republicans were taking health care away from the elderly for tax cuts for the rich and taking food out of the mouths of children for tax cuts for the rich, that demagoguery resulted in some Americans believing it.

I think most Americans are now realizing that government is growing much faster than it should and the United States Congress, along with the President, is taking more and more money out of those taxpayers' pockets.

Let me show the chart of what is happening in spending of the Federal Government in the 10 years from 1994 to 2003. In the first five bars of this chart representing the last 5 years of spending, it is going to be a $7.8 trillion expenditure over those 5 years. The last five bars of the chart representing what is in this budget is $9.1 trillion, going from $7.8 trillion to $9.1 trillion. And just imagine for a moment this budget that we are having grows faster than inflation, yet what we are seeing

is the other side of the aisle saying it is not growing fast enough.

So imagine what would happen in the future if we projected this line out for the next 10, 20, 30 years, and imagine how much money is coming out of the pockets of the American taxpayer if we continue to expand Federal Government almost twice as fast as inflation. That is what we do here.

1994, we have a budget of $1.4 trillion; 2003, we have a budget of $1.9 trillion. If we followed the President's recommendation, the President's recommendation was that we have $102 billion of tax increases, that we have $27 billion of fee increases for a total of $129 billion of fee and tax increases. So where would that have left us is with a much steeper rate of expenditures. And in the year 2003, in the year 2003 if the Democrats had their way with the President's budget, we would be spending $67 billion more that year than we are in this particular budget.

Look, this budget goes up pretty steep; and if we project the next few years, one can see that it is going to go all the way to the ceiling. Does anybody here or in America think that this government, that this Congress, that this President cannot make government more efficient and save some of the money we are spending?

I just want to mention briefly Social Security. Social Security in this budget, we do not spend any of the surpluses. That could be as high as 60 or $70 billion this year, could go up to 110, 115 billion next year. We do not spend that surplus. We are saving it for Social Security. This budget says from now on any money we borrow from the Social Security Trust Fund it is going to be in negotiable Treasury bills, not the blank IOUs that has been happening for the last 20 years.

Mr. KASICH. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Michigan. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, there are 150 job training programs scattered across 15 Federal agencies; 340 programs in housing, including 18 involving community development, 49 concerning public housing, 8 concerning the homeless and 103 that are enacted. There are 660 programs in education and training, spanning 39 Federal agencies, boards, and commissions.

It is interesting because would it not be a great thing if the people who had the jobs had the power to train the people who needed the jobs, rather than having the job training occur from this town out to where we live?

Mr. SMITH of Michigan. Listen up, Democrats. Listen up, America.

Mr. KASICH. Mr. Chairman, there are a lot of bureaucrats in America who do not know what the time zone is in Ohio, let alone what our job needs are.

When I say we should break the monopoly of the Federal Government, would it not make sense if that computer company or high-tech company that needed that employee that they would have the incentive to train me rather than me marching into a Federal building for job training that has no relation to the jobs located in my community?

Would it not make more sense that instead of dictating all the rules of the way we ought to run public housing in my district in Columbus, Ohio, that we ought to set the standards and the rules for the way in which we want to run public housing in our communities rather than dictate it from a bunch of people down here who do not even know what is going on out in my district?

Mr. SMITH of Michigan. Mr. Chairman, they are not dumb in Columbus, Ohio, or Jackson, Michigan.

Mr. KASICH. Mr. Chairman, do you not think it is time that mothers and fathers have the power to be able to get their kids the best education they can possibly get and that most of the money ought to be put in the classroom?

Those are the kind of things that I think most Americans want. I think they want to be in charge. I think they want to be in control. I think they want to have their job training run at home. I think they want local control of education. I think they want public housing at the local level to reflect local values.

Now, that is the new way. The old way is we run it from here. We train a few people who really do not know what goes on in our community, then they tell us what to do. That makes some people happy, but it does not make most Americans happy. That is why we are winning.

Mr. SPRATT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, let my give some quick numbers. In the height of the Reagan years, the government was spending 23.3 percent of our GDP, our total economy. The bite of the government was 23 cents out of every dollar. Today it is 19.8 cents under Clinton, down 3.5 percentage points. That much decreased by.

As for discretionary spending, in 1993, when Clinton came to office, in outlays it was $540 billion in 1993. In 1997, it was $548 billion. In 4 to 5 years, it grew $8 billion. I think that answers abundantly the effort, the argument that was just made.

Mr. Chairman, I yield 4 minutes to the gentlewoman from Michigan (Ms. RIVERS).

Ms. RIVERS. Mr. Chairman, there are two issues I want to raise. I want to talk a little bit about the so-called 1 percent solution, but before I do that I want to speak to the issue that was just raised about decisions being made about eliminating programs.

It is interesting when we were in committee in the Committee on the Budget when we asked repeatedly for the specifics of the proposal, what was going to be cut, what was going to be changed, it was very clear that we were not going to get that information. The argument that was put forward was that we really want to leave this to the committee chairs to make those decisions.

Interestingly, tonight the committee chairman has a lot of arguments to make about programs that are not under his jurisdiction, about how many are too many. Now, why is that? Why could we not have some specificity about what we thought was going to be cut and what was bad in committee, but now we have arguments?

Mr. Chairman, if in fact there are far too many training programs, far to many housing programs, far too many programs in general, why have the majority's appropriation people not come forward with those cuts in the 4 years that they have been controlling the procedure? Why did we have to wait until tonight for the chairman of the Committee on Budget to say in fact that the appropriation chairs have been making all of these bad decisions over the last few years? I do not understand.

Now, I want to talk about the 1 percent solution, so-called. It was just said all these things that the public wants, all the things that families want. I can tell my colleagues what families do not want. They do not want to be misled, and the 1 percent proposal is being put out there to lead people into believing that in fact these cuts are going to be spread across all programs and that the burden will be an easy one for all to bear. That, of course, is not true.

When we look at facts, we find that all programs will not share this burden; and that, in fact, more than two-thirds of the budget will not be available to be a part of this reduction.

Let me go through what these are. These numbers are beyond the agreement that was made as part of the balanced budget agreement:

International affairs, beyond the balanced budget agreement, would be cut 21.2 percent. 21.2 percent in an increasingly perilous world. Natural resources and the environment, 8.5 percent. Commerce and housing credit, the chairman just made comments about that, 30.5 percent. That is Section 8 housing for low-income people.

Rural housing, FHA, the Patent Office and the Census Bureau also within this function, 30 percent. A third of every dollar spent in that function would be eliminated. Transportation, we just as a Congress affirmed overwhelmingly increased spending in transportation. This budget says 22.7 percent reduction. Community and regional development, 16.3 percent reduction. Not 1 percent, 16 percent.

The gentleman from New York (Mr. SOLOMON) argued passionately for us to be responsive to the needs of our communities just a couple of hours ago. Apparently, this is not much of a concern to him.

12.1 percent, not 1 percent, 12.1 percent reduction in administration of

justice. That is law enforcement. That is the judiciary. That is prisons. 12.1 percent. Not 1 percent.

Even education programs take a 4 percent hit. Now this is argued that it is a penny on the dollar. Something that families can understand. Let us put it in terms that families can understand. Let us say that our families decide we have to make a 10 percent cut in our spending. Seems reasonable. But then they sit down and look at their budget and say, well, we cannot stop paying our mortgage. We cannot do that. Cannot stop paying our child care cost because we are going to keep working. Cannot put aside our credit card debt or paying our health insurance. We do not want to cut our contributions to our children's college fund. Okay, we are going to make a 10 percent cut, and it is all going to come out of our grocery money.

It does not feel like 10 percent anymore when it is 1 percent of something you need. This is not a 1 percent cut. You know it, and the public will know it once the information gets out. And to say it is 1 percent and it does not hurt is not right.

Mr. SHAYS. Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Chairman, we are headed down the same road we were in 1995: Cut services for the elderly and the poor and give tax breaks to the rich.

Let me take one specific. When we went into the Committee on the Budget we said, give us the specifics. They would not. But if we look in the budget document they put out, there is $10 billion in cuts in Medicare.

Now, we start talking about that. There is $12 billion cuts in Medicaid. That is $22 billion of the $100 billion in tax cuts coming right out of health care. That is out of the same place that we took $115 billion last year in Medicare and untold billions also out of Medicaid. So they are going right back to the same well.

Now they got nervous about that and last night about 9:30 or 10 o'clock up in the Committee on Rules they said, oh, my goodness, we better get this Medicare stuff out of here. Let us shift it all over into Medicaid or unspecified health care cuts.

□ 2400

What are the unspecified health care cuts? The children's plan we put in last year, $16 billion, most of it has not been spent yet, and they are now going to cut $10 billion out of the children's program that they will be on the campaign trail in about three months saying, ''We did this great program for children.'' Meanwhile they are going to gut it with this particular proposal.

Why are they getting this money? Well, it is for the marriage tax penalty. I offered that amendment in the Committee on Ways and Means and in the Committee on the Budget and in the Committee on Rules, and every single one of those committees, every single Republican Member voted against it last year. I guess maybe a miracle has occurred or an epiphany, I do not know what it is.

The problem is, mine was a little tax cut for families below $50,000 who really need the benefit. But if you are going to use $100 billion in a tax cut for a marriage penalty, it is going to people above $50,000, most of it above. It is a bad, bad budget.

Mr. SHAYS. Mr. Chairman, I yield myself 10 seconds to just say that only in Washington when you spend more do people call it a cut. That is the line that the gentleman from Washington is getting into. We are going to spend $1.3 trillion on Medicare in the next five years. The last five years we spent about $900 million.

Mr. Chairman, I yield 2 minutes and 30 seconds to the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Chairman, the last speaker said it is just like 1995. It is just like 1995. We have, again, on the other side folks saying we are cutting spending to give tax cuts to the rich. Neither is true.

The gentleman from Washington (Mr. MCDERMOTT) may not like the idea of eliminating the marriage penalty but that is something that actually will benefit middle income families, and he may not like the idea of not spending as much as we would otherwise would have spent, but that does not make it a cut.

The gentleman from Connecticut (Mr. SHAYS) specifically talked about the Medicare numbers. Those numbers apply to the entire budget. We are talking about spending a little less than we would otherwise have spent. This is where we are.

Last year we all got together and we passed a balanced budget agreement to balance the budget over five years. The American people, through their hard work and productivity, did it quicker than that, but there was a lot of pain, a lot of agony. We gave. The Democrats gave. The Clinton administration and the House Democrats and Senate Democrats gave, and we ended up with this common ground balanced budget agreement.

It is only natural that this year we Republicans would come back and we would say, okay, we gave a little, now we are going to get back to our fundamentals. We are going to roll up our sleeves and we are going to spend a little bit less than the $9.1 trillion that was agreed to. We are going to spend 1 percent less, and we are going to give some of that back in terms of tax cuts because we are actually spending, as a percentage of GDP, more in taxes every year as Americans than we have historically in this country, so we have a relatively high tax burden right now even with the good economy.

It is also natural Democrats would do the same thing. They are back this year saying they want to go beyond the balanced budget agreement that was agreed to last year also, but they are saying that they want to spend more. The President's budget, 85 new spending programs, 39 new entitlement programs, over $150 billion in new spending, over $150 billion in new spending over five years. $129 billion in tax increases over 5 years is how it is paid for, largely, again, from the same President who in 1993 put in place the largest tax increase in our history.

So that is where we are, and I would just say I would cast my lot with those who believe we can do more. I would cast my lot with those who think we can do a little better. Yes, the chairman gave some examples earlier in response to the gentlewoman from Michigan. She criticized the chairman.

Today on a partisan basis in this House we voted to reform the SSDI program. We improved the program and we saved $40 million to the American taxpayer. There is darn good example. Yes, we can streamline. Yes, we can consolidate. Yes, it takes rolling up our sleeves and looking anew and thinking outside the box on some of these Federal programs, but sure we can do that. Instead of spending $9.1 trillion, we are going to spend $9 trillion over the next five years. And remember, we only spent $7.8 trillion over the last five years.

So I thank the chairman for putting together this good budget, and the Committee on the Budget. I wholeheartedly endorse it.

Mr. SPRATT. Mr. Chairman, I yield myself 30 seconds to remind him that the President's budget, which he misconstrued, is not on the floor. Our resolution is. It does not increase spending. It is in complete sync with the balanced budget agreement and it calls for $30 billion in tax relief paid for within the Tax Code itself.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Hawaii (Mrs. MINK).

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, my constituents are listening to this debate, even though it is midnight, because it is only 6:00 p.m. in Hawaii. I thank the majority for the courtesy extended to my constituents.

I think the whole matter of our legislating has at its kernel the idea of conveying confidence to the American people that they should be able to rely on the promises and the agreements that we make with respect to the programs that we enact.

Less than 2 years ago this Congress enacted the welfare reform bill, and it was hard fought. And one of the ingredients in that welfare reform bill was an agreement that was struck with the governors. There was a commitment made to the States that there would be even funding over the length of that program, 5, 6 years. And the governors went and made this agreement with

the Congress in the assumption that we would keep our word, that we would not go back on this deal.

Sometime around 9:00 last night the majority decided that they would breach that agreement that was struck with the governors. Today we have a letter sent to us by the National Governors Association, signed by 10 governors, expressing their dismay that the Congress is being asked by the Republican Party to renege on their agreement.

What they did in the Committee on Rules was to take $10 billion additional from the TANF program, the welfare program that we just enacted. They said cut the function 600 program, which is the income security item. But if we look in it, all that is vulnerable for a cut, for a raid, is the TANF program, and it completely decimates the agreement that the governors are relying on. So they have asked this Congress to reject this resolution, and so have the National Conference of the State Legislators.

I ask my colleagues here tonight, is our word good or are we going to go back on it?

Mr. Chairman, I rise today in strong opposition to the Kasich Budget Resolution, which sets this nation on a budgetary course that will end in disaster.

At a time when our nation is experiencing its greatest economic boom in decades we should be asking ourselves what can we do for the people of America, not what can we take away from them. This budget resolution proposes to take away $100 billion from programs critical to the overall health and well-being of this nation. The American public will not stand for cuts in Medicare, Medicaid, education, health care, health research, and social services. Even programs that have strong bipartisan support, like Head Start and WIC will not receive enough funds to maintain current services under this budget.

Hasn't the Majority learned by now that we can balance the budget, and still address the most pressing needs of our people. The budget before us today is a shift back to the draconian cuts and radical proposals that forced a budget showdown and government shut down.

Bringing forth this proposal, which even Senate Republicans agree is too radical, only proves that the Majority can't keep a promise. They can't keep the promise made in last year's balanced budget agreement and they can't keep the promise made in the 1996 welfare law.

I am outraged to find out that at the last minute in the wee hours of the night this resolution was changed to cut $10 billion of the welfare program (TANF). This cut is on top of cuts already in the bill which totally eliminate programs to move families from welfare-to-work.

Some may argue that the $10 billion is not specified to come from TANF, but it is a cut required in the Income Security Function which includes TANF. Well, let's look at some of the other programs in the Income Security Function that would have to take the cut—unemployment compensation, SSI, Child Support, Child Care, the EITC, and Foster Care. I don't think anyone is willing to take a $10 billion chunk out of any of these programs.

Certainly, states cannot live up to the mandate of moving welfare recipients to work, if their funds are cut by $10 billion.

During the debate on welfare reform in 1995 and 1996, the Majority constantly preached the ethic of work and championed the idea that welfare mothers must work. Now, they seek to eliminate the very programs that help these disadvantaged women find jobs.

The Resolution eliminates $1.5 billion dedicated for welfare-to-work programs. The elimination of these funds would result in direct loss of funds to 44 states and jeopardize the job training and job placement of 300,000 welfare recipients.

And with an additional cut of $10 billion from the TANF program, there will be virtually no federal training funds dedicated to moving families from welfare to work. The 1996 Welfare law becomes an unfunded mandate under this Resolution.

The Resolution compounds the problem by eliminating the employment and training money under the Food Stamp program. The 1996 welfare reform law limits Food Stamp benefits to able-bodied adults with no children between the ages of 18 to 50 to 3 months unless they are working or in a training program. The Resolution eliminates funding states use to help train and employ these individuals so that they can achieve self-sufficiency or meet the work rule under the Food Stamp program.

This Budget Resolution unfairly targets the most vulnerable in our nation—families that are struggling to make ends meet and striving for self-sufficiency.

The Democrats in great contrast seek to lift up those who are struggling in our society, by helping to ease their every day burdens. Nothing signifies this more than the huge investment the Clinton Administration and the Democrats have proposed in expanding the availability of child care in this nation.

Currently the federal government spends about $9.4 billion (FY 1998) on child care programs including after-school and child care nutrition programs. We propose the President's child care initiative unveiled earlier this year, which adds a $16 billion investment over five years in child care and early childhood education programs. This includes the expansion of existing programs such as the Child Care Development Block Grant and Head Start.

In 1996, we passed a Welfare Law which requires welfare mothers to work, but it fell short $1.4 billion short of the funding necessary to provide child care for those welfare parents. The President's child care initiative would allow us to take care of the working welfare families as well as low-income working parents who are not receiving public assistance.

It also includes $3 billion over five years for a new Early Learning Fund to improve the quality and safety of services to children ages 0 to 5 years. In the past year we have all heard about the ground breaking research which revealed the significant capacity for learning in the first three years of a child's life. Assuring quality child care and early childhood education is critical in those early learning years and important to the future success of our nation's children, and indeed our entire nation.

$800 million over five years would go to expand after-school programs. This funding would support an estimated 4,000 programs serving half a million children. After-school activities are a way to keep children in a safe place, to provide additional learning experiences and tutoring and most importantly, it keep children off the streets and involved in productive activities rather than destructive or delinquent activities.

Unfortunately, the Majority not only rejects these much needed child care programs, but freezes the current child care programs so that they won't be able to keep up with inflation. The Child Care Development Block grant will lose $107 million over five years, the Head Start program will lose $536 million over five years, and the Title X Social Service Block Grant will be cut by $3.1 billion.

Mr. Chairman, I oppose this Resolution also because it is clearly an attempt to undermine federal education programs in the Budget Resolution. The Chairman's May 12th draft clearly stated the intention to turn the Title I program for disadvantaged students into a voucher program, and to block grant other education programs.

During the Committee debate, the Chairman was unclear about his intentions but made specific references to block granting Title I and other education programs.

Whether it is a block grant proposal or a voucher proposal, it is clear that the Majority is once again attacking federal education programs that send billions of dollars to our states and local school districts.

I am deeply concerned about any effort which would virtually eliminate the Title I program and replace it with a voucher program. Title I was enacted in 1965 to assist low income communities in educating their most educationally disadvantaged. It was an attempt to equalize educational opportunities for our most needy students.

Based on current funding levels, individual Title I vouchers are likely to be about $700 dollars per student, hardly enough for parents to pay for private education as intended by the proponents of this proposal.

Title I dollars helps to raise the individual achievement of disadvantaged children, but also, it helps the overall educational opportunities within the school. Taking the dollars away from these most needy schools through a voucher system, will do nothing but leave the school with less resources and at a greater disadvantage.

Criticism about Title I during Committee debate focused on the ineffectiveness of some programs and how the federal bureaucracy was to blame. This criticism is really not about the federal government, but a complaint against state and local school districts which manages the Title I program. Only .1% of the Title I funds stay at the federal level, for evaluation and administrative costs. That means that states and locals have responsibility for $99.9% of the money. So when the Republicans complain about how that money is being spent, they are criticizing the states and local school districts.

What is ironic is that Majority's criticizes the state and local management of the Title I, yet at the same time they propose to block grant even more federal programs, with less accountability to the very same people they contend are running ineffective Title I programs.

While there is always room for improvement, the reality is that in the vast majority of school districts throughout the nation Title I is making a significant difference in the lives of

disadvantaged students. To eliminate the Title I program as we know it today is a terrible mistake that would have serious consequences in many low-income communities throughout the country.

In my estimation, education should be this nation's highest priority, and the Majority's budget, block grant and voucher programs fall far short of what is necessary to improve education in this nation.

Finally, Mr. Chairman, I need to mention the elimination of the Native Hawaiian Health Care program, assumed under this budget. It is clear that the Majority lacks the understanding of special relationship between the Native Hawaiian people and the federal government, much like the relationships forged between Native American Tribes and the federal government. Programs like the Native Hawaiian Health Care Act were specifically enacted to acknowledge the federal government's responsibility and relationship with the Native Hawaiian people. Elimination of this program would mean the end of valuable services which address the significant health needs of the Native Hawaiian population and it abrogates the federal government's responsibility to assist in improving the overall well-being of the Native Hawaiian people.

Mr. Chairman, this budget fails the American people. It fails to set forth a vision for our nation worthy of our economic prosperity; it fails to invest in our most precious resource—our human capital; and it fails to address the needs of the most disadvantaged in our society.

I urge my colleagues to reject this radical budget, which turns away from the balance budget agreement and the welfare law of 1996. We can do better, we must do better.

Mr. SHAYS. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Chairman, I rise in strong support of the budget resolution we are debating here tonight of the gentleman from Ohio (Mr. KASICH). This is my sixth year on the Committee on the Budget. The first 2 years was as we were part of the minority and then 4 years as majority now.

In our budget, in each of the budgets we have had the same philosophy of reducing the size and scope of the government and shifting power, money and responsibility back to the States, and this budget continues that philosophy. It shows the real difference with the Democratic philosophy.

Back in 1993 when the President proposed a budget to increase taxes, the largest tax increase ever, more spending programs and more new programs that we had to take responsibility for here in Washington, the Republicans had cut spending first, and we showed how we really can reduce the size and scope of the government. And the voters back in 1994 said, ''That is what we want to do,'' and so starting in 1995 we have had great success in moving this country to fiscal responsibility.

This year we are going to have the first balanced budget since 1969, a tremendous accomplishment. We are going to have a surplus for the first time. One of the most important things is the issue that we have reformed entitlements. The previous speaker talked about, oh, my gosh, we are hurting the entitlement programs. We have had major change in the welfare program.

Let me tell my colleagues what happened. Welfare case loads have declined by 30 percent nationally since 1994. In 1997, States spent only 72 percent of their available welfare funds because case loads have declined and more welfare families have entered the work force.

Six States have turned down welfare-to-work grants enacted by the balanced budget agreement because they did not need the money and they objected to the red tape required to get the grants. Welfare reform has worked. It is saving money. But more important, it is helping those people that have been trapped in a cycle of poverty.

On the discretionary spending side we have had great success. While defense spending has been kept fairly level for the past decade, the Democrats kept increasing discretionary nondefense spending, the domestic spending side.

□ 0010

Our first time in control of the House of Representatives in 1995 and 1996, we actually had in real dollars a reduction in domestic discretionary spending. That was our promise to the American people. We got rid of 300 programs in the Federal Government. But then important programs that we thought were important, for example, like National Institutes of Health, have gotten larger increases under a Republican Congress than they received under the Democratic Congress. In fact, last year they got a 7.1 percent increase whereas President Clinton only asked for a 2.6 percent increase.

We have established priorities, programs that are important, like biomedical research, and we have said we do not need some programs and we have cut out many programs. This budget that we have this year is a continuation of that philosophy and a clear contrast with what President Clinton has proposed. President Clinton's budget proposed 85 new programs, $150 billion in more spending over 5 years, $129 billion in more taxes. What does this budget have? No new spending programs, $100 billion of tax cuts, and just a 1 percent cut in spending. Support this budget.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Chairman, I find it so curious that the majority refuses to discuss their budget tonight and instead want to discuss a budget that is not even on the floor. I have been on the Committee on the Budget for 6 years and I have never seen such a fiasco in all my life. Usually the budget is when a party lays forward their plan, their vision of government.

What have you done tonight? Brought this to the floor after midnight, not that the press who is not here, the American people who are long asleep are missing much, because you have not had the integrity, the courage, to tell the American people what your plan is. You do not specify the cuts. You get up here and make lofty language, and you do not specify the cuts. What is more, this plan changes all the time.

Take Social Security, what I think is the most vital function of government. In the Committee on the Budget we debated, one of the highlights of the chairman's bill, a plan to take all the surplus out of Social Security, embark on a new venture, no more Social Security, a new venture of private accounts. We debated. Every one of you voted for it. Your colleagues would not stand for it apparently.

You go to the Committee on Rules, the bill comes out, and there is no aspect of that dimension of this budget. Where did it go? We have all this debate, you are going to end Social Security as we know it and it comes out of the Committee on Rules and we are just supposed to be left with an ''oops, never mind''? This is ridiculous.

I would feel comfortable if Social Security was secure. But of course it is not secure. Because you take revenue out of the Federal Government without telling us how we are going to match in spending reductions.

You have done this before. This was a David Stockman technique in the early 1980s. It produced deficits then. Now it will produce spending the surplus. That is why the Washington Post called this a triple fraud, and I quote, an election year tax cut on the strength of unlikely spending cuts to be named later, all the while preaching fiscal responsibility.

What happens when you do not come up with the spending cuts you are so afraid to talk about tonight is that they do not get made, and this surplus that we so need to reform Social Security is dissipated. And you do not even lay out the plan to the American people.

This budget is a failure. One of the things about the chairman, like him or not, like his ideas, do not like his ideas, he would always tell you where he was going, he would always be square with you about the details. This plan tonight is such a disappointment in that respect.

You fail to lay out the details of your plan. You fail to advance a budget that makes sense. Most important to me, you fail to fundamentally protect the Social Security surplus until we can come up with a comprehensive overhaul plan for Social Security. You have failed with this budget, and that is why I think there is a fighting chance your own colleagues will reject it with us in the vote tomorrow.

Mr. SHAYS. Mr. Chairman, I yield 3½ minutes to the gentleman from New Hampshire (Mr. SUNUNU).

Mr. SUNUNU. Mr. Chairman, I thank the gentleman from Connecticut for yielding me this time.

Mr. Chairman, I will begin by emphasizing that the colleague who just spoke was correct in one regard, and that is a simple point that the President's budget is not on the floor tonight. It is not on the floor tonight because nobody on the other side had the guts to bring it to the floor tonight. Even the ranking member of the Committee on the Budget refused to bring the President's budget to the floor, because it raises taxes $130 billion, it raises spending $150 billion, it creates new entitlements, it creates new programs, and not a single Member on the other side was willing to bring that sham to the floor. Instead we are talking about a Republican budget plan.

Perhaps the problem is that it is too simple a vision for some on the other side to understand. It does three principal things. It pays down public debt. It reduces the amount of debt held by the public by taking surpluses and using it for that important cause. It shrinks the rate of growth of government by 1 percent. And it uses that controlling the size of government to eliminate the marriage penalty.

I do not know what the other side is opposed to. Maybe they are opposed to paying down the debt. Maybe they are opposed to eliminating the marriage penalty. And we have heard that they certainly may be opposed to reducing the size of the government from $9.1 trillion to $9 trillion. Maybe $9 trillion just is not enough. Maybe they need $10 trillion or $11 or $12 or $15 trillion. But the fact is we have spent $7.8 trillion over the past 5 years and under this budget we spend $9 trillion.

Government will grow at greater than the rate of inflation. Maybe it is not enough for some on this side of the aisle. Maybe government has to get bigger and bigger and bigger. But what we are trying to do is just control the rate of growth. Three goals, pay down the debt, control the rate of growth of government, and eliminate the marriage penalty.

Paying down debt, why is it important? It is important because it brings down interest rates. We reduce public borrowing, we let the private sector borrow more and we reduce interest rates, lower cost of home mortgages, lower student loans, lower cost of auto loans.

We heard what happened with the President's tax increase in 1993. Interest rates shot up. Over the next year they shot up 2 percent, from 6 percent all the way up to 8 percent. That is tens of thousands of dollars more in home mortgage costs, thousands of dollars more in student loan costs or automobile loan costs, right out of the pockets of the American consumer.

Today interest rates are low. If we continue to pay down debt with these surpluses, they will go even lower; 1, 2 percent less if you talk to Alan Greenspan. Paying down debt keeps money in the pockets of the average American family.

Second, controlling the rate of growth of government. We talked about that. From $9.1 trillion to $9 trillion. Earlier this evening, much earlier this evening, not at midnight or 11 o'clock or 10 o'clock, but around 9 o'clock or 8 o'clock, we saw a nine foot belt out here and said, can we not just take a nine foot belt and bring it in one notch, from $9.1 trillion to $9 trillion. We can reduce the rate of growth.

And finally, eliminate the marriage penalty. Bring tax relief to the American people, more money in their pockets, take a little bit of power away from Washington, and give it back to the American people. I think any time we take power away from Washington and give it back to Americans, we are doing right thing. I urge my colleagues to support this resolution.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, in last year's balanced budget, we had a bipartisan agreement to protect the environment. But this year the Republicans in their budget proposal throw away that commitment, out the window.

The Democratic alternative, however, does restore the vital environmental funding that we know as Members of Congress we have a responsibility to fund. We must fund projects to ensure clean air and clean water, to ensure that our public lands are preserved, and that our toxic and hazardous sites are cleaned up.

The Democratic budget provides funding for water quality improvement, because 40 percent of our Nation's waterways are too polluted to swim or fish in. The Democratic budget provides assistance to States and communities to reduce non-point pollution, clean up streams and improve coastal water quality.

The Democratic budget provides vital funding for our Superfund cleanup sites. One in four children under the age of 12 live within four miles of a Superfund site. It is time, time for Republicans to join us and clean up the toxic waste dumps near our schools, our parks and in our neighborhoods.

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The Democratic budget includes funding to enhance national parks, national forests and other public lands.

The final and crucial environmental area addressed by the Democratic budget provides funding for water infrastructure improvements. These improvements give localities greater ability for compliance and construction of much needed wastewater and other facilities.

Mr. Chairman, as we consider this budget resolution this year, we must also protect our environment. But as usual, when it comes to our children's future, the Republican budget is way off course. By supporting the Democratic alternative we create a budget that moves this country forward without leaving our environment and our children behind. I urge my colleagues to support the Democratic budget alternative.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. ROYBAL-ALLARD).

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in opposition to the Republican resolution and in support of the Democratic alternative. The Republican plan unravels last year's budget deal by cutting over $100 billion from important programs like education, veterans' benefits and crime prevention. The Democratic alternative, however, builds on the balanced budget agreement, and it invests in the future of our country and in the priorities of our people by protecting Social Security, allowing for a reasonable tax cut to end the marriage penalty, and by making a real investment in the education of our children.

An example of this commitment to education is the school construction initiative in the Democratic budget. This initiative is critical because our schools are in worse shape today than any part of our nation's infrastructure. As a result, millions of our children in urban, suburban and rural districts are forced to attend schools in desperate need of repair. Also, thousands of our schools are tragically overcrowded. It is estimated that we need to build 6,000 new schools over the next 10 years just to maintain our current class size.

These appalling conditions are not merely annoyances and inconveniences, they are barriers to learning, and sadly these conditions serve to diminish the self-esteem of children who must attend these run-down and overcrowded schools.

Mr. Chairman, the Republican budget ignores this crisis. The Democratic budget, however, creates a tax credit to help States and localities build new schools and to make desperately needed repairs. The Democratic plan sends a clear message that the education of our children is a top priority vital to our Nation's future.

I urge my colleagues to reject the failed Republican budget and to vote in favor of the Democratic alternative.

Mr. SHAYS. Mr. Chairman, I yield 2½ minutes to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Chairman, I thank my colleague for yielding this time to me.

For the last 18 months we have had the opportunity to go around America and we have had hearings in 17 States about what works and what does not work in education. We have also had an opportunity to take a look at education and what education means in Washington, and we have found that in Washington education means hundreds of programs, and we say ''Hallelujah, at least they're all in the Education Department,'' and it is kind of like, no, they are spread over 39 agencies, and we say, ''Well, at least they're effective

and efficient which means that we're going to get those dollars down to kids,'' and it is like, no, that is not true either because for every time we take a dollar out of a local community and send it to Washington, we only get about 65 cents back to a child and back to a classroom.

That is not very good, and that is not helping kids.

Going around and spending time at local school districts, we find out what has worked. What works is when we leave control at the local level, when we leave the money at a local school district and do not take it to Washington and siphon off 30 to 40 cents, when we leave control at the local level, and we do not get people at the local level begging for money from Washington and getting the money back with a whole lot of rules and regulations. What works is when we focus on basic academics, and what works is when we empower parents.

Now is not the time to come up with a whole new range of education programs in Washington that move control away from parents and away from the local level and move it to Washington.

What is the mantra in Washington? Where have we gotten to today?

Where we are moving to in Washington is we say, ''We want to build your schools, we want to put in your technology, we want to hire your teachers, we want to determine your class size, we want to teach your kids about sex, we want to teach your kids about drugs, we want to feed them breakfast, we want to feed them lunch, we want to feed them snacks, and other than that they are your local schools.''

Let us keep control with parents.

Mr. SPRATT. Mr. Chairman, I yield 30 seconds to the gentlewoman from Michigan (Ms. RIVERS).

Ms. RIVERS. Mr. Chairman, I will take just a brief amount of time to point out that in the committee meeting I did put forward a proposal to do what several of the Republicans on the committee as well as other members of the party have suggested, which is to send back 40 percent of all special education dollars to the States, to local school districts. Made a very strong case for that.

The majority declined to do that, and instead substituted for my motion a motion to make it a sense of the Congress. So the gentleman from Michigan (Mr. HOEKSTRA), along with others on the committee who were given an opportunity to make a very clear and concrete statement to send dollars back to schools, declined to do so.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. BENTSEN).

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Chairman, it is really kind of a joke that we are here at 12:30 in the morning Eastern time debating this. We heard about families sitting around the dining room table and what they could end up cutting. None of the traditional families in my district in Texas, I believe, are sitting around the dining room table at this time, and I doubt they are in Columbus, Ohio either, but I do not know a lot about Columbus. And if this is the best my colleague can do, he probably ought to try and keep the job he has got.

But, Mr. Chairman, this is not a blueprint for the Nation's fiscal policy. This is a testament to the continuing inability of the Republicans to govern the House.

The truth be known, the budget process has already been hijacked by the Committee on Appropriations and the Committee on Transportation and Infrastructure. Last week, 2 weeks ago, we were racing to get out of here so we could pass a highway bill that everybody could pave up their State, that busted the budget by $22 billion. We forgot all about the Balanced Budget Act of 1997. Democrats and Republicans were in a real big hurry to spend as much money as possible. We gutted the veterans' program by somewhere between $11 billion to $17 billion, depending on what committee and whose numbers are used, and then we found out that it was not done properly. So we race back in here quietly on Tuesday, and when no one was looking we passed by voice vote a correction of that.

That is what Republican control has been all about. They stuck it to the veterans, they stuck it to the budget process, and now at 12:30 in the morning we are going to debate this grand budget resolution. They cannot even get the senior team down here to debate the bill.

□ 0030

This is just ridiculous. And then you think that after the fact we are going to have to, under the Balanced Budget Act of 1997, have to continue to make reductions in discretionary spending, both defense and non-defense, we are going to continue to make reductions in that, and then you want to go in and make another $100 billion of reduction, $50 billion approximately in non-defense. And you talk about waste. You could not find one dollar, not one dollar of waste in defense. What happened to those ashtrays and the toilet seats that we were paying all that extra money for?

But you really think those cuts are going to be made, and then you are going to go spend the money on the tax cut. What you are going to do is end up spending the surplus, just like you are trying to do with the transportation bill, and running up the debt.

You know what that is going to do in the end? It is going to make the Social Security problem worse, and then you are going to come around and try to privatize it and do away with the safety net. That is why you are doing it at 12:30 in the morning, because you know this is a joke.

Mr. Chairman, the Republican budget resolution is both hollow and meaningless because it doesn't recognize reality and responsible fiscal policy. Rather than provide a blueprint for the nation's fiscal policy, this is a testament to the continuing inability of the Republicans to govern. Truth be known, the budget process has already been hijacked by the Appropriations Committee and the Transportation Committee.

This budget resolution is a sham. It proposes $100 billion in budget cuts beyond the Balanced Budget Agreement we approved last July, but it doesn't tell us where to cut and postpones the tough choices for a future Congress. It ignores the reality that Congress just approved a highway bill that exceeds the budget agreement by $22 billion. And in its latest incarnation, it plays games with the projected budget surplus to hide the fact that the majority would rather use the surplus to pay for tax cuts than to buy down the $5.4 trillion federal debt and strengthen Social Security.

Not only does this budget resolution renege on the good faith, bipartisan agreement reached last year to balance the budget, but it goes even further by destroying our hard work to achieve that agreement. Last year's hard work has given way to magic asterisks, false hopes, and irresponsible promises. It's only now that we are finally balancing the budget and escaping the pit of red ink that has quadrupled our national debt and made interest payments the third largest federal program. It's the height of irresponsibility that the majority would now propose that we go down that road again.

The ''one percent plan'' is a pithy slogan, but it's the biggest sham of all. The truth is that this budget doesn't cut just one percent. By exempting three-fifths of the budget and failing to take the highway bill into account, this bill would actually cut some domestic programs by as much as 19 percent below a freeze. That means deep cuts in education, social services, environmental protection and other vital programs, and leave our nation unable to increase vital investments such as medical research. Despite what the majority may say today, it also means draconian cuts in Medicare and Medicaid, and even in the newly enacted Children's Health Insurance Program that we worked so hard to create just nine months ago.

Most prominently, the budget resolution neglects that fact that we have a $5.4 trillion debt and that we spend $250 billion on interest annually. that's about three percent of GDP. By sticking to the 1998 Balanced Budget Agreement, interest payments on the debt would fall to just one and a half percent of GDP by 2008. Paying down the debt yields ample rewards because interest payments on the debt would fall. This would free up private and public investment. Long term interest rates would fall further as well. Then, a responsible tax cut or even greater investment in education, children's health care, and research become possible. These productive investments help keep our economy growing.

If we abandon fiscal discipline, by the early 2040s, CBO projects that federal debt will exceed 100 percent of GDP. That is nearly twice as high as the current ratio and is a level previously reached only at the end of World War II.

Included in the $5.4 trillion debt is $600 billion of Treasury bonds owned by the Social

Security trust fund that will have to be retired after 2013. The budget resolution should give serious attention to paying down the debt to reduce interest and principal costs to ultimately strengthen the Social Security Trust Fund. Raiding the surplus to pay for tax cuts will put us in worse shape. In fact, if only half the surplus was spent, interest payments would rise $12 billion over the next five years. According to the CBO, spending the annual surplus would cause the fiscal gap, which is the size of the permanent tax increase or spending cut needed to keep the ratio of federal debt to GDP at or below its current level, to increase to 2.3 percent of GDP from 1.6 percent of GDP. This translates into an estimated $200 billion tax increase or spending cut.

Additionally, some on the other side of the aisle might argue that the surplus is scandalous because it's expected to grow to $1.34 trillion over the next five years and that money should be returned to the American people in the form of a tax cut. But, that money is essentially today's profit that needs to repay yesterday's debt. No business would carry such a debt much less make no effort to repay it. Enacting a tax cut this year would like a business that carries significant debt, has a great year, and then pays out its new profits in dividends instead of paying down its debt. Companies know that paying down debt is the only way to increase its value in the long term, which would make more money for investors. So both tax cuts and personal savings accounts are irresponsible before paying down the debt.

So before we start tinkering with half-baked notions of privatization, it is important that we begin a debate on Social Security with a clear understanding of what Social Security is and why it was created before we begin proposing radical solutions. And we must not confuse problems while trying to solve them.

First and foremost, we must remember that Social Security is a safety net below which no American will fall. It is a retirement security program, it is a disability insurance program and it is a survivor insurance program. It is not a 401(k) or an individual retirement account. It is also an income transfer program whereby higher income workers support lower and moderate income workers through the establishment of the safety net. Without the cross-subsidy the net is pierced. Any reform must not destroy the safety net, or it will destroy the essence of the program.

If we squander the surplus without beginning to retire the national debt to a more manageable level, in the long run, we may have to borrow more to pay off bonds as they come due, including the Social Security, and we will be shortchanging the American people. Without maintaining a course of fiscal discipline, the Congress' hard work since 1990 will be compromised. Federal budget surpluses will be short lived and we will return to deficit spending. Given the impending retirement boom and the economic and political uncertainty brought on by the Asian economic debacle, that's not a direction we want to move.

Mr. SHAYS. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. EHRLICH).

Mr. ERHLICH. Mr. Chairman, I thank the gentleman for yielding me time.

I guess there are some first-teamers still around here. I see some first-teamers behind me.

Mr. Chairman, I rise in support of the Kasich budget. There are four relatively easy planks that the American public does understand. Pay down debt. Forty percent of public debt is Social Security debt. You pay that down, you save Social Security. It makes sense. You shrink the government by 1 percent, and you relieve families of the marriage penalty.

Under the balanced budget agreement, and that is really the crux of the problem here tonight, some viewed it as a ceiling, some viewed it as a floor. It is not a ceiling. We can do better. We get paid to do better. The American public expects us to do better.

Last year was not a stopping point. They still feel overtaxed, feel that the government does too much in this country. $9.1 trillion to $9 trillion. That is not a whole lot to ask in most cities in this country. Maybe not in this town.

We talk about marriage tax relief. We had an interesting comment from the other side earlier on. The rhetorical question was, where do the tax cuts come from? Where do the tax cuts come from?

Tax money is our money. We send it here, hopefully to be used appropriately, and we ask for some of it back. That is where the money comes from. We know where the money comes from, from the people who work.

Last January we saw the old Bill Clinton, the post-election-year Bill Clinton, the nanny state Bill Clinton came back. You heard the numbers, 85 new programs, $150 billion in new spending, new tax increases, the whole nine yards.

What led to this? What do we hear tonight and every day on this floor? The politics of yes, because the politics of yes is real easy. The politics of no means leadership. It is not easy to say no. It is not easy to say maybe a cent from every Federal dollar over 5 years.

It is easy to get votes when you say yes, because the politics of yes is easy, and the politics of yes ruled this town for 40 years, and a bunch of us came here a couple of years ago to exhibit some leadership and say no for a change. And sometimes no is not pleasant and sometimes no leads to negative ads against you on TV, and that is the way it goes in the United States in the 1990s.

I rise in support of the Kasich budget for this reason: We should reject the politics of the old and the politics of yes, as the American people have done, and give the American family a break for a change, because they deserve it.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in strong opposition to the proposed Republican budget resolution. This resolution is very similar to the very one we discussed last year, proposing spending cuts to pay for tax cuts. However, the difference in the last time and this time is we are not certain where they propose to cut the $100 billion. We know it is supposed be in domestic, but we do not know where. We only know they intend to cut $55 billion from entitlement programs, including some $10 billion from Medicare, until last night. Then that became too political. We said we do not want to be political, but that became too political and risky to do.

Guess what you did? You decided to cut that from the most vulnerable people in America, the poorest of the poor. Yes, your Welfare Reform Act that you wanted to keep there, you reneged on your commitment to the States that you would provide welfare reform, but made sure that your objective had $10 billion now that will be taken from there. $12 billion from Medicaid. You are not fair to the poor, you are certainly not fair to seniors, and, in fact, you are really cruel to the most vulnerable people in the community.

Yes, this may sound like rhetoric, but it is the basic truth. You are also cruel to veterans. It is cruel that you would treat veterans, those who protect this country, in the way they have.

Mr. Chairman, I support fair cuts, and most Americans do. In the Spratt substitute that will be offered tomorrow, there will be $30 billion in fair tax cuts. Fair tax cuts.

Mr. Chairman, I will also tell you, the gentleman from South Carolina (Mr. SPRATT) tells you where those offsets will be. It is paid for. There is no ambiguity around it, no mirrors and smoke.

I suppose fairness is to be for certain citizens and not for others. We should have a budget resolution that speaks to the needs of all America, including all citizens, not just some of the citizens. And this program does not do that, because in addition to the $10 billion coming from welfare, what we call assistance to the dependent children, in addition to that, food stamps will be cut, training, welfare-to-work will be cut, WIC will be cut, LIHEAP will be cut, Title I education will also be cut.

By repealing our vital education programs, the Republican plan just fails to understand that the American people put education first as their main priority.

The Spratt commitment, yes, it does have a new initiative. The new initiative says 75,000 new teachers. Again, you say that is spending more. Yes, but he tells you how that will be paid for. $10 billion over 5 years, $2 billion a year, and it is paid for. That is not spending more money. It is simply changing the priorities to speak to the needs of the people.

Mr. Chairman, I urge a ''no'' vote on the Republican resolution.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chairman, much of our debate tonight

has focused on the fiscal irresponsibility of the Republican majority's budget, on its failure to reserve the surplus, its failure to ensure the future of Social Security and to reduce the national debt, its failure to take account of the huge transportation bill we just passed, its failure in double counting the savings from veterans health care and Social Service accounts.

But the Republican budget is not only fiscally unrealistic and irresponsible, it also gets the priorities wrong, and that is what I want to address in the few minutes that I have tonight.

It gets the priorities wrong. I want to stress one priority, education, which is number one in my district and number one to me personally and which represents an investment in the future of our children and our country.

The Republican budget would cut the education and training portion of our budget by some $4.4 billion below, below, the balanced budget agreement.

Details are few and far between, but the Republicans claim to find savings by consolidating higher education programs. While the budget promises to increase Pell grants, there is no way of telling what might be cut in order to achieve that. Will work study be cut? Will State student incentive grants be eliminated? Will the Republican budget limit the access to higher education that is the key to a higher standard of living, that is the key to equipping people to meet their goals and better serve their families and serve their communities?

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The House has just passed a Higher Education Act which promises to open up opportunities, and yet this budget takes little or no account of that.

In the area of elementary and secondary education, the Republicans propose to repeal the current Title I program and create a voucher program in its place. Title I provides opportunities for disadvantaged young children who are the most vulnerable in our society. The Republican budget will put Federal efforts to meet the needs of these at-risk children in jeopardy. Education is the key to equal opportunity.

The House Republican budget would do more damage to the goal of expanding opportunity than any budget in recent memory. The Democratic budget, by contrast, is fiscally responsible, and it recognizes the priority we place on education.

It includes the provision to reduce the classroom size in this country in grades one through three with the hiring of 75,000 new teachers. It provides tax credits to enable working parents to afford good child care. It provides a tax break so that school districts can more easily finance the bonds necessary to modernize and build schools. These modest initiatives are all paid for, and not a penny, not a penny comes from the surplus.

The Democratic budget is consistent with the balanced budget agreement and observes the budgetary rules that have produced surpluses and a booming economy. It gets our country's priorities straight, including the education of our children. I urge support for the Democratic alternative.

Mr. SHAYS. Mr. Chairman, I am delighted to yield 4½ minutes to the gentleman from Arizona (Mr. SHADEGG).

(Mr. SHADEGG asked and was given permission to revise and extend his remarks.)

Mr. SHADEGG. Mr. Chairman, there has been some talk about whether or not we are defending the Republican budget and whether we are proud of it. I am very proud of this budget. This budget does set the right priorities and takes this country in the right direction. If there were a little more truth on this floor and a little less rhetoric, perhaps we would see that.

We have heard our colleagues on the other side say time after time after time that this budget cuts spending. Let me make it very clear. Nowhere outside of this beltway that surrounds this city is an increase in spending from $7.8 trillion over 5 years up to $9.0 trillion a cut. It is simply not a cut. We cannot go from $7.8 up to $9.0 and call it a cut. So let us get that point of truth on the record to begin with.

Then let us go to what this debate is really about, because it really is a very simple debate. It is a simple debate between their belief in bigger government and higher taxes because they do not trust people; our belief in a slightly smaller, more efficient government with lower taxes because we do trust people.

That is the fundamental debate going on here tonight. They want to reach deeper into the pockets of the American people and take more money out so that they can spend it because they do not trust Americans to spend their own money.

The gentleman from South Carolina (Mr. SPRATT) talks about a $30 billion tax cut in his budget. Unfortunately, that just is not true. There is not a $30 billion tax cut in the Spratt budget because there is not a $1 billion cut in the Spratt budget, because there is not a one penny tax cut in the Spratt budget.

Because do you know what the Spratt budget does? It raises taxes on some Americans by $30 billion and includes a sense of the Congress that we ought to give that $30 billion back. Do you know what? The American people are going to figure that out. If we raise taxes on some by $30 billion and we lower it on others by $30 billion, that is a net tax cut of zero, not a net tax cut of $30 billion.

So how does that fit into the scheme? That fits into the scheme that they want more of the American people's money, and we want to leave more of the American people's money with them.

The President, the President told us in 1994, right after I got elected, that we could not balance America's budget in 7 years; and we shut down the government over that fight. Three years later, I am proud to be standing here, and we did not balance it in 7 years, we balanced it in 3 years. They brag about the surplus, the surplus their President fought us tooth and nail over.

Let us talk about the President and his record. He says the era of big government is over. Do you know why? Because for him the era of bigger government had just begun. In his budget, which they do not have the guts to propose, taxes go up by $130 billion. New spending goes up by $150 billion.

There are 39 new entitlement programs. They talk about controlling entitlement spending, but their President proposes 39 new entitlement programs. Do you want to burden the American people? That is the way to do it. And 85 new additional programs.

Let us talk about the other issue that has really gotten to them tonight, and that is the fact that this is a 1 percent cut in spending. That has really bugged them all night long. They have come to the floor and said, by, gosh, this is a fraud to call it a 1 percent cut. Do you know what? In a technical sense, they are right, because it is not a cut in spending.

Spending is going up. In our budget, it goes up at about the rate of inflation. In their budget, it goes up dramatically above the rate of inflation. They want bigger. They want more. They want deeper into the people's pockets because they think only government is the answer. But do you know what? Our budget is a 1 percent reduction in the planned increase in spending.

My friend, the gentleman from Minnesota (Mr. GUTKNECHT) just said it: Well, take a 1-inch notch out of a belt that is 9 feet 1 inch long. I think the American people understand we can do that, and they are darn proud of us for trying and darn proud of this budget for doing it. It is a 1 percent cut. Deal with it.

Now, details. They say, oh, we lack all the details. There is a process for details. It is damned if we do and damned if we do not. They want to see the details because they want to ridicule the details.

Then they do not want to deal with the fact that the process here says the budget resolution is supposed to set numbers. The details are supposed to come from the appropriators and the authorizers. In this case, that is the process we are going to follow, and it is the process the American Constitution and the laws and the rules that govern this Congress are arranged to deal with and are designed to deal with.

They believe in government. We believe in people. Do you know what? The American people sent us here to do that.

The Spratt budget says one more thing. It says that in the balanced budget agreement of last year we set a spending floor. Do not go below it by a dime. Do not try to save another penny.

Do you know, I have a family that I run. In my family, in the Shadegg family, because we built a budget last year, we do not quit trying to save money next year. Do you know what? In every family budget in America, if they can figure out a way to save a little bit more money next year, they try to do it.

In every business in America, the entire rubric is efficiency. Produce more with less. That is what the genius of America is about. But inside the beltway, inside the Congress, inside this highway, inside this House, the only thing we can do is more means more means more means spend more. It means reach into the pockets of the American people deeper, and it is wrong.

Mr. SPRATT. Mr. Chairman, I yield myself 1½ minutes to respond.

Mr. Chairman, first let me respond with respect to the tax cuts. We see a code replete with deductions and credits and exemptions and preferences and concessions, and most of them work to the advantage of well-heeled taxpayers. We are saying in this resolution to the Committee on Ways and Means, can you not give the code a scrub and see if you cannot tilt the code a little bit more in favor of working families so we can increase the child tax credit, and, yes, mitigate the marital penalty? Can we not do that within the code?

Let me say something about the growth of government. I am reading from a CBO report, the Economic and Budget Outlook of the Government. Discretionary spending once again. When President Clinton came to office in 1993 it was $540 billion. Last year it was $548 billion, 1997. In 4 years it grew by $8 billion.

Let me remind my colleagues again, the middle of the Reagan years, 1986, the government was taking 23 cents out of every dollar made in this economy. Today it is down, under the Clinton administration, to 19.9 cents, down three full percentage points.

□ 1250

Mr. Chairman, I yield 5 minutes to the gentleman from Maryland (Mr. <E HOYER).

Mr. HOYER. Mr. Chairman, those were the facts out of CBO's book, who that side has appointed. The chairman of the Committee on the Budget mentioned Alan Greenspan early on in this debate, and people have forgotten that. Alan Greenspan came before the Congress in 1995 and said to the Joint Economic Committee, before their policies had any place in this economy, that the economy was in the best shape it had been in over 30 years. Those were the facts.

Tonight we talk about budget baloney, budget baloney. I did not say that, the New York Times said it. The New York Times, not a good source. I tell my friend, the gentleman from Arizona, that his neighbor from New Mexico did not call it baloney. He called it a mockery.

He was then joined by Senator STEVENS, another Republican leader, chair of the Appropriations Committee, and he said, if the Republican budget in the House is adopted, ''I don't think Congress could function.'' The New York Times, Senator DOMENICI, Senator STEVENS.

We have had a lot of talk on this floor. In 1993 your CBO said the 103rd Congress reduced the deficit by $116 billion. That same CBO, not a Democratic CBO, that same CBO, said that the 104th Congress, 105th Congress and 106th Congress, reduced it by $23 billion; in other words, 20 percent of what was done under the Clinton Congress with Democratic leadership.

Mr. Chairman, that is not why we balanced this budget, because there was another budget in 1990 that a President named Bush had the courage at that time to stand up and say it was necessary because the OMB director, Mr. Darman, and maybe even Mr. Sununu, said ''You had better do this. You had better do this if America is going to get on the right track.''

So it was the 1990 budget deal, the 1993 Budget Act, for which no Republican voted, which was, by the way, not, underlined not, the largest tax increase in history; not. The largest tax increase in history was in 1983, signed by Ronald Reagan. Check the facts. Check the book.

Stop lying to the American people. What the American people want, whether it is 1 o'clock in the morning in Columbus, Ohio, or 7 o'clock in the evening in Honolulu, Hawaii, is honesty.

This 9-foot belt is the diet they want to go on; 1 percent, baloney, malarkey, mockery. They cut it by three-tenths of an inch next year. Why? Because they do not want any political ramifications. Then the next year they cut it by six-tenths of an inch. They are almost up to an inch, the courageous budget cutters over there. Then, to the fifth year of their diet, they cut it by two inches. Guess what? None of us may be around by then, so we may not have to do the consequences. None of the Members on that side of the aisle believes for one second they will be able to cut it by 2 inches.

Mr. Chairman, as usual, one thing they did cut was Federal employees, those bureaucrats that the chairman spoke so derisively about who have paid mightily, over $200 billion since 1981, to contribute to bringing this deficit to surplus. They cut them by another approximately $3.5 billion over 5 years, they who want to cut the taxes for average working Americans.

It is amazing how they do not believe that Federal employees are average working Americans. It is okay to cut them in terms of their salaries, so they can transfer that to cut taxes for somebody else; very good, take it out of one pocket and put it in another pocket.

The reason we ought to reject their budget is because it is not an honest budget, which is why it is called by the New York Times ''budget baloney.'' We ought to defeat this budget because it is not honest, as I said, at 1 o'clock or 6 o'clock, at any time.

As Stockman said in 1983 in his book, we hid the real facts. We said we were going to cut later, and guess what? Everybody knew, everybody knew, including Stockman at the time he offered the budget that ballooned these deficits out of sight that this President has brought down, that it could not be done. They repeat that error today at the country's risk.

Reject this budget, pass the Spratt budget. It is good for America.

Mr. SHAYS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, to be perfectly honest, I was one of the 49 people who voted for that tax increase in 1990, and I have regretted it ever since. I vowed I would never do it again. I vowed I would not do it, because when we increased the so-called luxury tax and increased the taxes, we got less revenue, because taxes are dynamic. When we cut taxes on capital gains in 1997, we found that taxes grew.

That is the way I honestly feel. I felt that a lot of the gentleman's dialogue was rhetoric to me tonight. I would just like to be honest and tell the gentleman that one of the things that really concerns me is this House thinks it has a surplus, and we can go on our spending ways. That is how I honestly feel.

I am ashamed of the transportation budget that passed, and I am grateful that the gentleman from Ohio (Mr. JOHN KASICH) reoriented us to think about saving money, rather than spending money. That is how I honestly feel.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, can I ask the gentleman an honest question?

Mr. SHAYS. Sure.

Mr. HOYER. I voted with the gentleman on ISTEA.

The CHAIRMAN. The time of the gentleman from Connecticut (Mr. SHAYS) has expired.

Mr. SPRATT. Mr. Chairman, I yield 30 seconds to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, the gentleman thought ISTEA was not a good bill. The gentleman passed it overwhelmingly. His leadership brought it to the floor. Why does the gentleman not fund it in this budget?

Mr. SHAYS. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, because I hope the President has the good sense to veto it.

Mr. HOYER. The President has been trying to help the gentleman out for a long time. He has done a pretty good job so far.

Mr. SHAYS. Mr. Chairman, I am delighted to yield 5 minutes to the gentleman from Wisconsin (Mr. NEUMANN).

Mr. NEUMANN. Mr. Chairman, I rise to express my support of the Kasich budget, too, and to supply praise to our chairman. He came into a meeting about 2 months ago. The meeting was kind of downcast at that point. He said, it is about time we got back on track and started doing what we came here to do. He got a lot of us fired back up and back on track, doing what we came here to do in the first place, which is get spending under control.

In regard to the last comments that I have heard here, I have to say, if somebody can show me a bigger tax increase in the history of the United States of America, or the history of the world, for that matter, than the 1993 tax increase, I would certainly be interested in taking a look at the statistics.

But I will tell the Members this, I know for a fact, I know for a fact, that the American people did not want a tax increase on gasoline of 4.3 cents a gallon that was not even spent to build roads. I can absolutely guarantee the gentleman that the senior citizens in the United States of America did not want a tax increase on their Social Security benefits. That was the wrong approach to balancing the budget.

I have a colloquy I need to get into, but before I do I just want to show the Members how we did get to a balanced budget, and show what the American people really wanted and why they turned over control of the House of Representatives in 1994.

The Democrats brought us the answer of higher taxes in 1993, and that was the wrong answer. The right answer is they wanted us to get spending under control in government. The American people could not figure out why it was that the government budget had to grow faster than the family budget. Year after year after year after year the budget in this community kept going up at twice the rate of inflation, much faster than the rate of inflation.

When we came in here we said, we are not going to balance the budget by higher taxes, we are going to get spending under control in this community; not draconian cuts, we are just going to get spending down to a point where it is not going up faster than the rate of inflation.

I brought a little chart with me here this evening. Before we got here, this is the last 7 years before we got here, it was Democrat control of the House of Representatives, with spending going up at 5.2 percent annually. This is now. This is how we got to a balanced budget. We got spending under control. This shows 3.2. The actual spending growth rate is down even lower in this blue column. It has actually been cut in half, not draconian cuts but spending brought under control, to the point where it is only being allowed to grow at the same rate as inflation.

□ 0100

Mr. Chairman, I need to enter into a colloquy with the gentleman from Ohio (Mr. KASICH) to clarify a particular issue that I have had Members coming and asking me about, and I just want to make sure that I understand it correctly.

I would just like to verify, and this refers to section 5 in the substitute amendment, and I would just like to verify that this in no way has any impact on congressional salaries in one way or another. This is designed to require that any salaries for any new commissions and employees of those commissions, such as the Social Security that is being discussed, that the salaries of these new employees shall be under the heading of discretionary spending as opposed to mandatory spending, and that is the purpose of the discussion here in section 5. It merely changes the accounting procedures by which the House estimates the cost of appropriations bills. It clarifies that pay or compensation for Federal staff positions such as those of Federal commissions are subject to annual appropriation.

This change conforms House scoring practices with those in the Senate. In summary, it is a technical change in budgetary treatment of Federal positions. It makes no change whatsoever in pay or compensation levels.

Mr. KASICH. Mr. Chairman, will the gentleman yield?

Mr. NEUMANN. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, the gentleman is correct.

Mr. NEUMANN. Chairman, reclaiming my time, I thank the gentleman. I appreciate that.

Mr. Chairman, I would like to get back to a further discussion of this budget and exactly what it is all about, because when I got out here to Washington, I got off the plane this week from Wisconsin, and it is like I enter a brand-new world out here. Everything is different. Everything I understand in Wisconsin, when I get out here it is all different.

In Wisconsin, we would say that if we spent $1,722 billion in one year and $1,910 billion in another year, we would call that a spending increase. In fact, under the Kasich plan, we are going to have spending of a total of $9 trillion. That is 9,000 billions of dollars over the next 5 years. An inflationary number would be approximately 8,980 billion, so the increase is roughly at the rate of inflation.

Mr. Chairman, I would like to again commend the gentleman from Ohio (Chairman KASICH), because if we take Social Security out of the picture, which is increasing faster than the rate of inflation for obvious reasons because we have new seniors coming in, if we look at the rest of the budget other than Social Security, we would find that the Chairman KASICH and the Committee on the Budget has held spending increases actually below the rate of inflation.

I bring this up for a good reason. We recently asked through the Polling Place, a firm recently asked 2,000 adults in the United States of America, Kelly Ann Fitzpatrick's poll, the Polling Place, ''Do you think spending at the Federal Government level should go up faster than the rate of inflation, at the rate of inflation, or slower than the rate of inflation?'' It was a 90-to-3 answer in the American people. Ninety percent of the people said government spending should go up at or below the rate of inflation. And if we take Social Security out of the picture, that is exactly what this budget accomplishes.

This budget is not about a Democrat or Republican fight or this rhetoric that we are hearing here tonight. It is about what the American people want by a 90-to-3 margin. The American people expect us to keep our budget going up at or below the rate that the family budget is going up out there across this great country.

That is what this budgeting is about. It is not about the rhetoric. It is about holding the line on spending. Not Draconian cuts, but holding the line on spending so that it does not go up faster than the rate of inflation.

It would be my pleasure tomorrow to vote for the Kasich plan.

Mr. SPRATT. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, in his introductory speech, the gentleman from Ohio (Mr. KASICH), chairman of the Committee on the Budget, talked a great deal about American families. Well, Federal employees are members of American families, too.

Last year, Federal employees' families were asked to contribute almost $5 billion in savings so that every other American family could enjoy a tax cut. And in return for that contribution, Congress fixed the structure of the Federal employee's health benefits package to make it more affordable and sustainable.

This budget reneges on that contract and does so in a way that will cause immeasurable harm to the Federal employee's health benefits program and to the Federal civil service by changing the formula on which the employer's share of their health premiums are based.

This maneuver saves $3,300 billion, but it is an unwise policy change, and it violates last year's budget agreement that stabilized the cost-sharing relationship between the Federal Government and its employees.

According to CBO estimates, this change would reduce the employer's share of health insurance premiums from 72 percent to 50 percent over the next 7 years. In other words, the employee's share will rise from 28 percent to 50 percent.

This will result in Federal employees and retirees paying hundreds of dollars more in additional health care costs. Moreover, the budget resolution will lead to adverse selection by encouraging healthy employees to switch to less expensive plans.

This will profoundly undermine the integrity of the Federal Employee's Health Benefits Program. The Federal Employee's Health Benefits Program is one of the most successful programs in the country for providing health insurance to employees. It is promoted as the model for any changes in Medicare, military retiree health care. We just incorporated FEHBP into military retiree health care, Medicaid and so many private insurance plans. It is successful because it is managed as a part of a compensation package for Federal employees, and it has thus been protected up until now from arbitrary political changes.

Although it is one of the most successful programs, it is definitely not one of the most generous health insurance packages. Making the changes that this committee proposes will not only hurt Federal employees and Federal retirees living on fixed incomes, but it will also hurt the ability of the government to recruit and retain highest-quality employees. And that will hurt American citizens who count on professional, efficient, incorruptible Federal workers to serve them.

Mr. Chairman, this alone is a reason to oppose this budget resolution. There are other reasons. The tax cut basically is financed by using what is a surplus from Social Security Trust Funds. We do not have a surplus now in general funds. We have a surplus in Social Security Trust Funds. There is still about a $50 billion general fund deficit. Perhaps over the years it is projected we will have a surplus that we can devote to tax cuts. But when we promise the American people these kinds of $100 billion in tax cuts without a real surplus to do so, it is irresponsible, it is a false promise. This budget resolution is a political document and it should be rejected.

Mr. SHAYS. Mr. Chairman, I yield 6 minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Chairman, I thank the gentleman from Connecticut (Mr. SHAYS) for yielding me this time.

Mr. Chairman, it has been interesting to listen to this and I would note I am honored for the mention of prime time in Arizona, because it is high time my constituents believe to approach these questions with less heat and a lot more light.

I listened with interest to my colleague from Maryland decry the largest tax increase in American history. He said that fact was not true. I would agree with him to this extent. A member of the minority party in the other body, Senator DANIEL PATRICK MOYNIHAN of New York, called it the largest tax increase in the history of the world. So I think that is important to note for the record.

But we are really not here to hurl brickbats as much as we are here to try to find reasonable solutions for the American people.

The people of the Sixth Congressional District of Arizona work hard for the money they earn. They want to hang on to more of it and send less of it to Washington, D.C. I appreciate the concern that we all have for Federal employees, but there is a broader question that requires comment based on what the gentleman from Virginia just recited, and it is this. The fact is in the early 1990s, government at all levels had become this Nation's number one employer; and in the early 1990s, government outstripped manufacturing in this country in excess of 600,000 jobs. And the fact is that has only grown.

So there is a larger question. Should dedicated, hard-working people have more opportunities in the private sector rather than always searching for government?

And I understand the political dynamic. I understand how sadly some people are yoked to the public employee's union and to Boss McEntee and Boss Sweeney and those who claim we should always have more government jobs and more government spending and higher taxes.

□ 0110

There is another component of the Spratt plan that my colleague from Arizona pointed out: No net tax cuts but a sense of the Congress resolution that maybe conceivably tax cuts, tax relief might be a good idea.

My friend from South Carolina wanted to task my committee, the Committee on Ways and Means, and he talked about massaging the Tax Code and various and sundry other measures. Mr. Chairman, we do not need to massage or try to change in that way. What we need to do is clearly and unequivocally offer tax relief to working families.

One of the most egregious tax penalties we have today is the marriage penalty. It is our goal, with this common sense conservative majority budget, to outline for the American people a reasonable, rational way to throw off the yoke of this marriage penalty, to allow working families to hang on to more of what they earn, not to be penalized, and to understand underpinning all of this is the common sense notion that this money belongs to the American people.

I heard some friends from the other side talk about education. I would ask those friends to join me in the spirit of bipartisanship for those educational solutions that empower local communities and parents and teachers rather than empower Washington bureaucrats.

Indeed, I have put forth two bills. I would welcome bipartisan sponsorship of the new Education Land Grant Act that offers conveyances of federally controlled land with no budgetary impact, so that we can make sure that resources are used to help children learn and help teachers teach in a way that draws on the best of our history and the best of our experiences. Proverbs notes there is nothing new under the sun, and we see the wisdom of that scripture.

As my colleague from Arizona pointed out, there are two philosophies at work here on the floor. When you strip away the rhetoric and the revisionist history and some of the mundane points, there are really two philosophies here. It is this simple concept. Do we want to continue runaway spending and runaway growth, or are we reasonably assured that we can put the brakes on to the extent not that we offer draconian cuts in spending but that we offer government spending at the rate of inflation?

It is a reasonable concept. We have a chance to build on this historic landmark, not to have it as the floor nor the ceiling but as the starting point on which to build and improve, for we have the chance to allow the American people to hold on to more of their money and at the same time increase surpluses by simply recognizing this fact.

We have asked the American people to sacrifice time and again so that Washington could offer more and more programs. Let us make this change. Let us ask Washington to rein it in so that American families can hold on to more of what they earn, so that working people can provide for their own families.

There are a lot of dedicated people that work for the government. I have no doubt of that. But no Washington bureaucrat, no matter how well-meaning or how compassionate, can possibly care for your family as much as you can. Our budget plan recognizes that in a common sense fashion that does not rely on smoke and mirrors and does not promise everything to everybody but says simply this: It is time to rein in spending, it is time for a common sense approach. It is time to stand on the shoulders of those who have gone before, and it is time to improve on the bipartisan agreement of last year. Let us do so.

Mr. SPRATT. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I thank the gentleman for yielding time to me.

My 5-year-old daughter Jacquelyn graduated from nursery school last night and I was unable to be in attendance because I thought this was an important place to be for this debate.

The President of the United States, Members of both parties of this institution and, more importantly, workers and entrepreneurs around America have already given my daughter and her classmates a very precious gift in the last few years, in that we have stopped running our government by borrowing money.

That is a magnificent achievement that we should make sure that we enshrine permanently into the budgets of our Federal Government. I think it is time that we gave my daughter and

those of her generation another gift, and that is the permanent preservation of Social Security. Because the Spratt Democratic budget is superior to the Republican budget in that way, I will be casting my vote in favor of the Spratt budget and against the Republican budget tomorrow.

Let me explain why. Since 1970 we have taken about $700 billion out of the country's pension fund, out of the Social Security trust fund. It is now projected that over the next five years, somewhere between one half or, I should say, between one-third and two-thirds of that money will be available for replenishment of the money that we have taken out, somewhere between $240 and $490 billion in accumulated surplus. This debate is first and foremost about what to do with that money, what to do with that surplus that we are confident will accumulate over the next five years.

The Republican plan is mysterious in this regard. The document before us tonight is silent, but the record is not.

The majority has talked about an untested theoretical think tank approach to Social Security that really is not Social Security, it is social engineering, an idea of giving Americans across the country an undefined amount of money in an undefined account to act in an undefined way. When it comes to Social Security, I believe that the gentleman from South Carolina (Mr. SPRATT) and the Democrats have the right answer: ''If the ain't broke, don't fix it.''

The basic formula of Social Security has worked in this country for over 60 years. The system needs modification and improvement but the basic formula, I believe, does not need retooling.

Earlier this year I introduced legislation that would guarantee the use of any accumulated Federal cash surplus first and foremost for the preservation of Social Security. I am very pleased that that principle has been very much enshrined in the resolution put forward by the gentleman from South Carolina (Mr. SPRATT). If his resolution becomes the law, and I am confident that some form of it will, we will set aside and replenish anywhere from one-third to two-thirds of that money that has been taken out of the national pension fund since 1970, so it will not solve the problem of Social Security because of the demographic lines it will inevitably cross, but it will make the solution to that problem infinitely more within our reach, and it is the right thing to do.

The difference between the Democratic budget and the Republican budget is very stark, very simple and very clear. When it comes to the $700 billion that Republicans and Democrats, Presidents and Congress have taken out of the Social Security fund for the last 8 years, the Democratic budget puts the money back in. The Republican budget raises a series of questions that I believe are not appropriately answered.

For those and for other reasons, I would urge my colleagues tomorrow to reject the budget the majority has put before us and to embrace and adopt the resolution put forward by the gentleman from South Carolina (Mr. SPRATT).

This is not simply a matter of fiscal policy. It is a matter of national integrity. Each week when Americans have their FICA tax taken out of their paycheck, they are honoring a promise to us to pay their taxes. It is high time we honored the promise to them and adopted the Spratt resolution.

☐ 0120

Mr. SHAYS. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Chairman, I listened with great interest to my friend from New Jersey. I would just point out, because I think it is important and perhaps the gentleman is unaware, that sadly this President has already violated the promise he made right there about keeping the Social Security surplus intact in sending two billions of those dollars to keep troops in Bosnia. The stakes are too high to engage in catcalls about Social Security. The cautionary tale for all of us, Republicans and Democrats, is this: We owe it to seniors, today and tomorrow, to end the disinformation, to deal with them straight. I know the gentleman from New Jersey shares that sentiment. But for the historic record, as the chairman of the Committee on Ways and Means pointed out in a letter to the President, as he pointed out in yesterday's edition of the Washington Post, this President has already spent $2 billion of the Social Security surplus.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. HAYWORTH. I yield to the gentleman from New Jersey.

Mr. ANDREWS. I ask my friend from Arizona, the Congressional Budget Office projects surpluses of $223 billion over the 5 years we are talking about here tonight. Under the majority budget, how much of that is reserved for the Social Security surplus?

Mr. HAYWORTH. I thank my colleague very much, and I appreciate the fact that he would like a specific notion on this, but I would defer to my friend who actually sat in the Committee on the Budget deliberations for these numbers because, as he knows, I do not sit on the Committee on the Budget. I would be happy to yield to my friend from Connecticut if he has a definite answer or perhaps since the gentleman from New Jersey asked the question, maybe he would like to share it with all of us in the Chamber.

Mr. SHAYS. If the gentleman will yield, my understanding is that what you all do is you put it into a special fund and then you are paying down debt. We are saving the surplus. We are not spending it. We did not go with our separate fund because we only have a margin of 10 votes and we did not get the margin to pass that.

The thing that is very troubling to us on this side of the aisle is that the President sought not to save all that surplus. He was going to spend $43 billion of it.

Mr. SPRATT. Mr. Chairman, I yield the balance of my time to the gentlewoman from Michigan (Ms. RIVERS).

The CHAIRMAN. The gentlewoman from Michigan (Ms. RIVERS) is recognized for 2½ minutes.

Ms. RIVERS. Mr. Chairman, I wanted to make two comments to my friend from Arizona, the first one being relative to the argument that the President has already spent $2 billion of Social Security money.

My recollection is that that came through the House here as a bill that actually was passed by this House. I know a significant number of Democrats did not vote for it, which suggests to me that a significant number of Republicans did therefore join the President in the decision to do that. So I think that when we talk about that particular issue, we should be talking about the fact that a bipartisan group, the President and a bipartisan group of Members of the House and the Senate decided to make that decision. It clearly was not a unilateral decision made on the part of the President.

Secondly, my friend from Arizona pointed out that he would invite people to join him on educational issues and it was said in such a way to suggest that perhaps I was being disingenuous in my concern. The issue that I raised was that in the Committee on the Budget, several people had talked about the desire to have the greatest impact on local education by fully funding the Federal portion of special education. As a school board member for 8½ years, I believe that that is a very important thing to do and it is a view that I have held for a very long time. I offered an amendment to do that very thing. Unfortunately the committee was not willing to accept that and instead altered my proposal to make it a sense of the Congress so it would not be binding.

I would be willing to join with the gentleman from Arizona. If he would like to cosponsor that bill here in the House, I would be happy to do it. I understand he has a bill, a conveyance of land which is probably a nice gesture but it does not pay the bills for local school districts, and I think a change in the funding formula for special education would have a huge impact on local schools and it is something I am very supportive of.

We have talked a lot about process, about history, we have put out charts, we have talked about our own view of the problem before us and depending on your perspective, that may be fact, that may be demagoguery. But at the end of the day all these proposals are going to be evaluated by everyday Americans on how they affect them and their families. It is going to be the

impact of the decisions that will determine whether or not they are supported.

I want to talk about one particular proposal in here, because I think the impact could be truly egregious. Initially this proposal came out as a $10 billion change in funding for Medicare. On May 12, 1998 we saw that in a document that was presented. Last night that decision was altered. My assumption is that there was a hue and cry that went up about Medicare, there was an understanding that this is a group of people affected, senior citizens, who are a little too responsive, a little too organized, a little too likely to vote, and so the decision was made to go with Medicaid, seniors who are in long-term care, kids and poor people. Shame.

The CHAIRMAN. All time for general debate on the Congressional budget allotted to the minority has expired.

The gentleman from South Carolina (Mr. SPRATT) as the designee of the gentleman from California (Mr. STARK) is recognized for 30 minutes on the subject of economic goals and policies.

Mr. SHAYS. Mr. Chairman, I just have a two-minute closing. The gentleman might just want to make a few closing remarks, and then we can yield back the time. Does the gentleman care to make any other comments?

Mr. SPRATT. Mr. Chairman, I am ready to close. It is 1:25.

Mr. SHAYS. Mr. Chairman, I will yield back our time after I just make a 2-minute comment.

Mr. SPRATT. Is the gentleman yielding back all the time?

Mr. SHAYS. I was going to use 2 minutes and then yield back the rest.

Mr. SPRATT. We are waiving the Humphrey-Hawkins debate, then?

Mr. SHAYS. We would yield it all back.

Mr. SPRATT. Mr. Chairman, I yield back the balance of my time.

Mr. SHAYS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this is a process that has not been easy for this side of the aisle for a variety of reasons. When the President came in with his budget, he came in with 85 new spending programs, including 39 new entitlements, more than $150 billion in new spending over 5 years, $129 billion in tax increases over 5 years to pay for some of that spending, from the same President who in 1993 signed a very large tax increase. We had a Congress that got eager to spend more money, on roads and bridges, and we have frankly on this side of the aisle only a margin of 10 votes. It is very difficult to bring forward a budget when you have 435 Members of Congress who have many different views on how to do a budget. But the bottom line is that the gentleman from Ohio (Mr. KASICH) got us reoriented in a way I think was very important. He began to question whether we had assumed that we had arrived at a point of surplus where we did not need to begin to focus on finding ways to continue to slow the growth of government spending and help reduce government.

He has had a tough battle. He has not won all his battles. There have been continual changes to his budget as one Member or another says, ''I am not voting for the budget unless we do the following.'' But I wager to say if he did not do this battle, we would be spending more than the caps allowed, as the President sought to do.

The President sought to spend more than the caps would allow in the next 5 years. I do not think my colleagues on the other side of the aisle agreed with that and are going to come in with another plan. But we will have extensive debate in the next few weeks. The appropriators will come out with their plan. The Committee on Ways and Means will come out with their plan. In the end, I hope we come to a conclusion that finds this government not as large, that saves money, and provides for a tax reduction in an area that is paid for not by surplus but by slowing the growth of spending.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today to voice my concerns about H. Con. Res. 284, the House Budget Resolution. I strongly object to the Budget that has been proposed by the Republican leadership.

The Republican plan misses every opportunity to make constructive investments in our future to improve our government's services and benefits for our citizens who need it most.

The House Republican budget resolution eliminates the 15% exemption from the food stamp work requirement for able bodied adults without dependents. This will eliminate food stamp benefits to more than one million hungry people in the average month. It eliminates funding for food stamp employment and training programs so that people who are relying on food stamps to feed their children and themselves will have nowhere to find job training after they lose their access to food. Over a five year period this plan will reduce food stamp employment funding by $200 million. $200 million for needy families.

This is a travesty! How can we say that we care about the health and welfare of our future, about our children's health when we remove poor children's access to crucial health care?

If the Republicans themselves say they cannot live with the bill, how can our most needy and most vulnerable populations live with such a plan? The answer is that our children, our inner city poor, our single parents, will suffer and unfairly.

In contrast, the Democratic bill includes $10 billion over five years to help working families. This money can be used to reduce classroom size: 75,000 additional teachers and 1.2 billion for the Child Care and Early Learning Fund.

And what about our children's chances for education, for advancement, for their chance to be respected, learned and contributive members of our communities? The Republicans themselves have criticized the plan. Senator DOMENICI in relation to the bill said ''You just can't do this. This is just not a possible solution and we [in the Senate] would not do it because we couldn't live with it in the waning days of the session.''

We simply can and should not terminate all direct federal assistance to public school districts in our poorest areas by repealing Title I grants. It is shocking that the Republican plan cuts the discretionary education program by $6 billion below last year's Balanced Budget Agreement and $7 billion below our Democratic plan.

We must not eliminate bilingual education. Our children who speak a foreign language as a first language should not be forced to suffer because their English is not as proficient. We can learn so much from each other, but only if we listen and work with each other.

It will eliminate Americorps and the Legal Services Corporation both which provide critical assistance to many of our poor citizens who need to secure housing, fair pay AND a fair chance.

We must put the health and welfare of our people, our families, our communities first. The Republican plan would freeze WIC, and head start at 1998 funding levels for 5 years, as well as section 8 Housing causing at least a million households to lose federal vouchers and certificates by 2003.

In fact 14 percent of the Mandatory cuts come from low income programs, hitting those who need the funding the most. Our families who need food stamps for their basic nutritional needs, welfare to work and social service programs, will lose their tentative grip on self-sufficient independent living when all these are erased.

Combined with the $12 billion worth of cuts in Medicaid/Children's Health Insurance Program, almost 49% of the Republican's mandatory cuts hit programs for the poor and near poor, even though these programs constitute only about one-fifth of all entitlements.

Again, the Democratic bill includes the ''patient's Bill of Rights Act'' which reform the managed care system, this will help families and help those who cannot afford adequate health care. The Democratic bill will also fund health care, health research related to Tobacco. The Republican plan ignores the effects smoking has on youth in America.

In the President's State of the Union Address, he proposed initiatives in child care, health care and education, yet, the Republicans in Budget Committee voted to reject every single initiative, even the most inexpensive. We have a responsibility to provide for our nation's future and all the people who need services to survive and to thrive.

In my home state of Texas, proposed cuts in the Social Services Block Grant will result in a loss to the State of Texas of approximately $28.7 million. Child and Family Services, Child Care Regulation and Adult Protective Services will be reduced by $8.89 million from the amount they currently receive, and the Texas Workforce Commission which receives 1.2% of the Texas allocation and supports child care for low income families will be cut by 17% or $340,000. The Department of Human Services providing Family Violence and Community Care Services will lose 14.34 million dollars.

In Harris County where I live, poverty has increased 42%, and 240,000 children are living in poverty, and 30,000 families are on the waiting list for child care assistance. Child abuse and neglect accounts for 20% of all children's homicides in the county, and only 42.7% of all the children who were abused in Harris County actually received any therapeutic services.

I urge my colleagues to think carefully when they cast their votes this evening on the budget. It is critical that we consider fairness, and

compassion in making these decisions. We must provide adequate resources to ensure our America, our children a strong and healthy future.

Mr. HOBSON. Mr. Chairman, I rise today in support of the budget here before us and urge my colleagues to support the measure.

The budget resolution we're debating today is the natural extension of our mission in Congress to balance the budget, eliminate the deficit, cut taxes, and return power, money and influence to the American people. The goals we are seeking with this budget are the same goals of every other major piece of reform legislation we have passed here since 1994.

This budget continues our commitment to fighting the tendency of government to expand and spend more money. It slows the future growth of government by one penny on the dollar so that Congress can eliminate the Marriage Tax Penalty—a uniquely harmful quirk of our tax code which actually delivers a specific tax increase to men and women who seek to build their lives together.

Refuting the President's bloated 1999 spending plan is also accomplished by our resolution here today. When the President sent up his suggestions for the 1999 budget I had to scratch my head because I thought someone had accidentally delivered one of the President's big government budgets from before he signed the Balanced Budget Act. His big-spending, Washington-knows-best version of the budget comes from a mindset that says people at the state and local level don't know how to solve their own problems. We know that just isn't true.

The President's budget actually contains $150 billion in new spending, creates 85 new spending programs, and 39 new entitlements. He even wants to raise taxes to the tune of $129 billion over five years. And he does nothing about the Marriage Tax Penalty. This is the same President who just a few days ago declared the budget balanced and took credit for our country's new budget surplus. I wonder if he'll hold a similar press conference when his big new spending plans put us back into the red? The budget before us today refutes the President's bloated spending plan and reminds him that he did in fact sign the Balanced Budget Act and he is obligated to honor it, just as Congress must honor it.

One of my proudest moments as a member of this body was when we approved the legislation which balanced the budget for the first time since 1969 and gave Americans their first tax cuts in 16 years. This was a dramatic move forward which permanently changed the way the government works, and reminded Washington that it does in fact have a master—the people.

Now we are moving forward and taking the next step in order to control the size and scope of government, in order to reduce its interference in our businesses and personal lives, and in order to let families keep more of their hard earned money.

If you're like me and you think that somewhere, someplace in the halls of the bureaucracy, there might be just one penny of savings to be found for each buck we spend, then maybe you should consider supporting this budget.

And, if you're like me, and you think that we should take that one percent of savings and use it to end a policy that singles out families for higher taxes and instead reduce their taxes, then maybe you should consider supporting this budget.

Federal Reserve Board Chairman Alan Greenspan credits the actions of Congress with the new-found fiscal responsibility that today rules our federal government. Let's build on these successes, not sit on our laurels, and let's move forward with the logical next step in the budget process, which is to continue to deliver savings and tax relief to the people of this great nation which we serve.

Pass the resolution.

Mrs. MALONEY of New York. Mr. Chairman, I remember that when I became a member of this Congress six years ago, the American economy was in trouble. In 1993 the budget deficit was over a quarter of a trillion dollars, growth was an anemic 2.3 percent and unemployment was hovering at an alarming seven percent.

Today I can't pick up the paper without reading about the latest statistics of good news: the longest period of post-war expansion, with last year an amazing 3.9 growth rate; the lowest unemployment rate in about three decades, today barely over four percent, and a fiscal situation that was regarded as a fantasy when this president took office: this year a projected budget surplus of $39 billion.

The difference between then and now can be seen in the newspaper almost every day. In fact, on the front page of today's New York Times business section was a story reporting a 12.1 percent increase in American car and truck sales. The reason for the continuing bright news was explained by General Motors' chief forecaster, who stated, ''The fundamentals of the economy are very strong. A lot has been written about the industry slowing down, but frankly it's hard to see that happening because of low unemployment, low interest rates and high consumer confidence.''

Some people from the other side who are a little embarrassed that the economy is doing so well under a Democratic president like to point out that a president isn't responsible for every aspect of the economy. Maybe so. But if there is one area where the executive does make an impact, it's fiscal policy. It's a simple relationship: when the budget is balanced, interest rates stay down. And low interest rates drive a robust economy.

Over 12 years of Republican presidents, we saw budgets eat up trillions of dollars that we are all going to have to repay. What this President did when he took office was something that everybody said had to be done for the past three decades: stop government from borrowing from our future.

As we all know, those policies paid off much more quickly than even the most optimistic predictions: The budget moving into surplus years ahead of schedule. And why? The government is taking in record taxes. But not because citizens are being taxed more, but because with more people having jobs, fewer people need public assistance, while more working men and women pay taxes.

Some might scoff at the President's claim that his policies led to the massive creation of jobs that is the envy of the world. The president obviously isn't taking all the credit. But he can claim that America's private sector, especially its technology leaders, has flourished under an administration committed to eliminating obstacles and promoting opportunity. And just as importantly, he can point to the steadily decreasing budget deficit as a catalyst for growth, since business doesn't have to compete with the federal government anymore for capital.

The budget proposal we are considering today seems to turn the most common folk wisdom on its head. The Republican leadership seems to be saying: If it's fixed, let's break it. Just at the moment that we are poised to begin paying down our debt and shore up what is widely believed to be an unsustainable social security system, the other side wants to risk opening up the flood gates of deficit spending.

Just how does this budget resolution go about doing this? Well, first it calls for a $100 billion tax cut in order to address the ''marriage penalty.'' But the marriage penalty is in no way considered to cost that much. Furthermore, there is no guarantee at all that in the final budgets that Congress produces over the next few years that these cuts will have anything to do with fixing the marriage penalty. That will be determined by a Ways and Means Committee which has yet to support such a fix.

And what does this resolution cut in order to pay for this tax scheme? Well, one offset is veterans spending, which was already hit in the transportation bill, and another is welfare reform, hitting the people who need the most help. Mr. Speaker, these are not the people who should be sacrificing so that others can get a tax break.

This is no time to make long-term changes in the budget. This is no time to create new tax schemes that are likely to trigger chronic deficits yet again. It took twenty years and trillions of dollars of red ink to produce the political will needed to tackle the last round of deficits. It won't be easy to reverse this mistake even when its effects become apparent.

Let's stay with the President's plea to save social security first, an idea which enjoys tremendous bipartisan support throughout the nation. After we finish with the business at hand, then we can have an honest debate about the benefits of a surplus.

Mr. GEKAS. Mr. Chairman, I want to commend my colleagues on the House Budget Committee who supported NIH funding increases: the gentleman from Ohio, Budget Committee Chairman KASICH stated at the Budget Committee markup that he hoped that the Appropriators could give the NIH an even bigger boost than the Budget recommended and I want to thank him for the support, along with the gentleman from Florida, Mr. MILLER who also spoke about the excellent testimony he heard from our Noble laureates in Medicine about the health advances we could make with increased funding, and the gentleman from Minnesota, Mr. GUTKNECHT, who also urged for increases in health research, which he knows from the excellent research and health care facility in his District, the Mayo Clinic. Also, the effort was bipartisan in the Budget Committee with the gentleman from Texas, Mr. BENTSEN, offering an amendment to double NIH funding over 5 years.

Appreciating all the excellent efforts of the House Budget Committee Members to increase NIH funding, I respectfully urge them to recede to the Senate Budget Resolution on NIH funding for FY'99 when they go to the Conference.

Under the current budget spending caps it will be difficult to increase funding for the NIH at the level that is needed to make medical

progress and it is impossible to fund the doubling goal under the caps. Again, I urge my colleagues on the Budget Committee to consider alternative budget offsets that might be used and not counted under the budget caps, such as the revenues from tobacco use, a natural, related and logical step to allow some of these revenues if available to be used by the NIH for health research. This would be the best form of compensation to the victims of tobacco, if we were able to cure cancer or heart disease from tobacco revenues, because if we merely use these tobacco funds to compensate the States and the Federal Government for Medicaid and Medicare costs, just paying over and over for the same treatments and interventions without progress through health research for more effective care, we will never have the funds needed for all these health care treatments. Only progress through health research will truly reduce the costs of these programs. Save Medicare and Medicaid by using budget offsets to increase health research at the NIH. Senator DOMENICI has called for protecting Medicare through use of the tobacco revenues in the Senate Budget Resolution, but we can only insure that result through increased health research funding at the NIH from tobacco revenues.

I want to continue to work with my colleagues on the House Budget Committee, NIH Authorizing Committee, and Appropriators to achieve these goals from some of the funding sources that I have discussed.

Mr. GOSS. Mr. Chairman, I want to begin by commending Chairman KASICH for his leadership and I concur with him that our Federal Government is still too big, too bloated, and too tax heavy. The surplus hasn't even hit the Treasury and we have passed the largest transportation bill in American history—breaking our budget caps by tens of billions of dollars. If this is any indication, we need the Kasich budget now more than ever!

Far from being ''radical,'' the Kasich budget recognizes that fiscal discipline is not a sometimes thing, it's an everyday thing. The modest savings in this plan are achievable, and they send a clear message that we are still serious about cutting Washington's budget to help the American family's budget.

Finally, I would like to clarify some misconceptions about tax cuts. As much as Congress and the President would like to think otherwise, the American taxpayers are primarily responsible for our current surplus. They are the ones working two jobs, taking risks, and investing in our economy . . . and they deserve a break. In this fiscal year alone, tax receipts are up by 11 percent, yet some of my friends would punish these Americans by maintaining the status quo. Remember Tax Freedom Day was May 10—later than ever before.

Mr. Speaker, we can do better than the status quo. The American people deserve relief and they demand continued fiscal discipline in Washington.

I strongly urge a ''yes'' vote on the Kasich budget.

Mr. SHAYS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

□ 0130

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HAYWORTH) having assumed the chair, Mr. GILCHREST, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 284) revising the congressional budget for the United States Government for fiscal year 1998, establishing the congressional budget for the United States Government for fiscal year 1999, and setting forth appropriate budgetary levels for fiscal years 2000, 2001, 2002, and 2003, had come to no resolution thereon.

INTRODUCTION OF DISAPPROVAL RESOLUTION OF MFN FOR CHINA

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

Mr. SOLOMON. Mr. Speaker, yesterday the President notified Congress that he is seeking to grant Most Favored Nation trade status to Communist China.

Today I am introducing a resolution of disapproval, which, if passed, would deny MFN status for China.

My reasons are the same as they have been over the years, and that is that appeasing Communist China has failed to encourage more decent and more responsible behavior by that criminal dictatorship in Beijing.

Across the board, the policies of the government of China continue to be repugnant and dangerous.

The human rights violations continue unabated.

China's unfair trade practices are as implacable as ever.

And China's rogue foreign policy continues to lead the world to an ever more dangerous situation.

In fact, China's proliferation activities have contributed mightily to the new nuclear arms race we are seeing in South Asia.

Only the threat of a big stick will moderate this regime, and MFN is that stick.

I look forward to the debate over the next few weeks.

WISHING BILLIE ''THE GODMOTHER'' CARR GREETINGS ON THE OCCASION OF HER 70TH BIRTHDAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to recognize and celebrate the 70th birthday of a great American, Texan, and Democrat: Ms. Billie Carr. Please permit me to tell you a little bit about her. Her life is instructive.

Billie Carr is a native Houstonian. She attended the University of Houston and South Texas College. In 1954 she ran and was elected precinct chair in her home precinct. She still serves as precinct chair on the Harris County Democratic Party Committee.

Billie served on the state Democratic Executive Committee from 1964–1966. In 1972 she was elected to serve on the Democratic National Committee (DNC) and was elected in 1992 for her fifth term. She served on the National Resolutions Committee from 1984–1988, the National Platform Committee 1983–1984, and the National Fairness Commission from 1984–1986. She was elected in August this year to serve on the DNC's National Rules Committee.

What's more, ''the Godmother,'' as we call her, was elected by the Southern region to represent it on the Executive Committee of the DNC in 1988 and still serves to this day. Clearly, Billie Carr has almost no rival in her commitment to political activism.

Further, Carr has been the recipient of many fine awards. She received the prestigious Eleanor Roosevelt Award in 1986. In 1987, she sort of received her own award, if you will—the Harris County Democrats Billie Carr Lifetime Achievement Award. Carr received awards from the Texas Democratic Women in 1987 and a Star Award from the National Federation of Democratic Women. And, in 1994 the Texas Young Democrats gave her their Democrat of the Year Award.

In 1992 the Democratic Party had the 40th anniversary party for her 40 years of political activity. Every statewide official attended as well as then Presidential candidate Bill Clinton, who came for the convention, and spoke of his warm lifetime friendship with Billie.

Lastly, she is President of Billie Carr Associates and is the proud grandmother of two beautiful children.

In sum, Billie Carr's career began early and has lasted a virtual lifetime. From the start of her political involvement with Ralph Yarborough and Adlai Stevenson to the founding of Billie Carr Associates, she has displayed an amazing dedication to Democratic politics and public service. The awards and achievements you have earned in your life are truly breathtaking. Your record of accomplishments are an inspiration to us all. You certainly deserve to be called the Godmother of liberal democratic politics. Perhaps most significant, Mr. Speaker, she refused to take part in the despicable act and mindset of racial segregation when many chose to be passive or look the other way.

On behalf of the residents of the 18th Congressional District of Texas, I would like to offer you my heartfelt thanks for your continued efforts to serve our Houston community. Happy Birthday! Billie Carr.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. ROS-LEHTINEN (at the request of Mr. ARMEY) for after 1:00 p.m. today and the balance of the week on account of attending her daughter's graduation.

Mr. REYES (at the request of Mr. GEPHARDT) for after 1:00 p.m. today, Thursday, June 4, 1998 on account of official business.

Mr. LEWIS of Georgia (at the request of Mr. GEPHARDT) for after 12:30 p.m. today, June 4, 1998, and for the balance of the week on account of personal business.

Mr. MCGOVERN (at the request of Mr. GEPHARDT) for today before 4:00 p.m. on account of official business.

Mr. ENGEL (at the request of Mr. GEPHARDT) for today after 5:30 p.m. on account of personal business.

Mr. YATES (at the request of Mr. GEPHARDT) for today after 7:30 p.m. on account of personal reasons.

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. GILCHREST) to revise and extend their remarks and include extraneous material:)

Mrs. LINDA SMITH of Washington, June 5, for 5 minutes.

Mr. REDMOND, today and June 5, 8, 9 and 10, for 5 minutes each.

Mr. HUTCHINSON, today, for 5 minutes.

Mr. HORN, today, for 5 minutes.

Mr. RIGGS, today and June 5, for 5 minutes each.

Mr. SOLOMON, today, for 5 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. SPRATT) and to include extraneous matter:)

Mr. NEAL of Massachusetts.
Mr. BARRETT of Wisconsin.
Mr. DAVIS of Florida.
Mr. KIND.
Mr. MENENDEZ.
Mr. MCHALE.
Mr. FROST.
Mr. REYES.
Mr. SCHUMER.
Mr. GEJDENSON.
Mr. BORSKI.
Mr. KUCINICH.
Mr. FORD.
Mr. PALLONE.
Mr. STARK.
Mr. ROEMER.
Mr. LANTOS.
Mr. SERRANO.
Mr. STARK.
Ms. KAPTUR.

(The following Members (at the request of Mr. GILCHREST) and to include extraneous matter:)

Mr. WELDON of Pennsylvania.
Mr. GILMAN.
Mrs. ROUKEMA.
Mr. HORN.
Mr. CRANE.
Mr. GEKAS.
Mr. PAPPAS.
Mr. ROGAN.
Mr. ROGERS.
Ms. ROS-LEHTINEN.
Mr. BEREUTER.
Mr. GALLEGLY.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 824. An act to redesignate the Federal building located at 717 Madison Place, NW., in the District of Columbia, as the ''Howard T. Markey National Courts Building.''

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight reported that that committee did on this day present to the President, for this approval, a bill of the House of the following title:

H.R. 3565. An act to amend Part L of the Omnibus Crime Control and Safe Streets Act of 1968.

ADJOURNMENT

Mr. GILCHREST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 33 minutes a.m.), the House adjourned until today, June 5, 1998, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

9441. A letter from the Administrator, Commodity Credit Corporation, Department of Agriculture, transmitting the Department's final rule— Amendment to the Production Flexibility Contract Regulations (RIN: 0560–AF25) received June 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9442. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of Nevada; Nevada Division of Environmental Protection; Washoe County District Health Department [FRL–6014–5] received May 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9443. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Florida [Fl-071–9810a; FRL–6015–4] received May 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9444. 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 under a contract to Turkey (Transmittal No. DTC–54–98), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

9445. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Fishery Management Plan (FMP) for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Recreational Measures for the 1998 Summer Flounder, Scup, and Black Sea Bass Fisheries [Docket No. 09–302051–8119–02;I.D. 021198B] (RIN: 0648–AK78) received June 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9446. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, transmitting the Office's final rule—New Mexico Regulatory Program [NM–038–FOR] received June 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9447. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, transmitting the Office's final rule—Kansas Abandoned Mine Land Reclamation Plan [SPATS No. KS–015–FOR] received June 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9448. A letter from the National Director of Appeals, Internal Revenue Service, transmitting the Service's final rule—Federal Income Tax Withholding on Compensation Paid to Nonresident Alien Crew by a Foreign Transportation Entity—received June 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9449. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Certain Cash or Deferred Arrangements [Rev. Rul. 98–30] received June 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9450. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Permitted Elimination of Preretirement Optional Forms of Benefit [TD 8769] (RIN: 1545–AV26) received June 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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. GOSS: Committee on Rules. House Resolution 457. Resolution providing for the consideration of the Senate amendments to the bill (H.R. 2709) to impose certain sanctions on foreign persons who transfer items contributing to Iran's efforts to acquire, develop, or produce ballistic missiles (Rept. 105–566). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 458. Resolution providing for further consideration of the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes (Rept. 105–567). Referred to the House Calendar.

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. DINGELL (for himself and Mr. GORDON):

H.R. 3990. A bill to amend the Telephone Disclosure and Dispute Resolution Act to prevent unfair and deceptive practices in telephone billing for miscellaneous products or services; to the Committee on Commerce.

By Mr. BUNNING of Kentucky:

H.R. 3991. A bill to amend the Internal Revenue Code of 1986 to provide that the exclusion from gross income for foster care payments shall also apply to payments by certain nongovernmental placement agencies, and for other purposes; to the Committee on Ways and Means.

By Mr. CRANE (for himself and Mr. MATSUI):

H.R. 3992. A bill to amend the Internal Revenue Code of 1986 to establish a 5-year recovery period for petroleum storage facilities; to the Committee on Ways and Means.

By Mr. GORDON:

H.R. 3993. A bill to extend the period for beneficiaries of certain deceased members of the uniformed services to apply for a death gratuity under the Servicemembers' Group Life Insurance policy of such members; to the Committee on Veterans' Affairs.

By Mr. KNOLLENBERG (for himself, Mr. HOEKSTRA, and Mr. UPTON):

H.R. 3994. A bill to amend the Wagner-Peyser Act to clarify that nothing in that

Act shall prohibit a State from using individuals other than merit-staffed or civil service employees of the State (or any political subdivision thereof) in providing employment services under that Act; to the Committee on Education and the Workforce.

By Mr. NEAL of Massachusetts (for himself, Mr. MCDERMOTT, and Mrs. KENNELLY of Connecticut):

H.R. 3995. A bill to amend the Internal Revenue Code of 1986 to reduce the marriage penalty in the earned income tax credit; to the Committee on Ways and Means.

By Mr. STARK:

H.R. 3996. A bill to amend the Reclamation Wastewater and Groundwater Studies and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Alameda County Brackish Water Desalination Project for the reclamation and reuse of water, and for other purposes; to the Committee on Resources.

By Mr. STARK (for himself, Mr. CARDIN, Mr. KLECZKA, Mr. LEWIS of Georgia, and Mr. BECERRA):

H.R. 3997. A bill to amend title XVIII of the Social Security Act to require Medicare+Choice organizations to assuring access to obstetrician-gynecologists and to assure continuity of care; referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, 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. ROHRABACHER (for himself, Mr. GILMAN, and Mr. SMITH of New Jersey):

H.J. Res. 120. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee on Ways and Means.

By Mr. SOLOMON:

H.J. Res. 121. A joint resolution disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China; to the Committee on Ways and Means.

By Mr. BARTON of Texas (for himself, Mr. SOLOMON, Mr. GIBBONS, Mr. SESSIONS, Mr. COBURN, Mrs. MYRICK, Mr. TAYLOR of Mississippi, Mr. BALLENGER, Mr. BURTON of Indiana, Mr. SHAYS, Mr. TRAFICANT, Mr. PORTMAN, Mr. HASTERT, Mrs. NORTHUP, Mr. GRAHAM, and Mr. LATHAM):

H. Res. 456. A resolution amending the Rules of the House of Representatives to provide for mandatory drug testing of Members, officers, and employees of the House of Representatives; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 8: Mr. HERGER, Mr. DOOLITTLE, Mr. ROYCE, and Mr. LEWIS of California.

H.R. 64: Mr. PAUL.

H.R. 371: Mr. ABERCROMBIE, Mr. HALL of Texas, Mr. PETRI, and Ms. JACKSON-LEE.

H.R. 372: Mr. NEAL of Massachusetts.

H.R. 530: Mr. FOSSELLA, Mr. KING of New York, and Mr. INGLIS of South Carolina.

H.R. 535: Ms. SLAUGHTER.

H.R. 536: Ms. MILLENDER-MCDONALD.

H.R. 617: Mr. KLECZKA.

H.R. 746: Mrs. FOWLER.

H.R. 815: Mr. LIVINGSTON.

H.R. 857: Mr. PAPPAS.

H.R. 859: Mr. COX of California.

H.R. 1025: Mr. SANDERS.

H.R. 1037: Mr. BLUNT.

H.R. 1173: Mr. ROMERO-BARCELO.

H.R. 1315: Ms. HOOLEY of Oregon.

H.R. 1401: Mr. OBERSTAR, Mr. LEACH, Mr. LATHAM, Ms. DEGETTE, Ms. KAPTUR, and Ms. LEE.

H.R. 1689: Mr. GOODLATTE.

H.R. 1951: Mr. WYNN, Mr. BISHOP, Mr. MCNULTY, Mr. MANTON, Mr. RAHALL, and Mr. PICKETT.

H.R. 2023: Mr. PALLONE.

H.R. 2094: Mr. JACKSON.

H.R. 2275: Ms. KILPATRICK and Mr. FOX of Pennsylvania.

H.R. 2348: Mrs. BONO.

H.R. 2349: Mrs. BONO.

H.R. 2450: Mr. MANZULLO.

H.R. 2488: Mr. DEUTSCH.

H.R. 2504: Ms. CARSON.

H.R. 2593: Ms. SANCHEZ.

H.R. 2598: Mr. LUCAS of Oklahoma.

H.R. 2661: Mr. BOEHNER, Mr. HALL of Texas, Mr. NORWOOD, and Mr. PAUL.

H.R. 2721: Mr. SESSIONS and Mr. BARCIA of Michigan.

H.R. 2740: Mr. ENSIGN.

H.R. 2818: Mrs. CAPPS.

H.R. 2854: Mr. MCGOVERN.

H.R. 2914: Mr. WELDON of Pennsylvania

H.R. 2923: Mr. MCDADE and Mr. OLVER.

H.R. 2938: Mrs. MEEK of Florida.

H.R. 2956: Mr. THOMPSON.

H.R. 3001: Mr. BURR of North Carolina, Mr. BROWN of Ohio, and Mr. TAUZIN.

H.R. 3126: Mr. WAXMAN, Mr. SERRANO, and Mr. SANDERS.

H.R. 3128: Mr. HINCHEY.

H.R. 3149: Mr. TALENT.

H.R. 3151: Mr. TALENT.

H.R. 3162: Mr. NEY.

H.R. 3181: Mr. YATES.

H.R. 3189: Mr. SPENCE, Mr. SHIMKUS, Mr. DOOLITTLE, Mr. SMITH of New Jersey, and Mr. BACHUS.

H.R. 3205: Mr. GOODE and Mr. FORD.

H.R. 3240: Mrs. MEEK of Florida.

H.R. 3243: Mr. STEARNS.

H.R. 3259: Mr. SANDERS, Mr. FORD, Mr. WAXMAN, Mr. KILDEE, Mr. SAWYER, Mr. SERRANO, and Mr. FILNER.

H.R. 3262: Mr. WYNN.

H.R. 3283: Mr. HASTINGS of Florida, and Mr. HALL of Texas.

H.R. 3300: Mr. PAUL.

H.R. 3304: Mr. BUNNING of Kentucky and Mr. ENSIGN.

H.R. 3334: Mr. WATKINS, Mr. CLAVERT, Mr. ISTOOK, and Mr. SHADEGG.

H.R. 3396: Mr. MANTON, Mr. THOMPSON, Mr. STRICKLAND, and Mr. NEY.

H.R. 3514: Mr. BORSKI.

H.R. 3537: Mrs. CLAYTON, Mr. BARRETT of Wisconsin, Mr. LUTHER, Mr. MCGOVERN, and Ms. CARSON.

H.R. 3567: Mr. KIM, Mr. ROMERO-BARCELO, and Mr. DEFAZIO.

H.R. 3570: Mr. ANDREWS and Mr. JACKSON.

H.R. 3605: Mr. SPRATT.

H.R. 3624: Mr. HOBSON and Ms. MILLENDER-MCDONALD.

H.R. 3640: Mr. SERRANO.

H.R. 3648: Mr. PICKERING and Mr. MCCOLLUM.

H.R. 3659: Mr. WICKER, Mr. PICKERING, Mr. HAYWORTH, Mr. SOLOMON, Mr. RYUN, Mr. BOUCHER, and Mr. WALSH.

H.R. 3661: Mr. PICKERING and Mr. METCALF.

H.R. 3682: Mr. SCARBOROUGH.

H.R. 3687: Mr. STENHOLM.

H.R. 3783: Mr. CALVERT, Mr. NEUMANN, Mr. SOLOMON, Mr. BARTLETT of Maryland, Mr. HUTCHINSON, Mr. WATTS of Oklahoma, and Mr. MCHUGH.

H.R. 3795: Mr. LOBIONDO.

H.R. 3831: Ms. LOFGREN, Mr. LEWIS of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STOKES, Mrs. MALONEY of New York, Mr. BORSKI, Mr. WAXMAN, and Mr. SANDLIN.

H.R. 3833: Mr. MCDERMOTT, Mr. TOWNS, Mr. WAXMAN, Mr. JACKSON, and Ms. CARSON.

H.R. 3862: Ms. HOOLEY of Oregon, Mr. STARK, Mrs. KELLY, Mr. BLUMENAUER, Mr. MCGOVERN, Mr. COOK, and Mrs. MEEK of Florida.

H.R. 3879: Mrs. EMERSON, Mr. SOLOMON, Mr. TALENT, Mr. LUCAS of Oklahoma, Mr. HUTCHINSON, Mr. CANADY of Florida, Mr. NORWOOD, and Mr. MCHUGH.

H.R. 3886: Mr. ENSIGN.

H.R. 3911: Mr. FILNER.

H.R. 3925: Mr. BLUMENAUER, Mr. BROWN of Ohio, Mr. WYNN, and Mr. THOMPSON.

H.R. 3938: Mr. CAMP, Mr. ARCHER, and Ms. DANNER.

H.R. 3940; Mr. BECERRA, Mr. LEWIS of Georgia, Mr. HILLIARD, and Mr. FROST.

H.R. 3948: Mr. DEFAZIO, Mr. KLECZKA, Mr. SKELTON, Mrs. MINK of Hawaii, and Mr. FILNER.

H.R. 3949: Mr. WICKER, Mr. BISHOP, Mr. WATTS of Oklahoma, Mr. NEY, and Mr. GOODE.

H.R. 3966: Mr. BARCIA of Michigan.

H. Con. Res. 27: Mr. TIERNEY.

H. Con. Res. 65: Mr. HAMILTON.

H. Con. Res. 229: Mr. BERMAN, Mr. DICKS, Mr. FOSSELLA, Mr. GIBBONS, Mr. HASTINGS of Washington, Mr. HORN, and Mr. PAPPAS.

H. Con. Res. 249: Mr. MCGOVERN, Mr. VENTO, Mrs. KELLY, Mr. ALLEN, Mr. MCNULTY, Mr. BROWN of Ohio, and Mr. GEPHARDT.

H. Con. Res. 264: Mr. CANADY of Florida, Mr. PRICE of North Carolina, Mr. GOODE, and Mrs. THURMAN.

H. Con. Res. 270: Mr. BERMAN.

H. Con. Res. 274: Ms. FURSE, Mr. WELDON of Florida, Mr. HALL of Texas, Mr. FALEOMAVAEGA, Mr. BURTON of Indiana, Mr. CLEMENT, and Mr. PORTER.

H. Res. 16: Mr. CANADY of Florida.

H. Res. 363: Mrs. BONO.

H. Res. 404: Mr. ABERCROMBIE, Ms. PELOSI, and Mr. BECERRA.

H. Res. 418: Mr. SOUDER.

H. Res. 438: Mr. ENSIGN.

H. Res. 444: Mr. LIPINSKI.

H. Res. 452: Mr. LIVINGSTON, Mr. CALVERT, Mr. BARRETT of Nebraska, Mr. DUNCAN, Mr. GUTKNECHT, Mr. BUYER, Mr. MCCRERY, Mr. BOEHNER, Mr. LUCAS of Oklahoma, Mr. PAUL, Mr. COMBEST, Mr. CHAMBLISS, Mr. BURR of North Carolina, Ms. ROS-LEHTINEN, Mr. WALSH, Mr. LOBIONDO, Mr. BALLENGER, Mr. SAXTON, Mr. UPTON, Mr. HOBSON, Mr. BOEHLERT, Mr. QUINN, Mr. TALENT, Mr. TAUZIN, Mr. BAKER, Mr. POMBO, Mr. WATKINS, Mr. HOUGHTON, Mr. BLUNT, Mr. EHRLICH, Mr. HASTERT, Mr. CHRISTENSEN, Mr. BRYANT, Mr. WATTS of Oklahoma, Mr. BILBRAY, Ms. GRANGER, Mr. THUNE, Mr. ADERHOLT, Mr. NUSSLE, Mr. TAYLOR of North Carolina, Mr. HASTINGS of Washington, Mr. LARGENT, Mr. GRAHAM, Mr. PACKARD, Mr. NETHERCUTT, and Mr. CAMP.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1614: Mr. SKAGGS.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2183

OFFERED BY: MR. FALEOMAVAEGA

AMENDMENT NO. 53: Add at the end the following new title:

TITLE ____—CONTRIBUTIONS BY NATIONALS OF THE UNITED STATES

SEC. ___01. CLARIFICATION OF RIGHT OF NATIONALS OF THE UNITED STATES TO MAKE POLITICAL CONTRIBUTIONS.

Section 319(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e(b)(2)) is amended by inserting after ''United States'' the following: ''or a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act)''.

H.R. 2183

OFFERED BY: MR. FALEOMAVAEGA

(To the Amendments Offered By: Mr. Hutchinson)

AMENDMENT NO. 54: Add at the end the following new title:

TITLE ____—CONTRIBUTIONS BY NATIONALS OF THE UNITED STATES

SEC. ___01. CLARIFICATION OF RIGHT OF NATIONALS OF THE UNITED STATES TO MAKE POLITICAL CONTRIBUTIONS.

Section 319(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e(b)(2)) is amended by inserting after ''United States'' the following: ''or a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act)''.

OFFERED BY: MR. FALEOMAVAEGA

AMENDMENT NO. 55: Add at the end the following new title:

TITLE ____—CONTRIBUTIONS BY NATIONALS OF THE UNITED STATES

SEC. ___01. CLARIFICATION OF RIGHT OF NATIONALS OF THE UNITED STATES TO MAKE POLITICAL CONTRIBUTIONS.

Section 319(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e(b)(2)) is amended by inserting after ''United States'' the following: ''or a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act)''.

H.R. 2183

OFFERED BY: MR. GOSS

AMENDMENT NO. 56: Insert after title III the following new title (and redesignate the succeeding provisions accordingly):

TITLE IV—LIMIT ON CONTRIBUTIONS FROM NON-RESIDENTS

SEC. 401. HOUSE OF REPRESENTATIVES ELECTION LIMITATION ON CONTRIBUTIONS FROM PERSONS OTHER THAN LOCAL INDIVIDUAL RESIDENTS.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

''(i) A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress may not accept contributions with respect to a reporting period for an election—

''(1) from persons other than individual residents of the congressional district involved in excess of 50 percent of the total of contributions accepted; or

''(2) from persons other than individual residents of the State in which the congressional district involved is located in excess of 10 percent of the total of contributions accepted.''.

H.R. 2183

OFFERED BY: MR. GOSS

(To the Amendment Offered by: Mr. Hutchinson or Mr. Allen)

AMENDMENT NO. 57: Insert after title III the following new title (and redesignate the succeeding provisions accordingly):

TITLE IV—LIMIT ON CONTRIBUTIONS FROM NON-RESIDENTS

SEC. 401. HOUSE OF REPRESENTATIVES ELECTION LIMITATION ON CONTRIBUTIONS FROM PERSONS OTHER THAN LOCAL INDIVIDUAL RESIDENTS.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

''(i) A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress may not accept contributions with respect to a reporting period for an election—

''(1) from persons other than individual residents of the congressional district involved in excess of 50 percent of the total of contributions accepted; or

''(2) from persons other than individual residents of the State in which the congressional district involved is located in excess of 10 percent of the total of contributions accepted.''.

H.R. 2183

OFFERED BY: MR. GOSS

(To the Amendment Offered by: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 58: Add at the end of title I the following new section (and conform the table of contents accordingly):

SEC. 104. REDUCTION IN LIMITATION AMOUNT APPLICABLE TO CONTRIBUTIONS BY A MULTICANDIDATE POLITICAL COMMITTEE TO A HOUSE OF REPRESENTATIVES CANDIDATE.

Section 315(a)(2)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)(A)) is amended by inserting after ''$5,000'' the following: '', except that in the case of an election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress, the limitation shall be $1,000''.

H.R. 2183

OFFERED BY: MR. GOSS

(To the Amendment Offered by: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 59: Add at the end of title I the following new section (and conform the table of contents accordingly):

SEC. 104. HOUSE OF REPRESENTATIVES ELECTION LIMITATION ON CONTRIBUTIONS FROM PERSONS OTHER THAN LOCAL INDIVIDUAL RESIDENTS.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

''(i) A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress may not accept contributions with respect to a reporting period for an election—

''(1) from persons other than individual residents of the congressional district involved in excess of 50 percent of the total of contributions accepted; or

''(2) from persons other than individual residents of the State in which the congressional district involved is located in excess of 10 percent of the total of contributions accepted.''.

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PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, SECOND SESSION

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Senate

(Legislative day of Tuesday, June 2, 1998)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by guest Chaplain, Reverend Shirley Caesar, Pastor of Mount Calvary Word of Faith Church, Raleigh, NC.

We are pleased to have you with us.

PRAYER

Let us pray:

Father, You have declared in Your word that, ''Blessed is the nation whose God is the Lord.''—Psalms 33:12. So, Lord, we realize that You are the only Supreme and Sovereign God, and we thank You for the blessing of living in a nation that is predicated upon a strong, Godly heritage. May we ever be cognizant of the fact that it is Your grace and Your mercy that have blessed our Nation to become a symbol of freedom, prosperity, and justice.

We are admonished in the Book of Romans that, ''the authorities that be are ordained of God.''—Romans 13:1. Therefore, Lord, we thank You for this governing body of the United States of America, we thank You, Lord, the men and women You have chosen to help lead our Nation. Father, we pray and intercede for the Senators who have convened here today, seeking Your guidance and will for our country. We pray in the name of the Lord that You will release a spirit of harmony throughout this session. Grant them Godly wisdom, knowledge, understanding, discretion, and courage. Cause their wills to concede to Your will. Let Your vision become their vision and Your desires their desires. By doing so, Lord, we are assured that our Nation will continue to live out and fulfill the true meaning of its calling.

We ask these blessings in the Name of our Lord. Amen, and Amen.

Mr. HELMS addressed the Chair.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able senior Senator from North Carolina is recognized.

Mr. HELMS. I thank the Chair.

THE GUEST CHAPLAIN'S PRAYER

Mr. HELMS. Mr. President, it was about four months ago that I called the Senate's distinguished chaplain and suggested that he might consider inviting Rev. Shirley Caesar of Raleigh, North Carolina, to serve as the U.S. Senate's guest chaplain on some mutually convenient occasion.

I recall Dr. Ogilvie's response—a friendly suggestion that I tell him about Pastor Caesar. I replied that I would do better than that—and I did, by sending Dr. Ogilvie a copy of a lengthy article published by the Washington Post on February 22.

In a moment, Mr. President, I shall ask unanimous consent that portions of that article be printed in the RECORD at the conclusion of my remarks.

But before I do that, let me summarize the fascinating Christian witness of Rev. Shirley Caesar, pastor of Mount Calvary Word of Faith Church in my hometown of Raleigh, N.C.

The Washington Post described Pastor Caesar this way:

On weekdays, (Pastor) Caesar, with a record number of nine gospel Grammys—hits the road to share her voice with those who come to hear her music and witness her presence as a legendary performer on stages across America. But on Sundays she returns to a plain maple pulpit in a simple whitewashed church—comes home, not far from where she was born, to her husband of 15 years, Bishop Harold Ivory Williams, and preaches, ministers to everyday problems, and hears the refrains.

Mr. President, I have selected several paragraphs from the Washington Post story of February 22, 1998, and shortly ask unanimous consent that this information be published in the RECORD at the conclusion of my remarks.

But before I make that formal request, let me extend my personal welcome to the Senate's remarkable guest chaplain for this day. I am proud of her and at the first opportunity, Dot Helms and I intend to worship one Sunday morning with Reverend Caesar.

Now, Mr. President, I make the formal unanimous consent request that I mentioned a minute or so ago.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXCERPTS OF WASHINGTON POST ARTICLE ABOUT REV. CAESAR

Small in stature and verging on 60, she is almost dwarfed by the pulpit. So she moves out, microphone in hand, her stylish pumps gleaming signals that the spirit is lifting this room of 400 people who pray, jump to their feet and sweat with their pastor.

She embraces a niece who has survived a bout with drugs.

''The things she used to do, she don't do no more,'' Caesar says. Sounds like the beginnings of a song to lift up. A black handkerchief wipes her brow.

''I want to be ready,'' she says. ''I don't want Him to come here and find me getting ready,'' she says. She is ready to rise.

She says of her calling, ''I don't want it to be said, I wonder where Shirley Caesar is, I wonder if she is still singing. I am. I believe that singing and preaching go together like ham and eggs. So I just praise God that I am still here.''

Meanwhile, for 40 years, first with the famous Caravans, then as a solo performer, Caesar has been one of the most energetic and popular performers in the music

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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business. In the gospel world, she is the bridge between pioneers like Mahalia Jackson and Clara Ward; she rode the tidal wave of Edwin Hawkins and James Cleveland and now shares a national spotlight with the Young Turks of gospel, Vickie Winans and Kirk Franklin.

Like Ella Fitzgerald, she puts her stamp on songs, and they never sound the same again—from works by such gospel masters as Thomas A. Dorsey to religious verses by Bob Dylan. She performs songs, many of which she writes, that are highly personal—they reveal complicated lives lived by people who may not have money, love or opportunity but who do have faith.

In many of her songs, Caesar starts with a vignette of crisis, sometimes with just the piano or organ in back of her.

''Have you ever walked the floor/all night long/wondering how you were going to pay your bills?'' she sings at the beginning of the wonderful ''You're Next in Line for a Miracle.''

She repeats the lyrics, her raw voice demanding emotional response.

''Get ready for your miracle/Move to the front of the line/Today is your day . . . get ready, get ready, you are next in line for a miracle—a miracle!''

The orchestration expands and the choir sings the refrain above Caesar's ''Hallelujahs.'' On Wednesday, ''A Miracle in Harlem,'' nominated for best traditional soul gospel album, might win her a 10th Grammy. (She has also been nominated more times than any other gospel artist.) From the religious music community, she has won 15 Dove Awards and 10 Stellar Awards.

Not confined to music arenas and churches, Caesar has done four Broadway shows and contributed to the movie soundtracks of ''The Preacher's Wife'' and ''Rosewood.'' In the spring, she's scheduled to make a guest appearance on UPN's ''Good News,'' and her autobiography is scheduled for publication in May. When Dylan was chosen as a Kennedy Center honoree last year, he asked that Caesar sing his ''Gotta Serve Somebody.'' Caesar likes the fact that the salute portion of the night ended as she shouted ''Jesus!''

SCHEDULE

Mr. HELMS. Mr. President, today the Senate will resume consideration of S. 1415, the tobacco legislation. There are several amendments still pending to the bill, and it is hoped those issues can be disposed of at an early hour so that the Senate can consider additional amendments to the tobacco bill.

Rollcall votes, therefore, are expected throughout today's session of the Senate. As a reminder to all Members, there are a number of items that the Senate may also resume, or begin, or both, including the Department of Defense authorization bill, the conference reports as they may become available, and any appropriations bills that are ready for action. As always, other executive or legislative matters may be considered as they are cleared.

On behalf of the majority leader, I thank my colleagues for their attention.

Mr. President, I ask unanimous consent that with respect to the tobacco legislation the debate be in order only until 10:30 this morning.

The PRESIDING OFFICER (Mr. SANTORUM). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be permitted to proceed as if in morning business for approximately 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maine is recognized.

Ms. COLLINS. I thank the Chair.

RACE FOR THE CURE

Ms. COLLINS. Mr. President, in the short time that I will take to deliver these remarks, a woman will be diagnosed with breast cancer. And every 12 minutes, a woman will die from it.

Just this past year, breast cancer has touched my life twice: one member of staff, aged 37, and the spouse of another member of my staff both developed breast cancer. Watching these women in their daily struggles has been a heart-wrenching experience as well as a call to action.

I know that several of my colleagues' lives have also been personally touched by breast cancer. The senior Senator from Maine, OLYMPIA SNOWE, lost her mother to breast cancer at a tragically young age. Throughout her career in Congress, Senator SNOWE has been a tireless advocate for breast cancer awareness and increased funding for research. Her leadership on this issue has been invaluable—even lifesaving—for countless women across the country.

Breast cancer is the most frequently diagnosed cancer in women in the United States. However, when breast cancer is detected early and treated promptly, suffering and the loss of life can be significantly reduced.

Approximately one out of every eight women will develop breast cancer during her lifetime. In 1998 alone, an estimated 180,200 women will be diagnosed with breast cancer. Even more disturbing, breast cancer is the leading cause of death among women aged 35 to 54.

Washingtonians will have the opportunity to call attention to breast cancer and raise much-needed research dollars when the Susan G. Komen Breast Cancer Foundation hosts its 9th annual National Race for the Cure on Saturday, June 6.

Those of us who work on Capitol Hill have an added opportunity to contribute to the cure for breast cancer thanks to a challenge grant from Eli Lilly and Company. The third annual Lilly Capitol Hill Challenge will match the registration fees for all members of Congress, their spouses, and staff who participate in the National Race for the Cure. Since 1996, Lilly and Capitol Hill have raised $200,000 for breast cancer prevention, research, and treatment—75% of which stays in the DC metropolitan area.

Two weeks ago, all the women in the Senate joined me in circulating a ''Dear Colleague'' letter encouraging Members of Congress and staff to take advantage of Lilly's generous offer and register for this year's race. And I would like to let my colleagues know that it is not too late to participate. Late registrations are being accepted up until Friday evening at 6:30 in the lobby of the Department of Commerce.

Today, I rise to the floor to once again encourage my colleagues to alert members of their staff, their families and friends to this valuable opportunity to support the Komen Foundation and Race for the Cure on June 6th.

Thank you, Mr. President. I yield the floor.

NATIONAL TOBACCO POLICY AND YOUTH SMOKING REDUCTION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1415, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1415) to reform and restructure the processes by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors, to redress the adverse health effects of tobacco use, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Gregg/Leahy amendment No. 2433 (to amendment No. 2420), to modify the provisions relating to civil liability for tobacco manufacturers.

Gregg/Leahy amendment No. 2434 (to amendment No. 2433), in the nature of a substitute.

Gramm motion to recommit the bill to the Committee on Finance and with instructions to report back forthwith, with amendment No. 2436, to modify the provisions relating to civil liability for tobacco manufacturers, and to eliminate the marriage penalty reflected in the standard deduction and to ensure the earned income credit takes into account the elimination of such penalty.

Daschle (for Durbin) amendment No. 2437 (to amendment No. 2436), relating to reductions in underaged tobacco usage.

Daschle (for Durbin) amendment No. 2438 (to amendment No. 2437), of a perfecting nature.

Mr. FRIST. Mr. President, over the course of today we will continue our discussions and debate on the pending tobacco legislation, a topic that has been the focus of much of our activity over the past several weeks, a focus which I hope will become increasingly addressed over this week. I ask that amendments that are talked about being introduced are actually brought

to the floor so that they can be debated. We have legislation in the Chamber that has a fascinating history, legislation that continues to evolve, legislation that I believe is very important as we stay focused on that goal of decreasing, and maybe even someday eliminating, youth smoking.

I am concerned that we have gotten off track in our consideration of what I believe has to be comprehensive tobacco legislation. There are some people who would just like to establish a tax and have funds to go possibly to public health, but also to many other issues totally unrelated to what our focus should be, and that is youth smoking. There are others who say we need to address just the advertising aspects of this particular bill. There are others who say that we look at just vending machines; and there are others who say we can solve this whole problem by looking at just the public health initiatives of behavioral change, of figuring out what causes addiction.

I for one believe we need to address all of these issues, and we run the danger, maybe for political reasons, maybe for selfish reasons, of taking a bill that did start as a comprehensive bill and stripping away certain things so that we will end up with just a tax or just a public health initiative or just an issue of access itself, and I think we need to do all of that.

As to youth smoking, we have talked again and again over the last 2 weeks about the alarming statistics of youth smoking. The one statistic that seems to stick with people is one that is real, and that is that over the course of today, between now and tomorrow morning, 3,000 kids, underaged children, will start smoking for all sorts of reasons.

We know it is peer pressure, we know it is advertising, we know it is access, we know that it is looking cool; but regardless, the bottom line is that 3,000 kids who were not smoking yesterday by the end of today will be smoking.

What has become increasingly clear and possibly covered up by the industry, in part—confused by politics—is that 1,000 of those 3,000 will become addicted to smoking, and by being addicted, it means your body becomes dependent on that, it is out of your control, to a large extent because of physiological responses. But, regardless, the bottom line is that one out of every three of those children, the age of my children, 15, 12, 11, 10 years of age, who start smoking today, one out of three will die prematurely; that is, die earlier than they would—of lung disease, of cancer, of emphysema—earlier than they would have if they hadn't started smoking.

So, the problem is very, very clear today, much clearer than it was even 5 years ago or 10 years ago. Therefore, I think it is useful to stick with that statistic. You can argue the statistic, but the bottom line is that 1,000 children who start smoking today will die prematurely.

The other two out of three children may or may not continue smoking. They may not be affected, because it is not crystal clear that smoking 100 percent of the time causes cancer. But we know that it has a very, very strong influence on whatever our genetic predisposition is to cancer, all sorts of cancer, and to heart disease which—as a heart surgeon and heart specialist, I have operated on thousands and thousands and thousands of people whose heart disease I would attribute—to genetics? yes, but also in large part to smoking.

Focus on the health of our children and their children. Many of us in this Chamber do have children who are in those teenage years. A fascinating statistic is that about half of the people who start smoking, half of all people who start smoking today, are 8 years old, 9, 10, 11, 12, 13, and 14 years of age. Half of all people who start smoking today in this country are 14 years of age and younger. That is very different from in the past. I think in large part that does come from the fact that that group of people have been targeted in recent years, over the last 5 or 10 years—unlike 20 years ago—because if you can addict people at that age, they will not only purchase more cigarettes as youths but, because of their addiction, over their entire lifetimes.

This whole passage through adolescence is something which really confuses the issue. It would be much easier if we said let's stop everybody from smoking, because then you could really engage in huge, huge policy. But if you really stay focused on the youth, it introduces all sorts of factors that may not apply later: Advertising, how we advertise to youth—is it just Joe Camel, or is it other seductive types of advertising? And then, how you separate that advertising from broader-scale advertising, something that we cannot do in the U.S. Senate or the U.S. Congress. I believe it does almost demand participation by the industry, to agree that somebody 8 years of age or 10 years of age or 12 years of age should not be targeted by such advertising, which clearly results in a crippling addiction which will ultimately kill that child later in life.

For many years, individuals, if we look at the history, have not been successful in suing the tobacco industry because of a doctrine called assumption of risk doctrine. No jury would side with a plaintiff, because the smoker had assumed the risk associated with smoking.

However, if we review very briefly this recent history, over the last several months a group of State attorneys general got together and starting suing the industry to recover Medicaid costs, Medicaid costs being principally incurred by a State, because two-thirds of Medicaid funds are paid for by the State and about a third from the Federal Government. And therefore it was the State attorneys general. The Medicaid Program is our joint State-Federal partnership program that is directed at health care for our indigent population, a population that falls below the poverty level. That is why this grassroots effort, now elevated to this body, started at the State level. The State attorneys general got together to recover the Medicaid—predominantly State—costs for smoking-related illnesses, thus avoiding this whole doctrine called the assumption of risk doctrine.

It has been fascinating, because in the course of these lawsuits, and in large part because of the lawsuits—and we have seen it unfold before committees here in the U.S. Congress as well—internal industry documents have been made public. They have been made public for the first time and are now on the Internet, accessible to the media, to committees here in the U.S. Senate, as well as to people who are, on their own, on the Internet; they have access to these documents today.

It is very clear the industry knew a lot more about the science—that is, the addictive nature of nicotine—than they had let on, that they knew a lot more about the destructive effects of smoking tobacco than was ever previously thought.

The focus of the discussion today, which really demands that we address the issue, is that the debate no longer is that smoking may be harmful to your health, as it was 20 years ago—we know that it is harmful to your health—the debate that we need to address in the U.S. Senate, however, is the youth smoking, where one really doesn't engage in free choice to start smoking at 10 or 11 or 12 years of age. That free choice can be targeted, can be shifted by very aggressive marketing. And that is what has been done today.

If we look back again a few months, some of these States began to settle for huge sums from the tobacco industry. Mississippi, as we know, just 2 years ago settled for $3 billion; Florida and Texas were the next to settle, for $11.5 billion and $15.3 billion, respectively. And then just last month, Minnesota, the most recent to settle, settled for about $6.6 billion. Look a few months later and how all of this evolved. In the Spring of 1997, interested parties came to the bargaining table. I say ''interested parties,'' because you really did have the public health advocates at the table: You had the State attorneys general representing the Medicaid population, representing the expense of the States at the table; you had the industry—something which we don't have today in the U.S. Congress and the U.S. Senate—we had the industry actually at the table, coming to certain agreements.

Let me add very quickly, it was fascinating, because I am from a tobacco State; we have 23,000 hard-working women and men and farming families who work very hard, get up every morning to produce a legal product in this country. It is interesting, in this

great agreement—I guess I should qualify ''great''—in this historic agreement, the tobacco farmers and the agricultural community were not represented at that table.

Regardless, the other three groups—the public health group, the industry itself, the attorneys general—sat down, and the basic elements of that, and I would say historic, June 20 settlement included a number of things: No. 1, industry payments of $368.5 billion, agreed to by industry, members of the plaintiffs' bar, the attorneys general, and the public health groups. That $368.5 billion was to be paid over about 25 years. It would be funded by what calculated out to be raising the price of cigarettes by 70 cents per pack over a 10-year period.

Second, an important component, I believe, is the advertising restrictions. The industry came forward and said that, we will voluntarily limit our first amendment rights by refocusing advertising, if the remaining aspects of that agreement would go into effect.

Third, there were youth access provisions and really some pretty tough licensing requirements for retailers who sell tobacco. All of us know the problem we have with access today. If you go into any community and ask a young 16-year-old or 15-year-old, ''Could you get a pack of cigarettes?'' they would say, ''Yes, without a problem.''

Fourth, that June 20, 1997, settlement had $2.5 billion per year for smoking cessation programs, public education campaigns, and State enforcement. It gave FDA authority to regulate tobacco and smoking. It had no class action suits or suits by any government entity. It had immunity for the industry from all punitive damages for past actions. Individuals were allowed to bring suits to cover compensatory damages for past conduct and compensatory and punitive damages for future conduct.

Because that settlement required the enactment of Federal law, it came before the U.S. Congress. We are here today in large part because that June 20 settlement requires us to be here or it just doesn't occur. Implementing the provisions of that settlement or implementing provisions similar to it does require Federal legislation.

We had committees that had jurisdiction over several provisions in this June 20 agreement. Judiciary had a role, the Labor Committee had its expertise in the FDA, the Finance Committee had jurisdiction over international trade aspects, the Commerce Committee had jurisdiction over the liability and interstate commerce expertise, the Agriculture Committee had a keen interest in the effect of this type of really unprecedented legislation on farmers, all of which ultimately were pulled together—at least that expertise was pulled together—through the Commerce Committee and bringing it to the floor to be amended accordingly.

We are right now in the middle of that amendment process. A number of people are talking about amendments to make the bill better, and the bill was brought to the floor recognizing it was not a perfect bill, that it was important for that amendment process to take place to modify it, to improve it, to make sure that it does achieve the objectives of decreasing youth smoking over time. I encourage my colleagues to come forward to participate with their amendments so we can achieve that objective and, sometime within the next several days or next several weeks, bring this to some resolution.

I do believe, as I said, it takes a comprehensive approach. I think we do have to address, first, the advertising targeted at children. An article in the Journal of the American Medical Association of February 17 stated very clearly that advertising is more influential than peer pressure in enticing our children to try smoking, and it estimated—and I recognize these estimates are really all over the board—but it estimated that about 700,000 kids a year are affected by advertising. Big debate. We have talked about it a lot over the last several weeks. Is it advertising? Is it peer pressure? How do you control peer pressure at that very tricky age of walking through adolescence? They are inextricably tied together. If you have very effective advertising that makes smoking look cool and makes you part of a group and makes you feel good at 12 years of age, then peer pressure builds. If somebody asks is it peer pressure or advertising, it is very confusing.

In our business, in the political business, in public service, we know the effects of marketing. We know that kids are targeted, and we know that builds and establishes peer pressure which does affect somebody at that age, in adolescence, when they are reaching out for identity and for security and for acceptance. Therefore, either dealing directly with the industry or indirectly, we have to have the industry agree not to target kids. Our society simply must stop glamorizing smoking in the way that it does today, which increases the peer pressure. This applies to television; it applies to movies; it applies to 30-second spots; it applies to billboards. We have to stop that marketing directly to children, and I believe the industry has to take the lead in that regard.

Secondly, to have a truly comprehensive program, we do have to have a strong public health initiative, including tobacco-related research, including tobacco-related treatment, and including tobacco-related surveillance. It is fascinating in terms of how we would use certain moneys, because a number of people want to use certain moneys for programs totally unrelated to public health initiatives, totally unrelated to research.

If we just step back and imagine what could be done if moneys were spent effectively and if there were appropriate moneys available for research, we might—we just might—in 5 years, in 10 years, maybe 3 years, eliminate the problem. For example, if we knew where in the brain addiction to nicotine actually occurs—and let me say that there are ways to detect that through PET scanning, positron-emission tomography, today—we know roughly in the brain where the addictive center to nicotine actually occurs.

With the rapid advances made in science, with the appropriate focus and the appropriate resources, it is not far-fetched that we will identify not only the location, where we have taken the first steps, but the actual receptors, and design a drug, a chemical, a hormone to go to that particular site and turn off the addictive potential, the addictive connections that cause that 8-year-old or that 10-year-old who starts to smoke to smoke forever out of their control.

That one little bit of research could solve this whole problem. We can't give any statistic probability that that research will result in that sort of effect, but the potential is there. It takes that emphasis on that particular dimension, moving there and saying we do need to put the appropriate funds there, that some effort in this comprehensive approach must be directed to research. A strong commitment to basic science and behavioral research is critical.

Such focused research made possible by this bill might even uncover a pill. I can almost see a day where people will smoke for 6 months or smoke for a year. If we can kill that addictive potential, that 6 months to a year might not have the same impact on one's coronary arteries in the development of atherosclerotic plaques—hardening of the arteries—which cause heart attacks and ultimately death.

Will we get there? We don't know unless we focus research in that area, and right now we do not have sufficient research there. We do need to look at certain behavioral research: How can we stop people from smoking who are addicted to smoking? We just don't know very much about that.

Later today, I think we will be talking a lot about drugs, other drugs—not just nicotine, not just cigarettes—and the importance of developing a more comprehensive policy. I welcome that opportunity, again, because I have youngsters. I have three boys, who are going through this period of adolescence, who are going to be tempted and exposed to all of the seductive advertising, peer pressure, wanting to be accepted, that we have all gone through and most of our children go through.

A comprehensive approach: The research, the scientific research, smoking cessation programs, behavioral research, the addictive potential, the advertising that I spoke to.

The third component is that of access. It is too easy today. We held hearings in our Subcommittee on Public Health and Safety, which I chair, in the Labor Committee and had some really powerful, powerful testimony come forward by the users, by those

young adolescents who have started to smoke. We heard chilling testimony about how easy it was to purchase tobacco products.

We can do a great job in a small community. If there are 12 places where one can buy tobacco, we can have 5 of those really enforce the access laws. Just imagine 12 convenient stores in a community. You can have five that really stick to the law. You can have another five that do pretty well. But if there is just one in that community that continues to sell cigarettes, for whatever reason, the access programs don't work at all. We need to have more effective access.

Nickita from Baltimore, who is now 18 years old, started smoking when she was 14 years of age. She testified that she would normally get her cigarettes from the store. She testified that she never had a problem buying cigarettes in the store. In fact, ''People in my community, as young as 9 years old, go to the store and get cigarettes. They simply do not ask for IDs,'' she said.

The lesson I learned from this testimony is that we must enforce youth access laws. We must make it impossible for children to buy cigarettes in any neighborhood in this country. It is really shameful that in America in 1998 a teenager can purchase tobacco in any neighborhood in the United States of America.

There are three elements—access, advertising, public health and basic science initiatives. In this whole arena of access, price is an issue. I voted against the tax of $1.50 that was proposed on this floor 2 weeks ago very simply because price addresses one aspect of the three aspects that I think are important to decrease youth smoking. Price does affect purchasing. While it is one of the levels, one of the factors, it is not the only factor.

Consumption, though, had been decreasing in the 1970s. However, between 1980 and 1993, the downward trend really accelerated, with consumption falling by 3 percent a year at the same time that the inflation-adjusted price of cigarettes increased by 80 percent.

In addition, in the early 1990s, we saw price cuts, and consumption leveled off with only modest decreases in the price until 1996. Then in 1997, prices rose by 2.3 percent, and consumption fell again by 3 percent.

Expert testimony provided in hearings before us, based on data from both this country and others, clearly demonstrates that the price of cigarettes does affect consumption. But price alone simply will not solve the problem; that a comprehensive approach is necessary.

Mr. President, I think the bill on the floor is a good start in addressing, in a comprehensive way, this issue of decreasing youth smoking. It also addresses an issue that was ignored by the June 20 settlement, an issue that I mentioned—that of the agricultural community and that of tobacco farmers.

We have two competing amendments or proposals right now that are being considered. I am very hopeful that an agreement can be reached between those two. They have very different concepts. On the other hand, both have as their goal to do what is in the best interest of those hard-working men and women who are in the farming community, who, through no fault of their own, we have this targeting of the youth by the industry, who, through no fault of their own, affect this idea of easy access. They are literally getting up every morning, going out, working hard in the fields to produce a legal product. I am very pleased that this group is being addressed. I look forward to having some resolution of the two competing groups.

Mr. President, I will wrap up my comments shortly because other people are on the floor. I think this bill is not perfect yet. I think we need to look very closely at how we have designated whatever funds are generated by this particular bill and to look at what programs they create.

The version of the bill on the floor now, unlike the original Commerce version of the bill, is much, much better in that most of the huge bureaucracies that came out of the Commerce Committee bill have been eliminated, have been reduced. I think there are still a number of those programs that we need to go back and address.

Some people have come to the floor and have basically said that the bill on the floor is merely an attempt to destroy an industry that is producing a legal product by raising the price too much. I think this is a legitimate concern. We have had a countless number of financial experts present data; some have had a vested interest, some have not. A number of them have come before the several committees who have held hearings on this jurisdiction, and it really seems nobody can answer the question of the appropriate price and what a price increase of 50 cents or 70 cents or $1 or $1.50 will do on the industry itself.

We do know one thing; and that is that the industry at one time agreed, back in June, to a $368.5 billion exchange for some assurances that they would have some predictability in future lawsuits. Now that has been radically changed at the end of 2 weeks ago. We need to all get together to see what that next step should be, what further amendments need to be applied. Again, personally, I believe that the industry has to be at the table, has to agree not to target the youth today.

Black market—something that is very, very real. If the price is raised too high, at least based on the testimony that has come before our committees, a black market would most certainly occur, and then we would ultimately end up destroying exactly what we are trying to achieve—that is a reduction in youth smoking.

Mr. President, I guess in closing my remarks I just want to emphasize how effective and responsible we can be if we have a comprehensive settlement. And that is what it is going to take—public health initiatives, appropriate research, addressing the issue of access, and addressing the issue of advertising. We must have an industry that does not market to kids. We have to have the cooperation of the industry.

Mr. President, let me just make one final comment that is on the Food and Drug Administration. I have been very active in working to see that the Food and Drug Administration is the agency that would oversee whatever regulation we pass on the floor of the U.S. Senate and through the U.S. Congress. The approach was to set up a separate chapter within the Food and Drug Administration rather than try to regulate tobacco or cigarettes through a three or four sentence clause that is existing in the device aspects of the Food and Drug Administration legislation today.

We did this for a number of reasons. I have outlined those reasons on the floor today. I am very pleased where we stand with that today, in terms of setting up a new chapter that recognizes that tobacco really is a unique product. It is not a device to be regulated like a pacemaker or like an artificial heart device or like a laser. And that is where an attempt was made by the administration to regulate tobacco.

Are there parts of that that might be improved? I think we can consider that as we go through the amendment process. I still have some concerns with some parts of the Commerce bill. I look forward to seeing them modified.

I think as a heart surgeon, as a lung surgeon, I have a real obligation to point out that smoking does kill people— there is no question—No. 2, that tobacco is a legal product in this country—and I think it should stay a legal product in this country where adults who have the maturity, have the education to make choices for themselves should have that opportunity—but, thirdly, I feel very strongly that we need to address youth smoking and do our very best as a nation for our children and for that next generation through a comprehensive strategy to work to reduce youth smoking.

Mr. President, we have two colleagues on the floor, and I would simply ask unanimous consent if they could limit their comments or let me inquire in terms of, from each of them, how long they would require? I would like to have some limitation because we want to get to other amendments early this morning.

Mr. DURBIN. I thank the Senator. I would be happy to limit my remarks to no more than 30 minutes.

Mr. ASHCROFT. The same.

Mr. FRIST. I will yield 30 minutes to both of my colleagues on the floor. At that time, I reserve coming back and regaining the floor at that time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, I rise today to discuss the tobacco bill. And I wish to address the massive tax increase that is in this bill—tax increases that are targeted against the lowest income individuals in America: hard-working citizens who earn primarily less than $30,000 a year. It is a massive tax increase that is going to be used to expand the Federal Government, just when the American people continue to make it clear that they are tired of Government imposing its decisions on our daily lives.

Just last week there was an announcement of a $39 billion surplus in 1998 and a $54 billion surplus in 1999. Congress should be debating how to return this money to the taxpayers. We should not be debating how to siphon more out of the pockets of working Americans.

It is also possible to discuss the inevitable black market that would result from the policies in this bill, even though my colleagues and the administration continue to ignore this threat to American neighborhoods of creating a black market with the high taxes in this bill. I will also discuss the effect of a price increase on teenage smoking rates.

Mr. President, along with my colleagues, I am truly concerned about teen smoking. However, I do not believe that teen smoking is the focus of this legislation. Under the guise of reducing teen smoking, proponents of this bill are willing to increase taxes on hard-working Americans by well over $800 billion. That is well over three-quarters of a trillion dollars.

Under the guise of reducing teen smoking, proponents of this bill support a massive increase in the size of the Federal Government—17 new boards and commissions, which is a modest estimate. And then in response to the identification of those boards and commissions, some in support of this bill have decided to say they would take out those boards and commissions and just leave authority for agencies to create within themselves the capacity to do what the boards and commissions were designed to do. Instead of having boards and commissions that are accountable and identifiable, you have stealth boards and commissions that are hidden in the agencies. I don't think making them indistinguishable is a way to say that government isn't growing.

Proponents of this bill claim it is necessary to curb teen smoking. What this bill is necessary for is to feed the tax-and-spend habit of individuals in Washington.

Although Congress has the authority, we do not even make it illegal for minors to possess or use tobacco in the District of Columbia in this bill. We only have rules regarding the point of sale. Even then, we only make retailers responsible for the transaction. There is no disincentive for teenagers to try and purchase cigarettes in this bill. Two percent of retail cigarette sales are made to minors. Adults purchase 98 percent of all cigarettes sold in retail stores. Under this bill, we are creating a massive tax increase on 98 percent of smokers in order to try and discourage 2 percent of all the retail sales. There is sound evidence that the 2 percent will not be discouraged. In Washington, taxes and spending are the only things more addictive than nicotine.

Preliminary reports estimated this legislation would increase taxes $868 billion. We now know that this legislation would raise taxes $885 billion and create new government programs with funding locked in for 25 years. It creates a huge government regulatory scheme the likes of which we have not seen since the Clinton proposal to perpetrate a national health care system from the Federal Government.

This bill is a tax bill, pure and simple. It is a tax bill on Americans who are already overburdened with taxes. Americans today are working longer and harder than ever before to pay their taxes. Tax Freedom Day this year was less than a month ago, on May the 10th. It was a record year. Americans worked longer into the year this year to pay their taxes than ever before. The hard work of the American people, let me say again, the hard work of the American people allowed the President just last week to announce a $39 billion projected surplus in 1998 and a $54 billion surplus projected for 1999. Yet here we are a week later continuing to talk not about how to return the surplus to the people, but how to siphon more out of their pockets. As currently drafted, the proposed tobacco bill is nothing more than an excuse for Washington to raise taxes and spend more money.

In the 15 years prior to 1995, Congress passed 13 major tax increases. In fact, last year's Taxpayer Relief Act was the first meaningful tax cut since 1981. As currently drafted, the tobacco bill erases that relief. We must stop that from happening. We must not undo the modest gains we gave to the American people just last year. We certainly cannot relieve them by imposing another $885 billion in taxes on them. To paraphrase President Reagan, the whole controversy comes down to this: Are you entitled to the fruits of your own labor or does government have some presumptive right to tax and tax and tax? Who will pay the $800-plus billion in taxes contained in this proposed legislation?

The tobacco legislation is a massive tax increase that would be levied against those least capable of paying. About 60 percent of the tax increase would fall on families earning $30,000 a year or less. That is a shocking figure. What it basically says is these families with less than $30,000, struggling to put clothing on the backs of their children, food on the table, to pay the rent, to have the money for transportation, to keep the car repaired, occasionally scraping together enough for a modest day off or a vacation, would suddenly be subject to a massive new tax, 60 percent of which would fall on them. Some households would see their taxes increase by more than $1,000. Moreover, this new tax would be levied on money that has already been subject to the income tax. If you are buying cigarettes and you have an additional $1.10 to pay, it is a tax on money you have already paid tax on. Households earning less than $50,000 would pay seven times as much in new tobacco taxes than households earning $75,000 or more.

According to the Congressional Research Service, tobacco taxes are perhaps the most regressive taxes currently levied. In the United States of America where, we already have the highest taxes in history, we are now projecting a massive tax increase on individuals least capable of paying. While those earning less than $10,000 make up only 10 percent of the population, 32 percent of those people smoke. The current tobacco tax represents 5 percent of the smokers' income in this category. Those making between $10,000 and $20,000 a year make up 18 percent of the population. However, 30 percent smoke. The current tobacco tax makes up 2 percent of a smokers income in this category. Therefore, this bill amounts to a tax increase on 31 percent of Americans who earn under $20,000 a year. Households earning less than $10,000 a year would feel the bite of this tax increase most of all. These households, it is estimated, would see their Federal taxes rise 35.1 percent.

In most areas of the country, someone earning $10,000 a year is well below the poverty line. We spend much of our time in this body trying to find solutions for those in this income bracket—we have tax credits, welfare programs, educational grants, job-training programs. They cost billions of dollars a year. We try to lift people out of their poverty, out of that income bracket. However, today, Members of this body are enthusiastically saddling them with a huge tax burden of over $800 billion focused on those least capable of paying. Washington politicians and bureaucrats are saying they know better how to spend the resources of the American people.

Let me share the impact this tax increase will have on the constituents of the people in Missouri. Using data provided by the Centers for Disease Control, it is clear the tobacco legislation would be an annual $382 million tax on people in Missouri. Of that amount, $227 million would be paid by households earning $30,000 or less. This is a conservative estimate. This assumes that each smoker in Missouri smokes only one pack a day. For someone who smokes two packs daily, the $1.10 per pack tax increase contained in the tobacco legislation would amount to a tax increase of $803 annually.

Let's look at how this will impact other States. Arizona, 22.9 percent of

the adults smoke; $227.3 million tax increase on Arizona, $164.7 million on those with incomes of $30,000 or less. In Texas, 23.7 percent of adults smoke; $1.2 billion tax increase on Texas, $1.2 billion tax increase on the people of Texas, with three quarters of a billion being levied against those who earn $30,000 or less.

This bill contains massive tax increases that are going to be used to expand the Federal Government just when the American people continue to make it clear that they need relief. Some people ask, where is all this money coming from when we talk about our surpluses? I can tell you where the money comes from—it comes from the hard work, the sacrifice, the ingenuity, the efforts of Americans. It is not our money. It is their money. It is not Washington's. We should be discussing how to leave the money where it belongs. Instead, we are discussing how to take more money.

I have an amendment that I plan on introducing later in this debate that will accomplish the goal of leaving money in the pockets of the taxpayers. It will give much-needed tax relief to Americans in a way which will provide the greatest relief to those who will be hardest hit under the bill. I believe, as many do in this body, that if this bill is allowed to increase taxes, that revenue should be used to relieve married couples of what might possibly be the most indefensible and immoral tax of our Tax Code. This is a perfect example of Washington's values being imposed on America instead of America's values being imposed on Washington. Americans value marriage; Washington taxes marriage.

The marriage penalty tax creates a situation in which 21 million couples pay $29 billion more than they would have paid had they been single. The marriage penalty, on the average, is about $1,400 per family. This is grossly unfair and is an assault on the values of the American people. Consider a typical couple in which each person earns an annual income of $35,000. Under current law, if the couple were to wed in 1998, they would pay $10,595 in Federal income taxes, assuming they were childless and they take the standard deduction. If, instead, they chose to remain single, their combined tax bill would amount to $9,117. In other words, they would pay $1,478, a 16-percent penalty for being married.

As you might expect, people often modify their behavior to avoid paying taxes. In fact, it is one of the assumptions of the tobacco legislation that people would modify their behavior—quit smoking—if we raise taxes on cigarettes. Does the Tax Code really influence moral decisions and prevent couples from getting married? Tragically, yes. Some couples simply cannot afford to bear the extra burden of the marriage penalty. Just ask Sharon Mallory and Darryl Pierce of Connersville, IN. They were planning to get married when they learned that their annual tax liability would balloon $3,700 as a result. The marriage penalty led them to rethink their decision to get married.

A marriage penalty exists today because Congress legislated ill-advised changes to the Tax Code in the 1960s. This is an example of Washington's values being imposed on America instead of America's values being imposed on Washington.

Over the next 5 years, the Federal Government is expected to collect $9.3 trillion in taxes from hard-working Americans. Completely eliminating the marriage penalty would reduce that total by only $150 billion, or only 1.6 percent.

Now that taxpayers have provided the Federal Government with a surplus that may be as much as $60 billion this year alone, Congress has no excuse for withholding tax relief from American families.

The power to tax is the power to destroy. The average dual-income household spends a far larger share of its income on taxes than it does on food, shelter, clothing, and transportation combined.

With taxes at these levels, no wonder families are finding it necessary to send both spouses into the workplace. One of the ways in which the marriage penalty manifests itself is that the standard deduction for a married couple is less than that for two singles. That means if you are married and you file a joint return, the standard deduction is not double what it was when you were single. Again, let me repeat this staggering fact. Last year, 21 million married couples collectively paid a $29 billion tax. They paid $29 billion more than they would have paid had they been single.

I will offer an amendment that will substantially reduce the marriage penalty. It will do so by making the standard deduction for married couples twice what the standard deduction is for single people.

Members of this body have been arguing that there is no tax in this bill, only an increase in tobacco prices to deter smoking. In fact, the Finance Committee, in its mark, at least tried to level with the American people by reporting out a bill that called it a tax. Webster's Dictionary defines a tax as a ''compulsory payment, usually a percentage, levied on income, property values, sales prices, etc., for the support of government.''

In this bill we have a compulsory payment. The bill then requires that the cost of these payments be passed on in the form of price increases to consumers. It even penalizes companies if they fail to do so. These payments are then used to fund massive programs for Federal and State governments.

Well, if it walks like a duck, talks like a duck, and sounds like a duck, it is a duck. So if it ''walks'' like a tax and acts like a tax, it is probably a tax. This is a tax and in law provides that those payments—taxes—are to be passed through to consumers—under a penalty if it is not done.

It has been said that industry is the group that is convincing people that this is a tax bill. But we all know that industry can't make it a tax bill, and Senators can't say it is not a tax bill if it is a tax bill. It is a tax bill. It requires consumers to spend additional sums of money and to send them to Washington so that government programs can be extended.

Those who support this bill would like for the American people to believe that this is tough on tobacco. The American people are beginning to find out that tobacco companies won't bear the costs of these payments. Consumers will. This bill requires that consumers will be those who are required to put up the money—the $800 billion-plus that comes in the mandatory payments, the taxes that are occasioned by this bill.

What will be the impact on tobacco companies? In September of 1997, the Federal Trade Commission issued a report entitled ''Competition and the Financial Impact of the Proposed Tobacco Industry Settlement.'' The report was done at the request of the Congressional Task Force on Tobacco and Health. This report analyzed the economic impact of the proposed settlement on cigarette prices, industry profits, and Government revenues.

This tobacco legislation was built upon the proposed settlement, but it is not exactly the same. But this report was based upon the annual payment, look-back provisions, and tax deductibility of the payments made by the tobacco companies.

There are several important conclusions in this report:

First: ''The major cigarette manufacturers may profit from the proposed settlement by increasing the price of cigarettes substantially above the amount of the . . . payments that are to be paid to the public sector.''

It could be profitable for the tobacco companies. This bill that is so hard on the tobacco companies may result in increased profits for the very tobacco companies we are supposed to be hurting.

Second, the report concludes: ''Even assuming that prices increase by no more than the annual payments, the major cigarette firms may profit substantially . . . through limitations on liability and reductions in advertising and litigation costs.''

Well, that is a very serious suggestion. And that comes from the Federal Trade Commission of the United States.

Again, the actual elements of this bill that are supposed to show that Congress is ''tough on tobacco'' may, according to the Federal Trade Commission, actually enable tobacco companies to profit substantially by reducing litigation costs and by reducing the costs of advertising.

The report then mentions the affect of price increases on smokers. It says:

The overall demand by adults for cigarettes is inelastic, or relatively insensitive to changes in price. Most adult consumers will continue to smoke notwithstanding a significant increase in price.

As a result, an industry-wide price increase would be profitable for the companies, even though some smokers would react to the higher prices by smoking less or quitting altogether.

Now, the evidence is not clear that raising prices reduces teen smoking rates. Mr. President, this bill is being considered on the Senate floor. It is being considered and being sold to the American people as the only way to reduce youth smoking. They are being told that we can justify an $800 billion tax increase that is necessary to get rid of the disease of addiction. However, after looking at the evidence, there is no reason to believe that such a tax increase is the answer to eliminating teen smoking.

Mr. President, I inquire as to the time remaining in my opportunity to speak?

The PRESIDING OFFICER. Nine minutes.

Mr. ASHCROFT. I thank the Chair.

Food and Drug Administration regulations, which were designed to curtail teen smoking and which were suggested by a Cabinet Secretary who helped promote these regulations, did not contain price increases. The most striking evidence that significant price increases are not necessary to reduce smoking is a very recent attempt by this administration to address the youth smoking issue. In 1996, regulations promulgated by the FDA were touted as being historic. It was estimated to reduce youth smoking by 50 percent over 7 years, and they didn't include price increases.

The important aspect of these regulations is that they contain no price increase on smokers in the general population. As you know, this legislation is raising the prices on 100 percent of the smokers to try to discourage the utilization of cigarettes by 2 percent of those who purchase. There was no discussion in the regulations of a huge price increase—a massive tax increase. And about this regulation, the Secretary of Health and Human Services, Donna Shalala, stated:

This is the most important public health initiative in a generation. It ranks with everything from polio to penicillin. I mean, this is huge in terms of its impact. Our goal is very straightforward: to reduce the amount of teenage smoking in the United States by half over the next 7 years.

It is a laudable objective, and apparently it is believed to be attainable by the Secretary of Health and Human Services without a massive tax increase or price increase.

David Kessler, one of the strongest proponents of this bill, was the Director of the Food and Drug Administration when these regulations were promulgated. He stated:

Don't let the simplicity of these proposals fool you. If all elements of the anti-smoking package come into play together, change could be felt within a single generation, and we could see nicotine addiction go the way of smallpox and polio. without a price increase.

These statements were made about regulations that contained absolutely no price increase—no massive tax on the working people of America; no massive taking by the government of over three-quarters of a trillion dollars; no extension of 17 new boards, commissions, and agencies for the government.

Also, remember that these regulations were supposed to reduce youth smoking by 50 percent over 7 years, while it has been claimed, that this bill—containing massive tax increases—will reduce teen smoking by 60 percent over 10 years.

Dr. Kessler was widely cited as a supporter of the amendment offered on this floor last week that would have increased the tax on cigarettes by $1.50 rather than the $1.10 already contained in the bill as necessary to reduce teen smoking, which is substantial.

Yet, when those regulations were enacted he never complained that this regulation would not have been effective in reducing teen smoking because it did not contain such a massive tax increase.

About these regulations, President Clinton stated:

That's why a year ago I worked with the FDA, and . . . a nationwide effort to protect our children from the dangers of tobacco by reducing access to tobacco products, by preventing companies from advertising to our children. The purpose of the FDA rule was to reduce youth smoking by 50 percent within 7 years.

There was no complaint by the President that these regulations were insufficient because they did not contain a price increase.

What has changed in just 2 short years?

Policymakers in Washington have found a cash cow to pay for their pet programs that the President said he wanted, but which he would find incapable of moving through the ordinary budget process.

The evidence as to whether price increases reduce youth smoking is tentative—at best.

The second issue I want to address concerning the need to increase taxes on the American people by $868 billion is whether price increases actually reduce teen smoking.

My colleagues have been arguing that the studies show conclusively that price increases reduce youth smoking.

However, that simply is not the case.

At best, the studies are inconclusive. At worst, they show little correlation between price increase and a reduction in youth smoking.

The debate on this floor has assumed that for every 10 percent increase in price reduces youth smoking by 7 percent.

Frankly, I think the average citizen knows that young people who are willing to pay $150 a pair for sneakers are probably not very price sensitive when it comes to other factors that relate to status and the like and making a statement, which smoking frequently is for young people.

The debate on this floor has assumed—a dangerous assumption, reckless, and irresponsible intellectually—that for every 10-percent increase in price you get a 7-percent reduction in youth smoking.

Studies conducted by economists at Cornell University and the University of Maryland, and funded by the National Cancer Institute, question the connection between youth smoking, prices, and tax rates.

THE CORNELL STUDY

After following 13,000 kids for 4 years, Dr. Philip DeCicca of Cornell University, in a National Cancer Institute funded study—a public health study—found ''Little evidence that taxes reduce smoking onset between 8th and 12th grade.''

The economists that conducted this study presented their results between the relationship between higher tobacco taxes and youth smoking to the American Economics Association annual meeting in January 1998. This is not a dated study.

The study concluded that higher taxes have little effect on whether young people start to smoke.

They concluded that ''[T]axes are not as salient to youth smoking decisions as are individual characteristics and family background.''

''[W]e find little evidence that taxes reduce smoking onset between 8th and 12th grades,'' and estimated that a $1.50 tax increase would decrease the rate of smoking onset by only about 2 percentage points—from 21.6% of 12th graders who start smoking currently to 19.6% of 12th graders.

''Our data allow us to directly examine the impact of changes in tax rates on youth smoking behavior, and our preliminary results indicate this impact is small or nonexistent.''

Here is the best data we have. The most recent studies indicate that a massive increase of three-quarters of a trillion dollars plus on the taxes of the American people will have little impact or a nonexistent impact in reducing youth smoking.

In conclusion, the economists stated that the study ''raises doubt about the claim that tax or price increases can substantially reduce youth smoking.''

MARYLAND STUDY

Economists at the University of Maryland and the University of Chicago conducted a similar study that analyzed data concerning more than 250,000 high school seniors for the period 1977–1992—the largest such sample ever used for a study on this subject.

They found that the relationship between price and youth consumption is ''substantially smaller'' than suggested by previous studies.

In addition, real world experience confirms the uncertain relationship between higher tobacco taxes, prices and youth smoking.

CALIFORNIA

In 1989, California increased its cigarette excise tax by 25 cents per pack, but there is no evidence that youth smoking declined. This was an 11 percent increase. Therefore, under the analysis that elasticity of teenage smokers is .07, there should have been a decrease of at least 7 percent.

We are operating under the assumption that 25 cents a pack would have resulted in a 16-percent or more decrease in the number of youth smokers.

The truth of the matter is there was an 11-percent increase. Therefore, under the analysis that the elasticity of smokers is .07, there should have been a decrease of substantial proportions.

However, as of 1994, researchers were ''unable to identify a decline in prevalence [among 16 to 18 year olds] associated with the imposition of the excise tax.''

CANADA

The most commonly cited real world situation is our neighbor to the North—Canada.

In Canada, the federal government increased cigarette taxes in several stages in the late 1980s and early 1990s—from $10.75 per 1,000 cigarettes to $24.34 in 1986, then to $38.77 in 1989, and to $62.90 in 1991.

Although it has been stated on this floor, by proponents of this legislation, that smoking decreased during that period, they fail to talk about the years 1991 to 1994 when the tax rates were the highest in that nation's history.

During that period, smoking rates among 15–19-year-olds rose from 21 to 27 percent. That is a 25-percent increase.

If the argument that rising prices will reduce teen smoking, it stands to reason that youth smoking should increase as prices fall. However, a year and a half after reducing—significantly—tobacco taxes in Canada, according to the ''Survey on Smoking in Canada,'' teen smoking ''remained stable.''

The fact that is ignored by those who argue teen smoking declined in Canada due to the significant tax increases is that youth smoking declined in the United States by 30 percent during the same period—1977 to 1990—without a price increase.

U.K.

Between 1988 and 1996 the per pack price of cigarettes increased by 26 percent. Although cigarette volumes fell by 17 percent, the percentage of weekly smokers aged 11–16 went from 8 percent in 1988 to 13 percent in 1996.

COMMON SENSE

Common sense also suggests that youth are less responsive to tax and price increases. In an era of $15 compact discs, $100 video games, and $150 sneakers, is it realistic to believe that a few extra dollars on cigarettes a month will cause youth to stop experimenting with smoking or not to start in the first place? Young people may have less ''disposable income'' than adults, but their spending is almost entirely discretionary.

The CDC has compiled data on brand-preference that supports the conclusion that young people are not particularly price sensitive.

The ''price value'' or discount, segment of the cigarette market comprised 39 percent of the overall cigarette market in 1993. Yet, according to the CDC, less than 14 percent of adolescent smokers purchased generic or other ''value-priced'' brands—just one-third the percentage.

The point was echoed by the government's lawyer defending the FDA tobacco rule, who told the U.S. District Court, ''[P]rice, apparently has very little meaning to children and smoking, and therefore, they don't smoke generic cigarettes, they go for those three big advertised brands.''

In Canada, in Great Britain, the Cornell study, Maryland University, the Chicago study, the situation in California, we don't have a clear understanding that a rise or an increase in taxes would in fact result in a decrease in youth smoking.

It is with that in mind that I feel we should reject this bill as a massive tax increase, and if there is a massive tax increase in this bill, that tax increase should be sent back to those who are most hurt by it—low-income individuals—by eliminating a marriage penalty by raising the standard deduction for married couples to exactly double that enjoyed by single taxpayers.

I thank the Chair for the time. I yield the floor.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 30 minutes.

AMENDMENT NO. 2438

Mr. DURBIN. I thank the President. I am happy to stand this morning in support of the pending amendment before the U.S. Senate to this tobacco legislation. It is an amendment offered by Senator DEWINE, Republican of Ohio, and myself, a bipartisan effort to make this important bill more effective.

I would like to pause for a moment before addressing the amendment and speak to the historical significance of this debate.

About 11 years ago I was involved in a struggle as a Member of the House of Representatives to pass one of the first tobacco-controlled bills ever considered by the House of Representatives. In comparison to this bill, ours was a very modest measure. We were setting out to achieve something which on its face appeared very simple, but turned out to be politically very difficult. What we wanted to achieve 11 years ago was to ban smoking on airplanes. You would have thought that we were proposing a second American revolution. The tobacco lobby organized its efforts, found all of its friends, both Democrat and Republican, and marshaled forces to beat our effort.

They predicted that what we were setting out to do would create chaos in public transportation; it was totally unnecessary; it discriminated against the rights of smokers, and on and on and on.

Well, Mr. President, it was our good fortune in the House of Representatives to have a number of Members of Congress, both Democrats and Republicans, who, for the first time in modern memory, rejected these pleas from the tobacco lobby and enacted legislation a little over 10 years ago that banned smoking on airplane flights of 2 hours or less. It was a breakthrough. It was the first time the tobacco lobby lost. Those who joined me in that effort stuck their necks out politically. It wasn't considered to be very smart politics to oppose tobacco. This, in fact, was the largest, most powerful, most well funded lobby in Washington. Fortunately for us, Senator FRANK LAUTENBERG of New Jersey and his friends in the Senate joined us in the battle and together we successfully achieved our goal. Today, virtually all domestic airline flights—in fact, I think all of them—are smoke free. It is now becoming a trend worldwide.

That battle and that victory, I think, set the stage for where we are today, albeit a small victory in comparison to our goal in this debate. But it would have been unimaginable 10 or 11 years ago to think that today in the Senate we are debating a bill involving tobacco and health of the magnitude of the McCain bill which comes before us. JOHN MCCAIN is our Republican colleague from the State of Arizona. I admire his grit and determination in bringing this bill to the floor despite a lot of opposition, primarily but not exclusively, from his own side of the aisle.

When you think in terms of what we are setting out to achieve, it is substantial. It is revolutionary. It is long overdue. Our goals are simple: reduce teen smoking, invest in public health research and programs to help smokers quit, and protect tobacco farmers and their communities.

The focus on children is a good one and an important one because tobacco companies have needed these children desperately. Each year, they have to recruit millions of children to replace those who are breaking the habit and those who have passed away. They set out their net and stretch it out for millions and bring in thousands, but they keep replenishing the ranks; 89 percent of all people who ever tried a cigarette tried by the age of 18. Of people who have ever smoked daily, 71 percent were smoking daily by age 18. Virtually no one starts smoking during adulthood. It is a childish decision. It becomes a childish habit, and it condemns those who fall into the lure of this nicotine addiction to the likelihood of a shortened life and more exposure to disease.

This McCain bill not only sets out to reduce the number of teen smokers, but it also sets out to invest more in medical research. When I heard my colleague from Missouri decrying this bill

and talking about this waste of tax dollars being brought into our Treasury, I paused and thought that we could argue—and I will during the course of my remarks—that raising the price of the product is going to discourage children from using it as well as others, but also the money that is coming in as a part of this bill is going to be invested back in America.

I would stand by the results of a national referendum on the following question: Should we increase the Federal tax on a package of cigarettes, and then take a substantial portion of the money raised and put it in medical research—send it to the National Institutes of Health for research to find cures for cancer, heart disease, AIDS, juvenile diabetes, Alzheimer's, and the myriad of medical problems that we face in this country? I will bet the results would be overwhelmingly positive because Americans believe in this investment. Americans believe that this bill, in providing money for medical research investment, is money well spent.

Smoking cessation programs are part of it, too. I think that is sensible. My father, who was a lifelong smoker, was a victim of lung cancer and died in his early 50s. I saw, even after his diagnosis, the situation that he faced, the craving that he had for this deadly cigarette that had caused him so many health problems. I have always had a sensitivity and a sympathy for smokers who are trying to quit. For some, they can just literally walk away from it, decide in a minute that tomorrow they will never smoke another cigarette. But for others it is virtually a lifelong struggle.

The McCain bill puts money into smoking cessation programs so that smokers nationwide will have the means to turn to, to reduce their addiction to nicotine. My colleague from Tennessee, Senator FRIST, spoke earlier about the need for medical research in this area, for breakthroughs to stop this addiction. I fully support him, and I think it should be part of this effort. We are hopeful these breakthroughs will make it easier for people to stop this addiction to nicotine. That is part of this bill.

Another provision of the bill protects tobacco farmers and their families. I have never had any crusade against the tobacco farmers. I understand the devastation in health that their crop can cause, but I have always felt they deserve a chance to find another livelihood. This bill gives them that chance. That is why I support it.

Let me speak to the amendment before us, the Durbin and DeWine amendment. It is a look-back provision.

Now, we could give all the speeches we want to give on the floor of the Senate and in the Chamber of the House decrying teen addiction to tobacco products, addiction to nicotine. We can pass all the bills we want saying that as a Nation we are going to come to grips with this, and I am afraid we will not achieve our goal unless we are very serious and very specific. In fact, in every State in the Nation it is against the law for minors under the age of 18 to purchase tobacco products, and yet clearly they do on a daily and overwhelming basis. So the mere enactment of a law has not achieved our goal.

Why is the McCain bill any different? It is different because one important facet of this bill is included. It is the so-called look-back provision. The look-back provision is accountability; it is honesty. It says that as the years go by we will measure the number of teen smokers in America, and if that percentage does not come down, the tobacco companies and tobacco industry will be held accountable in terms of fees that need to be paid as they miss these targets.

That accountability brings reality to this debate. We can have the highest flying speeches, the most voluminous rhetoric, and yet we will not achieve our goal unless we are specific. Is this a matter that should concern us? Consider this chart for a minute. It is a troubling commentary on what is happening in America.

This chart shows the percentage of high school students who currently smoke cigarettes. Look at from 1991 to 1997. In every grade, 9th, 10th, 11th and 12th, across America, there has been an increase in the percentage of students who are smoking. In fact, the increase over the six years has been 30 percent. While we have given all these speeches, while we have talked about this problem, while the President, the Vice President, the Secretary of Health and Human Services, and so many others have addressed it, we have, in fact, seen the children of America ignoring it. They have taken up this habit, and as they take it up more and more kids are vulnerable.

For those who do not think this is a real American family issue, I pose one question which I always pose in this debate: Have you ever met a mother or father who came to you at work one morning and with great pride and a smile on their face said, ''We have great news at home. Our daughter came home last night and she started smoking.'' I have never heard that. In fact, just the opposite is true. Parents who suspect their kids have started smoking are worried. They understand the danger. They understand the addiction. And they understand better than most why this debate is so critically important.

Some argument is made as to whether or not the increase in the price of tobacco products will reduce usage by children. The Senator from Missouri, who spoke before me, talked about all sorts of surveys that came to an opposite conclusion. I would point to two that confirm the belief in this bill that if you raise the price of the product, children are less likely to use it.

In Canada, just to the north, when they imposed a substantial increase in the Federal tax on tobacco products, they had a 60-percent reduction in children who were smoking. Kids are price sensitive; they don't have all the money in the world, and when the price of the product goes up too high, they stop using it or reduce their usage. Canada is a perfect example.

On the academic front, at the University of Illinois, Dr. Frank Chaloupka has performed a study in which he has surveyed cigarette prices and whether or not they have any impact on the percentage of youth smoking. He says:

> Based on this research, I estimate that a $1.50 increase in the federal cigarette tax, implemented over three years and maintained in real, inflation adjusted terms, will cut the prevalence of youth smoking in half.

The bill sticks to $1.10, and the percentage decrease may not be as high or as dramatic, but clearly it will be a decrease. Increasing the cost of the product reduces its usage.

I find it interesting that my colleague from Missouri talked about the so-called cash cow that this $1.10 creates, the billions of dollars brought into the Federal Treasury because of this increase in the Federal tobacco tax. I think this is money that is going to be raised for good purposes, to reduce teen smoking, to invest in medical research, to invest in smoking cessation, and to help tobacco farmers in transition.

It is interesting that so many of the critics of this bill, who argue we need no tax whatsoever, are anxious to spend the proceeds from that tax. Reference is made to the marriage penalty, an interesting tax challenge which we should take up at some point. But the people who are opposed to this bill want to take the proceeds from the bill and spend them on correcting this tax anomaly, the so-called marriage tax penalty. They cannot have it both ways. You cannot decry this bill as a so-called cash cow, raising taxes that are unnecessary, and then make all sorts of proposals on how to spend it, and certainly proposals which have little or no relevance to the question of whether or not we are addressing the scourge of smoking addiction in this country.

Let me also speak for a moment to the Food and Drug Administration. It is true that Dr. David Kessler, who is a friend and someone I worked with for many years, showed extraordinary courage, with President Clinton and Vice President GORE, in an initiative to reduce smoking in America. They took a lot of heat for it, because they took on the tobacco industry and they suggested they were going to get serious about it. They were going to try to view nicotine as the drug that it is. They were going to try to hold accountable retailers who were selling to children. And they were going to establish standards across America—for example, asking for identification for the purchase of tobacco products. When they proposed this, their critics went wild: ''Oh, it is overreaching by the

Federal Government. It is just entirely too much.'' Yet they were on the right track, a track which we follow today.

Let me try to zero in specifically on the Durbin-DeWine amendment. The fact that this amendment is being debated today has a lot to do with 40 State attorneys general who filed lawsuits against the tobacco companies, seeking to recover, for their States and taxpayers, money that was spent because of tobacco products. Last year, as a result of the aggregate effort of these attorneys general, a general agreement, or settlement, was reached. Part of that agreement included these so-called look-back provisions. The agreement said that the tobacco industry was willing to be held accountable to reduce the percentage of young people smoking. If they did not reach the goals, they would be penalized. So the idea of a look-back provision is not something being foisted on the industry or something brand new on Capitol Hill; this is an idea that was endorsed by the tobacco companies as part of their agreement with the State attorneys general.

The difference, of course, in the DeWine-Durbin approach, is that we take this from an industry assessment, from an industry fee, and say let's look, instead, to the specific tobacco companies. Senator MCCAIN of Arizona, in his bill, says we should do that for roughly a third of the penalties involved. Senator DEWINE and I think it should be a larger percentage. Let me explain to you why we think it should be larger.

Consider this for a moment. Some of my critics come to the floor and say it is impossible for us to measure how many children smoke how many brands of cigarettes. In fact, my friend, the Senator from Texas, says it doesn't pass the laugh test, to think that we would be able to measure how many underage kids are smoking Camels or Marlboros or Kools or Virginia Slims.

Let me suggest to him and others who criticize this amendment, the tobacco companies have extraordinary resources and ability to measure the use of their product. If you challenged Philip Morris to tell you how many left-handed Latvians smoke Marlboros, I bet they could come up with the number. If you challenged R.J. Reynolds to come up with how many tongue-tied Texans use Camels, I'll bet they could come up with the number. Because they market these products and these brands on a very specific basis. They want to know not only how many they are selling, but to whom they are selling them because they have billions of dollars of advertising that they are going to focus in, to try to win over new groups.

So the suggestion that we cannot measure the number of young people using certain brands of cigarettes just defies common sense. The industry has this ability. It has this knowledge. It is a sampling technique that is used by businesses across America, and it can be applied here. Senator DEWINE and I seek to apply this standard in this situation. We believe—and I hope my colleagues will join us in the belief—that it is eminently fair for us to hold each tobacco company accountable.

Let us assume, for example, that R.J. Reynolds takes this bill very seriously and says they are going to stop marketing their product to children, that they are no longer going to be selling Camel cigarettes to kids. They tell their retailers: ''Don't let that pack go over the counter. Don't sell it to a child. We are very serious about it. Or we may cut off your access to our product.'' They say to the people who are doing the advertising and marketing: ''Get honest about this. Make sure that we don't advertise around schools. Make sure that we don't have all these promotions with Camel hats and shirts and all the rest of it.''

And let's say they are successful. Should that conduct on their part, that positive conduct, be rewarded? Of course it should. In contrast, if Marlboro and Philip Morris, for example, decide they don't care, they just go on selling as usual, and in fact you see kids, more and more kids, turning to their brand, should they be held accountable for that decision? Why, of course they should. Company-by-company accountability makes sense. It says to the tobacco industry: This is not just an industry problem, this is a company challenge. Get serious about it.

I was somewhat amused that the Richmond, VA, Times-Dispatch yesterday came out with a story from the Philip Morris company. For someone who has been battling this issue for a long time, it is hard to imagine, but Geoffrey Bible, chairman of the Nation's largest tobacco company, told employees in New York that he has recently appointed a senior executive to ''design more actions'' to back up the company's long-held claim that it does not try to appeal to youngsters.

What a great epiphany it must have been in Richmond, VA, for Philip Morris to finally realize we are talking about them, we are talking about their marketing and advertising techniques, and we are talking about the possibility, if they do not get serious and start reducing sales to youth, that in fact they are going to have to pay for it.

The Durbin-DeWine amendment says that payment should be directed at the companies based on their conduct. If they are positive and reduce sales to children, they will be rewarded. If they ignore this bill and they ignore these goals and end up selling more to children, they should pay a price for it. I don't think that is unreasonable.

I want to salute, incidentally, the State attorneys general who started this ball rolling. Some have been critical of them. I have not. We would not be here today without their initiative and without the progress that they made. Particularly, I would like to salute Attorney General Skip Humphrey of Minnesota. He hung in there for a long time, and, literally before the jury retired to consider a verdict, he settled the case for over $6 billion for the taxpayers of Minnesota. That is great news for those taxpayers and Attorney General Humphrey. But equally important, during the course of his lawsuit he managed to draw out even more documents from the tobacco industry. It seems that the more and more documentation we bring out, the more obvious it is that these tobacco executives have been lying to us for decades. They have, in fact, been targeting kids.

We have so many examples. I can't read them all to you here, but from a 1981 memo, a Philip Morris researcher said:

> Today's teenager is tomorrow's potential regular customer.

A 1973 Brown & Williamson memo said:

> Kool has shown little or no growth in share of users in the 26-plus age group. Growth is from 16 to 25 year olds. . ..

Remember, at the time, it was illegal to sell their product to 16-year-olds in some States, and, yet, they were making it very clear it was part of their marketing strategy. The list just goes on and on of these companies that made conscious marketing decisions to sell to children. They knew they had to recruit these kids. If the kids turned 18, it was unlikely they would become smokers. All of these documents and evidence have really made the case.

Our look-back amendment says we are going to take this very seriously on a company-by-company basis. Let me address for a moment some of the criticisms that have been leveled against this amendment.

First, if you support the McCain bill, which has a company-specific payment in it, then you must necessarily reject the argument that you cannot assess on a company-specific basis. McCain assumes that, I assume it, common sense dictates that, in fact, the companies market their brands to specific groups and can measure the success of their marketing and sales. The Durbin-DeWine amendment takes the McCain premise of the fee assessed on a company-wide basis and expands it. So for supporters of the McCain bill, the Durbin-DeWine amendment is consistent with the methodology that is used.

Second, this will not lead to price increases. The Durbin-DeWine amendment is just the opposite. Some are arguing the look-back provision means the cost of the tobacco product is going to go up. Well, not necessarily. If, for example, in the case that I used, R.J. Reynolds is doing a good job and they are not assessed a surcharge, but Philip Morris is doing a bad job and they are assessed, then Philip Morris is going to have to find a way to absorb that payment in their cost on the bottom line, because to raise the price of their products puts them at a competitive disadvantage with the people at R.J. Reynolds.

The Durbin-DeWine amendment is specific in saying any payment that is

assessed is going to be absorbed by the company in their bottom line. Let me give you an example of the breadth of this payment.

If a company misses the target by 20 percent—in other words, we are saying we are going to reduce teen smoking by so much percent—15 percent, 20 percent, 30 percent—and it turns out they miss it by 20 percent, by a large margin, under our amendment their payment would add up to about 29 cents a pack. It sounds like a lot of money. It is, but don't forget for a moment that the tobacco companies' profit on each package of cigarettes is 40 cents. So our amendment is not going to drive them out of business. It simply is going to tell them their profits are on the line unless they stop selling to children.

Some have argued that our surcharge is too high and will increase costs to $7 billion instead of the underlying bill's $4 billion. That is not accurate, either. The underlying bill is kept at $4 billion in industry-wide payments, but it also has company-specific payments as well. The Durbin-DeWine amendment draws a line and puts an absolute cap at $7 billion in total.

The two approaches—the bill and our amendment—have similar aggregates if the companies miss by large amounts.

Third, it has been said that this amendment is punitive—punitive. Our approach is not punitive. It reduces the industry-wide payment that applies to companies that, in fact, reduce their youth smoking while other companies fail to do so. It increases the surcharges on companies that continue to market or sell to kids. That is not punishment, that is accountability.

And fourth, as a sign we are not punitive, we have capped the amount that can be charged. It has been pointed out that we require payments of as much as $240 million per percentage point, but keep in mind, too, that the underlying bill also has provisions in there for payments by percentage point. The lifetime social cost of hooking each youth smoker is $400 million. We are still charging companies less than the social cost of their continued sales to youth.

I will conclude my time that has been allotted under the unanimous consent agreement by showing on this chart what happens under the Durbin-DeWine amendment as opposed to the McCain bill.

If companies miss by 5 percent, the amount they are charged is $240 million under our amendment, and it is $190 million in the underlying bill. At 10 percent, you can see the numbers, and 20 percent as well.

The Durbin-DeWine amendment sets out to achieve several goals on which I hope all Senators, regardless of party, will agree. We reduce the number of youth smokers by 450,000 over the McCain bill. We reduce the number of premature deaths by 150,000 with this amendment. We reduce by $2.8 billion the lifetime social costs that are attached to smoking addiction, diseases, and death. And we have the same target in reduction as the original proposed settlement with the States attorneys general.

I hope those who have listened to this debate will understand what we are about here. This look-back amendment is more than just a technical approach. It is, in fact, an approach which requires honesty and accountability. The tobacco companies hate this amendment like the devil hates holy water, because this amendment holds them accountable and says, ''We don't want to hear anymore verbiage from you about reducing teen smoking. We want to put it in writing. We want to put it on the line. We want you to be held accountable, and you will be held accountable. And if the Durbin-DeWine amendment is adopted and you continue to push your product on children and this addiction rate among our kids continues to grow, you will pay through the nose.''

That is hard talk, I know. This is a hard subject. We are talking about the No. 1 preventable cause of death in America today. That is why this historic debate is so important, and that is why no other political diversion that has been raised on the floor should be taken seriously. Let us get about the people's business. Let us do something to give our kids a chance to be spared the scourge of addiction to nicotine and tobacco products.

Mr. President, I yield back the remainder of my time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Thank you, Mr. President.

Mr. President, and colleagues, the single most important step this Congress can take to protect our youngsters from the tobacco companies that prey on them is to hold each of those companies individually accountable. And that is what the look-back legislation does that is now before the Senate.

I would like to spend just a few minutes talking about why this is such a critically important amendment in terms of protecting our children.

History shows, and shows very clearly, that each time the Congress tried to rein in the tobacco companies in the past, the tobacco companies would use their enormous marketing, entrepreneurial and public relations skills to get around those efforts. So this amendment offered by our colleagues, Senators DURBIN, DEWINE, myself, and others, provides an opportunity to literally reverse the course of history.

Previous efforts were always evaded by the tobacco companies. They were able to get around efforts to restrict electronic advertising; they were able to get around the early warning labels that were passed by the Congress. When our colleague on the other side of the Congress, the late Mike Synar, passed legislation to ensure that the States would take strong action to enforce the antisales laws to minors, the tobacco companies got around that. And the reason is that past policies never provided a way to hold each individual company accountable.

So that is why this legislation is so very important. I would submit to my colleagues—I argued this in the Senate Commerce Committee when, as the Presiding Officer knows because I offered a similar proposal there as well—that this is really the key, if you want to see tobacco companies clean up their act and do what they have long said they would do, and that is, stop targeting the youngsters of our country.

If you really do not want to change business as usual, vote against this amendment. If you think that tobacco companies will do it on their own, then you ought to oppose this amendment. But if you want to change the course of history and make sure that we have the tools to hold the companies accountable when they again, as they have done throughout history, look for ways to get around this legislation, if you really want to get the job done right, then vote for this amendment offered by our colleague from Illinois.

The tobacco companies have spent vast sums in recent months arguing that this sort of legislation really isn't needed, that they would take strong action on their own and that they have cleaned up their act from years past. In the Senate Commerce Committee, we heard that argument. As the Presiding Officer knows, we heard from all the CEOs at that time. Given the fact that many of the documents and the accounts of past industry misdeeds were pretty old, a number of us were inclined to say it is a new day. Let us see if the tobacco companies are going to be better corporate citizens. Let's see if they have cleaned up their act.

As we prepared for those Commerce Committee hearings, Mr. President, I learned that the Brown & Williamson Company was again engaging in conduct that did not really reflect what they and other companies were saying in the ads that they were running at that time about how it is a new day and they have cleaned up their act.

A brief bit of history for the Senate I think would be revealing.

I participated, as a Member of the other body, in the hearings in 1994 where the tobacco executives then under oath, told me that nicotine isn't addictive. Of course, they contradicted every Surgeon General for decades. But there was actually a revelation at that hearing that perhaps was equally remarkable. At that hearing, it was brought to light that the Brown & Williamson Company was genetically

altering tobacco plants to give it an added punch as a way to attract smokers—shocking evidence. And when brought to light, the Brown & Williamson Company pledged to the committee, to the country, that they wouldn't engage in that kind of conduct again.

As we prepared for our hearings in the Senate Commerce Committee, we began to hear about news reports that the Brown & Williamson Company was using genetically altered tobacco, known as Y–1, in cigarettes and selling them both here and abroad. So when the executives came before the Senate Commerce Committee I asked them about this. In their words, the CEO of the Brown & Williamson Company said, ''We are working off a small stockpile of genetically-altered tobacco, and in fact that is being included in cigarettes in our country and around the world.''

As many in the Senate know, there is now a criminal inquiry underway. There have already been those who have pleaded guilty in connection with this matter. The Justice Department continues its investigation.

The reason I bring this up is this is a concrete, tangible reason why we need the amendment offered by the Senator from Illinois. The Senator from Illinois, our colleague, Senator DURBIN, gives us a chance to reign in a company that engages in that kind of rogue action, action that is detrimental to the health of the American people, and action that, in fact, as recently as 4 years ago said they would never engage in again.

It is one thing to talk about conduct that is 20 or 30 years old; it is another thing to talk about conduct that stems from the 1950s. But it is quite another to see a company that makes a pledge to the American people that they will stop engaging in a health practice which is obviously detrimental to children and to our citizens, and then start it again, even while the hot light of the Congress is examining their conduct in considering legislation.

These companies are not going to change on their own, Mr. President. We are going to have to hold them accountable through legislation. That is why this amendment is so very important. I will tell my colleagues that I believe this amendment, in connection with the accountability requirements that the President knows we set up in the course of our Commerce Committee deliberations, is the single most important tool for reversing history and making sure that after this bill is passed and the tobacco companies try to get around it, that we will have some strong tools to rein them in.

I know we want to move to a vote on this, but I simply wanted to take a few minutes of the Senate's time to say that I think this is a critically important amendment. It is critically important for each Senator who really is serious about changing business as usual with respect to tobacco policy. The single most important concept the tobacco companies fear is accountability. They have not been faced with company specific accountability when we have passed previous legislation—warning labels, advertising restrictions, or the Synar amendment. They never had to face an amendment like this that would say, look, we are actually going to require you to produce results.

I hope our colleagues will, as reflected by the bipartisan authorship of this amendment—our colleagues, Senator DURBIN and Senator DEWINE—will pass this legislation. It is critically important for the youngsters of this country. It is the one part of this bill that will make sure that the job actually gets done in protecting youngsters, and not allow another piece of legislation, once again, to be evaded by the tobacco companies' genius, their marketing skills, and the vast sums that they will continue to spend with respect to marketing their products.

I yield the floor.

Mr. KERRY. Mr. President, I thank my colleague from Oregon for his continued, persistent, passionate commitment to trying to pass this legislation.

The Senator was referring to the extraordinary sums of money that the tobacco industry spends. Let me remind our fellow Americans that amount of money is $6.5 billion per year, $16.5 million per day, $700,000 every hour to get people to smoke. What is most astonishing about this effort to get people to smoke is the degree to which it has been targeted at young people, targeted at children.

It is an extraordinary story. Nine out of 10 kids who smoke use one of the three most advertised brands, and yet less than 30 percent of adults use those most advertised brands. A study of 6-year-olds showed that just as many 6-year-olds—91 percent of all the 6-year-olds in this country—could identify Joe Camel just as they could identify Mickey Mouse. That is an absolutely extraordinary statement.

Now, there is a reverse side of how extraordinary these statistics really are, because for every American who smokes there is an American or two who are trying not to smoke. All of them will tell you—or almost all, 86 percent to 90 percent of them—they started smoking when they were teenagers. Most of them—again, many, many, analyses and polls have been done of this—most of those people who started smoking as teenagers will tell us if they could quit today, they would quit today and never start again. If they had the choice to make again, they wouldn't choose to smoke. But they smoke because they are addicted. They are hooked.

The truth is, in the United States of America we have more people spending more money to try to get unhooked on an annual basis than we spend on day care. That is most extraordinary. I found it hard to believe when I heard that. In Massachusetts alone, our citizens are spending $1.3 billion a year on nicotine patches, on different kinds of gums, on therapy, on hypnosis, on all of the things that people go through to try to stop. We are spending $1.3 billion a year in Massachusetts alone. Extrapolate that out across the country—it is millions of dollars more than the Federal Government commits to day care for our children. The reason this happens is because people get hooked at the early stages.

Now, I want to share with my colleagues something about getting hooked in the early stages. We continue to hear colleagues come to the floor and say, gosh, this is going to raise money in the expense of cigarettes, and that is not a good thing. But they never address the amount of money that Americans are spending because of people who smoke. They never address the tax that cigarettes ''whack'' every American, even those who don't smoke. Every single household in America is spending an unwanted, unrequested, undesired 1,300 plus dollars —1,370 or so dollars. Every household in America spends that, whether they want to or not, on the cost of the other Americans who smoke and then get sick.

Let me share a story about some Americans who smoke and get sick, a commentary in USA Today by Victor Crawford. The title is ''Tobacco was Dad's Life; It Also Took his Life.'' I read from the article:

> My father never had a chance. When he was growing up in the 1940s, almost everyone smoked cigarettes. He said it was the thing to do. It was not until 1964 that the U.S. Surgeon General declared smoking was harmful. But by then, my father had been addicted for almost 20 years. His addiction finally killed him last March, one month before his 64th birthday.
>
> When my father was diagnosed with throat cancer in 1991, some thought he had it coming to him. You see, my father was a Maryland State senator turned tobacco lobbyist. He was the first to dismiss the antismoking people as ''health Nazis'' but spent the last years of his life trying to undo the damage he had done. He admitted he had lied, and he apologized for claiming, ''There is no evidence that smoking causes cancer.'' Unfortunately, tobacco lobbyists understand this simple logic all too well. Like my father, most smokers today start when they are about 13 years old. And since about 90 percent of all new smokers are 18 and under, the industry needs to keep hooking kids to stay in business.

I will skip through a little bit, turning to the end:

> My father said, ''Some of the smartest people in America work at just one thing: trying to figure out how to get young people to smoke. As tobacco kills off people like me, they need replacements.'' My father didn't live to see his daughter graduate from college; he won't meet my future wife, nor will he walk my sister down the aisle at her upcoming wedding; he will never know his grandchildren, and they will never meet their grandfather—all because when he was 13, smoking was the thing to do. Let's give today's kids a fighting chance.

Mr. President, that is why we are here in the U.S. Senate. We have been tied up for more than a week now trying to give kids a fighting chance.

There is only one reason this bill is on the floor of the Senate: because every expert in America, including the tobacco companies, tells us that if you raise the price of cigarettes, you will reduce the number of young people who smoke. And if we reduce the number of young people who smoke now, we will reduce the 420,000 Americans who die every year as a result of a smoking-related disease, such as cancer of the pancreas, cancer of the larynx, cancer of the throat—one cancer or another—and heart disease and liver disease.

The Presiding Officer understands better than anybody, as a practicing physician and one who has been a key architect in helping to get this bill in a position to pass it, that this bill is about stopping kids from smoking and reducing the costs to America, the costs to families, the unwanted, unrequested costs of smoking. Families who result with a disease that comes from smoking wind up paying tens of thousands of dollars more in health insurance. But the impact for those people who don't have insurance, or adequate insurance, is to raise the insurance costs for everybody in America, raise the costs of all of our hospitals, raise the costs for families who can ill afford it.

Mr. President, this is the first opportunity the U.S. Senate has had to address an extraordinary history. I want to share that history with my colleagues. It is now known that the tobacco industry helped to create this mess by targeting young people, by creating replacement smokers. Many of my colleagues may not have had an opportunity to focus precisely on the degree to which that has been true and the degree to which, therefore, this effort to try to raise the price of cigarettes and create a series of efforts to prevent young people from smoking through cessation programs, counteradvertising, and other efforts, is so important.

In 1975, the R.J. Reynolds company, in a memorandum, wrote the following:

> To ensure increased and longer-term growth for Camel filter, the brand must increase its share penetration among the 14–24 age group, which have a new set of more liberal values and which represent tomorrow's cigarette business.

That is the R.J. Reynolds company talking about targeting the 14- to 24-year-old age group because they are ''tomorrow's cigarette business.''

> They represent tomorrow's cigarette business. As this 14–24 age group matures, they will account for a key share of the total cigarette volume for at least the next 25 years.

That is an R.J. Reynolds tobacco company executive, a vice president for marketing, C.A. Tucker, on September 30, 1974.

Let me read what Mr. C.A. Tucker also said:

> This suggests slow market share erosion for us in the years to come unless the situation is corrected . . . Our strategy becomes clear for our established brands: 1. Direct advertising appeal to the younger smokers.

Let me read what Dianne Burrows, a researcher, wrote in a memo for R.J. Reynolds in 1984:

> If younger adults turn away from smoking, the industry must decline, just as the population which does not give birth will eventually dwindle.

In the same memo, it says:

> Younger adult smokers have been the critical factor in the growth and decline of every major brand and company over the last 50 years. They will continue to be just as important to brands/companies in the future for two simple reasons: the renewal of the market stems almost entirely from 18-year-old smokers. No more than 5 percent of smokers start after the age of 24.

That is an R.J. Reynolds research memorandum, telling us that people don't start smoking after age 24. They targeted young people and got them hooked with a narcotic killer substance.

> Brands/companies which fail to attract their fair share of younger adult smokers face an uphill battle.
>
> Younger adult smokers are the only source of replacement smokers.

So kill them off and replace them. Kill them off and replace them. That is the way it has been.

This is a Brown & Williamson memo from consultants recommending that the company consider Coca-Cola or other sweet-flavored cigarettes. The 1972 memo says:

> It's a well-known fact that teenagers like sweet products. Honey might be considered.

They were talking about a way to try to sweeten cigarettes and get more young people hooked.

Another Brown & Williamson memo said:

> Kool has shown little or no growth in share of users in the 26 [plus] age group . . . Growth is from 16–25 year olds. At the present rate, a smoker in the 16–24 year age group will soon be three times as important to Kool as a prospect in any other broad age category.

Let me share a Philip Morris document with you. We are going to spread this around. We have had some from R.J. Reynolds and Brown & Williamson. This is from a report sent from researcher Myron E. Johnson to Robert B. Seligman, then vice president of research and development, in 1981:

> We will no longer be able to rely on a rapidly increasing pool of teenagers from which to replace smokers through lost normal attrition . . . Because of our high share of the market among the youngest smokers, Philip Morris will suffer more than the other companies from the decline in the number of teenage smokers.

So here you have Philip Morris, particularly, concerned about the loss between different companies, targeting teenagers.

This from the same report of Philip Morris:

> Today's teenager is tomorrow's potential regular customer . . . The smoking patterns of teenagers are particularly important to Philip Morris . . . the share index is highest in the youngest group for all Marlboro and Virginia Slims packings.
>
> Marlboro's phenomenal growth rate in the past has been attributable in large part to our high market penetration among young smokers . . . 15 to 19 years old . . . my own data, which includes younger teenagers, shows even higher Marlboro market penetration among 15–17 year olds.

This is from a different document, Mr. President. This is a Philip Morris internal document in 1987. This came from the Minnesota case. This was an exhibit in the Minnesota trial. This may explain one of the reasons that Minnesota finally reached a settlement.

> You may recall from the article I sent you that Jeffrey Harris of MIT calculated . . . the 1982–1983 round of price increases caused two million adults to quit smoking and prevented 600,000 teenagers from starting to smoke. Those teenagers are now 18–21 years old, and since about 70 percent of 18–20 year-olds and 35 percent of older smokers smoke a PM brand, this means that 700,000 of those adult quitters had been PM smokers and 420,000 of the non-starters would have been PM smokers. Thus, if Harris is right, we were hit disproportionately hard.

Here is the kicker: ''We don't need this to happen again.''

In other words, we don't need to lose these smokers again. We have to find a way to penetrate—that, and the young people. But the most important thing is they found that their price increase caused 2 million adults to quit, and it prevented 600,000 teenagers from starting to smoke.

That is a cigarette industry document. For those Senators who keep coming to the floor saying, ''Why are we raising this price?'' all they have to do is read the cigarette companies that they are inadvertently, or otherwise, protecting on the floor by not voting for this legislation, because the cigarette companies themselves will tell you, raise the price and they lose business. That is precisely why people agreed on a volume adjustment in the process of arriving at how much money is going to be gained over the course of the life of this legislation.

Let me read from a different Philip Morris memo.

> The teenage years are also important because those are the years during which most smokers begin to smoke, the years in which initial brand selections are made, and the period in the life cycle in which conformity to peer group norms is greatest.

Mr. President, here we have an admission by Philip Morris of what everybody has known—that they are actually targeting the peer group which they know to be the most susceptible to exactly the kind of advertising that they geared up.

> The teenage years are also important because those are the years during which most smokers begin to smoke . . . the period in the life cycle in which conformity to peer group norms is the greatest.

That is extraordinary.

So the cigarette companies willfully played on the time period of greatest peer group pressure and played to the peer group pressure. So it is today that we can hear from people who are in wheelchairs who have lung transplants like Pam Lafland, who I quoted a few days ago, who tells a story today of her

starting, as just that kind of peer group pressure person who responded to the notion, ''Oh, boy. If I smoke a cigarette, I am going to look older.'' Today she looks a lot older. Today she is trying to take care of her kids out of a wheelchair.

Mr. President, that is what this is all about. Let me read from a different R.J. Reynolds Tobacco Co. marketing report on the future of Winston. This is 1990—15 years ago already of reports that we are looking at.

> Winston, of course, faces one unique challenge . . . . It's what we have been calling the 'doomsday scenario'.

Get this, the ''doomsday scenario.''

> . . . an acute deficiency of young adult smokers, apparently implying Marlboro's final domination and our utter demise within a generation.''

The ''doomsday scenario''—that they are not going to get enough young people hooked on Marlboros, and down they go.

Here is a 1969 draft report from the Philip Morris board of directors:

> Smoking a cigarette for the beginner is a symbolic act . . . . 'I am no longer my mother's child, I am tough, I am an adventurer, I'm not square' . . . . As the force . . .

This is really.

> * * * As the force from the psychological symbolism subsides, the pharmacological effect takes over to sustain the habit * * *

Mr. President, that is one of the most remarkable admissions from a company that we have had in this entire debate. I want to rephrase it.

What they are saying is that after they have abused a young person's susceptibility to peer pressure, after they have exploited this young person's availability to get them into smoking, they acknowledged in 1969 that once the psychological symbolism is gone, it is the pharmacological effect that sustains the habit. In other words, they are hooked. They are addicted. They got to have it.

Here is a Lorillard executive in 1978: ''The base of our business is the high-school student.''

Mr. President, there are pages and pages of the thoughts of the cigarette companies regarding their availability to cigarettes, all of which are the most profound fundamental documentation and for which the U.S. Senate must pass this legislation in the next days. There is no room for excuses in the face of the cigarette companies' own acknowledgments of what they have done to target generation after generation of Americans in order to get them hooked on a substance that is a drug, that is addictive and a killer substance which winds up costing Americans increasing amounts of money. costing Americans increasing amounts of money.

Mr. President, we have that opportunity here. We have the opportunity to do precisely what the cigarette companies themselves have now agreed to do. They settled of their own accord with a number of different States. And in their settlements with those States, they agreed to pay amounts of money, they agreed to curb advertising, they agreed to engage in cessation programs, and they agreed to raise the price of cigarettes—all of the things that we are seeking to do here in this legislation. There is no excuse for a U.S. Senator coming to the floor and suggesting that we shouldn't do at a national level in the U.S. Senate what the cigarette companies themselves have agreed to do in settlements with the States—no excuse. The States themselves have arrived at settlements. If you extrapolate the amount of money that they are paying in those settlements, it is more than the U.S. Senate has agreed in its denial of a $1.50 increase and more than it has agreed to raise in total in this legislation.

So this is not a matter of economic survival for those companies. This is a question of whether or not we are going to engage in an effort to reduce the access of our young people to cigarettes. That is what this is about.

I have heard some people complain, ''Well, you know, it is one thing to raise the money but we ought to do the right thing with the money.'' Then they start coming and diverting the money to a whole lot of things that have nothing to do with stopping kids from smoking.

It is going to take more than just a price increase to be successful in our goals. We need to guarantee that kids who are particularly vulnerable—kids who have difficult situations at home or kids who may leave school at 2 o'clock in the afternoon for whom there is no adult supervision between the hours of 2 o'clock and 6 or 7 in the evening—are not going to be left to their own devices in order to go out in the streets and meet a drug dealer, or subject themselves to the various peer pressures and wind up with smoking as a new habit.

Mr. President, we have the opportunity here to be able to make a difference in the availability of kids to that kind of free time. We have the opportunity to be able to provide cessation programs, which have been proven to work. California, Arizona, my own State of Massachusetts, have exemplary programs which are reducing the level of teenagers who are smoking, and they do it through various kinds of education—outreach, peer groups—different kinds of educational efforts within the classrooms and within the schools. But we need to train people in that. We need to train teenagers. You need the adequate development of teachers to be able to conduct that kind of pedagogy with which they may not be familiar. And you need to have an adequate supply of materials. You need to be able to help organize it administratively.

I think this bill is structured in a way that tries to afford the maximum opportunity to States and local communities to be able to decide how to do that. This is not some big Federal mandate. This is left largely for the States to be able to decide what works for them best and how they will organize their efforts. We have simply tried to outline those areas that by most expert judgments there is the greatest chance of really having an impact on children and making a difference in their lives.

So those outlines have been laid out as a menu, if you will, from which one could choose at the State level. It is not insignificant that the Governors, both Republican and Democrat alike, have signed off on that concept. If they are content that they can exercise their judgment adequately and that this gives them an opportunity to be able to continue the things that they have started, I think that ought to satisfy the judgment of those who often make a career out of fending for the right of States to make those decisions and a career out of opposing the Federal Government's heavy hand into something. This bill specifically, I think, appeals to both of those best options. I hope my colleagues will recognize that upon close analysis.

Mr. President, I simply wanted to refocus the Senate on the critical component of what brings us here. I think we have, hopefully, finally arrived at an assessment that there is only one reason for raising the price of cigarettes. That reason did not initiate itself in the Senate. It came from the tobacco companies themselves, from economists, from experts. It came from health experts, and it came from many focus groups and analyses, all of which have arrived at the conclusion that price is important.

Now, I thought, frankly, that Adam Smith and others had arrived at that conclusion a long, long time ago. I think most people in the marketplace have always known that most commodities are price sensitive, and the marketplace is price sensitive. Indeed, the tobacco companies have underscored that in their own memoranda which say they lost smokers as a result of their earlier price increases. What happened before will happen again. The question is whether we are going to maximize our effort in order to guarantee that kids get a lot more than just the price increase, that they get the kinds of guidance and the kinds of personal counseling and the kinds of personal education that will make a difference in the peer pressure, symbolic side of the choice that so many have made. And this ultimately will benefit every single American. If we are going to talk about the cost, let us talk about the cost to all of America of smoking—the cost through all of our hospitals, our pulmonary wards, through emphysema, the length of extraordinary care and its cost for those who have terminal illnesses as a consequence of smoking and the consequences to all other Americans who choose not to smoke but because of secondary smoke.

Mr. President, I suggest the absence of a quorum.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. Will the Senator withhold?

Mr. KERRY. No.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAMM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMM. Mr. President, I ask unanimous consent that we proceed under the current status quo, that Members be recognized for the purpose of debate only, until 2:15.

The PRESIDING OFFICER (Mr. SMITH of Oregon). Is there objection? Without objection, it is so ordered.

Mr. GRAMM. Mr. President, I am not going to give a long speech this afternoon. We are working to develop a compromise to provide some cushion to basically blue-collar Americans who are going to bear the brunt of this massive tax increase that is before the Senate. I am hoping that we can reach an agreement, and that we will move forward in an orderly way. Let me say to my colleagues that I am determined to see that we do not allow the Senate to engage in one of the greatest bait-and-switch legislative activities in history.

Our dear colleague from Massachusetts has in passionate terms indicted the tobacco industry. If this is a trial of the tobacco industry, I vote guilty. If this is a lynching, I say hang them. But I want to remind my colleagues of one unhappy fact. And facts are stubborn things. The cold reality of the bill we have before us, all 753 pages of it, is that we can damn the tobacco companies all we want, and I join in that chorus. As to where conspiracies have been committed, we have a Justice Department which is largely unemployed in any other activity, let them investigate and prosecute. But I want to be sure everybody understands that nobody is talking about penalizing the tobacco companies.

What we hear day after day after day is a steady drumbeat of denouncing the tobacco companies while we have 753 pages in this bill that raise taxes on blue-collar America. In fact, we have a bill before us that not only does not tax tobacco companies but has the extraordinary provision that makes it illegal for them not to pass the tax through to the consumer. So tobacco companies are held harmless.

What we have here is a giant bait and switch. The bait is tobacco companies. Try them. Convict them. Hang them. But the switch is to impose $700 billion of taxes primarily on blue-collar Americans; 59.1 percent of this tax will be paid for by Americans who make less than $30,000 a year. In my State, 3.1 million people smoke. As you listen to all of this ringing debate, we are talking about these victims. The 3.1 million Texans that the tobacco companies have conspired to addict to nicotine are going to have taxes imposed on them under this bill. A blue-collar family, a husband who is a truck driver and a wife who is a waitress, will end up paying $2,030 of new Federal taxes if they smoke one pack of cigarettes each a day. So we are damning the tobacco companies but we are impoverishing the victims of the tobacco companies.

As my 85-year-old mother, who speaks with the wisdom that comes from being 85 years old, has said to me, ''I'm a little bit confused; you tell me that this guy Joe Camel makes me smoke and that I am a victim, but you turn around and tax me.''

Mr. KERRY. Will the Senator yield for a question?

Mr. GRAMM. I listened to the Senator speak for over an hour. All I want to do is make my point, and when I get to the end of it, I will yield.

So with the wisdom that comes from being 85 years of age, my mother, who has no formal education, has listened to this debate. She has listened to this vilification of the tobacco industry—and justifiable vilification I might add. Yet she has figured out that nobody is taxing tobacco companies, they are taxing her. She is the victim. The Government is here to help my mother. And how are we going to help her? Having been addicted to smoking for 65 years, and despite her baby son's efforts for 55 of those 65 to get her to stop smoking she is addicted, and she is not going to quit smoking. She has concluded that we are talking about how bad tobacco companies are for having gotten her addicted to smoking, but we are taxing her. The cold, persistent, unhappy fact is that 59.1 percent of these taxes will be paid by working blue-collar Americans who make less than $30,000 a year; 75 percent of the taxes will be paid by people and families that make less than $50,000 a year.

If this is not a classic case of bait and switch, I never heard one. All of the rhetoric is about keeping teenagers from smoking. I would love to do that. I would like to get people who are not teenagers to also stop smoking. I would love to do that. But why we have to give $700 billion to the Government to do that, I don't understand. I am struggling, opposing this organized effort and all of these people who are outside with their buttons on saying ''Give me your money.''

Secretary Shalala has said that the price increases will reduce smoking by 50 percent among teenagers. This bill sets a target of reducing smoking by 60 percent, so they are going to take $700 billion and all they claim they are going to be able to do with it is reduce smoking another 10 percent. Though it is interesting, when USA Today asked the American people in a poll if they believed this bill would stop people from smoking, 70 percent said no.

Here is my point: If we want to raise taxes to discourage smoking, that is one thing. But why do we have to keep the $700 billion? Why do we have to raise the level of Federal taxes on Americans making less than $10,000 a year by 41.2 percent? If the objective is to make cigarettes more expensive and discourage smoking, why do we have to impoverish blue-collar America in the process?

What I am saying is, if we believe that raising prices will discourage smoking, let's raise prices. But let's take at least part of the money that comes to the Government, and instead of paying tobacco farmers $21,000 an acre and letting them go on growing tobacco; instead of paying plaintiffs' attorneys $100,000 an hour for filing these suits; instead of setting up programs where every major Democratic contributor will have his charity or his interest funded by this program, why don't we raise the price of cigarettes, discourage smoking, and take the money and give tax cuts to blue-collar America so we are discouraging them from smoking, but we are not pounding them into poverty?

Maybe you can be self-righteous enough that you are not worried about a blue-collar couple in Texas paying $2,030 of additional Federal taxes if they smoke one pack of cigarettes a day. Maybe you are not worried about what that is going to do to their ability to pay their rent, to pay their groceries, to have any chance of saving money to send their child to college. But I am worried about it. I am not in any way made to feel better by damning the tobacco companies while writing a bill that protects them from paying this tax; a bill that mandates they pass the tax through to the consumer, which basically is blue-collar America.

I have an amendment that is very simple. It says: Raise the price of cigarettes, discourage smoking, but instead of letting the Government have this money, what one office seeker in my State has called ''winning the lottery'', instead of setting up a program that gives not thousands, not millions, but untold billions to everything from community action to international smoking cessation—it is obvious that people long since ran out of ideas as to how to spend the money—instead of engaging in this feeding frenzy, which will bloat Government forever, why don't we take some of the money and give it back to moderate-income people. So we raise the price of cigarettes, we discourage them from smoking, but we don't impoverish them?

I have picked probably the worst feature of the current Tax Code to try to fix as a part of this process. What I have done is targeted a part of the Tax Code where it is the policy of the Federal Government to discourage people who fall in love from getting married. I happen to believe the family is the strongest institution for human happiness and progress that has ever been developed. I don't understand a tax policy that says if you have a waitress and a truck driver who meet and fall in

love and get married, we are going to make them pay more taxes for being married than if they were single or lived in sin. Or if a CPA and a lawyer, working all the way up and down the income structure, fall in love, get married and have a whole bunch of children who can pay Social Security taxes in the future and solve America's problems in the future, we tax them an average of $1,400 a couple because they got married. As my colleagues have heard me say on many occasions, my wife is worth $1,400, and I would be willing to pay it, but I think she ought to get the money and not the Government.

So what my amendment does is take roughly a third of this money in the first 5 years, and then half of it in the second 5 years, letting them spend two-thirds of this money, more money than you would possibly spend efficiently if your life depended on it. People who would have been happy with thousands now will be given billions. Tobacco farmers will, in 6 months, take a quota for growing tobacco they could buy today for $3,500, and we are going to pay them over $21,000 for it in this bill. I personally don't know why these quota prices have not exploded, given this bill is out there. Maybe they figured out this bill is not necessarily going to become law. Rather than do all of those things, I am saying, let's raise the price of cigarettes so we try to discourage people from smoking—which is God's work; I am for that—but take a third of the money and instead of letting Government spend it, let's eliminate this marriage penalty for couples who make less than $50,000 a year so that while the price of cigarettes goes up, we don't impoverish people.

That is basically what my amendment does. I hope my colleagues are going to support it. Our Democrat colleagues do not really want to give this money back. They don't like giving money back. They like spending it. And they think anybody who works is rich and they ought to be giving more than they are giving.

But their idea is: Take my amendment and water it down to almost nothing, and then get all their people to vote against my amendment. Then get them to come back and vote for their figleaf, amendment. Then they can all go home and say, ''Repeal the marriage penalty? I was for repealing the marriage penalty; it is just I didn't want to do it the way that Republicans wanted to do it. But I am with the family. I'm with the blue-collar worker. I represent the blue-collar worker.''

I am hopeful we can reach an agreement that will guarantee that I will get 51 votes for my amendment. If anybody wants to watch the debate, once it goes over 51 votes, I predict that at least 20 or 25 percent of our colleagues who have not voted for it will immediately rush and vote for it once it is adopted. We might watch that at the conclusion of this vote.

In any case, the point that I want to reiterate, because it gets lost in this whole process, is a simple point: Everything that is being said about the tobacco companies I agree with. If we are here to indict them, they are indicted. If we are here to convict them, they are convicted. If we are here to hang them, let the hanging begin. But despite all that rhetoric, which is interesting and appealing and it makes us feel good, in the end, 59.1 percent of this tax is being paid by American blue-collar workers who make less than $30,000 a year.

The tobacco companies, on the other hand, have a provision that even if one tobacco company should say, ''Well, I could get a market advantage by not passing this through,'' they have legal protection that makes them pass it through to be sure the blue-collar worker gets all of the tax burden and that none of it is absorbed by the tobacco companies.

All I am trying to do is say this: Don't get blue-collar Americans, who are the victims of the effort by tobacco companies to get people to start smoking, confused with tobacco companies. If you want to impose taxes on tobacco companies, have at it. If you want to drive them out of business, have at it. But you are not going to do that, because basically there is a rule that every parasite learns. If the organism is to survive, you don't kill the creature on which you engage in the parasite activity. You bleed the host creature, but not to the last drop of blood.

My view is, I care nothing about the tobacco companies and, if you want to destroy them, have at it. But I do care about 3.1 million Texans who smoke. Many of them would like to stop. My mother would like to quit smoking, but she is not going to quit smoking.

All I am saying is, don't get tobacco companies and workers confused. And I am talking about taxpayers. If the price increase, according to Secretary Shalala, is going to cut consumption by 50 percent and the target of this bill is to cut consumption by 60 percent, then this $700 billion is getting you 10 percent more, supposedly. I just don't see how you can spend that much money.

If you look at what is being done, it is clear that much of what is being funded in this bill has nothing to do with smoking. For example, we mandate that the States spend the money we give back to them on maternal and child care block grants, on funding child care, on federally-funded child welfare, on the Department of Education Dwight D. Eisenhower Professional Development Program under title II of the Elementary and Secondary Act, and it goes on and on and on and on, because nobody has ever had this much money before to spend.

Actually, this is a modest proposal. What I am saying is, give a third of what we take in cigarette taxes back to blue-collar workers so we get the benefits of the higher price of cigarettes but we don't impoverish blue-collar America by making it fund the largest growth in Government that we have seen since the mid-1960s.

I hope my colleagues will support this amendment. One way or the other, I hope to see it adopted. I want to get a vote on it. I want America to know who is for it and who is against it. That is the essence of democracy—accountability. I think this is an issue on which we need some accountability.

Quite frankly, I think my amendment improves this bill. We ought to be giving about 75 or 80 percent of the money back in tax cuts. We need to have an effective but reasonable program for antismoking, and we need to throw out about 745 pages of this 753-page bill so that it is really about smoking and not about the largest money grab that has occurred in Congress in my period of service.

This amendment is a first step in the right direction. I hope it is not the last step. I understand there are others who are going to be offering provisions related to tax breaks for health care and other items, but this is a logical place to start, and it is where I want to start.

Mr. President, I yield the floor.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I was entertained listening to my friend from Texas, who makes some pretty broad statements about who is for what and who supports what. I think I heard him just say Democrats don't really want to give the money back but the Republicans do. Maybe he wishes that were the fact, and sometimes the wish is the father to the fact, but not in this case.

As far as I know, Democrats are wholeheartedly in favor of a fairness that has escaped every single proposal that the Senator from Texas has ever brought to the floor with respect to taxes. There isn't one tax proposal that has passed the U.S. Senate in the 14 years I have been here that wasn't proposed on the Republican side of the aisle that wasn't made fairer by the efforts of Democrats on this side of the aisle. There isn't one tax proposal that the Senator from Texas and others have brought to the floor—not one—that wasn't geared to the upper-income level of people in this country, and usually at the expense of the low-income level of people.

My friend from Texas may wish it were otherwise, but the fact is that the distinction is not whether or not we want to give money back, the distinction is whom we want to give it back to and whom they want to give it to in the first place.

Every single tax bill I have ever seen worked on here, whether it was the capital gains distribution, or how it came in, or the depreciation allowances, or just on the income tax, or on efforts to roll back some of the impact of the payroll tax—in every single instance, we, I think, have been able to improve the distribution. Let me give a classic example.

In the agreement we reached last year, with much ballyhoo, on the budget, which brought us to the point of a balanced budget and on the available money for individuals earning $40,000 or less, under the proposal that the Senator from Texas supported and our friends on the other side of the aisle supported, a single-parent mother would have gotten zero income back, zero tax rebate, at $40,000 or less of income. And it was only when we refused to pass that legislation without changing it that she got something. In the end, we passed legislation which provided that single parent with an income of $40,000 with $1,000 of tax benefit rebate.

The distinction here is who gets what, and that will be the distinction in an alternative we will offer, if we have to, with respect to the marriage penalty, because we understand, just as well as the Senator from Texas, that the marriage penalty is unfair, the marriage penalty is an aberration in the context of the Tax Code, and has a negative impact on an institution that we respect equally with the Republican Party.

So we will offer, I think, in fact a fairer and better structuring of an elimination of the marriage penalty, and we will give the Senate another opportunity to vote on fairness. You can vote for Senator GRAMM's proposal, which will benefit not as many people at a lower income level as ours; and we will let others be the judge as to whether ours is, in fact, a fig leaf or yet another Democrat effort to make the Tax Code fairer and to protect people in the institution of marriage. I know where my vote will go. I know what I will be comfortable with based on that judgment.

So, Mr. President, the real issue here is, What is the distribution? The Senator from Texas stood there and said, ''All I want is one-third, just one-third. And then they'll have plenty of money to spend on all the other programs that they want.'' Well, analyze that and you find that is not true either. Because the Senator from Texas cannot control what other amendment may come that may try to grab additional revenue.

So the first grab may be the marriage penalty, but then you may have—you will have an additional amount of money for drugs; you will have an additional amount of money here or there; and unless the Senator from Texas is prepared to say he and his colleagues will stop trying to raid the effort to stop children from smoking, we would be hard pressed to say that it is only one-third of the money.

But there is another reason that one is hard pressed to say that it is only one-third of the money. Because, once again, the Senator from Texas has only told you part of the story. Here is the part of the story the Senator from Texas did not want to tell you. It is right here. The one-third of the distribution of the Senator's money on his approach to dealing with the marriage penalty, yes, it is about one-third in the first year—in the first 5 years. But in the second 5 years, it jumps up to $82 billion, which is 53 percent; in the next 5 years, because we are talking about a bill that works over 25 years—they are always coming to the floor and telling you it is a $700 billion bill or a $600 billion bill or a $500 billion bill, so when it is convenient for them, they talk about the numbers in the context of 25 years; but when it is inconvenient for them and it tells another side of the story, they try to limit it to just 5 years. Let us put it in the same context as the 25 years they are talking about.

In that 25-year context, Mr. President, here is the effect: The first 5 years, it is the one-third the Senator talked about. In the next 5 years, it is 53 percent. Wow. In the third 5 years, it is 80 percent of the amount of money available under this legislation. And in the last two sets of 5 years, it is 77 percent and 73 percent.

So the Senator is really talking about gutting—gutting—the effort to stop kids from smoking. And every time he comes to the floor he talks about all the things this bill does that is Government. Well, by gosh, a cessation program involves somebody organizing people to help people not to smoke. And since schools are where most of our children reside for the better part of a day or a good part of a day, and the better part of a year, it makes sense to involve our schools in cessation programs. To do that, you have to spend a little money and organize it.

State block grants—that has been something that I always thought the Republicans were for; they want block grants. They want to give the money to the Governors. ''Let the States have a decision as to what they want to do.'' As to education and prevention, smoking prevention, counteradvertising, those are important aspects. Enforcement, there is $500 to $600 million a year for enforcement.

We hear people coming to the floor and saying in one breath, they do not want to have this bill passed because it will increase smuggling; in the next breath they do not want to acknowledge the very Government they are criticizing that is spending money for antismuggling enforcement efforts.

So, Mr. President, it seems to me that on close analysis we will be able to make a strong judgment as to whether or not there is a fairness in the marriage penalty approach of the Senator from Texas, or whether it is just an effort to try to kill this bill.

I am for getting rid of the marriage penalty, and I will vote to find a way to do that. But it makes sense, it seems to me, to recognize that even if we pass getting rid of the marriage penalty on this bill, that is not going to stop one kid from smoking; that is not going to do one thing for additional research into why people get addicted; it is not going to do one thing for counteradvertising to stop kids from smoking.

So we can go home and feel good because we took the tobacco bill, which is geared to try to stop kids from smoking, for which the Senator has agreed the price increase is targeted, and you turn out passing the marriage penalty. If you take too much of it, you begin to strip away at the ability to accomplish the purpose of the bill.

I am prepared, as I know other Democrats are, to vote for a legitimate amount of money so that we can parcel the appropriate proportion of these revenues to the job of reducing the number of kids who smoke. But I think there is a place where common sense says you have to stop if it goes too far in stripping us from the fundamental purpose of this bill itself.

I also point out that there are other areas that will want to compete for some of this funding. I think it is important for Senators to think about the overall amount of money that would be available for those purposes.

The final comment I make is the Senator from Texas spent a lot of time saying how this bill is misdirected. He is crying for the poor people who are going to pay for an additional cost of a pack of cigarettes. He says how misdirected this bill is because it comes down on the victims, and not on the tobacco companies. But then he says he is willing to raise the price.

You cannot have it both ways, Mr. President. You just cannot have it both ways. There is no way to focus a tax on the tobacco companies, whatever you call it. I heard him the other day call it a ''windfall profits tax.'' No matter what you call it, if you tax them, you tell me a company in the United States of America which winds up with additional costs of manufacturing a product that does not, unless they just eat them—and nobody expects the tobacco companies to do that—that does not pass it off in the cost of doing business. The cost of the product will rise.

But by doing this in the way that this bill seeks to do it, by setting a fee that is levied at the level of manufacturing, you actually have a far more effective way of constraining the smuggling of, of creating accountability in the system; and ultimately you wind up doing the very same thing that would happen under any other circumstances, which is the tobacco companies are going to pass it on to the consumer.

In the end, there is a benefit from raising the price. The benefit outweighs whatever crocodile tears we are hearing shed for those who are going to pay the additional cost of the cigarette. First of all, it is voluntary. Nobody forces them. They buy it. Secondly, it is a smaller amount in total than the amount that people are paying anyway. Then the costs to our society as a whole, which will be reduced by accomplishing what the cigarette companies themselves have said will occur, which is if you raise the price,

you will reduce the number of kids who are smoking, you will ultimately reduce the numbers of people who are addicted and you will significantly reduce the costs overall.

So America has a choice. You can reduce the costs, reduce the number of kids who are addicted, reduce the number of our fellow Americans who die, reduce the overall costs to our hospitals and ultimately wind up with a better and healthier society as a consequence of that, or you can take the alternative route, which is the only alternative to what the Senator is saying, and vote to leave it the way it is and let the tobacco companies continue to addict the next generation without making a legitimate effort. I think the case ought to be very, very clear.

COSPONSORSHIP OF AMENDMENT NO. 2446

Mr. CONRAD. Mr. President, on Tuesday, June 2, during Senate consideration of the McCain-Kerry and others amendment No. 2446, I was added as a cosponsor of that amendment, however, the RECORD of June 2 does not reflect my cosponsorship.

I, therefore, ask unanimous consent that the permanent RECORD be corrected to reflect my cosponsorship of Senate amendment No. 2446.

In addition, I now ask unanimous consent my cosponsorship of Senate amendment No. 2446 appear in the RECORD at the appropriate place.

The PRESIDING OFFICER. without objection, it is so ordered.

Mr. CONRAD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HAGEL). Without objection, it is so ordered.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NINTH ANNIVERSARY OF THE TIANANMEN SQUARE MASSACRE

Mr. HUTCHINSON. Mr. President, today represents the ninth anniversary of the Tiananmen Square massacre. This is the day that commemorates the culmination of the crackdown—very bloody crackdown—that occurred 9 years ago in Beijing, China.

I think it would be wrong for us not to take note of that on the floor of the U.S. Senate. I think it is incumbent upon all of us, as freedom-loving Americans, to not forget the lessons that we continue to learn from China.

I would like to, in the next few minutes, read an excerpt from a book entitled ''Mandate of Heaven: The Legacy of Tiananmen Square,'' by Orville Schell. This book recounts, among other things, what occurred during the 2 months leading up to the Tiananmen Square massacre and the events that night. I have taken only a few excerpts from that, but I think it will help us to put into perspective the sacrifices that were made, the tragedy that occurred, and I think the tragedy of American foreign policy which today ignores that it was, in fact, Jiang Zemin, mayor of Shanghai at the time, who said that there should not be one ounce of forgiveness shown to those student protesters who dared raise the voice of dissent, who dared to speak for freedom and democracy in China. So I will read from ''Mandate of Heaven: The Legacy of Tiananmen Square'':

Although a palpable sense of foreboding hung over the Square, few could bring themselves to believe that the People's Liberation Army might actually harm ''the people.'' Not even under the vindictive Gang of Four had troops opened fire with tens of thousands of demonstrators had spontaneously occupied the Square to mourn the death of Zhou Enlai in 1976. So many ominous-sounding government threats had come to naught since April 15 that most ordinary Chinese were now inclined to view this latest salvo of warnings as more overinflated rhetoric. The triumphs, symbolic and otherwise, of the preceding weeks had given many, especially protesters, an exaggerated sense of their own invincibility.

But there were some Chinese who understood that when threatened, the Party would ultimately stop at nothing to preserve its grip on power. They understood the old adage ''When scholars confront soldiers, it is impossible to speak with reason.'' Most of these pessimists were from the older generation of educated Chinese who had learned through bitter experience that the Party rarely allowed such challenges to go unconfronted. ''The Day the Soldiers Enter the City, Then the Blood of the People will Flow,'' declared one banner . . .

Around dusk the Flying Tigers began bringing back reports that soldiers equipped with automatic weapons and backed up by armored vehicles were moving toward the city center from several directions at once. In response, the strengthening of barricades reached fever pitch. By the time the first troops neared key intersections on the city's outskirts, an estimated 2 million people were again in the streets. At first, these citizens' brigades continued to rely on the same defensive techniques that they had used two weeks earlier, and by dark, many unarmed units were again bottled up around the city . . .

By 10 p.m. the assault from the west was in full swing. As several infantry and armored divisions pushed toward the Military Museum, they soon found their way blocked by a wall of angry citizens and Dare-to-Die squads of workers pledged to defend the students and the Square until death. The juggernaut of military vehicles ground to a halt, allowing government propaganda to cite these instances of hesitation as evidence that the army had exercised a ''high degree of restraint'' while entering the city. Such ''restraint'' did not last long.

The next volley of gunfire was aimed over the heads of the resisters. The crowd refused to disperse. Finally, an officer in a jeep was reported to have yelled out through a megaphone, ''Charge, you bunch of cowards! Sweep away this trash!'' A volley of concussion grenades was lobbed into the crowd. Only when steel-helmeted soldiers carrying truncheons and riot shields were ordered to charge did those resisting give way.

It was around 11 p.m. before advancing troops approached Muxidi Bridge near the state guesthouse. By then the order to ''go ahead at any cost'' and to shoot at anyone obstructing the soldiers' path had been given. Before soldiers had even arrived at the giant barricade constructed out of articulated city buses, large earthmoving trucks, commandeered minivans, and tons of urban detritus, the first wounded were being rushed on bicycle carts to hospitals. As troops approached the bridge, someone torched the fuel tank of a bus, turning the barricade into a raging wall of fire. The column had no choice but to halt. With Gallic flair, Pierre Hurel, a French journalist writing for Paris Match, described the scene:

''In front of the flaming barricade, facing the soldiers alone, four students with their feet planted wide apart make the heavy air snap with the sound of the waving scarlet banners. In an unbelievable gesture of defiance, they are naked martyrs before a sea of soldiers in brown combat helmets and tense with anger. The silk of their university banners gleams in the fire's light, and behind them a crowd, waiting for the worst, applauds. it is 11:30 p.m. and for the first time tonight, the soldiers have had to pull back.''

As the convey began pushing forward again a short while later, a noise resembling the sound of popcorn popping was suddenly heard over the dim of the crowd. Out of the smoky darkness, troops armed with AK–47s charged the barricades, shooting as they advanced.

''Soldiers were shooting indiscriminately; there were bullets flying everywhere; dead bodies and injured people were lying in the streets,'' reported one anonymous foreign journalist cited in a subsequent Amnesty International report. ''Crowds of residents from the neighboring lanes had left their houses and stood unprotected in the streets. They did not try to hide because they did not seem to realize what was going on. They were in a state of shock and disbelief.''

All along the Avenue of Eternal Peace, equally ferocious battles broke out as citizens stood their ground with an almost religious fanaticism before advancing troops. Bystanders who ran into surrounding alleyways for safety were chased down and sprayed with automatic-weapons fire. Those who tried to rescue the wounded were shot in cold blood. The slaughter was so merciless that rumors began circulating that the soldiers had been administered some kind of drug as a stimulant.

By 1 a.m. soldiers had neared the intersection where Xidan crosses the Avenue of Eternal Peace and began lobbying tear-gas canisters into the crowds. Moments later several buses serving as barricades burst into flames. Then another order to fire was given. ''Several lines of students and residents instantly fell,'' claimed one BASF eyewitness. ''Dozens were killed, and several hundred were wounded.''

Yang Jianli, a Ph.D. candidate in mathematics from the University of California at Berkeley who was back in China on a visit, watched in horror as these shock troops advanced, firing their automatic weapons as if they were assaulting a heavily armed enemy position. ''Tanks and truckloads of soldiers armed with machine guns were rolling in, one after another, toward the Square,'' he remembered. ''At the intersection we heard perhaps a thousand people shouting, 'Down with Fascism!' . . . [Then] flashes spouted from the muzzles of soldiers' rifles. We ran back a bit and threw ourselves on the pavement. 'Did they really fire?' I asked H. 'I still can't believe it!' Some people continued to stand up, saying nonchalantly, 'Don't be frightened, they're only using rubber bullets.' But before they had finished speaking I heard someone scream, 'Look out! There's a cart coming through!' Two men with gunshot wounds were being carried away. . . . Suddenly, there was more gunfire, and we

dropped to the ground again, my heart jumping from sheer fright.''

''His blue T-shirt was soaked with blood, and his eyes were blood-red,'' recalled Yang of one outraged citizen. . . .

''Troops have been firing indiscriminately and still people would not move back,'' BBC News Chief Correspondent Kate Adie reported in a television broadcast after visiting both the western and eastern reaches of the Avenue of Eternal Peace. ''Indeed, it was hard at the time to grasp that this army was launching into an unarmed civilian population as if charging into battle. . . . There was not one voice on the streets that did not express despair and rage. 'Tell the world!' they said to us.''

Since that 1989 tragedy and this famous photo of a lone student who stood defiantly in front of the line of tanks, there has been every June 4th efforts within China, efforts there at Tiananmen, to remind the world of the tragedy that occurred, of those brutal, visible oppressions, and forcibly removing a voice of freedom that the world has known in generations.

I continue from Schell's book as he recounts some of the symbolic gestures that have been made since that original June 4th, 1989.

He writes:

''Like an uninterred body, June 4th continued to cry out for an appropriate and respectable barrier.''

There are those, if I might just add, who would like to say we are in a post-Tiananmen era but somehow that chapter has been closed. The fact is the Communist Chinese government in China does not allow that chapter to be closed. So Schell refers to it as an uninterred body which continued to cry out for appropriate and respectable barrier.

The yearning that many continued to feel for some sort of commemoration could never be fulfilled by parades or crimson stars fashioned out of potted flowers. But since the government stubbornly refused to acknowledge the tragic significance of what had happened, much less allow for a ceremony at which those who had died could be properly remembered, the Square remained charged with unresolved energy and, like a lodestone, kept drawing defiant demonstrators back into its embrace to engage in solitary acts of guerrilla mourning.

Such observances were, or course, politically suicidal. As soon as anyone began such a ritual protest, plainclothes policemen materialized as if out of nowhere. Within moments the offenders were surrounded, seized, and dragged away. Only on those rare occasions when foreign journalists had been alerted in advance or happened to be at the Square for other reasons were such fleeting moments of defiance recorded. But then, like shooting stars in the night sky, these usually nameless protesters would disappear.

He writes:

On the first anniversary of June 4, a lone figure had walked up to the Monument and nervously fumbled to display a handmade banner; moments later he was seized and taken away. That night [at the university], a young economics student named Li Minqui, who had been active in the outlawed BASF, tried to mark the anniversary by addressing a spontaneous midnight rally on campus where he indignantly referred to China's current leaders as ''wild and savage autocrats'' and called for an elective Government that could supervise the Communist party. Li was not only promptly expelled but arrested, labeled a ''chief instigator of an anti-party conspiracy,'' accused of counterrevolutionary propaganda and incitement,'' and sentenced to 2 years in prison.

I just think of how many Members of the Senate and how many Members of the Congress would be incarcerated if that were the standard. This one who dared to lift a voice to say we ought to have free elections and called the autocrats ''wild and savage'' served 2 years.

Schell continues to write:

On the second anniversary of the massacre, a young woman dressed in funeral white appeared in front of the Monument to observe a moment of silence. ''I came to remember,'' she told a South China Morning Post correspondent before drifting away just as suspicious undercover agents began to close in.

Incidentally, white being the symbolic color of mourning in China, we have chosen the white color, white ribbons to commemorate in mourning those who lost their lives at Tiananmen Square. So that is what happened on the second anniversary.

And then Schell writes:

In 1992, on the third anniversary of the massacre, a young worker named Wang Wanxing appeared not far from where a new sign warned visitors that it was illegal to lay memorial wreaths in front of the Monument without prior approval. After unfurling a banner calling on Deng to apologize for the crackdown following the protest, he was seized, dragged away and committed to a mental hospital. In a letter to U.N. Secretary General Boutros Boutros-Ghali smuggled out of China a month later Wang asserted that not only was he being held against his will in Shanghai's Ankang Psychiatric Hospital for the criminally insane, but he was being forced to take psychotropic drugs.

Computer hackers were also busy that spring waging electronic warfare by introducing rogue viruses into software programs used on government computers. One such virus caused the words ''Remember June 4'' to appear on display terminals while another flashed the slogan ''Bloody June 4'' as soon as computers at certain state enterprises were booted up.

Despite increased campus surveillance, on May 28, 1991, [university] students managed to hang cloth streamers out of two dorm windows declaring ''We Will Never Forget June 4.'' Leaflets recalling the events of 1989 also appeared in the student canteen.

An excerpt from the leaflets said this:

Those were days that woke the heart and moved the spirit. Then the hue and cry became the sound of suffocation in a pool of blood.

There are those who would say that to call the world's attention to the tragedy of Tiananmen Square in 1989 is empty moralizing on the part of self-righteous Americans who want to impose our views of freedom and liberty upon the rest of the world and other cultures. May I say to those who would argue such that liberty and freedom are not American values, that it is not empty moralizing to point to a young Chinese student who defied the symbols of oppression and onrushing tanks. And I would say to those who would say don't talk about Tiananmen Square and don't talk about the massacre, we must not forget that these are not American values: these are universal human values and human rights. For us to sacrifice what this Nation has always stood for on the altar of free trade, on the altar of commercial and corporate profits is unconscionable.

Jiang Zemin was quoted on the front page of the People's Daily 3 weeks after the massacre. This is what he said. He was mayor of Shanghai at the time, not President of China. But this is what he said:

Toward these cruel enemies—

That is that young man standing in front of the tanks—

there must not be even one percent of forgiveness. If we go easy on them, we shall commit an error of historic proportions.

That is the man whom the President is going to meet and greet in Beijing in a few short weeks, the one who said that toward these cruel enemies we dare not show even one percent of forgiveness. And they didn't, true to his word.

Nine years later, Jiang is President of China and the students whom he called the cruel enemies, many remain imprisoned, those who survived. And Jiang, true to his word, showed not 1 percent of forgiveness. He has never apologized. He has never acknowledged the cruel, inhumane, and barbaric response of the Government at Tiananmen Square. The Chinese Government has never investigated, they have never even investigated this tragic incident; they have only defended the crackdown and the killing of hundreds of students as an appropriate response to peaceful dissent.

So this man, Jiang Zemin will be the leader greeting our President, this man who declared not 1 percent of forgiveness. And more recently, lest you think he may have changed his mind and changed his attitude and lest we are under the misimpression that suddenly the Government of China has grown compassionate and that, in the words of President Clinton, they now are becoming a thriving democracy—lest we think that, President Jiang, when asked by Barbara Walters how he looked back on the events of 1989, replied, ''It's much ado about nothing.''

So on this anniversary of the Tiananmen massacre, we all need to remind the world we will not forget and we will not allow the courageous sacrifice of those hundreds of students at Tiananmen Square to be demeaned, to be disrespected and to be devalued.

The Washington Post, in an editorial today entitled ''China: Two Views,'' speaks of a view that I would share:

A strikingly different view from inside China, from someone with pretty fair credentials to judge China's practices, Bao Tong, 65, was Chief of Staff of China's premier and Communist Party chief until he was jailed in 1989.

Why was he jailed, by the way? He was jailed:

Because he opposed the crackdown against protesting students in Tiananmen Square.

Mr. Bao spent 7 years in prison, three of them incommunicado, showing that China has a ways to go when it comes to rule of law. He now lives under house arrest but recently gave an interview to the Post's Steven Mufson and John Pomfret.

Mr. Bao challenged the notion that economic strength, in the absence of real democratization, inevitably will make China more benign.

By the way, let me repeat what he challenged, because it is the very thesis espoused by those who say constructive engagement is going to bring about change in China. This is the very theory espoused by those who say, ''We will just trade sufficiently, we will increase trade and do enough increased commerce with China, and everything will be better.'' So he challenged the notion that economic strength in the absence of real democratization inevitably will lead China to be more benign.

China ''has already gone mad twice in the last 40 years,'' he said, referring to the cultural revolution and the Tiananmen massacre. ''You have to ask yourself a question. What will it do on the international scene? Is it a source of stability or a potential source of instability? When it doesn't have enough power, its attitude will be restrained. But once it develops and becomes strong, what kind of role is it going to play without a complete structural change?''

That is the question I would pose. For all of the advocates of the current administration's policy, I would pose this question raised by this very knowledgeable individual, Mr. Bao, who himself has spent 7 years incarcerated. The question he poses: Once China develops, opens, and becomes strong, what kind of role is it going to play without a complete structural change?

What he means by ''complete structural change'' is democratization. It is his argument that economic development in China, the embrace of free markets, and the embrace of market capitalism will not be sufficient to make them benign, to make them a partner in world peace, and that that will not happen without a structural change—free elections, freedom of press, freedom of speech, freedom of religion—that until those things become realities in China, then we cannot expect that there are going to be responsible citizens in the international stage of affairs.

The Post editorial concludes:

Mr. Clinton should meet with dissidents when he visits Beijing later this month. A sit-down with Bao Tong, if the government would release him from house arrest long enough, might be a useful addition to the president's official schedule.

And I suggest it certainly would.

So I want to conclude on this anniversary of an event that should never, never, never be forgotten, by making this plea: Mr. President, delay your trip to China. There are ongoing investigations; there are ongoing hearings. So, please, we are not talking about isolating China. It could not happen if we wanted it to. We are not talking about breaking off contacts, dialog and communications with China. But we are saying, under the current cloud and with all of the questions about the web of interrelationships between the Chinese Government, the American administration, and corporate America and multinational corporations—delay this trip.

Then second, Mr. President, if you must go, if you must go ahead with this planned trip, then I plead with you to express the desire of millions of Americans by not going and not being received at Tiananmen. As this young man took his stand as a symbol of freedom against the symbols of oppression, I ask our President, take one small stand by not going to Tiananmen Square; not being received, simply saying: Mr. Jiang Zemin, I will not be received where these students were slain. I will not show disrespect and disdain for the sacrifice that they made by being received at a State visit on that location. To be received there is to demean and devalue the stand those students took.

Third, I plead with you, Mr. President, that if you insist on going to China, that you should insist on meeting with the families of those champions of democracy who were either slain or remain in prison. I ask that as our President goes, and if he goes, that he should forcefully denounce the repression and the human rights abuses ongoing in China; if he goes to Tiananmen Square that his message should be this: Never again. And in the spirit of Ronald Reagan at the Berlin Wall, let him say, ''This is wrong. Never should it happen again.'' I ask that in China he visit with house church leaders, those who, because of their conscience and because of their religious convictions, have not registered with the Communist Chinese Government and, because they have not registered, because they have not signed up and received official sanction by the Government, stand in harm's way, stand in jeopardy of losing their freedom.

I ask that our President visit with banned journalists, for there are no free newspapers. There are no independent journalists. There are no expressions of dissent against the Communist Chinese Government. So, Mr. President, meet with those journalists who would like to have a newspaper, who would like to be able to write a column, who would like to be able to freely express their views of freedom and democracy, but are not allowed to because of the current regime. Meet with them. Hear their story. Take your stand for freedom.

And then I ask that before you leave for Beijing, if you must go, that you sign the China sanctions package that has already passed the House of Representatives by a huge, overwhelming bipartisan majority. Some of those provisions have already been added to our State Department authorization bill which we will be debating, hopefully, next week. Some of those have already been set. But I ask that the President sign those and, in so doing, express sincerity in wanting to decry the human rights abuses that are going on.

Let me just conclude. In a Washington Post article, not an editorial but a news article today on the Tiananmen anniversary, the article, a Michael Laris report, concludes:

. . . China has not yet turned irrevocably toward a liberal political approach. [That's an understatement.] It maintains a massive state security apparatus, which monitors the private affairs of anybody it deems a threat to the Communist Party's monopoly on political power. The jails hold more than 2,000 political prisoners, including 150 or so arrested after the Tiananmen Square protests. Among the 200,000 other people in labor camps, at least some are political offenders.

[I assume yesterday] Early this evening at the Beijing University bulletin board, which was a center of protest information in 1989, a woman read announcements of lectures on the environment and the Asian financial crisis. ''Many of my friends think those students were foolish,'' she [this student] said. ''I think they were very brave. I wish more people now had that much passion. Some people now have the same passion, but they know not to express it in the same way.''

For those who believe it is all better now in China, listen to the words of this student who says the students in China today have learned, passion for freedom they may have, but if they cherish being free, if they cherish the right to be a student, if they don't want to be incarcerated, they better not express it as these students did 9 years ago today.

So to all freedom-loving Americans—not as Republicans and not as Democrats—but to all freedom-loving Americans, we say to those Chinese who love freedom as well: We will not forget what happened June 4, 1989.

Mr. President, I yield the floor.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from Minnesota.

Mr. GRAMS. Mr. President, I inquire what is the pending business before the Senate?

The PRESIDING OFFICER. The Senate is now considering the tobacco bill. The Senator may speak on any subject he wishes.

Mr. GRAMS. I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota is recognized.

Mr. GRAMS. I thank the Chair.

(The remarks of Mr. GRAMS pertaining to the introduction of S. 2130 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. GRAMS. Thank you, Mr. President. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL TOBACCO POLICY AND YOUTH SMOKING REDUCTION ACT

The Senate continued with the consideration of the bill.

Mr. DASCHLE. Mr. President, I don't know how many days it is that we have been on the tobacco bill now, but it is clear that we are not making any progress. I am increasingly frustrated by the degree to which many of our Republican colleagues, in the name of amending the bill, have stalled, obfuscated and, in many ways, attempted to defeat the legislation without any real sign of progress, without any real sign of coming to closure, without any real effort to find some resolution.

I have expressed my continued patience, my continued desire to find ways in which to move this legislation along. I give great credit to the manager of the bill, the chairman of the Commerce Committee, Senator MCCAIN, for his tireless efforts to move both sides along.

This has not worked. We have continued to be thwarted in the name of compromise, and in the name of negotiation, and in the name of consultation. Frankly, I don't know what other options there are but to file cloture on the bill. We may not win. I am prepared to acknowledge that unless we get many of our Republican colleagues to join us, we will not win. But I also understand that if we don't move this legislation forward, we will continue to be in a position of having to say no to other bills the majority leader may wish to bring up until we resolve this matter. We have said, as late as Tuesday, that we are not in a position to move to any other legislation until we finish this bill. I don't know how we can say it more clearly than that.

We want to finish this legislation so we can move on to other bills. There are a number of other pieces of legislation that ought to be addressed, and we recognize that. We are prepared to enter into time agreements on amendments. We are prepared to come to some time limit on the bill itself. But we have now virtually wasted the better part of a week waiting for colleagues to offer amendments, waiting for some resolution to the Gramm amendment, waiting, procedurally, to find some solution to the impasse that we now are experiencing.

So, Mr. President, I really have no choice but to offer a cloture motion, with some frustration, and with the realization that it may take more than one. We may have to file several cloture motions. But, beginning today, I will take whatever action is necessary to expedite the consideration and ultimately the solution and the conclusion to this legislation.

We have a lot of people who have invested a good deal of effort into this legislation; three of them are on the floor right now. I thank them for all they have done to bring us to this point. But unless we take it to its final conclusion, all of the thousands of hours spent by the Senators who are on the floor already, invested in time and good-faith efforts to move us to this point, will be for naught. I don't want to see that happen. I don't want to see this necessarily as a Republican versus Democratic debate. But, frankly, it becomes more and more apparent that we are not getting the help—with the one stellar exception of my friend and colleague from Arizona—in getting this legislation passed. So we are very hopeful that we can move this legislation and find some way to resolve the matter.

I understand that I can't file until 2:15 under a previous agreement. I will certainly wait until then.

Let me just make sure that our colleagues understand where things stand. Right now, we are discussing the motion to recommit offered by the Senator from Texas, Senator GRAMM, with amendments pending to that motion. The Gramm amendment would cost $52 billion. It would rob the bill of any real opportunity to address research in health care, to address the targeted approach that we are attempting to make on advertising and reducing teenage smoking. It would reduce every option that we have available to us to reverse the trend and reduce teenage smoking in this country. Why? Because the Senator from Texas believes that we ought to address the marriage penalty.

Unfortunately, Senator GRAMM's amendment doesn't address the marriage penalty alone. In fact, one could argue that it has little to do with the marriage penalty. It has everything to do with spending the tobacco revenue raised in the health fee. We are presented with an option that is a Hobson's choice for many: reduce taxes for those who are under $50,000, or reduce teenage smoking, reduce the number of children who are dying from smoking. That is the choice. While we debate this choice, 3,000 kids a day choose to smoke for the first time. A large percentage of those—some say 40 percent—are people who ultimately will die from the habit at some point in their life. They get cancer and ultimately succumb to cancer because they started smoking too early, without knowing the facts, without being able to quit once they had started. That is the issue here.

Can we prevent young people from acquiring this terrible habit and from dying because of it? Can we target advertising and research, and can we find ways in which to ensure that we can turn the trend around for the first time? Or are we going to spend that money for something else? Mr. President, Democrats have come up with an alternative.

Mr. MCCAIN. Will the distinguished minority leader yield for one question?

Mr. DASCHLE. Without losing my right to the floor, I yield to the Senator from Arizona for a question.

Mr. MCCAIN. I appreciate the Senator's frustration, and to a large degree I share it. I wonder if, with the knowledge that the Senator from Texas and I are continuing negotiations in the next few minutes, the distinguished Democratic leader would agree to withhold that until, say, an extra additional 15 minutes just so I can make one final attempt to get an agreement with the Senator from Texas on his amendment. Then I think we may be able to move forward.

Mr. DASCHLE. I will agree to withholding filing of the motion so long as I don't lose my right to file the motion. If that takes retaining the floor, I intend to do so. But I will certainly allow the Senator from Arizona whatever time he may require to talk to the Senator from Texas.

Mr. President, let me just say that is really the essence of this argument. Can we stop kids from smoking? Can we turn this around, or not? And can we find a way with which to address the concerns expressed to us by many of our colleagues?

We believe we can address the marriage penalty for a whole lot less than $52 billion. But our objective is not to gut the bill. Our objective isn't to say we are going to use up all that money because we don't want to spend it on stopping kids from smoking; we don't want to spend it on research; we don't want to spend it on tobacco farmers; we don't want to recognize what has already been achieved in the State-by-State negotiations on this issue and the tremendous effort put forth by attorneys general all over the country in an effort to resolve this at the State level. The Federal Government didn't do that. For whatever reason, we didn't go to court. The States did. Now that the States have racked up their victories, and now that they are expecting some way to resolve this matter, we are saying: We are going to use that money, too; we are going to take the money that you have already won in court fairly and squarely against the tobacco companies, and we are going to spend it; we are going to spend it on a tax cut.

So this gets interesting as we go on. We are saying we ought to respect the decisions made by the attorneys general, we ought to respect the decisions made by the committees of the Congress, and the Senate in particular, in recognition of the fact that we have to find new ways to target those who are most vulnerable to campaigns by tobacco companies today to get them to smoke. We think that is worth an American investment. We think it is worth an American investment to put some real effort into research on how we cure diseases that have been connected to smoking. We think it is important that we find ways with which to rid this country of the production of tobacco products and to encourage tobacco farmers to find other ways to make a living. That is what this is about.

Mr. President, there is no choice. We can continue to talk. We can continue to find ways with which to obfuscate. But it really comes down to this: Do you want to pass a tobacco bill or not? We are getting a resounding ''no'' on the other side of the aisle. We are getting an absolute, emphatic ''no,'' exclamation point, ''we don't want a tobacco bill.''

We have come to a point that we do not have any choice. We must move this legislation forward and use the parliamentary and procedural methods available to any Senator to begin to curtail debate, recognizing that every Senator who still has a germane amendment would have the right to offer an amendment.

But having been on this bill now for 2 weeks, and now recognizing the majority leader's frustration and impatience with our slow progress, his desire to move on to other bills, I, frankly, wish that we could do this together. I wish he and I could file this cloture motion. He has filed cloture a lot faster on virtually every other bill that has come to the floor than on this one. But I understand the difference in the initial position with regard to where we are on this legislation. So I wouldn't expect him necessarily to be enthusiastic about doing it. But we have to move on. We have to find a way with which to address this bill in a more consequential and productive way. That, in essence, is what it is we are attempting to do.

We have a series of amendments. The Durbin amendment, which, in my view, is one of the final and very important pieces of legislation that we want to address on this side, a piece of legislation that would be designed to strengthen the so-called look-back, or the targets that we set out, to reduce teenage smoking—I don't think that is necessarily anything anybody ought to have trouble considering, or ultimately debating. We haven't even been able to debate that. We have had to wait.

Mr. President, I say with all sincerity—I don't see the Senator from Arizona on the floor. He had asked that I postpone the filing of the cloture motion, and I have agreed to do so. But I am prepared to file it assuming that there is no other reason for him to ask for additional delay.

CLOTURE MOTION

Mr. DASCHLE. Mr. President, at this time I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate hereby move to bring to a close debate on the modified committee substitute for S. 1415, the tobacco legislation.

Senators John Kerry of Massachusetts, Robert Kerrey of Nebraska, Kent Conrad, Harry Reid of Nevada, Paul Wellstone, Richard Durbin, Patty Murray, Richard Bryan, Tom Harkin, Carl Levin, Joe Biden, Joseph Lieberman, John Glenn, Jeff Bingaman, Ron Wyden, and Max Baucus.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Mr. President, I must say that I think it is unfortunate that this process has been adopted by the Democratic leader. I had indicated all along that at some point, if it was necessary, I would be prepared to consider cloture but not until we had an opportunity to debate and vote on some amendments that clearly are important to Senators and until we had time to have debate on this bill in general.

There are still some very important amendments pending: The Durbin amendment, the Gramm amendment, and we have the drug amendments. We have at least two substitutes that would be cut off from being offered: The Hatch substitute, which I know a number of Senators would support, and it is something much closer to the original settlement agreement that was entered into than anything else that is pending around here now; plus the Domenici-Gramm substitute.

I think most Senators would acknowledge very readily that those two Senators are very thoughtful Senators and have given a lot of thought to an alternative approach. Yet there is a choice here. The choice is: Do you want a bill or not? If you want a bill, this is a good step toward having nothing happen, because this further sours the well. Yes; I would like to see things move along on this bill and on to other bills and other issues that I know Senators on both sides want to address, but you have to also allow Senators to be able to work through the problems and come to an agreement.

If we stay on this bill, we are going to have a vote on the Gramm marriage penalty tax elimination. We will have it this year in some other form or another. It seems to me like this is one way to help address some of the concerns about the excessive amount of money that is in this bill. It is clearly way beyond what is necessary to fight teenage smoking, or even teenage smoking and drug abuse, address some of the health care problems, and address the needs of the farmers. It goes way beyond all of that. That is the problem.

As I have said in other forums, this has become a problem of greed. Everybody who touches this bill adds to it. It grows like Topsy. What is our goal here? To have a whole, big, new Federal program outside the regular budget process, or to address the problem of smoking, and teenage smoking, in this country?

I had been working on and had kind of sent word to the Democratic leader informally—and I did try to call him, and we were both going back and forth to our luncheons—I had a unanimous consent agreement here that I was working on, and was prepared to work with him on, that would set up a process for us to have a vote on Durbin, although I think Durbin is a very bad amendment. It is another jump, more cost, another hit on actually getting something done. That is one of the problems here. I am still trying to figure out, do Senators, and do the health care community people, and the attorneys general want a bill?

Do you want an issue? Do you want to do something about this problem or do you want to play games? It is not clear to me because everybody keeps adding to it, adding to it, and it is just going to collapse out here in a great, humongous pile of nothingness.

But I was going to suggest we have a vote on Durbin at 5:30 today, and that we have a time agreement on the Gramm amendment and a vote on it, and a vote on the drug amendment, and that—I assumed at some point the Democratic leadership might have a tax amendment of their own, and we would start going on down the trail. I don't like it when we basically—people say we have to make progress; we have to get this bill done. Where is the progress? This week, we can't blame each other for yesterday; we had a funeral for a former Senator. We had to go to that. We have problems with Senators being here on Monday. We have problems with Senators—I won't get into all that.

But you cannot make progress until you make progress, until you are here and you have Senators prepared to vote. And that is one of the unique features of this creature, the Senate. Things move very slowly, they look like they are not moving at all, and it looks hopeless, and then all of a sudden you get ready to vote. I thought we were close to getting ready to vote.

So I think this is not a positive thing to happen, and I will urge every Republican Senator to vote against cloture. If we don't get cloture, then what? Then what? I thought at some point next week after we voted on Durbin and Gramm and the drug amendment and Hatch and the Domenici-Gramm substitute, maybe a couple other Democrat amendments, at that point we could have sort of a bipartisan effort to see if the Senate was ready to go to cloture and get to a vote.

This undermines that. I understand why it is being done, but I think it is counterproductive, and I hope the Senate would defeat this overwhelmingly. I view it as another blow to our chances of actually addressing this issue in a responsible way and getting on to other important issues.

I must say I thought that Senator GRAMM and Senator MCCAIN and others who were interested in how you deal with the marriage penalty tax were very close to an agreement—maybe not exactly the way Democrats would like it or the White House would like it, but something that would have been fair for both of us to have and we could

make progress on other things. But c'est la vie, this is it. You filed a cloture motion. And also, by the way, that cloture would ripen on Monday, and I think that is going to be a problem for the leadership and a number of Senators, and we will have to discuss when and how that vote would occur.

I hope all concerned would reconsider their thinking on how we bring this to a point where we could get some votes and make progress. I really believe, I said publicly, that if we had a tax cut provision added and we had a drug provision added, then the prospects for the bill would be helped substantially; we might actually get a bill through the Senate. Without that, we are going to be sitting around here. If you want to sit around and shout to your feet for the rest of this month and all summer long and try to make out this is a totally partisan thing, that is OK, too. That is OK. I am relaxed. We can just waffle along here and look pathetic if everybody wants to do that. Or we can decide how we are going to get together and make something responsible happen.

I yield the floor, Mr. President.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, let me just respond to a couple points made by the distinguished majority leader. First of all, I only wish I had had his text in front of me when we took up the Coverdell bill, when we took up a number of other pieces of legislation earlier this year, because I can recall his passionate determination to get time agreements, to stack votes, to find a way to come to closure in a matter of a couple of days, a couple of days, and were it not for the fact that we had the votes to hold off on cloture, I don't know where that would have gone. We finally came to a resolution on the Coverdell legislation because we were able to come to some agreement on how we would proceed on amendments.

Now, I am perfectly willing to ask unanimous consent to withdraw the cloture motion if we can get an agreement on the process and some time agreements by which we can have these amendments considered.

Now, I don't know why, but I have been told—and I will admit I haven't talked directly to the majority leader—that the Republicans are refusing to allow the Democratic tax amendment to either precede or immediately succeed the consideration of the Gramm amendment. They don't want them back to back. I don't know why. And if that is not accurate, I hope somebody will tell me.

We have offered to have a limited amount of debate on the Gramm amendment, a limited amount of time on the Democratic amendment, and then let's have two votes back to back. We can do that this afternoon. I am prepared to have a vote, I would suggest, at 5 o'clock today. Let's have the debate on the Gramm amendment, the debate on the Democratic amendment, and then two votes, and we are out of here on taxes for a while. Then let's go to the drug amendment, let's go to the Durbin amendment. We can stack those votes. We can have all four of those votes tonight. But I bet you I won't hear that offer made by the other side. For some reason that isn't good enough. It was good enough for the Coverdell bill, but it is not good enough for the tobacco bill.

Mr. LOTT. Will the Senator yield?

Mr. DASCHLE. I would be happy to yield.

Mr. LOTT. I heard through the news media that the Senator was proposing a process to have those votes back to back, and, oh, by the way, they are going to be king of the hill; that the last one who wins, you know, wins. That's it.

I did not have that proposal come to me in any form, and I would not agree to that. I am prepared to say we are going to get a vote on Gramm, and in some logical order, I assume, we have a deal here where we are alternating back and forth—we offer an amendment; you offer an amendment. And the Democrats could offer an amendment at some point on taxes in the regular order. We could not prevent you from doing that.

But that was not the way it came to me. And it did come to me through the media in a way that certainly would not be acceptable.

Mr. DASCHLE. Mr. President, since I retain the floor, let me just respond to my colleague. First of all, we are not going back to back. The last amendment prior to the Gramm amendment was a Gregg amendment. So instead of going Republican-Democratic, we went Republican-Republican. So that pattern was lost already.

Mr. LOTT. Will the Senator yield on that point?

Mr. DASCHLE. I would be happy to yield.

Mr. LOTT. Because he is right, and I think that was a mistake. And I objected to that at the time. I think everybody who was on the floor knows that. I did not appreciate the fact that the going back and forth was interrupted. The Senator from Texas knows that, and he has indicated, to his credit, that he was not really intending to break up that sequence. We did break up the sequence, but I do not think we should let that block us from proceeding in that way in the future, a fair way where we offer our amendment, you offer your amendment, and we go back and forth.

But you are right about that. The order was broken, and I certainly did not like it.

Mr. DASCHLE. While the majority leader is still standing, let me retain the floor and ask him the question. Would he agree with me to a 2- or 3-hour time agreement to be divided equally on the two amendments relating to tax, the Gramm amendment and the Democratic amendment, and that two votes be cast at the end of that time in sequence of his choosing? Would the majority leader agree to that proposal?

Mr. LOTT. Mr. President, I would not agree with that at this point. I am not saying that at some point we might come to some sort of understanding of how this would be handled. The first thing is, I think, the Senator from Texas and Senator MCCAIN have got to come to an agreement on the content. That is one of the reasons why we can't go on procedure—until you get something that is worked out, hopefully that everybody can support, because when we get a vote on the Gramm amendment, on the marriage penalty tax, it is going to pass overwhelmingly. A great majority of the Democrats are not going to be able to vote against that. They are going to vote for it. So it is going to pass.

But what I would say is I have a unanimous consent agreement right here that would allow us to set up a process to move forward with consent to get a vote on the Durbin amendment at 5:30, and that following disposition of the Gramm amendment Senator COVERDELL be recognized to offer a first-degree amendment relative to drugs, there be 2 hours of debate on that—and that there then would be debate on the Coverdell amendment and a vote on that after 2 hours.

We have a unanimous consent request here that we would be willing to offer, and then we could go back to your amendment, we go to a tax amendment, if you want to do that.

But here is the other side of it. You have to get unanimous consent. And our people are not going to agree to an arrangement at this time where you get some vote on a subsequent tax proposal that would be the king of the tree. I think when the thing is done, when we get an agreement, you are going to vote for the Gramm amendment and that is what will prevail, and we will move on. But we have to try to come to an agreement on that or we are not going to go anywhere. If that is the way it is going to be, that is the way it is going to be. I have been trying to help make this thing move from a procedural standpoint, but if we want to let it collapse on this line, OK with me.

Mr. DASCHLE. Mr. President, the majority leader has just made my point probably better than I can. What he has said is that this offer to have two amendments, one Republican and one Democrat, both dealing with tax, under a time agreement, is objectionable to them.

My point originally was the reason it is objectionable is because they don't want to get this legislation passed. They do not want to see closure to it. That is really what is behind all of this. This is not some concern about a tax amendment. This is concern about ultimately moving this legislation to a point where we can get completion.

The reason the majority leader cannot get unanimous consent is not because it is not fair. It is because there are colleagues on his side who want to drag this out past the Fourth of July. They want to start using the clock. That is what this is about. You want a blow-by-blow account of the play-by-play action here? It is that. We are simply playing the clock. Because if you play it long enough, we run out of time and then, guess what, we do not pass a tobacco bill.

We can play that. We can stay on this bill through June, if we want to. But I am telling you, this legislation ought to pass. It is about saving kids' lives. It is about making them healthy. It is about coming up with new tobacco policy, and we are prepared to stick to whatever it takes to see that we get that done.

I don't understand why that would not be a fair proposal. I am disappointed that our Republican colleagues object to what is a reasonable proposal. When I used the reference ''king of the hill,'' I was simply saying you have two proposals, both pending, both being debated, and Republicans and Democrats both roll the dice. Let's see what the majority of Democrats and Republicans support with regard to the options presented to them.

We have an amendment. They have an amendment. Maybe the leader is right. Maybe both amendments will pass or both amendments could fail. He thinks there is a majority support for the marriage penalty amendment. I think he is probably right. The question is, What is the amendment? The Gramm amendment goes way beyond marriage penalty. It goes way beyond it. Don't anyone be confused about that. This is not a marriage penalty amendment. You can find marriage penalty in it, but it goes beyond that, and he is prepared to spend $52 billion going beyond that.

Now I understand he wants to pull it back some, but there is no question the majority of what the Gramm amendment would eat up would go to research, would go to kids, and would go to farmers. We know that. So we will have to wait until another day to have our debate and have a good opportunity to consider competing proposals. But we are prepared to do that. We will do it Monday next week, Tuesday, whenever. But we will be here. I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I want to point out we could have had a vote on the Gramm amendment last week. I was perfectly willing to do that, I believe it was last Thursday. We were ready, I thought, to go to a vote on Durbin and Gramm last week. As I recall, there was objection to that from the Democrats. So if you talk about delay or time being consumed, it was because we could not get an agreement worked out on Thursday how we could go ahead and vote on the two of them.

What I am proposing here, or have been prepared to propose, is we have a vote on the Gramm penalty tax amendment, the Durbin look-back provision, the Coverdell drugs provision, and a Daschle or others marriage penalty provision. That is Republican-Democrat, Republican-Democrat; it is a way to deal with this thing.

But let's set that aside. You know, there is concern that has been expressed about the cost of the marriage penalty. How about the American people who are paying that tax? A penalty for getting married? They cannot help it, if it is so unfair a tax, that young couples all over America are getting hit with this tax just because they got married? So what we are saying is, ''Oh, well, to eliminate this unbelievable tax that is in the Tax Code it costs too much money, so we want to squeeze down what Senator GRAMM is proposing to less and less and less.'' What we ought to do is eliminate the marriage penalty tax altogether. Right away. Flat out. Whatever the cost is.

Mr. KERRY. Let's do it.

Mr. LOTT. This is one way to help deal with the problem that this tobacco bill costs somebody money. It doesn't come from heaven. Somebody is going to pay for this. This is one way, and it is targeted, by the way, to couples earning under $50,000, as I understand it, to help the people at the lower end of the tax structure by getting rid of this tax penalty.

You are talking about these other people. Yes, we ought to have a campaign to fight teenage smoking and drug abuse, but we don't need all these hundreds of billions of dollars to do that. This is a way—and everybody involved understands it, really—this is a way to help make it possible for this legislation to get through the Senate and maybe, eventually, get to a conclusion.

Does the Senator from Massachusetts want me to yield?

Mr. KERRY. I do not want to interrupt the leader.

Mr. President, I wanted to ask the Senator, the majority leader: It seems to me I recall a conversation that the minority leader, the majority leader, Senator GRAMM and Senator MCCAIN and I had together at the desk right behind Senator GRAMM just about 2 days ago, in which we had originally broached to the majority leader the notion that there would be two votes, almost simultaneously. So the majority leader was, in fact, aware that was what we sought.

Mr. LOTT. If I can reclaim my time, I remember that meeting, and I was there for part of it and went to take a phone call. When I was listening to that discussion, it was a discussion about how and when we were going to vote on Durbin and Gramm. Maybe at some subsequent point the discussion turned to, really, some alternative to Gramm. But, you know, this is something that has evolved, as far as I can tell, since we met. We were having that discussion, whenever that was—Tuesday, I guess it was.

Mr. KERRY. Again, if the leader will yield for a question, isn't it a fact, though, the unanimous consent request that the leader is proposing, while it ostensibly sets up a Democrat-Republican alternative, it is not, in fact, allowing for the Democrat alternative on the marriage penalty to be voted on at the time that the minority leader has requested?

Mr. LOTT. There would be one intervening amendment. What is the problem?

Mr. KERRY. Would they be the same day? Same time? Could they be this afternoon?

Mr. LOTT. They could be. I don't see any problem. I would like for us to have it in the same day, because it means we would be making progress. I would like us to have the opportunity, on the tax issue and tobacco bill, to have more than one vote in a day. Maybe we could get two or three votes. That would be healthy. I would like to see us make progress on that. I think we could work that out. We don't want a separation of days.

I just object to the ''king of the hill'' type approach which goes—that is a throwback to the House. But having it the same day, that would be fine with me. We are not interested in getting a day's or a week's separation. If we are ever going to find a logical way to conclude this thing, you have to make progress and have more than one or two votes in a day.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, let me just say, my offer stands. We are prepared to negotiate some time agreement, some way with which to deal with these amendments. And if we can do so satisfactorily to both sides, I am prepared to ask unanimous consent to revoke the cloture motion for now. I will talk with the majority leader and we will see if we cannot resolve it. Perhaps this discussion, if nothing else, has moved us closer to that point.

He did make a point, though, that I think has to be responded to, and that has to do with money which is being allocated here. He said, What is wrong with dealing with the marriage penalty? Shouldn't we address the inequity there? Let there be no mistake. We are prepared to address the inequity in the marriage penalty. Our amendment would do that. We are simply saying we don't want to do it at the expense of revoking the commitment made to the attorneys general, made to the States, made to tobacco farmers, made to children, made to the researchers—made in all of those ways that has set up this comprehensive tobacco policy which we hope to address over the course of the next 10 years. We don't have to do that. We don't have to destroy that.

So there is nothing wrong with dealing with the marriage penalty. But to

say we are going to do it at the expense of everything else is the problem Democrats find with the Gramm amendment. It also begs the question, what about the cost to Medicare and Medicaid from smoking-related illnesses? Should that not be addressed? Isn't that an inequity? The American taxpayers are paying huge—billions and billions of dollars, huge amounts of money to pay for the programs that we have set up to deal with health care; Medicare and Medicaid, the two most consequential. More and more billions of dollars are spent every year dealing with smoking-related illnesses. Isn't it important for us as a Nation and this Senate to recognize that and deal with it?

What the Gramm amendment says is, ''No, it isn't. No, we are going to spend it on a tax cut. We think that is more important than anything else, over and above the commitment to the attorneys general, over and above the commitment to the farmers, over and above the commitment to the children, over and above the commitment to the Medicare and Medicaid.'' That is the problem we have. That is why there hasn't been an ability to find some common ground. So long as that becomes the only way with which to spend resources, we think there is a better way, a more prudent way, a more balanced way, and that is what this debate is about today. I yield the floor.

Mr. CONRAD. Will the Senator yield for a question?

Mr. DASCHLE. I will be happy to yield to the Senator from North Dakota for a question.

Mr. CONRAD. I ask the Senator from South Dakota, isn't it the case that the amendment of the Senator from Texas, Senator GRAMM, doesn't just deal with the marriage penalty and give benefits to people who are hurt by the marriage penalty, his amendment goes way beyond that? It actually gives benefits to people who benefit by being married; isn't that the case?

Mr. DASCHLE. That is the case. Those who benefit by being married are benefited even more by the Gramm amendment. The Senator from Mississippi, the majority leader, was saying how important it was that we not overextend the reach here. His admonition to the Senate was, ''Let's take a look, let's step back and make sure we are not just overreaching.'' Well, if there was a definition of overreaching, I don't know that I could find a better example than the Gramm amendment because of exactly what the Senator from North Dakota has noted.

Mr. CONRAD. Will the Senator further yield?

Mr. DASCHLE. I will be happy to yield to the Senator from North Dakota.

Mr. CONRAD. Isn't it the case that the amendment that we would like to offer on our side would actually target those affected by the marriage penalty? So if the rhetoric from the other side is, if you want to deal which those hurt by the marriage penalty, we are prepared to do that. The amendment on the other side goes way beyond those hurt by the marriage penalty and actually gives benefits to people who are benefited by marriage in the Tax Code.

So wouldn't it be the case that what we are prepared to offer will address directly the marriage penalty, and why then is the majority leader resistant to the very fair notion that if he says he endorses again going back and forth between Republicans and Democrats, that he would allow the Democrats to decide which amendment is offered on their side? Isn't that a fair result?

Mr. DASCHLE. That seems to me to be a fair result. I don't know if they would stand for us telling them what their Republican amendment is going to be. But that is, in essence, what they are asking us to accept. We will tell you what Democratic amendment we will allow you to offer, and if you don't agree, you are the ones holding up progress. We can't accept that. Obviously, we can't accept that.

Mr. CONRAD. I have been in the Senate 12 years. I must say I don't recall a time when the majority leader said to the minority, ''We will not only decide what amendments are offered on our side, but we'll decide what amendments are offered on your side.'' Is this something the Senator from South Dakota has seen before?

Mr. DASCHLE. Like the Senator from North Dakota, I have been around here a while, too, and this has been a first for me as well. It doesn't come often. To have the quarterbacks all on that side deciding the amendments to be offered is an interesting set of circumstances.

The point the Senator from North Dakota makes is right on the mark. We are giving benefits to, in the name of the marriage penalty, married people who have no tax penalty, who actually benefit from being married. But the real irony, the real sad aspect of this, Mr. President, is we are doing it at the expense of those smoking-related illnesses in Medicare and Medicaid. We are doing it at the expense of tobacco farmers; we are doing it at the expense of children; we are doing it at the expense of research; we are doing it at the expense of a comprehensive attack on teenage smoking.

That is the real irony here, and that is why a lot of us feel very mystified by this proposal and by the approach the Republicans are insisting on and troubled by the inequity, not only procedurally but in substance, with the amendments they are demanding that we consider.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, just one brief response to the Senator from North Dakota. If he has been here 12 years, then surely he remembers Senator BYRD and Senator Mitchell doing just that. I remember many occasions in my time here that they dictated and filled up the tree. I learned the way of doing business around here from them.

I might also note, to make every taxpayer punished by the marriage penalty even with unmarried people costs $38 billion. If we are serious about really eliminating this penalty, that is the cost. I believe the Senator from Texas has a proposal that unfortunately is below that. It is less than that. He would like to completely eliminate it.

In the interest of trying to come to some accommodation so we can get a vote and still leave money for legitimate programs, like the teenage smoking cessation program and the Medicaid programs in the States, he has been prepared to negotiate below that level. I am not sure he should have gone down as far as he has.

Does the Senator from Texas wish to get into this debate?

Mr. MCCAIN. Can I just make one comment?

Mr. LOTT. He has been waiting.

Mr. GRAMM. I would like to respond to the minority leader, if I may.

Mr. LOTT. Let me go ahead and yield to the Senator from Arizona.

Mr. MCCAIN. What is happening now is what I feared would happen to this bill. It is starting to get very partisan. A lot of things are being said which are not necessarily helpful to the process. I hope that we can end this dialog, now that we have all made our points, and try and sit down and move forward or agree to just move on to other things. I don't think it helps anybody for us to start accusing each other of bad faith or parliamentary maneuvering. I hope that we can move at least——

Mr. LOTT. I say to the Senator from Arizona, I think that is exactly what is happening. And I do think the well is being poisoned tremendously by what has been going on here in the last few minutes. I yield to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. I don't want to get into a long argument with the minority leader, but I have to explain what this is about, in case somebody tuned in the middle of all this.

For several weeks our Democratic colleagues have stood on the floor of the Senate and denounced the tobacco companies, with great justification. But they have proposed a bill that imposes taxes principally on blue-collar Americans, and they have in their bill an incredible provision that mandates tobacco companies to pass the tax through to the consumer.

Despite the fact that it sounds like we have come to a lynching of tobacco companies, the reality is we have a confiscatory tax on their victims, the people who smoke. As my 85-year-old mother has observed, ''You are saying to me I have been victimized, and then instead of taxing the tobacco companies, you are taxing me.''

The tax in this bill is imposed on very moderate income people: 34 percent of it is imposed on those who

make less than $15,000 a year; 47 percent is imposed on those who make less than $22,000 a year; 59.1 percent is imposed on those who make less than $30,000 a year.

Our colleagues say this is not about money. It is not money they want. It is just coincidental that they get $700 billion from blue-collar workers in higher taxes. What they want is to raise the price of cigarettes. My amendment simply says raise the price of cigarettes, but rather than impoverishing the victims, the people who have been induced to smoke, let's take a portion of the money, in this case roughly a third of it, and let s give it back to moderate-income families by eliminating the marriage penalty for families that make $50,000 a year or less.

I basically view this as a rebate of part of this tax. I am trying to take our colleagues at face value as to what they say they want to do. They say their objective is to raise the price of cigarettes not to pass one of the largest tax increases in American history.

When I offered the amendment that would give a third of the money back to blue-collar workers, suddenly our colleagues were all up in arms, and we find ourselves in this situation.

Mr. KERRY. Will the Senator yield?

Mr. GRAMM. I do not yield. I listened to everybody else talk. I simply want my turn.

Mr. KERRY. Will the Senator yield for a question of fact?

Mr. GRAMM. I do not intend to yield until I am through. We hear the minority leader say that we can't afford to give a third of the money back to blue-collar workers who, if they smoke one pack of cigarettes a day, will pay $1,015 of new Federal taxes. People making less than $10,000 a year will see their Federal tax burden go up by 41.2 percent because of this bill. They say we don't have a nickel in this bill that we could give back to blue-collar workers who have been victimized by the very tobacco companies that they denounce. But it is interesting that while they do not have a penny to give back to working people, they have $28 billion to give to tobacco farmers.

Let me try to set this in perspective. Under a provision in this bill, tobacco farmers would be paid $21,351.35 an acre. We would make a payment to tobacco farmers of over $21,000 an acre, and then they could continue to grow tobacco under the same program they grow tobacco under now.

I can go out today and buy a quota to grow tobacco for $3,500 an acre, but yet we are proposing in this bill to pay $21,351.35 for what can be bought for $3,500 today? Why? Basically because this bill is not about teenage smoking, except for about 10 pages of it. And 743 pages of this bill are about the most egregious kind of spending that has ever been observed anywhere in the history of this Government.

Mr. FORD. Mr. President, would the Senator from Texas yield?

Mr. GRAMM. I will not yield.

Mr. FORD. You keep talking about the farmers and misrepresenting it. I just want to correct you.

Mr. GRAMM. I always stand ready to be corrected.

Mr. FORD. You will be.

Mr. GRAMM. I am simply reading numbers out of the bill. Basically, we have 743 pages of mandated spending on everything from maternal and child care health services, funding child care, mandating funding under child welfare, title IV, section (B), and mandating that the funds in this bill be spent by the States be spent on the Department of Education, Dwight D. Eisenhower Professional Development Program, under title II of the Elementary and Secondary Act.

We have in this bill what some estimate is the ratification of a settlement that will pay attorneys $100,000 an hour. Yet we do not have enough money to prevent the impoverishment of blue-collar workers who have been victimized by the very tobacco companies that we assail.

This bill gives all this money—endless billions—to all these groups in the grossest giveaway that I have ever observed in my political career. Groups that would have been happy with hundreds of dollars, in this bill we give them billions of dollars, because the mentality is, as one office seeker called it: ''We won the lottery.'' Well, unfortunately, this is a lottery that is paid for with taxes imposed on blue-collar workers.

What I have proposed to do is to simply take a third of the money so that we still get the full impact of raising the price of cigarettes. However since our colleagues claim this is not about money, I would like to give part of the money back to blue-collar workers by repealing the marriage penalty on moderate-income families who make below $50,000 a year so that we do not end up impoverishing the victims of the whole effort to induce people not to smoke.

Also, let me say that it is not possible to effectively spend the amount of money that is allocated in this bill. It is not possible to spend the billions and billions and billions of dollars in this bill, nor is it wise public policy. So I think if you really wanted to have a bill and you wanted to raise the price of cigarettes, that you would raise the price of cigarettes and you would take the bulk of the money and cut taxes on moderate-income people who are going to pay the costs. So you discourage people from smoking but you do not pound them into the ground economically. That is what I am proposing to do.

What is this deal about suddenly the Democrats want to cut taxes? What is all that about? Well, what it is about is, they think that if they can guarantee their Members that they will immediately get the vote on a figleaf amendment right after we have the real vote, that they can get every Democrat Member to vote against repealing the marriage penalty.

Basically, let me tell you what will happen. I just want to ask people who might watch this vote to watch it happen. When my amendment is voted on, because if anything is voted on, this amendment is going to be voted on, when we reach 51 votes on my amendment, you are going to see about 20 or 30 Members rush down and vote for it right at the last minute. It will pass with 65, 70, 75 votes. But if it only gets 49 votes, none of them will rush down, because what the minority leader is trying to guarantee them is that if they vote against the amendment to repeal the marriage penalty, that they are going to get a vote later on. Their amendment will be a much smaller tax cut, but when they get asked back home, ''Well, weren't you willing to repeal the marriage penalty on working families?'' They are going to say, ''Oh, yeah, I was for it. I just wasn't for that provision. I was for another provision, but I wasn't for that provision.''

So I do not know if anybody is going to be fooled.

Mr. KERRY. Will the Senator yield?

Mr. GRAMM. But the issue really boils down to this: You can denounce the tobacco companies all you want to and rejoice in it. I would join you if I thought it would do any good. But I think we are doing it so much, I am not sure it is achieving its stated objective. In the end, you are not taxing tobacco companies. In the end, you are taxing blue-collar workers in this country, who are going to be brutally punished by this tax if they are addicted to cigarettes and they cannot quit smoking.

In my State, we have 3.1 million people who smoke cigarettes. If they smoke one pack a day, they are going to pay $1,015 in new Federal taxes as a result of this bill. For somebody who is making $10,000 or $20,000 or $30,000 a year, that is a brutal, punishing tax.

All I am saying is, quite frankly, Americans believe this bill is about the $700 billion. They believe that this has long ago stopped being about teenage smoking, that this is really more of the old tax and spend, getting $700 billion of easy tax money and then spending it. It is easy because people believe that we are taxing tobacco companies. When they understand that we are taxing the people who smoke, and who in many cases are addicted and who can't quit, or at least are going to take time to quit, I do not think they are going to be sympathetic to what we have done.

No one can argue that in the endless billions of dollars of money spent in this bill, that we could not give a third of this money back to blue-collar workers by repealing the marriage penalty.

So my goal is to offer the amendment. I hope it will be adopted. I think it is the right thing to do. I think it would marginally help this bill. But my objective is to see that if, in fact, we raise taxes on working people, that we raise the tax to change the price of cigarettes and therefore encourage people to quit smoking. I do not want to

simply raise the tax to spend money on endless Government programs, many of which have nothing to do with smoking. And the ones that have anything to do with smoking, we have endless redundancy in setting up community action programs and international smoking cessation programs and the worst kind of duplicative bureaucracy. The net result will be to hire tens or hundreds of thousands of people, spend hundreds of billions of dollars, every penny of which will come out of the wallets and purses of blue-collar working Americans.

Finally, let me say that someone suggested that if we repeal the marriage penalty, it might help couples where the wife stays at home and works in the home. If that is a criticism, please note me down as having been criticized. I do not have any apologies to make.

I think the people who do the work and pay the taxes and pull the wagon in this country pay too much in taxes. I am not happy that we are getting ready to sock them with another $700 billion of taxes. If I can, through my modest involvement, see that they get a third of the money back, so that we get the impact on smoking without impoverishing blue-collar workers, I want to do it. And that is what I am trying to achieve.

I yield the floor.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, all that the Senator from Texas has said sure sounds good when it gets a one-sided airing. But, fortunately, the Senate has an ability to look for the truth here. And the truth is that this is not a Democrat bill, this came out of the Commerce Committee 19–1—19–1—in a bipartisan vote.

And the fact is that the Senator from Texas talks about wanting to take only one-third of the money. But he doesn't just take one-third. No, he just doesn't tell the full story. The Senator from Texas is not prepared to let the Senate and the American people know what his amendment really does.

So we will show you what it really does. It cleverly, in the first 4 or 5 years, takes one-third, but then it builds up, and over the course of the next 20 years it takes 53 percent over 5 years, 80 percent over 5 years, 79 percent over another 5 years, and 73 percent over the next 5 years. So consistently for a period of 20 years it takes more than 50 percent, and for 15 of those years more than 75 percent. That is extraordinary.

He stands here and says to the Members of the Senate, ''All I want is''—what? 33 percent, one-third. That is just not the truth. The truth is that this amendment of the Senator from Texas not only goes to the people he talks about, those working Americans who will get so brutally attacked, but he is going to give money back to people who, under the aberrations of the marriage penalty, actually get a bonus. Fifty-two percent of the people who get married actually get a bonus because of the way the Tax Code works on the earnings of individuals versus joint filings. He gives the bonus recipients back money, too.

If we are really concerned about restoring and repairing the notion of fairness for people who are hurt by their wage level and the fact that they buy cigarettes, and you will try and fix the marriage penalty at the same time, then we believe the Democrat alternative is a better alternative. The reason the Republicans don't want to let us have the right to vote on it right away is because it is a better alternative and they are afraid what they really need is some time in between them so that the vote which is hanging out there—the only vote that people will see—the public might get mad and telephone Members and say, why didn't you vote for this, because they won't know there is an alternative. That is the game that is going on here.

Under the other alternative, the Democrat alternative, because we make an effort not to wind up taking money from kids that we are trying to stop smoking, not to take money from a cessation program, not to take money from the counteradvertising, and we regard people who, when they got married got rewarded by getting more money under the Tax Code—how can you justify that under these circumstances if this is the tradeoff?

The fact is that under the amendment the Democrats are prepared to offer we give almost double the amount of money that you get under the amendment from the Senator from Texas. For a couple with a split income, say they are earning $35,000. One is earning $20,000 and the other is earning $15,000. Under the Democrat alternative they would get $3,000 back; under the Republican alternative they would get back $1,650. Similarly, for a couple earning $50,000, if it was split $25,000 and $25,000 of income for each partner, in our alternative they would get $5,000 back; under the Gramm alternative they would get the same $1,650 as they would have gotten for the lesser amount.

So we ask Americans to look carefully. Here is a legitimate proposal to change the penalty of the marriage tax, to fix it for the people who are most penalized and to benefit people who are, in fact, most injured. That is the difference between the two. That is what people will have an option of voting on if we are permitted to vote on it in some simultaneous form. Obviously, our hope is we will still be permitted to do that.

Under the amendment from the Senator from Texas, he would, in fact, according to the Centers for Disease Control, he would take money out of the cessation and counteradvertising and school-based prevention.

Now, he complains this bill is somehow going to throw money at ''government programs.'' Well, in his State of Texas, there would be 360,000 less kids who would be eligible to have cessation services made available to them. There would be 3,869,000 kids between the ages of 5 and 17 who would not get school-based prevention programs as a result of his own proposal to strip that money out of the revenues from the tobacco bill. That is what would happen. That is what we are talking about here. We are talking about whether or not there will be cessation programs, whether or not there are going to be counteradvertising efforts, all of which have been proven to work.

So what you really have out here is a fundamental effort to try to kill the bill or stop the bill or just let it go on and on forever. The Senator from South Dakota, the minority leader, was absolutely correct. There is a whole world of difference between the way this bill is being shepherded versus the way every other piece of legislation that has come to the floor this year, where there have been time agreements, cloture motions filed immediately, immediately limited debate, limited number of amendments—move the legislation. We can tell the difference between those who would like to pass legislation or work on it, I think, in a way that will move this legislation to some kind of a final disposition.

The fact is that there is a world of difference between adequately taking care of those efforts that will have the most impact on a proven basis in helping to prevent kids from smoking versus the kind of approach that the Senator from Texas is offering. I would like to vote to cut the marriage penalty. I would like to vote to do away with the whole thing. The question is, Are you going to do it here, when the choice is between reducing kids from smoking or not? That is really what it comes down to when you look at the large amounts of money the Senator from Texas is seeking to take.

We have offered a compromise. We have offered to sit down with the Senator from Texas to try and arrive at a lesser amount of money and see if we can't come to some agreement as to what would be reasonable. I think most people on our side of the aisle would welcome the opportunity to change some part of the formula of how these moneys are spent and certainly envision the capacity to embrace a tax cut in an appropriate form and shape and size—in that context. But if there is a genuine effort to do this, then we ought to be able to make that happen. If there is simply an effort to grab so much money that this bill goes under of its own weight, it will be very clear whose intention was what, and ultimately what the impact was as a result of that.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ASHCROFT. Mr. President, I am pleased to have an opportunity to participate in this debate regarding the so-called tobacco settlement. My understanding of this bill does not comport with the understanding that has been recently voiced on this floor by the Senator from Massachusetts. It appears to me this bill, which is a very comprehensive bill, the dimensions of which are so substantial that they deserve clear inspection—we are talking about a major piece of legislation, a tobacco bill which includes this kind of specificity. We are talking about a bill that has 17 new boards and commissions. We are talking about a bill that would add taxes of about $885 billion at the maximum over the course and life of the bill to the budgets of Americans. These aren't costs that go to the tobacco company. These will be additional costs to the people.

I question whether or not this kind of bill deserves the full examination and the full discussion of this Senate; that is a serious question. I have a suspicion that some individuals want to curtail debate on this bill because the bill is finally being seen. There is a dawning. The light of day is beginning to shine on this bill. The American people are seeing that 98 percent of the people are being taxed, while only 2 percent of the teens smoke. The 98 percent of the people that are being taxed are having their costs go up astronomically. Not only are they having their costs go up astronomically, they are having their costs go up on an assumption that if you raise the cost of cigarettes by 10 percent, you get a 7-percent decrease in the amount of utilization by young people. That is an assumption that the studies do not bear out. As a matter of fact, the most recent studies indicate that an increased cost of cigarettes will not curtail young people from smoking. It is simply not the case. At best, the studies are inconclusive. At worse, they show that there is little correlation between a price increase and reduction in youth smoking.

Let me give you some statistics about this. The Cornell study was a study that followed 13,000 children for 4 years. This was not something that was cooked up and done in response to the tobacco industry, or someone like that. It was done at Cornell University, and it was a National Cancer Institute-funded study, so that the funding for this study is credible funding. Here is what the study found:

> . . . little evidence that taxes reduce smoking onset between 8th and 12th grade.

So in that critical exposure period between 8th and 12th grade in school, there is very little evidence that increased taxes would reduce the kind of growth in the numbers of individuals smoking. The economists that conducted this study presented their results on the relationship between higher tobacco taxes and youth smoking to the American Economics Association at their annual meeting in January of 1998. This is a current study. This studied young people and the way they respond in the modern culture. It concluded that higher taxes have little effect on whether young people start to smoke. Little effect.

Here is what the study concluded:

> Taxes are not as salient to youth smoking decisions as are individual characteristics and family background.

In other words, whether children begin smoking doesn't relate to taxes near as much as it does to family background and characteristics of the children.

This study, which followed 13,000 young people for 4 years, says:

> We find little evidence that taxes reduce smoking onset between 8th and 12th grades.

They estimated that a $1.50 tax increase would decrease the smoking onset by only about 2 percentage points, from 21.6 percent of the 12th graders to 19.6 percent of the 12th graders.

When you suggest that the change in the smoking habits would be that small—they had to conclude as follows, and I will quote from the report of Cornell University, a report funded by the National Cancer Institute, which put it this way:

> Our data allow us to directly examine the impact of changes in tax rates on youth smoking behavior . . .

In other words, they said they had enough data to draw conclusions.

> . . . and our preliminary results indicate this impact is small or nonexistent.

So this massive tax increase—$868 billion to a new estimate of $885 billion—on the American people, over the course of the life of this settlement, is supposed to produce some kind of a reduced incidence of youth smoking. Yet, the very best data from the latest studies, sponsored not by the tobacco people, but by the National Cancer Institute—a 4-year study—indicates that the taxes would have a small or nonexistent affect.

That reveals what this bill is all about. It is about big Government. It is about big taxes. It is about new agencies. It is about an invasion of the taxpayers' pockets. It is striking to note that there is $350 million a year in this bill. And with the 50 States, that is $7 million per State. That is $7 million per State, on an average, that goes overseas to fund studies in foreign countries about how costly cigarette smoking is in those cultures.

For the life of me, I can't figure out why we want to have Government bureaucracy, funded by a tax on the lower income people of the United States of America, to make it possible for Third World countries and others overseas to have studies on how costly smoking is in their culture. A number of individuals would prefer that they have it not be so costly here. The truth of the matter is that 59.4 percent of all the individuals who will be paying this tax, according to the best estimates we have, will be individuals whose income is less than $30,000 a year.

So we have a massive tax bill, three-quarters of a trillion dollars, focused on the lowest income people in America, on the presumption that it will curtail smoking among young people. But the best academic research we have indicates that young people are not sensitive to price. As a matter of fact, the study conducted by Cornell University, funded by the National Cancer Institute, indicated that there is little or nonexistent impact by that kind of tax in terms of curtailing smoking by young people. This is a study done by the folks at Cornell University, which is a well-respected institution. We would expect that the National Cancer Institute would fund a study that is fairly done. It studied a lot of children, and 4 years is a long period of time. We would not expect this study to have been done in a slipshod manner. It does come to the conclusion that indicates this isn't a very productive way to try to curtail youth smoking. The economists stated the study raises doubt about the claim that tax or price increases can substantially reduce youth smoking.

Well, obviously, there are very serious doubts. But there is no doubt about what this bill is about. It is about an $885 billion increase in the taxes to be focused on low-income individuals in the United States.

Let me just cite another study. Economists at the University of Maryland and the University of Chicago conducted a similar study that analyzed data concerning more than 250,000 high school seniors for the period from 1977 to 1992. Now, this is a longitudinal study; you get from 1977 to 1992, so it is a 15-year-long study. This is the largest sample ever used for a study on the subject. So you have a quarter of a million students studied over a 15-year period.

Here is what they found. They found the relationship between price and youth consumption is ''substantially smaller'' than suggested by previous studies.

In addition, not only do we have the Cornell study on this idea that you can reduce smoking by 7 percent with a 10-percent price increase, which says that it is nonexistent or would have little impact at all, but this other study was done by the University of Maryland and the University of Chicago over a 15-year period on a quarter of a million students. It says there is a substantially smaller than previously suggested link between taxes and smoking.

Many of us could just look at the circumstances that we see around us and have an idea that price isn't the primary objective or consciousness on the part of young people. When we look at young people wearing $140 tennis shoes because they have a certain logo on

them, I think we can get the idea that there is something in addition to price here; there is status and statement, which are very important to young people. Price becomes irrelevant in the context of status and statement.

Let's get out of the area of studies and look at what happened when price increases have been put into effect. In 1989, California raised its cigarette excise tax by 25 cents per pack, but there is no evidence that cigarette smoking declined. Now, this was an 11 percent increase of the tax. That is a major increase. If we were to see that kind of increase, we would expect there to be a decline. No evidence of a decline. As of 1994, researchers were ''unable to identify a decline in prevalence [among 16-to-18-year-olds] associated with the imposition of the excise tax.''

In Canada—and this is the most commonly cited arena cited by those who want to have this massive settlement imposed on the American people at the cost of more than three-quarters of a trillion dollars to the people. In Canada, our neighbor to the north, the federal government increased cigarette taxes in several stages in the late 1980s and early 1990s—from $10.75 per thousand cigarettes to $24.34 in 1986 per thousand cigarettes, then to $38.77 in 1989 per thousand cigarettes, and then to $62.90 in 1991 per thousand cigarettes.

So you go from $10 per thousand, or about a penny a cigarette, to 6 or 7 cents per cigarette, over the period of time. So you had an increase, at first, of a penny per cigarette, and then an increase of 6 cents per cigarette. Although it has been stated on the floor by proponents of this legislation that smoking decreased during that period, they failed to talk about the years 1991 to 1994.

Here is what happened. When the tax rates were the highest in that nation's history, and when the tax rates were the highest in that nation's history during that period, smoking rates among 15- to 19-year-olds rose from 21 to 27 percent. That is a 25-percent increase—more than a 25-percent increase in the number of teens smoking at the time when the cost of cigarettes was at the highest in history. Frankly, when the cost of cigarettes in Canada was at the highest in history, I think it is pretty clear from the testimony of others on this floor that the black market was operating the most aggressively at that time. So we are probably seriously underestimating the fact that the growth was about 25 percent in the number of teens who were smoking.

If the argument that rising prices will reduce teen smoking, it stands to reason that youth smoking should increase as prices fall. If you are going to say that higher prices cause teens to stop smoking, then lower prices would probably cause teens to start smoking. However, a year and a half after significantly reducing tobacco taxes in Canada, according to the ''Survey on Smoking in Canada,'' teen smoking ''remained stable.''

What we really have from our experience of observing Canada is that teens aren't very much affected by price. That confirms what the study indicated at the University of Maryland and Chicago. It confirms what the Cornell study indicated. It confirms what happened in California. What happens, as a matter of fact, is that teens are not affected very much by price. The fact that is ignored by those who argue teen smoking declined in Canada due to the significant tax increases is that youth smoking declined in the United States by 30 percent during the same period—from 1977 to 1990—without a price increase.

There are times when teen rates of smoking haven't gone up in either culture. If they were parallel in both cultures as a result of other factors, and taxes went up in one and not in another, it makes it pretty clear that the tax increase in one was irrelevant to whether or not teens smoked. Here we have a situation where we are imposing a tax on 98 percent of the cigarette consumers who are adults on the presumption that it will change the smoking habits of the 2 percent who are teenagers when the studies and the real world information simply do not bear out this as a justification for this kind of massive tax increase.

In the United Kingdom, between 1988 and 1996, the per pack price of cigarettes was increased by 26 percent. Although cigarette volumes fell by 17 percent, the percentage of weekly smokers aged 11 to 16 went from 8 percent in 1988 to 13 percent in 1996. So it turns out in the United Kingdom the number of youngsters who were smoking went up, even when the number of people smoking overall went down. It went up from 8 percent to 13 percent in spite of the fact there was a 26-percent increase in the price of tobacco.

The University of Chicago, and Maryland, Cornell University, a study funded by the National Cancer Institute, the experience in California, the experience in Canada, the experience in Great Britain—these are experiences which indicate to us that this is more a bill about taxes than about increasing the size of government. It is about sending the hard-earned dollars of individuals in the United States overseas to fund these studies in other countries, to provide a basis for a variety of interests in the United States being well funded; but this is not a bill which addresses the issue of teen smoking in a responsible way.

The Centers for Disease Control has compiled data on brand preferences which support the conclusion that young people are not particularly price sensitive. The ''price value'' or discount segment of the cigarette market comprised 39 percent of the overall cigarette market in 1993. Yet, according to the CDC, less than 14 percent of adolescent smokers purchase generic or other ''value-priced'' brands. On the average, the people were price sensitive, but when you got to teenagers they weren't.

This point was echoed by the government's lawyer defending the FDA tobacco rule, who told the U.S. district court, ''[P]rice, apparently has very little meaning to children and smoking, and, therefore, they don't smoke generic cigarettes. They go for those three big advertised brands.''

All of a sudden, we come to this place where we are going to pile on the taxes, pile them on low-income individuals. Those making less than $30,000 a year will pay nearly 60 percent of this $885 billion tax burden. And we are doing it in the face of the information of these university studies that are current, that are recent; in the face of the data from California, and data in Great Britain; and in the face of the Federal Government's lawyer arguing in the U.S. district court in the FDA tobacco case where he said, ''price apparently has very little meaning to children and smoking.'' They aren't affected by price.

We have a situation where we have had cloture filed on this bill. There are those who do not want the kind of debate about price and about taxes, about the fact that the price isn't really as significant as they would like to portray on teen smoking. And if we slow this bill down enough for people to look at it carefully, they might figure out that this bill isn't what is needed at all. Certainly, most people do not think we need another three-quarters of a trillion dollars in taxes focused on the hard-working, lower-income individuals in America.

This is a bill about taxes. It is a bill about money. If you look carefully at this bill, it has everything from foreign aid in it to more of the child care proposals of President Clinton. It is time, if we are going to have taxes increased, that we do something constructive with the tax increase, and we give it back to the people in terms of respecting an institution which America has long understood to be at the core of the potential for a bright future for this country. We are talking about the institution of marriage.

I commend Senator GRAMM who brought to the floor a proposal which would eliminate the marriage penalty on individuals who are low-income individuals, to say to them that we don't think you should have to pay higher taxes merely because you are going to be married; you are going to make the durable, lasting commitments of marriage that are likely to be the basis for strong families that are the foundation and the future of America, we don't think you should pay for that in terms of higher taxes.

Both Senator GRAMM and Senator DOMENICI have indicated they would eliminate the marriage penalty for individuals making less than $50,000 a year with some of the resources generated by this measure. Obviously, there are those who are expecting to spend those resources on more government programs and are terrified by the fact that we might think about giving

the money back to the people. You have to understand this is at a time when the U.S. Government is in surplus. It is expected—even conservative estimates—that there will be a $39 billion surplus this year, nearly $60 billion in surplus next year, and we shouldn't be here debating how to spend more of the taxpayers' money. We should be here debating how to give money back. And Senators GRAMM and DOMENICI, the Senator from Texas and the Senator from New Mexico, have come forward with a plan to reduce taxes to the extent that you end the marriage penalty and to say to people, we are not going to penalize you for having the durable, lasting commitments of marriage that become the foundation.

Frankly, I am very enchanted by the idea of eliminating the marriage penalty, and this will not end the debate on the marriage penalty. I will continue to offer amendments until it is eliminated, whether this passes or not. The marriage penalty is a pernicious attack on the values and principles of America. It is time that we aligned the policy of America with the principles of the people of America.

I commend the Senator from New Mexico and the Senator from Texas for their outstanding work, but I think this cloture motion was filed because people are beginning to understand. The idea is that, well, we filed cloture on some other matters; maybe we should file cloture on this. I think that has been suggested. I don't think that is the case. I think the people are beginning to understand this is a massive tax increase. And because it is, I think that cloture is inappropriate at this time. We have a responsibility to debate what we will do with $885 billion in revenue. I think it should be given back to the people who have paid it.

With that in mind, I urge Senators to oppose in every respect the motion for cloture, to vote against it. This is a measure which deserves the light of day. It deserves the dawning of day. The American people really ought to have a chance to look carefully at it, understand it, and to see it clearly. They ought to see it in the context of what it seeks to do—tax individuals, primarily low-income individuals, at very substantial rates—and the result will be substantially more Government. The studies indicate that the impact on teen smoking as a result of that tax is very likely to be minimal, if existent at all.

It is with that in mind that I think we ought to take very seriously the proposals to abolish, to take the tax out of this bill. And if we don't do that, we ought to do what we can to give back the money which is collected from the hard-working people of America. The idea that we should somehow proliferate Government in response to this situation is an idea which, when exposed to the full light of understanding, will be rejected by the American people. Certainly Washington appears to be the only city in the world where a bad decision, the decision to smoke, made by free people, becomes the basis for taxing those free people, taxing them in ways that will make it very difficult for them to provide for their families.

My own view is that that is inappropriate. We should reconsider the position that is being offered here, and I believe the kind of tax relief that has been offered by the Senator from Texas and the Senator from New Mexico is the kind of relief that ought to be considered in the event there are any taxes in this measure.

With that in mind, I will do what I can to make sure that we have the opportunity to consider a variety of proposals which would extinguish and end the marriage penalty in our law, if there are resources being collected from the American people under the guise of a tobacco settlement.

Mr. President, I yield the floor.

Mr. MCCAIN. Mr. President, I respect the views expressed by the Senator from Missouri. He has spoken long and eloquently on this issue in the Chamber. I did hear him just say that bad decisions by free people to smoke—bad decisions by free people to smoke—shouldn't be taxed.

I am intrigued by that comment, especially since what we are talking about here is free children. I thought that the obligation of my party and Government was to care for children, was to keep them out of harm's way, and do what we can to lead them into better lives.

When the Senator from Missouri said ''bad decisions by free people,'' I was really sort of shocked, because the Senator from Missouri should understand the intent of this legislation. The intent of the legislation is to try to stop companies that have been enticing the children—my children, all America's children—to take up a habit that is going to kill them. So it can be interpreted as a massive tax increase; that is what the latest media reports I see are—$60 million worth of attack ads calling it a tax increase. That seems to have been sort of accepted by the American people as fact. I guess if you spend enough money on an advertising campaign, it may have some significant effects.

It seems to me that for Americans to believe that this is simply a reason to tax them, then there has been a very significant effect.

But I think we are all aware that what we are trying to do here is cut taxes on the American people. You do that by stopping people from smoking, because right now $50 billion a year in Americans' tax dollars go to treatment of tobacco-related illnesses. And that $50 billion a year, Mr. President, is not a static number, because according to the Centers for Disease Control, and other sources, children smoking is going up in America; therefore, you are going to have more people who need treatment because approximately a third of those children who begin to smoke will die early or need treatment for tobacco-related illnesses. So the present $50 billion tax per year that the American people are paying will increase. So I don't know why it is so hard for some people to understand that if we do nothing and the present trend continues, the tax burden on all Americans—high income, low-income Americans—will go up, not down.

I think it is also important to address the issue that seems to be talked about so much by opponents of the legislation, about the burden that this tax—I am beginning to do it myself—that this increase in the cost of a pack of cigarettes will have on low-income Americans.

First of all, to state the obvious, as the Senator from Missouri said, it was a bad decision, and these people do smoke, which is their choice. And I certainly sympathize with those who find it nearly impossible or impossible to stop. It is extremely difficult, because it is an extremely addictive substance, but it still is a voluntary act. But also, we find out, and it is very disheartening, that it is the children of lower-income Americans whose smoking is increasing in America. And to somehow feel that low-income or middle-income or high-income Americans would not do whatever is necessary not just for themselves but for their children I think is contradictory to what I know and believe about the American people.

Mr. President, we had not the most pleasant exchange that I have observed in this Chamber recently, not the most unpleasant either, by the way, but it wasn't pleasant. Obviously, we have been on the bill now nearly 2 weeks. We know we have the press of other business. We know we have legislation that needs to be addressed—the Department of Defense bill, 13 appropriations bills, and others are necessary. There is a certain level of frustration that was manifested here. I believe we must come to a point where we should decide to end the debate—which, as I say, now has been going on for nearly 2 weeks—or move forward with the bill. In the event of cloture, as we all know, germane amendments to the bill would still be in order.

I should also like to remind my colleagues of the consequences of going off the bill. If we do not pass this legislation through the Senate and through the House and then in conference and signed by the President, I think some think the issue will therefore disappear from the American scene. Quite the contrary, Mr. President. The reality is that if the Congress does nothing, then there are 37, and perhaps more, attorneys general who are lined up to sue the tobacco companies for the injuries that have been inflicted on the people of their States.

I think there are several drawbacks to this course of action. One of them, to state the obvious, is that the amount of legal fees that will go, the amount of money that will go in the

form of legal fees, to the plaintiffs' lawyers will be dramatically higher than that envisioned by this bill and, frankly, will be much higher than what I would envision in an amendment that will be passed in the Senate which will place further restrictions on attorneys' fees.

Second, of course, is that it will be a long, drawn out process. I do not think there is any doubt as to who would prevail. There have been trials in four States, all of which have not gone to a jury because the tobacco companies, for obvious reasons, have chosen to settle, the last being the State of Minnesota—$6.5 billion was the agreement by the industry. And along with that agreement, with that settlement, was an agreement by the tobacco companies to do many of the things that have been attacked on this floor.

A massive tax hike? Guess what, the price of cigarettes all over America went up 5 cents because of the requirement to settle the Minnesota case. I think it is also of some interest that the $6.5 billion that the tobacco industry agreed to is roughly double the amount that would have been received under the settlement that was an agreement entered into between the attorneys general and the tobacco industry. So the cost, if you go on a State-by-State basis, assuming that they all either settle or juries award large settlements, then the cost goes up. And the so-called tax, massive tax that is so concerning to many of my colleagues, is higher. When you extrapolate it out over all 40 States that are in court—and I imagine the other 10 would join sooner or later—then that is more money added to the cost of a pack of cigarettes than envisioned by this legislation.

But let me tell you what bothers me the most about having these cases go to the States—which they will. I would like the Senator from Missouri to find me one legal expert in America who does not believe that the day that this legislation leaves the floor of the Senate there will be, in the words of a well-known plaintiff's lawyer, a ''rush to the courthouse,'' not only by the attorneys general but by many of the plaintiffs' lawyers in America.

But what bothers me the most about this, and the reason I am saddened a bit to contemplate it, is the fundamental purpose of this legislation is to act as soon as possible to stop the children from beginning to smoke. The day the President signed this bill, massive amounts of money would be spent to begin youth smoking cessation programs. Large amounts of money would be spent on research, not only to find out what causes kids to smoke, but also to find cures for these terrible diseases, the largest causes of death in America—the heart disease, the lung cancer, the emphysema—the terrible ways that people die as a result of the use of tobacco. So, all that will be delayed. And the most terrible delay, of course, will be the effect that we could have, in a beneficial fashion, on children in America.

There are some on this floor who have said raising the price of a pack of cigarettes will not do it, these cessation programs don't do it, et cetera. I think they are entitled to their opinions on that issue, but I depend upon the opinion of experts. I depend upon the opinion of every living Surgeon General since 1973—every living Surgeon General in America. Their letter has long ago been made part of the RECORD. They say that you have to have a comprehensive approach to this problem. I agree with every—literally every—public health group in America, whoever they are, you name them—I read the list of them into the RECORD the other day—who say you have to have a comprehensive settlement if you want to stop kids from smoking. I agree with Dr. Koop. I agree with Dr. Kessler. I agree with the eminent people in America who have spent their lives, literally, on this issue, who say don't think you can solve it by just a simple tax increase.

I would also like to say I think the States deserve reimbursement. We, on this side of the aisle, at least, have always advocated a situation where we try to reduce the financial burden on the States. We are always pleased and proud when we pass things like no unfunded mandates and return money to the States to use however they want, since, after all, it is theirs that they send to Washington, DC. If we do not do this settlement, of course, there will be no money that goes back to the States; it will all just come to the Federal coffers, and bureaucrats will then decide, or one can make the case that the appropriators will decide.

So the Senator from Missouri made an eloquent argument that we should continue debate on this issue and that we should not cut off debate because the American people need to be better informed. I would say to the Senator from Missouri, who I note is here on the floor, they have been pretty well informed by somewhere between a $60 million and a $100 million tobacco advertising campaign by the tobacco companies. They have been pretty well saturated in that area. Most major pieces of legislation—the expansion of NATO, for example—in the 12 years that I have been here, almost every major piece of legislation takes about 2 to 3 weeks. And, of course, that is only the largest legislation that we consider.

I also think there are many, many organizations out there who are informing the American people. But, again, far more important than that, there are people who are suffering from very terrible diseases as a result of their use of tobacco, and the sooner we get money into research and find cures for these terrible diseases, the better off they will be and we will be as a nation. Every single day that we debate this issue and not bring it to some conclusion or the other, 3,000 children will begin to smoke. We can debate whether this is a good bill or a bad bill and how it should be changed, but there is one fact that cannot be changed, and that is what it is doing to the young people of America.

So I would argue if, at the end of today, 3,000 more children have started to smoke and 1,000 of them will die early, maybe we ought to spend more time here and get this issue resolved and maybe not go home this weekend. Maybe we should spend this weekend debating this issue, trying to reach some conclusion. Instead, either late tonight or early tomorrow morning we will all be gone. The majority leader just talked a little while ago about how hard it is to get people here on Monday.

Perhaps—perhaps—we will go to work maybe on Tuesday. Friday, Saturday, Sunday, Monday—4 days; 12,000 young people will begin to smoke while we enjoy our extended weekend.

I believe that we should try and keep that in mind. My argument, Mr. President, in a rather drawn-out fashion, is that there are compelling reasons why we should act on this issue either one way or another. Maybe in the wisdom of the Senate this is not a good piece of legislation, and we should drop it. But let's go ahead and drop it sooner rather than later so that the process will begin in the other 36 States that have sued the Federal Government; the additional 10 that, I am sure, will be in line; so that the plaintiffs who have suffered injury and the relatives of those who have suffered deaths because of tobacco can begin their trip to the courthouse so that they can receive the compensation they feel they deserve because of what happened to them as a result of years of tobacco—whether they deserve that or not is up to a judge and jury—but especially the attorneys general awaiting to see what the U.S. Congress does. I hope that we can act in as rapid and efficient fashion as possible.

I remind my colleagues that I was asked, as chairman of the Commerce Committee, to bring this bill to the floor of the Senate and to get it through my committee. We had a full day of markup, and I am in disagreement with the remarks the Senator from Missouri made the other day about discouraging amendments. I, in fact, encouraged amendments, and the Senator from Missouri had several which were voted on. They had to do with product liability. They didn't have anything to do with reduction of taxes. But that was the right of the Senator from Missouri.

I don't believe he could find any of my colleagues who would argue that there wasn't a full addressing of that legislation during that day. At no time did I try to cut off anyone's right to propose an amendment on a piece of legislation that serious. In fact, if I remember, I was somewhat entertained the Senator from Missouri even proposed as an amendment a piece of legislation which I and Senator

LIEBERMAN have cosponsored, which was his right. But I don't believe that anyone was shorted during that very interesting markup. In fact, literally every Senator on the committee was heard from and, again, in my 12 years on the committee, I have never seen nor been part of such an extensive markup as took place on this bill in the Commerce Committee.

I was asked to bring this bill to the floor, and it was reported out of the committee by a 19-to-1 vote. Then the majority leader scheduled it for floor debate, which is the responsibility of the majority leader.

I, along with the Senator from Massachusetts, have tried to manage this bill. But I say to my colleagues, there is no point in us staying on this bill forever. It is obvious that we won't. For example, today we have not had a single amendment voted on, and we seem to be hung up in some kind of parliamentary maneuvering which some observers might say is a reason to impede the progress of the bill, because we all know we don't stay on any piece of legislation forever.

I hope we can work out our differences. There are pending amendments. There is a very important drug amendment we would have liked to have brought up today. I don't know if we will. It is nearly 4 o'clock now. But I believe it is important that we either move forward and resolve the issue, or we go on to other issues that are compelling issues as well. The Department of Defense authorization bill—and I am a member of the Armed Services Committee—is waiting to be debated and resolved. It is very important that we address the needs of the men and women in the military and our Nation's security. There are many other pieces of legislation that are awaiting action on the part of the Senate, which argues that we proceed with this legislation or move off it.

I would feel rather badly if we do, but I also point out that, in my own very subjective view, I would have done whatever I could to see that this issue was brought to completion.

Mr. President, I yield the floor.

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, I appreciate the fact that people want to make this a bill about cessation of teen smoking. I want teens not to smoke. It puzzles me, though, that they look past the studies: Cornell University, with 13,000 students showing that price doesn't make much difference at all to them. They look past the University of Chicago and University of Maryland saying that price is way overrated. They look past the experience of Canada when price was going up dramatically, smoking was going up among young people. They look past the United Kingdom where smoking went up among teens when price was going up, and they talk about teen smoking, and yet they don't make the possession of cigarettes by teenagers illegal or inappropriate in the bill.

This Congress has authority over the District of Columbia. If we really were serious about saying it is wrong for youngsters to have cigarettes or to have tobacco or thought it inappropriate, we could make it illegal for them, but this bill doesn't do that.

What does this bill do? This bill raises taxes. It creates new government programs. It funds the priorities of the Clinton administration. It is an $885 billion tax increase, and who pays the tax? The tax gets paid by low-income individuals. Mr. President, 59.4 percent of the individuals who will be paying this tax will be individuals who earn less than $30,000 a year.

Some have said, ''Well, we should be voting on amendments.'' I agree we should. There was a unanimous consent order proposed today which provided for votes. I agreed to it. I didn't stop it. The majority leader proposed it. He proposed to have votes to lay these issues in a context where they could be dealt with, where they could be voted on, where they could be disposed of, and those on the other side of the aisle rejected it.

We can't have it both ways. We can't say that this is a bill which is going to stop people from smoking and we are going to collect $885 billion when they do smoke. If they stop smoking, the money won't be there. What we all know is they are going to keep smoking; that is why the money will be there.

We can't say this will help the children of poor families when we are going to make the poor families pay $1,200, $1,600 a year in taxes and take that off the table of those families and out of their budgets. We can't say we are going to stop teens from smoking when we don't even care enough to make it illegal for teens, where we have jurisdiction, to possess cigarettes.

This is a tax bill. It is a massive tax bill. It is a massive government bill. It promotes government agencies not only in the United States but overseas. There is $350 million each year in this bill to send overseas, so that countries overseas can conduct studies about what it costs to smoke in other countries, not the United States of America.

I think this is the kind of priority that no wonder people don't want this bill slowed down enough for the American public to see: Taxing people who make less than $30,000 a year in the United States to fund studies overseas so that they can conduct studies about what it costs to have cigarette smoking in other countries. I don't believe that is what Americans are interested in. That is not going to help young people in the United States.

The Senator from Arizona says the States deserve reimbursement. He said this is hard on the States, and then he sort of bragged about how hard this is on tobacco companies. I am not worried about the States or the tobacco companies as much as I am about the people of the United States. They are the ones who deserve reimbursement, if anybody deserves reimbursement.

And here we have an elevated taking by the Federal Government, another three-quarters of a trillion dollars over the life of this bill—taking from these people instead of giving to them. We come to do this at a time when the Federal Government is looking at a revenue surplus.

It just seems to me that we ought to be debating how to give back the money to the people rather than taking these resources from the people. I do not object to amendments. I do not object to a UC which would allow further amendments. Very seldom do we have bills here where we get it right the first time. I think it is good to have debate on these issues. I think it is good that the studies be brought forward. It is good that the people have an opportunity to see exactly what the community has been able to decide when it has observed the facts, the reality of situations not only here but in other settings.

It is with that in mind, I believe it is important to move forward with the amendments, like that of the Senator from Texas and the Senator from New Mexico which would abolish the marriage penalty, to say to those families, ''We want you to be able to have the kind of right to deploy your own resources rather than have Government spend the money. And we don't think we should penalize you because you have involved yourself in the durable, lasting commitments that form the basis of the family,'' the most important institution in our culture.

So it is with that in mind that I have risen to criticize this bill and to unmask it. This bill is substantial. It has more pages than the average person probably reads, more pages than the average Senator reads. And reading this bill is important. It is in here that you find out about the Federal programs that are tucked away, the mandated spending for the States. It is in here that you find out about the kind of special limitations that were to be provided to the cigarette companies in terms of their liability. If you care so much about the children, why limit the amount of money in damages that tobacco companies would have to pay in? Why provide them with a special sanctuary?

It is this bill that deserves our consideration. It is in here that you find the massive tax increases and the spending on new and other programs. I believe we ought to add to this that if we are going to have taxes, we will give the taxes back by way of saying, as the Senator from Texas and the Senator from New Mexico have said in their proposal, the marriage penalty ought to be abolished for individuals making $50,000 or less. I would abolish it for all individuals. And, frankly, I am going to continue offering amendments about the way to spend the money, not to

spend it through Government but to send this money back to the American people. They earned it. They should have the opportunity to spend it. The idea, ''You send it; we spend it,'' being the slogan of this place is a bad idea. It should be, ''You earned it; we returned it.''

It is not wasted on me that the cloture motion was filed when the debate on the marriage penalty got going. A lot of people don't want to unmask the policy of this country that we penalize people for being married. A lot of people don't want to debate the issue of whether we should have all these new programs or whether we should give people the money back that they earned and we took from them merely because they were married.

I do not blame people for not wanting to reveal if they are against wanting to give the American people their money back, that if the American people learn we are taking their money simply because they are married, that we have the opportunity to give it back but we would rather give it back to programs here in Washington or even overseas. That is an embarrassment. It is no wonder individuals want cloture filed and feel we should shut down debate.

I do not want to shut down debate, but we should move forward with tax relief for the American people, and we should be very reluctant about imposing $885 billion of new taxes in the name of programs for which it is accordingly suggested that somehow young people will not begin smoking.

The idea young people start smoking at 3,000 a day—it may be true. If we can believe the studies at the University of Chicago, the University of Maryland, Cornell University, if we can believe the experience of California, Canada, the United Kingdom, the kinds of things they have talked about in these taxes here that are involved in this bill will not make a difference.

The truth of the matter is, the academic studies of thousands, tens of thousands, hundreds of thousands, indicate that to talk about taxes making a big difference in youth smoking is overstated. And these are not studies by interest groups; these are studies by the National Cancer Institute; these are studies by the University of Maryland, the University of Chicago, Cornell University.

So it is time for us to understand this debate is about taxes. It is a debate about Government—big taxes, big Government; massive taxes, massive Government.

We are not even making illegal the possession of cigarettes for children in the District of Columbia. If we thought that was really important, we could add that to this bill. No; that has not been done. We just simply make it possible for Government to grow. No wonder people are uncomfortable, especially when there is a proposal that says we could allow families to grow by returning the money to families and stop penalizing them just for having the durable commitment, the lasting bond that comes when people are married and are now penalized for that in our Tax Code. This would be an opportunity, according to the plan of the Senators from New Mexico and Texas, to alleviate that.

I yield the floor.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER (Mr. ENZI). The Chair recognizes the Senator from Arizona.

Mr. McCAIN. Mr. President, very briefly, the Senator from Missouri states that there are many studies and documents that indicate that increasing the price of a pack of cigarettes will not have an effect on kids smoking.

Let me refer him to the people who know it best, the absolute ultimate experts on the cost of a pack of cigarettes in America—the tobacco companies. I say to the Senator from Missouri, in the documents revealed by the tobacco companies themselves, a Philip Morris document:

> In any event, and for whatever reason, it is clear that price has a pronounced effect on the smoking prevalence of teenagers. . ..

I hope that the Senator from Missouri would read from the documents that the tobacco companies themselves had to disclose because of court order.

Philip Morris: The following quotes are from a Philip Morris 1981 document based on the company's review of research by the National Bureau of Economic Research on the impact of price on tobacco use. Because of the quality of the work, the prestige and objectivity of the National Bureau of Economic Research has not changed in 30 years. I think we need to take seriously their statement that, ''If future reductions in youth smoking are desired, an increase in Federal excise tax is a potent policy to accomplish this goal.''

> In any event, and for whatever reason, it is clear that price has a pronounced effect on the smoking prevalence of teenagers, and that the goals of reducing teenage smoking and balancing the budget would both be served by increasing the federal excise tax on cigarettes.

Philip Morris, in a quote from a 1987 document: Philip Morris laments the teen smokers that it lost due to price increases.

> You may recall from the article I sent you that Jeffrey Harris of MIT calculated . . . the 1982 and 1983 round of price increases caused two million adults to quit smoking and prevented 600,000 teenagers from starting to smoke. Those teenagers are now 18 to 21 years old, and 35 percent of older smokers smoke a PM brand. This means that 700,000 of those adult quitters have been PM smokers and 420,000 of the nonsmokers would have been PM smokers.

A 1982 RJR document, on the tobacco industry's analysis that price increases have a significant impact on youth smoking: This analysis actually calculates the number of new smokers lost among kids as young as 13 years old, and every other age between 13 and 18, if prices are increased. Philip Morris—the chief financial officer for Philip Morris, less than a year ago, told everyone involved in the tobacco industry negotiations that, ''Children are three times more price responsive than adults.''

That is the chief financial officer for Philip Morris.

The National Academy of Sciences, in its 1998 report, ''Taking Action to Reduce Tobacco Use''—the Institute of Medicine and the National Academy of Sciences concluded that ''the single most direct and reliable method for reducing consumption is to increase the price of tobacco products, thus encouraging the cessation and reducing the level. . ..''

This list goes on and on. I know the Senator from West Virginia was here a second ago and wants to talk.

The 1994 Surgeon General's report preventing tobacco use among young people—now, the Surgeon General is fairly well respected—reached the conclusion that increases in the real price of cigarettes significantly reduce cigarette smoking, and that the young people are at least as price sensitive as adults.

The 1998 Surgeon General's report issued within the last month agrees with this conclusion.

What is important, though, really, are the tobacco companies themselves. I say if you can believe anybody, maybe you might believe the people who are in the business of enticing kids to smoke.

Brown & Williamson:

> The studies reported on youngsters' motivation for starting, their brand preferences as well as the starting behavior of children as young at five years old. The studies examined younger smokers' attitudes toward addiction, containing multiple references as to how very young smokers first believe they cannot become addicted only to later discover to their regret, that they are.

Brown & Williamson:

> . . . nicotine is addictive. We are then in the business of selling nicotine, an addictive drug, effective in the release of stress mechanism.

RJR consultant:

> Happily for the tobacco industry, nicotine is both habituating and unique in its variety of physiological actions.

I won't go on except to summarize again from the Philip Morris document:

> In any event, for whatever reason, it is clear that price has a pronounced effect on the smoking preference of teenagers.

I imagine there are studies that the Senator from Missouri could produce to which he referred.

The people who are the final experts on this are the people who sold it to the kids. And they know, and we all know, that it is price sensitive as far as kids smoking is concerned. To think otherwise flies in the face of the overwhelming body of evidence, not only in the words of the tobacco companies, but the Surgeon General of the United States of America.

We want to call it a tax, call it a tax. Don't say it isn't going to affect kids

smoking, because the overwhelming body of evidence says that it does. Everybody is entitled to their opinion but not everybody is entitled to the facts.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that I be allowed to speak for 15 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. I thank the Chair.

HUMAN RIGHTS CONDITIONS IN CHINA AND TIBET

Mr. WELLSTONE. Mr. President, earlier this week, I spoke of a resolution on China that I introduced and that we will offer as an amendment as soon as there is a vehicle to work with, I think probably next week—certainly before the President's visit to China. I wanted to briefly summarize it. Let me just say that I am really pleased to have the support of Senator LUGAR, Senator DURBIN, Senator LEAHY and Senator FEINGOLD, and I think there will be very strong bipartisan support for this, what will be an amendment.

The focus is on human rights conditions in China and Tibet. Let me just say I don't come to the floor in a spirit of bashing our President. Since our President will be the first head of state of our country to visit China since the 1989 crackdown where really students—I see pages here—young people your age were murdered, gave their lives, and for the ''crime'' of just simply calling for the country to be a democracy, I wish the President would not go to Tiananmen Square. I think that is a mistake. My worry is that regardless of what statements the President makes about human rights in China—and I hope he will make some powerful statements—the symbolism of visiting that very sacred place where students were murdered will overwhelm everything else and will be taken, will be used by the Government or will be interpreted by people in China as reflecting a kind of carte blanche support of the Government. I think that would be a mistake.

Now, I want to refer to the State Department's China country report this past year on human rights and practices. This is not my report. This is our own State Department report.

> The Government continues to commit widespread and well documented human rights abuses in violation of internationally accepted norms stemming from the authorities' intolerance of dissent, fear of unrest, and the absence or inadequacy of laws protecting basic freedoms.

I think the Assistant Secretary of State, John Shattuck, who has focused on human rights, has really done some magnificent work, and I think this State Department report is extremely important.

What we are going to call on the President to do in our amendment—and we will have a vote on it next week. I think it is terribly important the Senate go on record before the President's visit, because the President is going to visit China. Whether Senators think he should or not, the President is going to visit. I personally think it is not unimportant to be having a discussion with the Government there. I am not opposed to a discussion. But the question is what kind of discussion, what kind of visit, and what does the President say.

At the very minimum, we are going to call upon the President to secure from China's leaders a pledge to remove by a certain date the names on the official reentry black list, which now contains the names of more than 50 Chinese living in the United States who cannot return to China because of their advocacy of democracy and freedom. In other words, there are some people in our country who think the fact that Wei Jingsheng, who was released from prison, is now in our country, exiled in our country is a sign he has his freedom. I doubt any American would feel he or she was free if they were exiled from our country and told, if you come back to the United States, you will be immediately arrested. That hardly represents freedom. So we want to make sure that by a certain date the Chinese Government removes these names on this official reentry blacklist.

Second of all, that the President—and let me emphasize this. I emphasized it this morning—visit family members of the victims of the 1989 massacre, many of whom still suffer from political harassment, discrimination, or persecution.

I will say in this Chamber: Mr. President, if you are going to visit China, I hope you don't go to Tiananmen Square. I hope you will give some forceful speeches on human rights, but at the very minimum you could convey a very powerful message to the world, to people in China, to the Chinese Government, and to these families if you would visit the family members, or some of the family members of victims of the 1989 massacre, many of whom today suffer from political harassment and discrimination and persecution. I think that would be a powerful message. I believe the President should do this.

Third of all, I think the President absolutely has to urge Chinese leaders to engage in a meaningful dialog with the Dalai Lama, with the aim of establishing genuine cultural and religious autonomy in Tibet. In the past year, matters have only gotten worse in Tibet. No one is arguing to the contrary. No one is arguing to the contrary.

The President must call upon China to revise its vague, draconian security laws, including the provisions on ''endangering state security,'' which were added to the criminal code in March of 1997; and release unconditionally all political, religious, and labor activists detained for their peaceful, nonviolent involvement. In other words, it is important to understand, when someone like Wei is released, that releasing some individuals doesn't deal with 2,000 political prisoners that you have in prison. That doesn't deal with all sorts of prisoners in forced labor camps. The President has to call upon the Chinese Government to live up to basic human rights standards—that is where our country should be; that is what we should stand for—and review the sentences of more than 2,000 who have been convicted of so-called counterrevolutionary crimes with a view toward granting full amnesty.

Mr. President, I come to the floor today because it is the anniversary of the massacre at Tiananmen Square, and I think it is really important that we speak up. I think the Chinese Government would like nothing more than for Americans not to speak up. I think the Chinese Government would like for the world to forget what happened. We cannot. But above and beyond that, I do not want this just to be dramatic in the worst way or symbolic. I think what the President can do if he is going to visit China is not go to Tiananmen Square, certainly visit the families of the victims of Tiananmen Square, and certainly give some powerful speeches and statements while in China which call upon the Chinese Government to release people who are in prison for having committed no other crime than to speak out for democracy and freedom; for the President to say to the Government of China—frankly, we should be saying it to governments all over the world that do this—you cannot persecute people because of their religious practice or because of their political viewpoint. We have to be on the side of human rights throughout the world. I really hope that next week, if not tomorrow—the first opportunity I get I will bring this amendment to the floor —we would get very strong support for this amendment.

Mr. President, I see my colleague from Nevada is here, and I will yield the floor.

Mr. BRYAN. Mr. President, first, I would like to thank my colleague from Minnesota for his unfailing courtesy.

Mr. President, I ask unanimous consent that I might speak as if in morning business for a period of time not to exceed 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRYAN. I thank the Chair.

(The remarks of Mr. BRYAN pertaining to the submission of S. Res. 243 are located in today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

Mr. BRYAN. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL TOBACCO POLICY AND YOUTH SMOKING REDUCTION ACT

The Senate continued with the consideration of the bill.

Mr. KENNEDY. Mr. President, the Senate debate on this landmark youth smoking reduction bill began more than two weeks ago. The time for debate on this legislation is rapidly drawing to a close. Each of us has had ample opportunity to state our views. The Senate should commit to a vote on final passage within a week. We owe it to our children who are being entrapped into a life of addiction and premature death by the tobacco industry every day.

The opponents of this legislation have used every parliamentary tool at their disposal to extend the debate and to divert attention to unrelated issues. They want to talk about every subject but the impact of smoking on the nation's health. However, the real issue cannot be obscured by their verbal smokescreen. It is time for us to move from talking to voting.

Each day that the opponents delay final Senate passage of this bill, 3,000 more children begin to smoke. A third of these children will die prematurely from lung cancer, emphysema, heart disease, or other smoking-caused illnesses.

Each day that we delay, the price of a pack of cigarettes will continue to be affordable to the nation's children, and more and more of them will take up this deadly habit.

Each day that we delay, Big Tobacco will continue to target children with billions of dollars in advertising and promotional giveaways that promise popularity, excitement, and success for young men and women who start smoking.

Each day that we delay, millions of nonsmokers will be exposed to secondhand smoke. According to the Environmental Protection Agency, secondhand smoke causes 3,000 to 5,000 lung cancer deaths each year in the United States—more than all other regulated hazardous air pollutants combined. Secondhand smoke is also responsible for as many as 60 percent of cases of asthma, bronchitis, and wheezing among young children.

Each day that we delay, tobacco will remain virtually the only product manufactured for human consumption that is not subject to Federal health and safety regulations, despite the fact that it causes over 400,000 deaths a year. In fact, Kraft Cheese is more heavily regulated than Marlboro cigarettes, although both are manufactured by Philip Morris.

With so much at stake for so many of our children, it is truly irresponsible for the opponents of this legislation to practice the politics of obstruction. Let the Senate vote.

There are two pending amendments before us today—the Gramm amendment on the marriage penalty and the Durbin-DeWine amendment on the youth smoking reduction lookback. I would like to address each of them in turn.

The pending amendment by the Senator from Texas seeks to divert $52 billion over the next 5 years away from smoking prevention, away from smoking cessation, away from medical research, and away from reimbursing states. He proposes to take 80 percent of all the money raised by the cigarette price increase and use it for unrelated tax cuts. No funds would be left for programs which are essential to reducing youth smoking and to helping current smokers quit.

By offering such an amendment, the Senator from Texas shows his true intent. It is he who wants to convert this legislation from a youth smoking prevention bill into a piggybank for unrelated projects. Although he has complained that the tobacco bill is a piggybank that Democrats are using to fund new programs, in fact it is the Gramm amendment which would hog 80 percent of the money taking resources which are needed to prevent young Americans from beginning to smoke and to help current smokers overcome their addiction. These numbers speak for themselves. This tax cut was not designed to help working families—it was intended to destroy the underlying smoking prevention legislation.

The criticism of the Gramm amendment has been so strong and so widespread that even the sponsor has agreed to reduce the size of the proposed moneygrab. Under his new proposal, he only wants to take one-third of the revenue generated in the first 5 years and one-half of the money in succeeding years. That would amount to approximately $60 billion over a 10-year period. It would still cripple the smoking prevention and cessation efforts which are essential to effectively reducing youth smoking.

All of the money raised by the cigarette price increase contained in the legislation is currently earmarked for smoking related purposes: 22 percent is directed to smoking prevention and cessation, 22 percent is to be used for medical research, 16 percent is for transitional assistance for tobacco farmers, and 40 percent is to compensate states for the cost of medical treatment of smoking related illnesses. There it is, Mr. President.

Which of these smoking related initiatives would the Senator from Texas eliminate? Does he propose to eliminate all compensation to the States for their tobacco related health costs? After all, it was the State lawsuits which provided the genesis for this legislation and which exposed the most dramatic evidence of industry wrongdoing. That would not be fair. Even if every dollar intended for the States was taken to fund the Gramm amendment, it would not be enough to cover the cost.

Does he propose to eliminate all transition assistance for tobacco farmers and communities? It would not even cover one-third of the cost of the Gramm amendment.

All of the remaining dollars are directed to smoking prevention, to smoking cessation, and to medical research. These initiatives are the heart of the legislation. If we are serious about stopping children from smoking and saving lives from tobacco-induced diseases, we have to make these investments. Would the Senator from Texas propose that we take money from these programs and use it to fund an unrelated tax cut instead? How can we in good conscience raise the price of cigarettes and then refuse to fund programs which will address the evils of smoking? These programs work. Let me give you a few examples:

Every dollar invested in a smoking cessation program for a pregnant woman saves $6 in costs for neonatal intensive care and long-term care for low-birthweight babies. The effect of the Gramm amendment would be to reduce funds for these programs, and that makes no sense.

The Gramm amendment would take funds intended to assist states and communities to conduct educational programs on the health dangers of smoking. The tobacco industry spends $5 billion a year—$5 billion—on advertising to encourage young people to smoke. Shouldn't we spend at least one tenth of that amount to counteract the industry's lethal message?

Counteradvertising is a key element of an effective tobacco control strategy. We know that if children are easily swayed by the tobacco industry's marketing campaigns, which promise popularity, excitement, and success for those who take up smoking, we can reverse the damage by deglamorizing the use of tobacco among children with counteradvertising.

Both Massachusetts and California have demonstrated that paid counteradvertising can cut smoking rates. It helped reduce cigarette use in Massachusetts by 17 percent between 1992 and 1996, or three times the national average. Smoking by junior high students dropped 8 percent, while the rest of the nation has seen an increase. In California, a counteradvertising campaign also reduced smoking rates by 15 percent over the last 3 years.

The Gramm amendment also would take money from law enforcement efforts to prevent the sale of tobacco products to minors, even though young people currently spend $1 billion a year to buy tobacco products illegally.

The Gramm amendment will diminish funding for medical research on tobacco-related diseases, which kill 400,000 Americans each year and incapacitates millions more. Given the

damage that smoking inflicts on the nation's public health, it make little sense to divert tobacco revenues to tax cuts when they could be directed to finding a cure for cancer and other tobacco-induced illnesses. Since tobacco induced disease costs America $130 billion per year, it certainly is not cost effective to reduce research spending.

In essence, the Gramm amendment would destroy much of the public health benefit this legislation is designed to achieve. It would be a tragic mistake.

The goal of eliminating the marriage penalty for low and moderate income families is a worthy one. It is shared on both sides of the aisle. However, it must be accomplished in a way that does not imperil our primary goal—preventing youth smoking and helping smokers overcome their addiction.

I anticipate that an alternative amendment will be offered which will provide relief from the marriage penalty without imperiling our smoking prevention efforts. It will cost far less than the Gramm amendment, and it will do a much better job of targeting tax relief to those most in need.

That is the difference between preserving a viable youth smoking reduction effort and destroying it. That is the difference between helping millions of smokers quit and leaving them at the mercy of their addiction. That is the difference between advancing medical research that can cure tobacco induced diseases and indefinitely delaying it.

The second issue I want to address is the Durbin-DeWine look-back amendment. It will assess increased sums for noncompliance with the youth smoking reduction targets. In addition, the emphasis will be shifted from industrywide assessments to company-by-company assessments, in order to more effectively deter individual tobacco companies from marketing their products to children.

Big Tobacco knows how to hook children into a lifetime of nicotine addiction and smoking-related illnesses—whether appealing through characters like Joe Camel and the Marlboro Man, through the prominent placement of tobacco advertising, or through a strategic cut in cigarette prices. And Big Tobacco also knows how to stop appealing to children.

The purpose of the look-back is to give tobacco companies an overwhelming financial incentive to turn their focus away from the youth market. Our goal is to influence every business decision by taking the profit away from addicting teenagers.

The Durbin-DeWine amendment will accomplish that goal much more effectively than the current look-back provisions in the manager's amendment. It will substantially increase the total amount of the surcharges which companies must pay if youth smoking levels do not decline in accordance with the reduction targets. It also shifts the payment obligations from a predominately industrywide system to a predominately company-specific system. This will dramatically increase the deterrent influence of the look-back on company policy.

The current McCain provision provides for a maximum industrywide penalty of $4 billion, or about 20 cents a pack. The company-specific portion is extremely small, amounting to only a few pennies per pack. The Durbin-DeWine amendment provides for substantial company-specific penalties, which in the aggregate could reach $5 billion per year if companies continue to flaunt the law and blatantly target children. The amendment also provides for an industrywide surcharge of up to $2 billion a year.

Through this important amendment we are speaking to the tobacco companies in the only language they understand—money. If they continue to target children, these companies will pay a financial price far in excess of the profits raised from addicting children.

But if they are willing to cooperate in efforts to prevent teenage smoking, the companies may never have to pay a dollar of look-back surcharges. A strong, company-specific look-back, such as the one we are proposing, will give the tobacco companies a powerful financial incentive to use their skill in market manipulation to further, rather than undermine, the public interest in reducing youth smoking.

Each tobacco company must be held accountable for its actions on teenage smoking. The stakes involved are nothing less than the health of the Nation's children. For each percentage point that the tobacco industry misses the target, 55,000 children will begin to smoke. One-third of these children will die prematurely from smoking-induced diseases.

This bipartisan amendment deserves the support of the full Senate, and I urge my colleagues to adopt it.

These two issues—the marriage penalty and the look-back—should be resolved quickly. Once they are decided, there is little excuse for further delay. The remaining amendments can be considered in a few days if we move conscientiously forward. There is no valid reason why the Senate cannot vote on final passage by the middle of next week. If we do not, the American people will know why. A small group of willful defenders of the tobacco industry will have succeeded in obstructing the work of the Senate on this vital issue of public health. On an issue of this importance, which is literally a matter of life and death, our constituents will not tolerate such obstruction. Now is the time for the Senate to act.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COATS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I ask unanimous consent that I be permitted to proceed as in morning business for up to 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized to proceed as in morning business.

Mr. DOMENICI. I thank the Chair.

(The remarks of Mr. DOMENICI pertaining to the introduction of S. 2133 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

TRIBUTE TO SENATOR BARRY GOLDWATER

Mr. DOMENICI. Mr. President, I want to just take a couple minutes to express my respects for Senator Barry Goldwater. I was unable to attend the services yesterday with Senators. I was just getting over a very bad chest cold, and I decided that I would try to recoup a little here. I wish I could have been there.

Senator Goldwater was obviously an unflinching patriot whose life, in many ways, mirrored the American experience. He was rugged, independent, and unarguably his own man.

I am deeply saddened by his passing. When I first arrived as a freshman Senator, Senator Goldwater offered me encouragement, and when I became budget chairman, provided inspiration when I first tackled the tough budget issues we faced in the early 1980s.

He was a dedicated American and Senator, always willing to fight the tough battles. I was better for his fine support and his wise counsel.

''Barry Goldwater cared deeply about America. He believed that our Nation must always remain strong and that Government should stay off the backs of our people and not stifle their innovative spirit. As an American, he never shied away from honestly stating his beliefs; and as a politician, he led by example, not by polls.

He will be greatly missed. And Nancy and I send our sympathies and prayers to his family.

U.S. Senator Barry Morris Goldwater, born in Phoenix AZ., Jan. 1, 1909, was elected to the Senate from Arizona in 1952, and later was defeated in his bid for the Presidency in 1964 by Lyndon Johnson. Senator Goldwater served in the Senate until retirement in 1987.

I served with Senator Goldwater. He took me under his wing when I first arrived in the Senate, and he was a good counsel.

The first year I was the chairman of the Budget Committee was 1981.

After the Senate finished the budget bill Senator Goldwater sent me a letter that I would like to have printed in the RECORD.

He would dictate these notes himself and they sound just like him.

He was an inspiration to us all and a very, very fine man. He will be missed.

Mr. President, I ask unanimous consent that a letter that I cherish from Senator Goldwater after my first appearance on the floor managing the budget bill be printed in the RECORD.

In his own manner, he would go back to the office frequently and dictate a brief letter. This is one of those, which he gave to me in 1981, as I started down this long process trying to balance the U.S. budget. He gave me a little encouragement and enthusiasm. I thought it might be good to just show what kind of person he was to younger Senators like myself back in 1981, along with all the things I wanted to say.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, July 3, 1981.

Hon. PETE DOMENICI,
U.S. Senate,
Washington, DC.

DEAR PETE: When your class came into the Senate something inside of me said, this could be the best that every came along since you've been here. As I watched all of you develop through the years, nothing has happened to change that original opinion.

Your handling of the budget bill was done in a superb manner, probably as well done as any I have ever listened to and that includes some real old pros. You did a wonderful job with it Pete. I am proud of you and I am going to watch your future with a great deal of interest. You are going to go a long way.

With pride and best wishes,

BARRY GOLDWATER.

NATIONAL TOBACCO POLICY AND YOUTH SMOKING REDUCTION ACT

The Senate continued with consideration of the bill.

Mr. DOMENICI. Mr. President, I don't know where the bill before the Senate goes next, but obviously I have joined with Senator GRAMM in trying to make a statement about this bill. In the process of trying to do that, there are many ways to make statements and there are many ways to talk about what is in a bill, what is out of it, what is not in the bill, to argue about what its value is, what its ultimate goal is, and what it might achieve.

There is another way, and that is to offer an amendment or amendments. There are a lot of amendments pending. As I indicated, I don't know how many of them are serious. I have five or six myself that I think are serious that in due course I will offer. I would like to discuss, from the standpoint of those who are wondering about the Gramm-Domenici amendment to cut taxes on a very deserving group of Americans, what it is all about.

When you raise taxes on anybody in the United States, you have to ask yourself a very fundamental question of what you ought to do with the taxes you raise. Now, if America were undertaxed and we were taxing Americans—be it a cigarette tax that at $1.10 a pack would yield over time $750 to $800 billion, or whether it is an income tax or sales tax—you have to ask yourself, if America is being taxed too much already, shouldn't something very high on the list of considerations for what to do with the increased revenue be a consideration of lowering the taxes on Americans?

Obviously, there have been some arguments already, and there will be more about the amendment which we offered which, hopefully, will be modified, that says let's give back some of the taxes we pick up here to Americans who are suffering the penalty of a Tax Code that punishes people for being married and earning a living by both spouses working. For they, in most cases, pay more in taxes than if they both had the identical jobs, at the same annual earnings, and were not married and filing separate returns—one of the most onerous, ill-conceived uses of the Tax Code.

How in the world can we run around, as policymakers, and say we favor the family and then add a burden of taxation to spouses, who are part of a family, by taxing them more because they are married and working than if they were single and working? That has to be an absolutely absurd policy in light of the problems we have in this country that are family oriented, and many of them have to do with income of families.

Secondly, it is obvious that every cent of a cigarette tax that we all of a sudden came up with and has been debated on the floor as a tax that should be $1.10, maybe $1.50, maybe 75 cents, and then for somebody to come to the floor and assume that whatever the level is, every penny of it ought to be spent for new programs—now, that isn't the way it is said; it is said, new programs to do some great things.

Well, I think everything the Government tries to do and spends money on ought to be things we really believe are important things, important aspects, important events, important projects. Now we are reinventing a bunch of new ones, and then we are saying to the States: You spend your money in very specific ways.

I don't care who agreed to the ways that we are going to send this money back to the States to be spent, it seems to me the question has to be asked first, How much is needed to direct a program that has a probability of success in terms of making our young people alter their smoking habits and quit smoking? And nobody can say that you need a huge portion of this tax bill to run advertisements on that, to have programs in our schools or wherever to try to inhibit that. That can't come close to spending the amount of money that is in this bill.

Mr. KERRY. Will the Senator yield?

Mr. DOMENICI. Mr. President, this is my first speech in a couple of days. I am sorry. I will yield soon. In fact, I will yield the floor.

Mr. President, the point is that nobody can stand up on this floor and say we knew when we started talking about cigarette taxes and how much it would yield precisely how much ought to be spent for some American programs that would help alleviate the smoking problem, or even research more into the cause of cancer and try to cure it. Nobody knows what is the right number, but everybody knows that as much money as this bill will raise is not needed for that.

Anybody in their right mind would look at how much is coming in and how much you need to do precisely the kind of things that people say this bill ought to do, and it is not close to the amount of money that is coming in. So that leads you to a conclusion, in my humble opinion, that you ought to give some of this money back to the taxpayers of the country.

I cannot believe we are so unconcerned about the taxpayers of this country that we would sort of block off this $700 billion in new revenues—if that is what it is over 25 years—and say, look, the American people and their tax-paying requirements have nothing to do with this new tax imposed on them. Why not? Why do we say that? We are adding to the tax ''take,'' and we give no benefit to the American people for these new taxes we are going to raise.

Back to my argument. One way to try to send a message and distinguish between various approaches, which I choose to call tax and spend it all, or another group who would say tax and give some of it back to the American people who already feel, in many instances—and they are right—that they are paying too much in taxes.

Now, that is why the Gramm-Domenici amendment is important. I have already stated its precise purpose is to try to ameliorate the negative tax treatment on married couples, both of whom work, from a Tax Code which penalizes that versus the same two people making the same amount of money, but not married, and are part of a family—they pay less.

So the purpose is good, but the message is completely different. The message is, when you have this much new revenue, shouldn't you give some of it back to the taxpayers of America? Nobody is going to be able to come to this floor, with our ability to proliferate in producing charts, and tell the American people with any credibility that every single dollar coming in on this tax has a nice precise niche that it should be spent for, all of which is aimed at helping to try to get kids to stop smoking cigarettes. Or I am willing to add one—doing research and trying to prevent the diseases that come from smoking. Take the two together and you could not produce a credible chart showing how every penny in this bill must be spent for that or you are not doing your job.

So I believe that, sooner or later, we deserve an opportunity to have an up-or-down vote on the proposition that I have just described here today. It is very simple. One, do you think you should change the Tax Code as it pertains to the marriage tax penalty and

help families and married couples out who are being penalized because of this Tax Code? And, two, do you think that, with this large new tax being imposed, you ought to give about a third of it back to the taxpayers of this country? We want the public to just focus, very simply, on those two issues.

This bill will permit us to do both. I have no doubt, Mr. President, that what is left over is more than adequate. In fact, I am not sure I would vote to spend all of the money that is left over for the program described in this bill. Nonetheless, that is not at issue with reference to the Gramm-Domenici amendment.

The issue is a simple proposition: Do you think the marriage tax penalty ought to be fixed? Secondly, do you think when you have this huge new tax increase, you ought to give some of it back to the American people? We want to vote on that. That is a way of distinguishing between the feelings of various Senators about a new tax bill that is essentially, in its current form, tax and spend versus another approach that says tax—which may be helpful, we are not sure—and give some of it back to the American people. Under that is the very interesting proposition that there probably is no fairer thing to do with better, positive American policy than to fix the marriage tax penalty while you are at it.

I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I am interested to hear these comments by Senator DOMENICI. Just a short time ago—a month ago—Senator COVERDELL proposed an amendment on the budget resolution that would have repealed the marriage penalty or marriage tax, and a budget point of order was lodged against it. The Senator from New Mexico, apparently, for reasons that are not clear, voted against waiving the Budget Act. Now the Senator from New Mexico will say that he didn't want to waive the Budget Act. The fact is that if the Budget Act had been waived, the marriage penalty would have been repealed.

Mr. DOMENICI. Will the Senator yield?

Mr. MCCAIN. No. That is a fact. That is what the vote was on the budget resolution. It was not carried by a vote. It was rejected 38–62; 38 Republicans felt strongly that the marriage tax should be repealed. Those who voted against it were Senators BOND, CHAFEE, COATS, COCHRAN, COLLINS, D'AMATO, DEWINE, DOMENICI, GORTON, GRASSLEY, HAGEL, JEFFORDS, LUGAR, MACK, SNOWE, SPECTER, and STEVENS.

Mr. President, I have a letter sent to Senator LOTT and Senator DASCHLE. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEAR SENATORS LOTT AND DASCHLE: As the Senate continues to consider tobacco legislation, the nation's Governors want to make clear that we will oppose any amendments that would effectively reduce the $196.5 billion in tobacco settlement funds dedicated to states and territories to settle state lawsuits. Naturally, the federal government is free to prioritize how it will use those tobacco revenues generated by S. 1415 not reserved for the states and territories—a total that will exceed $300 billion over twenty-five years. These federally prioritized uses of tobacco revenues, however, must not cut into the state settlement pool.

If national tobacco legislation is intended to settle the state and territories' lawsuits against the tobacco industry, they must receive a portion of the new tobacco revenues sufficient to resolve their claims. S. 1415 dedicates $196.5 billion to the states and territories over twenty-five years, a total consistent with the level negotiated by the state attorneys general with the tobacco industry in the original June 20, 1997, agreement. Preserving this state settlement pool, free from federal recoupment efforts, is one of the Governors' highest priorities related to S. 1415.

Reducing the size of the state tobacco settlement pool will significantly jeopardize all states and territories, including those that have individually settled their own lawsuits. Such a decision would force the Governors to reconsider our position on the state financing section of the overall bill.

Sincerely,

Governor George V. Voinovich, State of Ohio; Governor Roy Romer, State of Colorado; Governor Thomas R. Carper, State of Delaware; Governor Lawton Chiles, State of Florida; Governor Bob Miller, State of Nevada; Governor Michael O. Leavitt, State of Utah; Governor Howard Dean, M.D., State of Vermont; Governor Jim Edgar, State of Illinois; Governor Frank O'Bannon, State of Indiana; Governor Terry E. Branstad, State of Iowa; Governor John Egler, State of Michigan; Governor Mel Carnahan, State of Missouri; Governor Jeanne Shaheen, State of New Hampshire; Governor David M. Beasley, State of South Carolina; Governor Tommy G. Thompson, State of Wisconsin; Governor Benjamin J. Cayetano, State of Hawaii; Governor James B. Hunt, Jr., State of North Carolina; Governor Edward T. Schafer, State of North Dakota; Governor John A. Kitzhsber, State of Oregon; Governor Pedro Rossello, Puerto Rico; Governor Don Sundquist, State of Tennessee; Governor Gary Locke, State of Washington; Governor Christine T. Whitman, State of New Jersey; Governor Cecil H. Underwood, State of West Virginia; Governor John G. Rowland, State of Connecticut; Governor E. Benjamin Nelson, State of Nebraska; Governor Mike Huckabee, State of Arkansas; Governor Gary E. Johnson, State of New Mexico; Governor Zell Miller, State of Georgia; Governor Tom Ridge, State of Pennsylvania; Governor Pete Wilson, State of California; Governor Parris N. Glendening, State of Maryland; Governor Marc Racicot, State of Montana; Governor Jim Geringer, State of Wyoming; Governor Lincoln Almond, State of Rhode Island; and Governor Angus S. King, Jr., State of Maine.

Mr. MCCAIN. Mr. President, the Senator from New Mexico clearly feels that the money needs to go to the Federal Government. I feel, and I think conservative Republicans feel, it should go back to the States who incurred the expenses. If the Senator from New Mexico doesn't want the money to go to the States, then he will continue to see two things happen—the money never coming to the Federal Government because the States will continue their lawsuits and the settlements—at least in the last four States—of as much as $6.5 billion, as in the case of Minnesota; and none of that money will go to the Federal Government. Not a penny. The fact is that the money will go back to the States to repay the huge tax bill they are paying now; $50 billion in citizens' tax dollars are going to pay, in the case of Medicare and Medicaid expenses, for tobacco-related illnesses.

Now, there are some who want this to come to the Federal Government so that the appropriators and the Budget Committee can assign the funds to wherever they want. I want a significant amount of that money to go to the States. They are the ones who have been paying a big part of the bill. If the Senator from New Mexico and the Senator from Texas want to kill this bill, then there will be 37 States that go to court, beginning the day after this legislation dies, and they will fight this out in court. They seem to win every time. They don't even go to a jury trial, Mr. President.

The tobacco companies settle, and guess what they do? They agree to smoking cessation programs and they agree to all the huge bureaucracies that have been pointed out. They go to reimburse Medicaid expenses. They pay for antitobacco advertising because the States that get the money believe that in order to stop kids from smoking, you don't just raise a tax—although that is important. You don't just raise revenue, but you have to do other things as well.

So I hope my colleagues will pay attention to the letter from the 36 Governors—I am sure the other 14 will be joining—as to how they feel about legislation that doesn't repay them for the expenses that they incurred as a result of tobacco-related illnesses.

I see that my colleague from Massachusetts wants to speak as well. Let's dispense with this myth about this being a ''big tax bill.'' What it is is a much smaller tax bill than the tax bill that the American people are already paying in the form of Medicare and Medicaid expenses in order to pay for tobacco-related illnesses. And with children smoking going up, guess what, Mr. President? That tax bill goes up. It will get bigger and bigger. So if you want to worry about big tax bills, there is a huge tax bill we are paying right now. We will be paying a much larger tax bill if this trend of kids smoking continues to grow.

I yield the floor.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I will be very brief. I know the Senator from Oklahoma wants to speak momentarily. How long does he think he will go?

Mr. NICKLES. I was going to speak for a few minutes. I feel that I would like to respond to a couple of comments made by the Senator from Arizona.

Mr. KERRY. Mr. President, I will be brief. I wanted to say for the Record, so that the Record is absolutely clear here, the Senator from New Mexico said that we are going to get a vote and we ought to be able to get a vote in order to properly allow the American people to receive back some of the money that is in this bill that he has charged is somehow being very badly spent.

I think it is important to understand that, No. 1, the division of the money, the revenues, that come in from this bill, was not arrived at in some sort of hasty or unthought-out way. It is not representative of a casual wish list. This is a reflection of what the Governors and the settlements originally arrived at as a notion of those concerns that ought to be addressed through any tobacco legislation.

Second, they are a reflection of the Commerce Committee that voted 19 to 1 to send this legislation to the floor with a framework that articulated the broad outlines of how money would be spent and, finally, through a fairly arduous negotiation process which measured very carefully the needs.

The Senator said he would challenge anybody to come to the floor and suggest they could defend that every penny in here is being spent as wisely as possible. That is not a hard challenge to fail on. I am not going to try to do that, nor would anybody.

Can we find some money here appropriately to try to address the question of the tax cut? We said yes. That is not the debate here. This is not the choice that he presented to the Senate, a choice either between those who want to give something back to people who want to pay a marriage penalty and those who do not. That is not the choice; it is a choice between two different approaches to doing that. We believe that we have the right to have an opportunity to have ours also voted on, that they ought to be voted on at the same time. That is what the division is over here.

I think it is important to reflect on the fact that 40 percent of these funds go back to the States in the most direct way, a reflection, I think, of the need of the Governors to be given the opportunity to make decisions about how they can best deliver back their portion of the Medicaid expenses, which is what we are refunding.

In addition to that, money is not just spent in a supercilious way, the way the Senator suggested on a whole lot of Government programs that do not already have a track record of accomplishment. Public health, NIH—I might say it was the Senator from Florida, Senator MACK, a Republican, together with Senator FRIST, who fought very hard for the notion that there ought to be adequate research funds here. NIH and research are 22 percent of these funds.

In addition to that, farmers—I think both sides are competing over how to better take care of the farmers. That reflects some 16 percent of the expenditures, leaving you with only 22 percent that goes to public health—22 percent—that is then divided among counteradvertising, cessation programs, and other kinds of efforts to try to reduce teenage smoking.

The Senator from Missouri was on the floor a little earlier, and he was trying to suggest that there are alternative studies and the Canadian experience that somehow suggests an outcome different from what we get by raising the price here.

I simply say for the record—very quickly, because I don't want to tie the Senate up now—that I know we want to have a vote, that the methodology of the Cornell study that he referred to was very specifically found flawed, and it was found flawed both in the number of people that they examined and the manner that they examined them. When that flaw was corrected for the appropriate acknowledgment of that flaw, in fact, the Cornell study came out consistent with almost all other studies with respect to the impact of price on smoking.

It is interesting to me that those who want to come to the floor and criticize the relationship of price to discouraging kids from smoking completely choose to ignore all of the memoranda of the tobacco companies themselves, that for 20 years have said they know they lose smokers when the price goes up. Their own memoranda say it. You can't have it both ways, it seems to me. The fact is, there is a correlation.

On the Canadian experience, the Canadians specifically, as they saw an increase in their price, there was a decrease in the amount of smoking, and there was an equilibration ultimately between their prices and ours.

The Canadian experience, in fact, documents that the pattern of youth smoking in Canada confirmed the sensitivity of youth to price changes. In 1981, Canada had a youth smoking rate that was about 50 percent higher than that in the United States. Over the next decade, they raised their prices by over 100 percent and teen smoking fell by almost one-half.

Mr. President, we need to deal with the facts here. I hope that the Senate will do so as we vote over the course of the next days.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 2438

Mr. LOTT. Mr. President, in an effort to move things forward, I move to table the Durbin amendment No. 2438, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi to lay on the table the amendment of the Senator from Illinois. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceed to call the roll.

Mr. LOTT (when his name was called). Present.

Mr. NICKLES. I announce that the Senator from Utah (Mr. HATCH) is necessarily absent.

I also announce that the Senator from Pennsylvania (Mr. SPECTER) is absent because of illness.

I further announce that, if present and voting, the Senator from Utah (Mr. HATCH) would vote ''yea.''

Mr. FORD. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from Hawaii (Mr. INOUYE) are necessarily absent.

The result was announced—yeas 29, nays 66, as follows:

[Rollcall Vote No. 149 Leg.]

YEAS—29

Allard	Frist	Nickles
Breaux	Gorton	Robb
Bumpers	Hagel	Roth
Burns	Helms	Smith (NH)
Campbell	Hollings	Stevens
Coats	Kyl	Thomas
Cochran	Lugar	Thompson
Enzi	Mack	Thurmond
Faircloth	McCain	Warner
Ford	McConnell	

NAYS—66

Abraham	Dorgan	Lautenberg
Akaka	Durbin	Leahy
Ashcroft	Feingold	Levin
Baucus	Feinstein	Lieberman
Bennett	Glenn	Mikulski
Bingaman	Graham	Moseley-Braun
Bond	Gramm	Moynihan
Boxer	Grams	Murkowski
Brownback	Grassley	Murray
Bryan	Gregg	Reed
Byrd	Harkin	Reid
Chafee	Hutchinson	Roberts
Cleland	Hutchison	Rockefeller
Collins	Inhofe	Santorum
Conrad	Jeffords	Sarbanes
Coverdell	Johnson	Sessions
Craig	Kempthorne	Shelby
D'Amato	Kennedy	Smith (OR)
Daschle	Kerrey	Snowe
DeWine	Kerry	Torricelli
Dodd	Kohl	Wellstone
Domenici	Landrieu	Wyden

ANSWERED ''PRESENT''—1

Lott

NOT VOTING—4

Biden	Inouye
Hatch	Specter

The motion to lay on the table the amendment (No. 2438) was rejected.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, since the last amendment was not tabled, I ask unanimous consent that the yeas and nays be vitiated; that the amendment be agreed to; and that the motion to reconsider be laid upon the table, all without further action or debate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment (No. 2438) was agreed to.

AMENDMENT NO. 2451 TO AMENDMENT NO. 2437

(Purpose: To stop illegal drugs from entering the United States, to provide additional

resources to combat illegal drugs, and to establish disincentives for teenagers to use illegal drugs.)

Mr. LOTT. Mr. President, I now send an amendment to the desk in the second degree, which is the so-called Coverdell-Craig drug amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] for Mr. COVERDELL, for himself, Mr. CRAIG, Mr. ABRAHAM, Mr. FAIRCLOTH, Mr. INHOFE, Mr. SESSIONS, and Mr. GRASSLEY, proposes an amendment numbered 2451 to amendment No. 2437.

Mr. LOTT. I ask unanimous consent that reading of the amendment be dispensed with.

Mr. DASCHLE. Reserving the right to object, I only do so to note to my colleagues that this is the third Republican amendment now in a row. And I am hopeful we can continue to alternate back and forth, but I will not object.

Mr. LOTT. I thought we just voted on the Durbin amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. LOTT. Was there objection?

The PRESIDING OFFICER. There was no objection.

Mr. LOTT. For the information of all Senators, pending now is the drug amendment. I hope Senators will begin to debate this very important amendment. I know that there are very strong feelings on this amendment also. However, no further votes will occur tonight. I expect the debate on the amendment to continue through tomorrow's session.

The minority leader filed a cloture motion on the committee amendment earlier today. That cloture vote will occur on Tuesday, at a time to be determined after discussion between the two of us and after consultation with others in terms of schedule. So there will be no votes in Friday's session of the Senate.

However, Senator DASCHLE and I are looking at bills that are relatively noncontroversial or noncontroversial that we may be able to take up tomorrow during the day. And the vote would be scheduled in the group on Tuesday morning when we vote, at a time we will notify the Members later on on Tuesday.

Now, again, I hope we can reach agreement tomorrow to provide for a vote on this amendment, hopefully prior to the cloture vote; but all Senators will be notified about the voting schedule. I urge the Senators who have been working on the marriage penalty tax to continue to work to get an agreement on that amendment so that we can have a vote on it. We will try to see if we can reach agreement perhaps to consider another bill on Monday. But we will continue on amendments to the tobacco bill beginning after the cloture vote is defeated on Tuesday morning.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Senate is not in order.

Mr. DASCHLE. Does the majority leader yield?

Mr. LOTT. I will be glad to yield, Mr. President.

Mr. DASCHLE. The majority leader noted that tentatively the vote, the cloture vote, is scheduled for Tuesday. There are only two ways that could occur. One would be for us to seek unanimous consent for the vote to be postponed until Tuesday; or, secondly, that we are not in session on Monday, which would then make Tuesday the next business day when the cloture vote would ripen.

I am hopeful that the majority leader and I can find a way with which to resolve the schedule that will accommodate both sides. So I hope that perhaps we might tentatively announce that the vote will be held on Tuesday, but certainly if we are in session, I am not prepared at this point to agree to a unanimous consent request that would move it to Tuesday until we have been able to talk through the balance of the schedule.

Mr. LOTT. Mr. President, if I could respond. I thought that Senator DASCHLE and I had talked about it and had an agreement that we would do it on Tuesday morning. I realize we have to get consent to do that. The alternative is, as he said, that we not be in session on Monday, which is, I guess, a possibility, but it is pretty hard to complain about not making progress when we are not in session working on something.

The other alternative is to come in at an early hour; and approximately an hour after that time, the vote occurs then, which means that the vote could be at 1 o'clock, 2 o'clock, Monday afternoon, which, for Senators coming from California and Utah and Washington State, that presents a real problem because their planes do not get here until about 4:30.

So I was hoping we could take that time Monday to make some progress on some other issue or have debate on this issue and have the vote that everybody will be here for at 9:30. But it would be fine with me that we have it earlier in the afternoon. But I just assume that both sides will have problems with that. We will talk about it further, and we will hotline the Members on exactly what time they can expect that cloture vote to occur.

Mr. ROCKEFELLER. Would the majority leader yield?

Mr. LOTT. I would be glad to.

Mr. ROCKEFELLER. I would ask the majority leader if he intends to bring up the highway corrections bill, because if he does, I have an amendment I would like to offer. It is a very simple amendment, very direct amendment. And I cannot do that unless it is brought up.

Mr. LOTT. We would not bring it up without Members being on notice who have an interest in it. That technical corrections bill does need to be done. I believe it is supported on both sides of the aisle and by the administration. We need to get that done, and we would need to do it by unanimous consent. But if the Senator has reservations, he will be notified about it. But we will get it done, and we would want to do it without a modification.

Mr. ROCKEFELLER. May I say to the majority leader, I also am very anxious to get it done, but in the spirit of being able to offer amendments. And unless I am able to offer an amendment, I would have to object to——

Mr. LOTT. I say to the Senator, it is important we get these technical corrections done, because some legitimate, honest mistakes were made and several important projects could be affected. And we need to do it as soon as we can. But unless we can get unanimous consent, it will not be done. It has already passed the House. So we will have to find a way—I am working with Senators on our side, too, as I know Senators are working over there, to clear up concerns.

There are other ways to address those concerns. And we are trying to get that worked out. We need to get it done. We need to do it by unanimous consent. And I, in fact, have met with one Senator this afternoon and discussed how to address a legitimate concern he has. So we will work with the chairman.

Did the chairman want to respond to this at all?

Mr. CHAFEE. No. What I have been trying to do is narrow down the problems that have come up. And I had down on the list to see the distinguished Senator from West Virginia. As you said, we want to get this thing done. I think we can get it done and take care of problems by explaining them or getting to them in some fashion. So I look forward to meeting with the Senator from West Virginia.

Mr. LOTT. Mr. President, I now yield the floor so the manager of the bill can speak.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, just briefly, I would like to congratulate the Senator from Illinois on the significant vote. In fact, a number of Senators experienced an epiphany late in the vote because of his persuasive powers. So I congratulate the Senator on his vote.

I just want to make it clear, Mr. President, we intend to move forward. We will have a vote on the Gramm amendment. We may have a Daschle amendment. I happen to think it is fair that we go back to what we originally started doing—one amendment on either side. I think that is the fair way that most legislation has been conducted on the floor since I have been here.

We intend to move forward. We intend to reach a conclusion. I hope that

both the majority leader and Democratic leader will consider trying to bring this to closure next week. We have had now 2 weeks of extensive debate and amending on the issues.

It seems to me outstanding are the tax issues that Senator GRAMM and Senator DASCHLE may have; the issue of attorneys' fees is going to come back up, I believe; and, of course, then there is the agricultural issue outstanding. But aside from that, Mr. President, I do not think there is a lot of new ground to be plowed. I think we need to move forward. I believe we will move forward. And I am still confident—I am still confident—that we will bring this issue to conclusion sooner rather than later, to coin a phrase.

Mr. President, I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I rise to speak on the amendment before us, the amendment that has been offered by myself, Senator CRAIG from Idaho, and Senator ABRAHAM from Michigan.

I will take just a few minutes to frame in general terms the purpose of this amendment. And then my colleague from Idaho will address the amendment and outline its details.

My good friend from Idaho will not be here tomorrow so he will be making a major presentation this evening, and then tomorrow I will return to elaborate further on the amendment.

Let me first try to put it in focus. We are talking about teenage addiction, and have been for the last several months, specifically on the floor, over 2 weeks. I have been struck by the fact that a major piece of legislation would be brought to the floor of the Senate, proposed by the administration, to deal with teenage problems, and addiction specifically, and be totally silent on the issue of drug addiction.

The majority of drug abuse among teenagers—the majority—is by smoking, smoking marijuana, which is a more lethal and damaging drug than tobacco. Yet, this legislation was silent on the issue.

The amendment is designed to end the silence. Teenage drug abuse is the No. 1 teenage problem—No. 1 by any measurement, teenagers, their parents, or empirical evidence. For us to have dealt with this issue and to have remained silent would have been unconscionable.

If I can for a second outline the scope of the problem. In 1979, 14.1 percent, or 3.3 million teenagers age 12 to 17 were involved with consistent drug abuse.

Mr. DURBIN. Will the Senator yield?

Mr. COVERDELL. I yield.

Mr. DURBIN. I ask the Senator for a clarification on his amendment, which I had a chance to read.

The Senator was kind enough to support my amendment to vote against the motion to table and yet there is language in his amendment which suggests that my amendment is made null and void by your new amendment.

Is that the Senator's intention?

Mr. COVERDELL. No, it is not.

Mr. DURBIN. I am happy to clarify that. So the Senator still supports my amendment.

Mr. COVERDELL. That is not my intention, to obviate.

Mr. DURBIN. It is not your intention.

I thank the Senator for yielding.

Mr. COVERDELL. Let me continue, for the Nation to step forward with the powerful will to drive down teenage drug abuse by two-thirds—two-thirds—for those people who think this is a problem for which nothing can be done, I remind everyone listening that when the Nation decides to commit itself to resolving this drug epidemic, it can make headway. For example, in 1979, 14.1 percent were using it. By 1992, it had been driven down to 5.3 percent—2 million less youngsters were using drugs. But then something went wrong, something has gone badly wrong.

Since 1992, drug abuse by this same class of teenagers has increased 135 percent. I repeat, 135 percent. What does that mean? That means that drug abuse has more than doubled since 1992. Drug abuse is now affecting 2 million teenagers. It has increased by over a million. This is a devastating indictment on contemporary drug policy in the United States.

The Nation's will must be rejuvenated. This amendment will do that. When this administration took office, we quit talking and hearing about drugs. The drug czar's office was collapsed. Gratefully, it has now been reopened. It was collapsed. The Coast Guard was diminished. Interdiction was cut in half. The country was flooded by drugs. The price of these illicit drugs dropped by 50 to 80 percent, so they became accessible at every corner and to any school in the Nation. If you don't believe that, just go to the school and ask the students. They can tell you the designer names of the drugs. They can tell you exactly how long it takes, and it is usually no longer than 30 minutes.

So we should not be shocked that drug abuse is skyrocketing and is a new epidemic among teenagers. It is even made more sad by the fact that in the 1960s and the 1970s, the last drug epidemic we suffered, higher-aged teenagers, 15 to 20, were involved in the drug crisis. Now the target is age 8 to 14.

We have been asking the President repeatedly to set forth the goals of his administration during his administration to arrest this epidemic. The response is that they will lower drug use among teenagers back to the level at which they took office, 10 years from now, in the year 2007, 2½ Presidencies away. Our goal is to get it back to where it was when they took office. This is unacceptable. We cannot wait 10 years.

So this amendment is a bold interdiction. It focuses on interdiction. It improves the antinarcotic struggle by Customs, by DOD, Department of Defense, by DEA, by the FBI, by the Coast Guard. It dramatically increases the funding of the interdiction budget. It stiffens penalties and it creates a communication program to communicate to parents and students about the dangers of the drug epidemic in which they live today.

It is our intention, myself and my coauthors, that whatever passes the Senate, will have an antidrug component. It will not be silent on the Nation's No. 1 problem for teenagers. That is unacceptable. It will be an expression to reignite the Nation around the will to confront this epidemic and these narcotic mafia who are the most serious and dangerous the Nation has ever—I repeat, ever—confronted.

I applaud the efforts of my colleagues who have joined me in this effort. We are going to have a vigorous debate about it.

I yield the floor at this time in deference to others who wish to speak.

Mr. ABRAHAM. Mr. President, I will be brief tonight. I will speak at greater length about this amendment tomorrow. I want to thank my colleagues. I am pleased to join Senators COVERDELL and CRAIG on this amendment.

Tomorrow I will be citing some statistics, Mr. President, that reveal the extent to which the young people of this country confront an ever increasing and alarming rate of drug usage.

We obviously are attempting, in the context of this tobacco bill, to address one of the problems and challenges facing young people, but I think as I talk to at least the families in my State, as high as any challenge or problem that they see confronting their kids, particularly children starting as early as seventh and eighth grade, is the illicit use of drugs, and, unfortunately, the growing number of individuals who are making those drugs available to our young people.

Our amendment is designed to begin the process of addressing that in a far more aggressive fashion than has been the case during the recent 4, 5, 6 years. We have seen, as I think most of the Members of this Chamber know, that during the last 5 years, the use of drugs among young people has gone up after a lengthy period of decline. And it is important, I think, as we confront the issue of tobacco, that we likewise confront the issue of drugs.

I join both of my colleagues in saying that I fervently believe no legislation should leave this Chamber absent provisions that are strong and tough antidrug provisions. So I thank my colleagues and I will speak more about it tomorrow. I am glad it is now before the Senate so that we can proceed on this amendment.

I yield the floor.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I am pleased that the time has come for the

Senate to begin debate on a portion of the legislation before us that I think, if accepted by this body, will be the most significant thing that we can possibly do.

Mr. President, even before the bill before us was brought to the floor of the Senate, the question of tobacco has been, for many months, one of the major issues of public debate, if not the major issue in some quarters.

The Clinton administration, in particular, has crusaded for legislation supposedly aimed at preventing America's teens from taking up a deadly habit, arguing that the need for this legislation is so strong that questions of cost and constitutionality, or the ordering of social priorities, are left by the wayside. Even raising such questions is to invite the accusation of being a tool of the big tobacco companies. How dare you stand in the way of this legislation.

Not long ago, Mr. President, I was in Idaho speaking to a group of high school students. This was just as the tobacco issue was starting to break out at the top of most news stories. I asked these kids what the biggest problem facing them and their peers was and what that problem was doing to their lives. When I mentioned tobacco, I'll be honest with you, I was a bit surprised. I was surprised that a lot of hands didn't go up because that is what the media had been talking about, what the front pages were telling us. In fact, Mr. President, only a few hands went up. But when I asked about illegal drugs, almost every hand went up. There was hardly a young person in any one of those high school groups that I spoke to that didn't see drugs as a major problem.

Mr. President, you come from a relatively rural State, as do I, and, remember, teenage drug abuse is supposed to be a problem of the big inner-city schools. But the school I was talking to was a school of 250 in rural Idaho. Yet, nearly every hand went up because every one of those students knew someone in their age group who was misusing or was involved in illegal drugs, and they were concerned about that young person's future. They were concerned about the effect it would have on their friends' lives. Well, someone might say that these are kids, what do they know? We are the adults; we are the United States Senators, and we are supposed to have a more mature view of the problems that face the citizens of our country. Yes, I would hope that we as adults would be able to make mature and considered judgments on these questions. But in sensing that drugs present a bigger threat to them now than does tobacco, I think these kids are right. Yes, we should do everything reasonable that we can possibly do to discourage young people from taking up smoking.

I was once a smoker myself, and I know that it is not easy to quit. I fought it hard and I fought it for a long time. And I haven't smoked in 8 years. I am proud of that and so is my family. But if these kids do start smoking, the real danger they will face will be 10 and 20 and 25 years out, before which let us hope they mature, that they have a reason to think about their life and their health, and they quit like I did, and they become parents who discourage their children from smoking.

Smoking may kill teens later in life, but illegal drugs are killing them today. Whether we are talking about overdoses, car accidents, or the violence associated with the drug trade, illegal drugs present a clear and immediate danger to every young person who tries them, to their families, and to their communities. Talk to the parents of a child they have just lost to an overdose of drugs, and they didn't realize until it was too late that their child was on drugs. No family, no socioeconomic family in every strata, or at any level, is immune. Not one kid will likely die this year because he or she lit their first cigarette. But thousands of Americans will die because they started using drugs this year. Kids who started using drugs today may not get a chance to mature out of that habit, as I did and as thousands do.

I expect there are very few parents who would not care whether their kids decided to start smoking. Most of them care a great deal. However, if they were asked whether they would be more concerned about their teens starting to smoke or becoming a user of marijuana, crack, or heroin, how many parents would say they would take the dope over tobacco? Well, we know what they say. We have seen it in the polling. Let me tell you, Mr. President, the polling is dramatic. The polling is very clear. The parents of today in the highest of percentages say, Get the drugs away from our kids. It is the No. 2 issue. And way down at the bottom of all of those issues that parents are concerned about, as it relates to their kids, is smoking. Yet for the last 2 weeks, this Senate has been focused on that issue. Why? Because it is politically popular. We are going to bash those big tobacco companies because they lied to the American people, and we are going to save teenagers from smoking, and we are going to raise taxes to an all-time high to do it. We are going to spend hundreds of billions of dollars. Yet, No. 1, No. 2, and No. 3, in any poll you take, on the average parent's mind today is the kids associated with drugs, the kids associated with gangs, the kids being killed in car accidents; and way down at the bottom, but on the list of 10 or 12 items, is smoking.

That is one reason I question the administration's priorities tonight. In the abstract, I suppose that if drug use continued at the steady decline of the ''just say no'' Reagan and Bush era, if we could honestly say we had the drug dealers on the run, we might start to ask, Well, what is the next thing on the list of national priorities that this Congress ought to become involved in? But that is not what we see. The drug policy of the Clinton administration has been by every measure except theirs a miserable failure. From an early slashing of the funding for the White House antidrug office, to the administration's effort to have it both ways on clean needles for addicts, to their effort to lower penalties for crack cocaine to equal those of powder, to the President's grossly irresponsible ''I wish I had inhaled'' comment on MTV, this administration has sent all the wrong signals. And guess what? Those signals have been picked up by the young people of this country, and the predictable results have occurred.

Two national annual surveys show that drug abuse by our Nation's youth has increased steadily since the Clinton administration came into office.

The University of Michigan December 1997 Monitoring the Future Study, and the 1997 Parents Resource Institute for Drug Education, and the so-called PRIDE Survey each offer cause for alarm.

The Monitoring the Future Study reveals that illicit drug use among America's schoolchildren has constantly increased throughout the Clinton administration.

Mr. President, here comes the figures of alarming proportion.

For eighth graders the portion using any illegal drug in the prior 12 months has increased 71 percent since the year President Clinton was first elected. And since 1992, it has increased 89 percent amongst 10th graders, and 57 percent amongst 12th graders. That is any illicit drug. The numbers go straight through the roof since President Clinton came to office. Reagan, Bush—numbers declining. Everybody laughed at Nancy Reagan when she said ''Just say no.'' But she stood on a moral pedestal along with George Bush and Ronald Reagan, and they stood as powerful leaders and examples. We have a President who chuckled, and said, ''Well, I wish I had inhaled.'' Sorry, Mr. President. You sent all the wrong signals.

Marijuana use accounted for much of the overall increase in illicit drug use continuing its strong resurgence amongst eighth graders. Use in the prior 12 months has increased 146 percent since 1992.

The year President Clinton was first elected to office, amongst 10th graders, the annual prevalence has increased 129 percent amongst 12th graders it has increased 76 percent since 1992.

Those ought to be figures that are spread in banner headlines in every major newspaper in this country. And they go unnoticed except in our schools, except with school administrators and counselors, and most importantly with parents, who say it is the No. 1 issue facing their children and them as parents.

Of particular concern, according to the survey, is the continuing rise in daily marijuana use amongst 10th and 12th graders. More than one in every 25 of today's high school seniors is a current daily marijuana user, with an 18.4-

percent increase since only last year, while only 1.1 percent of eighth graders used marijuana daily in 1997. That still represents a 50-percent increase since 1992.

Since President Clinton was first elected, annual LSD use has increased over 52 percent, 68 percent, and 50 percent amongst 8th graders and 10th graders and 12th graders, respectively. More than one in 20 seniors in the class of 1997 used cocaine this year, a 12.2-percent increase over just last year. That is cocaine. That is the drug that kills. Crack cocaine also continued a gradual upward climb amongst 10th and 12th graders. In short, since 1992, annual cocaine use is up 87 percent, 147 percent, and 77 percent amongst 8th, 10th and 12th graders, respectively.

The longer term gradual rise in the use of amphetamine stimulants also continued within the class of 1997, increasing over 7 percent since last year. Since 1992, annual heroin usage—heroin is on the resurgence—has increased by 83 percent, 141 percent, and 92 percent for 8th, 10th, and 12th graders.

America, these are our kids, and they are using heroin. This administration doesn't talk about it.

The most recent PRIDE Survey shows a continuing and alarming increase in drug abuse amongst young kids. Illegal drug use amongst 11- and 14-year-olds has continued on a dangerous upward spiral.

According to the president of PRIDE, senior high drug use may have stalled, but it is stalled at the highest levels that PRIDE has measured in 10 years.

Mr. COVERDELL. Mr. President, I wonder if the Senator will yield for 30 seconds to a minute so that I might clarify the issue that arose about obviating.

Mr. CRAIG. I would be happy to yield, but I would not lose any floor right.

The PRESIDING OFFICER (Mr. SESSIONS). Without objection, it is so ordered.

MODIFICATION TO AMENDMENT NO. 2451

Mr. COVERDELL. Mr. President, I ask unanimous consent to modify my amendment numbered 2451.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COVERDELL. I send the modification to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The modification is as follows:

At the end of the Durbin amendment, insert the following:

TITLE —DRUG-FREE NEIGHBORHOODS

SEC. 01. SHORT TITLE.

This title may be cited as the ''Drug-Free Neighborhoods Act''.

Mr. COVERDELL. Mr. President, I yield the floor back to the Senator from Idaho.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I thank my colleague for that modification. It does clarify an important point.

Mr. President, according to PRIDE—those are the folks out there on the front line trying to stop kids from using drugs—senior high school use may have stalled, but it has stalled at the highest level PRIDE has measured in 10 years.

Until we see sharp declines in the use at all grade levels there will be no reason to rejoice.

With respect to young students, the survey found a full 11 percent of junior high students—that is grades 6 through 8—are monthly users of illegal drugs. Junior high students reported significant increases in monthly use of marijuana, cocaine, uppers, downers, hallucinogens, and heroin especially.

Can you imagine that, Mr. President? We are talking about junior high kids. Heroin, drug of choice?

Annual marijuana use has increased 153 percent since Mr. Clinton first took office. Cocaine use is up 88 percent.

Why aren't we spending weeks on the floor of the Senate debating this, because it is the No. 1 issue amongst parents. The kids know it. They know their friends are being killed by it. They are laughing at the fact that they think we are going to legislate them away from tobacco.

Hallucinogen use has increased 67 percent since Mr. Clinton took office.

Now, in the face of this clear and present danger to our Nation's youth, how can this administration justify their obsession with tobacco? That is because there are 100 groups lined up to help them. It is a popular political issue. I agree with them on the premise. But I think they missed the point. They missed the point that the young people of America are talking about. They might answer. ''Well, teen rates of smoking are also going up.'' That is true. But if we look at the facts on teen tobacco use, also found in the Monitoring of the Future Report that I have been quoting, we see the same pattern as on drug use—a steady decline in the Reagan-Bush years with a steady climb since 1992. In other words, what our President says to America and America's youth counts. When he makes light of his flirtation with marijuana, they make light of it, too. That is a great tragedy.

Let us ask the question: Instead of hiking increases in teen smoking to justify massive, intrusive, expensive legislation that will mostly target adult smokers, shouldn't the administration admit that teen smoking increase is yet another symptom of their failed drug policy? Shouldn't they admit that having given kids a wink and a nod on drugs, other bad habits would also appear more acceptable? Anybody who has raised teenagers knows that.

Let's take a concrete example. Recently, an article appeared in the New York Times. ''Young Blacks Link Tobacco Use to Marijuana.'' Strange relationship. I am quoting the New York Times relating to a dramatic increase in tobacco use amongst minority teenagers. According to this article, experts believe that part of the explanation for increased tobacco use amongst these teens is because they are already using marijuana. And that tobacco prolongs the effect of marijuana smoking. If so—and I recognize that there are certain complex factors here—this is a case where tobacco use may be directly linked to our failing drug policy.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 22, 1998]

YOUNG BLACKS LINK TOBACCO USE TO MARIJUANA

(By Jane Gross)

YONKERS, April 21.—In the search to explain the spike in smoking among black teen-agers, a range of theories has evolved, from the proliferation of tobacco advertising in minority communities to the stress of adolescence to the identification with entertainment idols who appear with cigarettes dangling from their lips.

Teen-agers themselves, and some experts who have studied adolescent smoking, add another, less predictable explanation to the mix of factors: the decision to take up smoking because of a belief that cigarettes prolong the heady rush of marijuana.

''It makes the high go higher,'' said Marquette, a 16-year-old student at Saunders Trades and Technical High School here who, like other students, spoke about her marijuana use on the condition that only her first name be used.

At Washington Preparatory High School in South-Central Los Angeles, Tifanni, also 16, said she took up cigarettes two months ago because, ''If the marijuana goes down and you get a cigarette, it will go up again.''

Black teen-agers like Marquette and Tifanni are not unusual, according to interviews with dozens of adolescents around the country and various national surveys. These surveys show that blacks begin smoking cigarettes later than white teen-agers, but start using marijuana earlier, a difference experts say they cannot explain.

The surveys also show a sharp rise in both cigarette and marijuana use among teen-agers in recent years, evident among all races but most pronounced among blacks. White teen-agers still smoke cigarettes at twice the rate of blacks, but the gap is narrowing, signaling the end of low smoking rates among black youths that had been considered a public health success story.

It is not clear how much of the increase in smoking among black teen-agers is due to the use of cigarettes with marijuana, and experts say advertising has been the main factor. But the marijuana-tobacco combination is notable because it is the reverse of the more common progression from cigarette and alcohol use to illegal drugs.

Many black teen-agers said in interviews that they were drawn to cigarettes by friends who told them that nicotine would enhance their high from marijuana, which has been lore and practice among drug users of all races for decades. And this is apparently no mere myth. Many scientists who study brain chemistry say the link between cigarettes and marijuana is unproven but likely true.

''African-American youth talk very explicitly about using smoking to maintain a high,'' said Robin Mermelstein, a professor at the University of Illinois at Chicago and the principal investigator in an ongoing study of why teen-agers smoke for the Federal Centers for Disease Control and Prevention. ''It's a commonly stated motivator.''

Dr. Mermelstein said that in focus groups with 1,200 teen-agers around the country, about half the blacks mentioned taking up cigarettes to enhance a marijuana high, but no white teen-agers volunteered that as an explanation for smoking. ''Cigarettes have a totally different functional value for black and white kids,'' she said.

Even so, Dr. Mermelstein and others say that does not diminish the greater impact of advertising and other media messages in minority neighborhoods. ''Kids are extraordinarily aware of the entertainment media,'' Dr. Mermelstein said. ''They are very reluctant to see the link between any of these and their behavior. But the influence is undoubtedly there.''

Tiffany Faulkner, a 15-year-old at Ida B. Wells High School in Jamaica, Queens, said, ''Tupac smoked and he's my man,'' referring to the slain rap star Tupac Shakur. ''But I didn't smoke because of him,'' she said. ''I have my own head.''

Brand loyalty, however, suggests youths are more moved by the advertising than they realize, or are willing to admit. In general, Marlboro and Camel have white characters on billboards and are the brands of choice among white teen-agers, while Kool and Newport use minority images and are favored by African-American teen-agers, as they are by their parents. Outside Brighton High School in Boston, for instance, every black student in a group of smokers chose Newports. ''They're the cool cigarette,'' said Joey Simone, 18, a smoker since she was 11.

A 16-year-old Chicago girl who tried cigarettes briefly said she is certain advertising is the key. ''When I was little I would see pictures of people standing around with a cigarette and it looked like fun,'' said Coleco Davis at DuSable High School. ''They were all having a good time and it didn't look like it could hurt you.''

This wave of new black smokers, drawn to a habit that kills more people each year than all illegal drugs combined, has researchers worried, because once teen-agers have experienced the booster rocket effect of cigarettes prolonging a marijuana high they often find themselves addicted to tobacco.

''Because I was getting high, I needed it,'' said Mary, 16, a student at Norman Thomas High School in Manhattan. ''The cigarettes made me more high. Now it's become a habit. I feel bad because there's nothing I can do to stop.''

The crescendo of concern about teen-age smoking is behind pending Federal legislation that would raise the price of cigarettes, control advertising to young people and penalize manufacturers if there is not a gradual reduction in adolescent smoking. That legislation took center stage in Washington just as a new study earlier this month showed a steep rise in the smoking rate among black youths.

The nationwide Federal study showed overall smoking rates had increased by one third among high school students between 1991 and 1997. Most alarming to experts was the sharp rise among black youths: 22.7 percent in 1997, up from 12.6 percent six years earlier.

Charyn Sutton, whose Philadelphia marketing company conducts focus groups for Federal research agencies, said she first heard about the current progression from marijuana to cigarettes—what she calls the ''reverse gateway effect''—during focus groups in 1995 involving black middle school students. Ms. Sutton already knew about blunts, cigars hollowed of tobacco and filled with marijuana. But now the teen-agers told her that a practice familiar to the drug cognoscenti as early as the 1960's and 1970's was popular in the schoolyard of the late 1990's—enhancing the high of a joint with a cigarette.

She tested what the teen-agers told her by talking to addicts in recovery, who concurred. And to be sure that the pattern she was seeing in Philadelphia was not a local anomaly, she interviewed young African-Americans across the nation. And, she said, she discovered that they were doing the same thing.

The enhancing effect that teen-agers describe is consistent with what is already known about the working of nicotine and THC, the active ingredient in marijuana. Both spur production of dopamine, a brain chemical that produces pleasurable sensations, said George Koob, a professor of neuropharmacology at the Scripps Research Institute in La Jolla, Calif. ''It makes a lot of sense,'' Dr. Koob said.

At the National Institute on Drug Abuse, which funds most of the world's research on addiction, Alan I. Lesher, the director, went a step further, saying the anecdotal findings cried out for rigorous investigation. ''This is a reasonable scientific question,'' he said. ''And if enough people report experiencing it, it merits consideration.''

Researchers elsewhere have also taken note of strange glitches in substance abuse data comparing blacks and whites. For instance, Denise Kandel, a professor of public health and psychology at Columbia University's College of Physicians and Surgeons, found that while most substance abusers progressed logically from legal to illegal substances, ''the pattern of progression is less regular among blacks and nobody really knows why.''

In 1991, according to the Centers for Disease Control and Prevention, 14.7 percent of students said they had used marijuana in the last 30 days; by 1995, the latest year for which data is available, that rate had jumped to 25.3 percent. Among white youths, the rate increased to 24.6 percent from 15.2. Among Hispanics, it shot up to 27.8 from 14.4 and among blacks to 28.8 from 13.5, vaulting them from last place to first in marijuana use by racial group.

The C.D.C. cigarette study, which tracks use through 1997, shows a parallel pattern. Among white students, 39.7 percent said they smoked cigarettes, up from 30.9 percent six years ago. Among Hispanic students, more than one third now say they smoke, up from roughly a quarter. Among black youths, 22.7 percent list themselves as smokers, compared with the 12.6 who said they smoked in 1991. Worst of all were the smoking rates for black males, which doubled in the course of the study, to 28.2 from 14.1.

The progression from marijuana to cigarettes among black youths was the most provocative finding in interviews in recent days with high school students in New York City, its suburbs, Los Angeles, Chicago and Boston, who consistently raised the issue without being asked. But their comments raised several other troubling issues, as well.

The students were perfectly aware of the health hazards of cigarette smoking. A 17-year-old at Norman Thomas High School in Manhattan said she was quitting because she might be pregnant. A 15-year-old at Saunders said she did not smoke during basketball and softball season but resumed in between.

But most paid no mind to the danger.

And despite laws prohibiting sales to anyone under 18, virtually all the teen-agers said they purchased cigarettes with no trouble at delis and bodegas.

The Federal legislation to curb teen-age smoking depends in large measure on steep price increases as a deterrent. Sponsors of the bill say that raising the price by $1.10 per pack would reduce youth smoking by as much as 40 percent. But talking to high school students suggests this prediction is optimistic.

The adolescents said overwhelmingly that they would pay $3.60 a pack—the current $2.50 charged in New York plus the additional $1.10 envisioned in the legislation. A few said that $5 a pack might inspire them to quit, or at least to try.

But faced with that high a tariff, 17-year-old Robert Reid, a student in Yonkers, had another idea. ''At that price,'' he said, ''you might as well buy weed.''

Mr. CRAIG. I thank the Chair.

Let me read two paragraphs from the article:

> It is not clear how much of the increase in smoking amongst black teen-agers is due to the use of cigarettes with marijuana, and experts say advertising has been the major factor. But the marijuana-tobacco combination is notable because it is the reverse of the more common progression from cigarette and alcohol use to illegal drugs.
>
> Many black teen-agers said in interviews that they were drawn to cigarettes by friends who told them that nicotine would enhance their high from marijuana, which has been lore and practice among drug users of all races for decades. And this is apparently no mere myth. Many scientists who study brain chemistry say the link between cigarettes and marijuana is unproven but likely true.

One other paragraph:

> The students were perfectly aware of the health hazards of cigarette smoking. A 17-year-old at Norman THOMAS High School in Manhattan said she was quitting because she might be pregnant.

But that is the only reason she was quitting.

> A 15-year-old at Saunders [High School] said she did not smoke during basketball and softball season but resumed in between.

The article also talks about the effects of the kind of antitobacco measures that are being discussed on the floor including pushing the price of cigarettes to $3.50 to $4 to $5 a pack. Adolescents overwhelmingly said they would pay $3.60 a pack. The current charge in New York is $2.50. An additional $1.10 would move that to $3.60, and the teenagers did not see that as a problem. Now we are talking about the legislation that is being debated on the floor right now. According to the article:

> A few said that $5 a pack might inspire them to quit, or at least to try.
>
> But faced with that high a tariff, 17-year-old . . . a student in Yonkers, had another idea. ''At that price,'' he said, ''you might as well buy weed.''

In other words, he was saying you might as well smoke marijuana because they are going to end up being about the same price. I don't think anybody on the floor of this Senate has thought about that. But the kids are thinking about it. Let us think about those words, Mr. President: ''At that price, you might as well smoke weed.''

It is always easy for the partisans of big government to come up with big spending, big bureaucracy plans, that whether or not it actually impacts the intended target, in this case teenage smoking, it is sure to have all sorts of unintended but predictable side effects. For example, how big of a tax increase are we looking at? Well, we don't know for sure. Why shouldn't we be looking

at this as a big regressive tax, and I think I can say, in all fairness, the biggest regressive tax in American history? How effective will it be in actually curbing teenage smoking or, for that matter, adult smoking? How much more attractive will it make others? By that, I am talking about illegal drugs such as marijuana, especially to young people.

Well, that teenager from Yonkers said it: If you are going to raise tobacco to that price, you just might as well smoke weed. Have we learned anything at all from the black market of other nations? That has been discussed by some of my colleagues on the floor in the last several weeks, and they have used it as an example and it bears repeating because it shows a reaction to the marketplace.

In Canada, by 1992, a pack of cigarettes cost about $4.50 in U.S. dollars, probably about $6.75 in Canadian dollars, while the price in the United States was $2. The result: the loss of billions of dollars in tax revenue and up to 40 percent of the Canadian market supplied by smuggling, black market, illegal, under the table, vended in the alley, out of the backs of cars, vended by the black market of drug dealing. Canada rolled back its tobacco taxes in 1994, and Sweden recently dropped its tobacco tax over 25 percent. Do we really want to repeat their mistakes? We are about to start. When cigarettes in Mexico cost about $1 a pack, where do you think the border will be? Or, more importantly, how can we protect the border? The movement will be significant.

Does anyone think this would not be a tremendous windfall for organized crime or for cross-border drug trade in Mexico, which is already at epidemic proportions? How many funding streams is that? Well, taxes, we know that. And if those funding streams that we are asking for to fund all of this dry up, then how do we pay for the programs? Because they will surely dry up. Other nations have found that to be the case. And they have had to back off, to up their moneys, to up their cash flow again to fund the programs that they were going to feed off of the taxes they raised from tobacco.

As a Republican, I think this big government approach is just the wrong way to go, especially when we have no real assurance that these programs will do any good.

We need to take a hard look at drug use. And, yes, the teen tobacco use situation in this country that we find is critical. We need to look at it in a practical and a principled way. The bottom line should be this: If the Clinton administration won't lead on drugs—and at this point I would say their credibility on drugs has been fatally compromised—then it is the Congress that should lead. We should lead. That is our job—to create public policy that makes sense for the American people. That is why my colleague, PAUL COVERDELL of Georgia, and I are offering this amendment which would ensure that the drug crisis is not ignored as we attempt to address the tobacco problem.

This amendment collects a number of initiatives that would make a serious impact on illegal drugs. It takes a three-pronged approach: attacking the supply of drugs by strengthening our ability to stop them at the border, providing additional resources to fight drugs that reach our neighborhoods, and by creating disincentives for teens to use illegal drugs.

Let me talk about some of those provisions that are embodied in our amendment. Let me first talk about the one on supply, the supply side of the drug problem, because we all know it is a supply-demand equation. We cannot rely just on treatment programs for those who have already started to abuse drugs. And you know there is a bit of that attitude—well, yeah, if they get hooked on them, we will treat them. The problem is sometimes they get hooked on them, and they get killed or they die before they can get to treatment. We must stop drugs from getting to our kids in the first place, or make every effort to try to stop it.

One key step in fighting the drug supply is increased resources for the interdiction of those drugs; in other words, law enforcement. Fund them, put them on alert, make it a No. 1 priority. This is the area where the administration has been most irresponsible. Slashing the Coast Guard's antidrug budget, with the result—and you know what the result was—a major disruption in the rate of decline. The number of seizures for drug shipments turned back before they reached the United States—listen to these figures; it happened on the President's watch after he slashed the interdiction money—declined by 53 percent. We are talking interdiction, at the border or out in the water; a 53-percent decline in interdiction from 1992 to 1995.

So, what does our amendment do? We give the Coast Guard, the Defense Department, the U.S. Customs Service, the resources they need to target that interdiction before drugs reach the American streets. Our amendment does exactly that, and that is our intent. Our amendment also includes the Drug-Free Borders Act, which attacks the 70 percent of illegal drugs that enter our country across the Mexican border. Mr. President, 70 percent of the problem is right there on that very identifiable border. These provisions would increase the penalties for crimes of violence and other crimes committed at our borders and enable the INS to hire thousands—yes, thousands—of new Border Patrol agents.

But our amendment does not just stop at the border; it also strengthens the hand of law enforcement in fighting drug dealers at home and abroad. For example, our amendment increases the resources available to DEA and the FBI. We also think parents deserve to know if convicted drug dealers have moved into their neighborhoods. Our amendment requires released Federal convicts, convicted of major drug crimes, to register with local law enforcement personnel, who can then put their communities on notice. Why not? Those are the folks who have been killing our kids by selling drugs. Why not let the communities know if they are back in those communities? These are only some of the provisions in our amendment that attack the supply of drugs.

We also focus on the demand side of the problem by supporting local efforts to protect our neighborhoods, businesses, and schools from drugs and provide incentives for young people to stay straight. Our amendment includes a provision addressing needle exchange programs. At a time when drug use, particularly heroin use, is increasing, this program clearly undermines our effort to fight illegal drugs. What program? The current program. The Clinton program. The green light to subsidizing needle exchange programs. That is the green light for drug use. The House has already passed legislation to stop this, H.R. 3717, by a strong 287 to 140 vote. The Senate should do the same. Our amendment includes just exactly this. I hope the Senate can support it.

Another section of our amendment is the Drug-Free Student Loan Act. It restricts loan eligibility for students who use drugs. This would target substance abuse without creating Federal mandates or authorizing new spending. It puts the kids on notice: ''We ain't going to tolerate it anymore. Be straight, you will get your education. You can have a loan for it. But, use drugs and you are falling out of favor with the public.''

The Drug-Free Teen Driving Act in our amendment would encourage States to be at least as tough on driving privileges for those who use drugs and drive as those who are drunk drivers. Stop and think about the inconsistency today. You get caught a drunk driver, you get your license pulled. Drug abuse? No. No. We are not addressing that. This amendment does. Same treatment.

Our amendment includes the Drug-Free Workplace Act. This section provides incentives for employers to implement antidrug programs in the workplace, such as clear antidrug policies, drug testing, and employees' assistance programs. We also assist schools in the fight against drugs by allowing them to use Federal funds for drug testing programs and victims' assistance. Our amendment also provides incentives for States to create an annual report card to parents and teachers, listing incidents of school violence and drug activities.

Another critically important part of our amendment would back up communities in their fight against drugs. We would authorize matching grants funds

to support communities' efforts to establish comprehensive, sustainable, and accountable antidrug coalitions.

Senator COVERDELL and I recognize you cannot do all of this from the top down, that you have to work with the grassroots and help it grow from the bottom up. These and other provisions in our amendment are commonsense measures to protect our young people from the growing menace of drugs. They would counter the wrongheaded policies of this administration and start sending the right signals to America's youth.

This amendment does not set up new bureaucracies nor impose new mandates. It supports law enforcement's attack on the suppliers of drugs. It also supports local efforts to control drugs in neighborhoods, schools, and businesses. Nothing can be more important than supporting these local efforts, because they are the front line in the war on drugs. And right now, with the efforts in communities to be drug free, they are the only line, the only real line that is working. We do not need the hammer of the Federal Government to force communities to take action. As I have mentioned, they are already at it. All they need is a few resources and our help.

Let me give an example of something that is happening in my State that I am so proud of. It is called the Enough Is Enough campaign. It is a community-based drug prevention campaign driven by the private sector. No government dollars or controls are involved. Why? The problem became so bad in the Clinton years, the communities had to take it on. They said, ''If we cannot get help from the Federal Government, we will do it ourselves,'' because they saw the numbers going up and they saw the deaths occurring.

Most people in Idaho agree that this program is the most effective antidrug, drug awareness campaign they have ever seen. It builds on the systems within every community that influence and involve specific groups of individuals. It recognizes that each system has a special, specific role to play in the prevention that is necessary and that it involves all of the community. It unites these systems. It includes the media and the public and private sectors behind a common goal—to equip our children to walk drug free through a drug-filled world. It focuses on community teamwork to fight the drug culture and regain the quality of life for our children. Enough Is Enough is the largest community-wide drug prevention effort in Idaho's history. Antidrug advocate Milton Creagh has delivered his challenge to communities all over the State. More than 100,000 people have already participated in the program, and additional community coalitions are being formed every day.

This program is proof that the Federal Government does not have all the answers. In fact, the Federal Government can do a lot of harm by forcing wrong programs and wrong incentives on local communities and citizens. Instead, we should provide encouragement, support local antidrug initiatives, and that is the philosophy behind our amendment: Get our law enforcement involved, stop the stuff at the border.

In offering the amendment to the antitobacco bill, I have been arguing that the danger posed by illegal drugs is greater and more immediate and more deadly than any immediate problem that tobacco poses on teenage America.

It is my strong belief that the bill before us tonight must not ignore the drug crisis that threatens our youth, America's future.

Having said all that, however, I do not mean to suggest that we should ignore teenage smoking. Let me repeat that for the Record, because I am quite sure there are some who will say, ''Well, COVERDELL and CRAIG are trying to switch the focus.'' No; we are trying to refocus. We are trying to do fine focus. We are trying to get this Government pointed in the right direction. In fact, as I have already pointed out, there is a connection between youth smoking and drug use.

There are a number of commonsense antismoking measures we should seriously consider, but I would like to draw my colleagues' attention to the one thing in particular we know to be effective in combating not just teenage smoking, but drug use, violence, suicide, sexual behavior, and emotional disturbances.

In an area that is fairly underrated and where the Clinton administration definitely has been a part of the problem, the one thing is parental involvement in their children's lives. A recent Washington Post article entitled ''Love Conquers What Ails Teens, Studies Find'' summarized the results of a Federal study known as the National Longitudinal Study of Adolescent Health based on a survey of 90,000 students grade 7 through 12 and published in the Journal of the American Medical Association:

> Teenagers who have a strong emotional attachment to their parents and teachers are much less likely to use drugs and alcohol, attempt suicide, engage in violence, become sexually active at an early age.

That is what the Post reported.

Though less important than the emotional connection, the presence of parents at home at key times in the morning, after school, at dinner, at bedtime make teenagers less likely to use alcohol, tobacco and marijuana.

Mr. President, the Federal Government cannot mandate family cohesion, but I cannot think of a better argument for passing S. 4, the Family Friendly Workplace Act. That would encourage a host of comptime-flextime options for America's parents. Why am I talking about this when we are trying to stop teenagers from smoking, when we have an amendment on the floor about teenage drug abuse that we are trying to curb? Because it ought to be a part of the package. We ought to understand and not be so naive as to say that it is the total environment in which the child lives.

I mention it only tonight for our Senate to understand that we cannot do it; we are blocked on the floor; it is not the right thing politically; somehow the unions oppose it. Why don't we wake up? Why don't we understand that Government can, in fact, by its inaction, be an impediment?

Those are the conclusions I have drawn, and that is why I am a cosponsor with Senator COVERDELL of this, what I believe to be the most important part of this total legislation.

Mr. President, in the coming days, the Senate will be faced with a stark choice: We can be panicked down the road of least resistance to passing a big Government antitobacco bill that won't do the job but will become a permanent tax and regulatory nightmare, or we can pass some commonsense legislation that will help States, localities, communities, and, most of all, parents take charge of their children's future. We can mount a strong antismoking campaign, and we can assist States to do so.

Really, when it comes to controlling our borders, when it comes to stopping the massive new flow of drugs into this country, stimulated by an administration that just doesn't want to face the issue, then it is time the Congress speak, and we can speak clearly and decisively if we vote, pass, and add as a major component to this tobacco legislation the Coverdell-Craig teenage antidrug amendment.

It sets us in the right direction. It is a quantum step toward dealing with teenage drug use that, by everyone's measurement, is moving at an astronomical rate, taking lives in unbelievable numbers. We hear the statistic, 3,000 kids start smoking every day, and that is true, but thousands try drugs and get hooked and thousands die within a very short time.

Thank goodness that in your adult years, if you are a smoker, sometimes common sense hits you like it hit me, that it was the wrong thing to do, that it wasn't healthy, that it was socially unacceptable, and that it was not going to cause me to be a good influence over my children, and I quit. But I doubt seriously that in my youth, if I had been hooked on drugs, I might not have had the opportunity to quit.

I hope this Congress awakens to the real issue, and I think my colleague from Georgia and I are bringing the real issue to the floor of the U.S. Senate. We will debate it tomorrow, and we will debate it Monday. I hope that we have a resounding vote in favor of the Coverdell-Craig amendment, that it become a part of this total package, and that we deal with it in a fair and responsible way, then find and bring about the funding necessary to ensure that we can put our Coast Guard back to interdiction, that we can stop the flow at the borders, that we can go

after the pusher on the street, and that we can show our young people that starting or experimenting with drugs is not only unacceptable as a part of the American culture, but that we will insist they quit for their safety and for their future.

Mr. President, I yield the floor.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Ms. COLLINS. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

IN MEMORY OF BARRY GOLDWATER

Mr. KYL. Mr. President, I ask unanimous consent that the eulogy I delivered at the funeral for the former U.S. Senator from Arizona, Barry Goldwater, in Tempe, Arizona on June 3, 1998, be printed in the RECORD.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

IN MEMORY OF BARRY GOLDWATER

(Remarks of Jon Kyl, Tempe, Arizona, As Delivered June 3, 1998)

We honor Barry Goldwater today by reflecting on why he has made such a mark on our state, our nation, and the world.

All of us probably remember the first time we met Barry. In my case, it was in May 1961 when I was a student at the University of Arizona. After working with him in the political arena for most of the ensuing years, and after visiting with him often during his retirement, I think I know why he has had the influence he has had. I have come to believe it is because of his very unique perspective—about nature, including human nature.

It is why he could do without all of the political folderol that preoccupies so many in public life. It is why he could shrug off his defeat in the presidential election of 1964—not because he didn't care, but because he knew, in the end, the most important thing was to tell the truth as he saw it, and to build a foundation for the future.

It is why he cared about and understood people so well, and could shape a political philosophy which works precisely because it is predicated upon the true nature of man.

That sense of perspective, of what truly mattered, was rooted in his early experiences traveling this state, rafting down the Grand Canyon, photographing Arizona's landscapes and getting to know a lot of common people. He was very much a part of the land, the desert, the mountains, and the people and places of Arizona.

One reason I think he liked common people is because, like Abraham Lincoln, he saw himself as a common man. My dad is the same way. They understood early on, that every person has a unique and individual worth, and that that is why freedom is indispensable to assure man's proper place in nature.

As a young man, Barry Goldwater helped run his family's trading post on the Navajo reservation. He knew the Hopi and the Navajo people and appreciated their way of life. He captured on film the character and dignity of Native Americans and other people. He saw their qualities as individuals, and learned from them and respected them.

Others wanted to remake human nature. Barry Goldwater appreciated it, as it is. In that respect, he grasped the truth of the Founding Fathers, that freedom is indispensable for the fulfillment of God's purposes for those He created in His image.

This homegrown insight is what led him to be so alarmed by the growth and power of government since the New Deal. ''A government that is big enough to give you all you want is big enough to take it all away,'' he said, reaffirming the belief in limited government upon which America was established, and upon which he and Ronald Reagan and others constructed a conservatism for our time.

It was necessary to have someone of his courage and plain speaking to persuade others of this nature-driven view of liberty and smaller government, at a time when it was not considered a very respectable view.

But, as Matthew Arnold said, ''The free-thinking of one age is the common sense of the next.'' There is no doubt that Barry Goldwater—as the pathbreaker for today's common-sense conservatism—is the most influential Arizonan in our lifetime, indeed, in the lifetime of Arizona as a state.

Summarizing his own life, in 1988 he wrote: ''Freedom has been the watchword of my political life. I rose from a dusty little frontier town and preached freedom across the land all my days. It is democracy's ultimate power and assures its eventual triumph over communism. I believe in faith, hope, and charity. But none of these is possible without freedom.''

It was a privilege to know someone who was as obvious in his virtues as he was in his opinions. When I visited with him in the last few years, he seemed reluctant to offer the specific political advice that I occasionally sought from him. He wanted instead to talk about the people he had known, about his early formative experiences in Arizona, and about history.

There are too few people who give you the feeling that they have the long view in mind. Barry Goldwater did. There are too few who show us what it is like for a man to guide his life by true principles. Barry Goldwater showed us. The Senator from Arizona was not only a great patriot, he was, as he wished to be remembered, an honest man who tried.

NICK MURNION OF GARFIELD COUNTY, MONTANA—PROFILE IN COURAGE

Mr. KENNEDY. Mr. President, on May 29, during the Memorial Day recess last week, the Kennedy Library Foundation held its annual ''Profile in Courage'' Award Ceremony at the Kennedy Library in Boston. The 1998 Profile in Courage Award was presented to Nickolas C. Murnion, the County Attorney of Garfield County, Montana, for his courageous leadership in the confrontation earlier in this decade with the militia group called the Freemen.

The Profile in Courage award takes its name from President Kennedy's Pulitzer Prize-winning book, ''Profiles in Courage,'' which my brother wrote in the 1950's, while he was still a Senator. The book told the stories of elected officials in American history who showed extraordinary political courage by doing what they thought was right, in spite of powerful resistance and opposition.

Nick Murnion clearly demonstrated that quality of political courage, and he did so at great physical risk to himself as well. His small rural community in Montana came under siege, beginning in 1993, from the Freemen, a belligerent anti-government militia that took root in the area. The members of the Freemen refused to abide by local laws or pay taxes. They harassed and threatened public officials, and threatened the life of Nick Murnion and anyone else who challenged them.

But Nick Murnion stood his ground, and armed with the rule of law and the strong support of other citizens in the community, he prevailed. Finally, in 1996, the FBI came to provide assistance, and after a dramatic 81-day siege, the militia members surrendered peacefully.

Today, as the nation struggles to deal with extremist groups, hate crimes, church bombings, schoolyard shootings, and other distressing acts of violence in our society, Nick Murnion's inspiring story reminds us of leadership at its best in our democracy.

In accepting the Profile in Courage Award, Nick Murnion delivered a truly eloquent address at the Kennedy Library in Boston, and I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

ADDRESS OF GARFIELD COUNTY ATTORNEY NICKOLAS S. MURNION, 1998 PROFILE IN COURAGE AWARD CEREMONY, MAY 29, 1998

Members of the President's family, Trustees of the John F. Kennedy Library Foundation, family and friends.

I was both shocked and delighted four weeks ago when Caroline Kennedy called me in a little town in Montana to give me the great news that I had been selected as this year's John F. Kennedy Profile in Courage recipient. I had a vague awareness of the award, but my first reaction was disbelief. I couldn't figure out how I could be selected for such a prestigious honor, when I had no idea I was even being considered. I will also admit that at the time, I was almost more in awe in talking with Caroline Kennedy than in getting the great news about the award.

My first recollection of any political race was in 1960, when at the age of 7 I asked to see pictures in the newspaper of who was running for President of the United States. My first impression was that there was no question I would have voted for John F. Kennedy. Later I remember a schoolteacher telling us to remember President Kennedy as having made some of the most eloquent speeches in our time. Looking back at those speeches now, I believe she was right. The Kennedy presidency was one that I remember very fondly for the ideals expressed and the vision of a future where everyone could

share in the American Dream. Politics was a noble profession to which a young person could aspire.

One of my biggest honors in being chosen to receive this award is to represent the Big Sky State of Montana. Apparently, John F. Kennedy also was fond of our state. When he addressed the Montana Democratic Convention in 1960, he quoted Thoreau: ''Eastward I only go by force. Westward I go free.'' Then he added, ''That is why I have come to Montana.''

President's Kennedy's last stop was in Great Falls on September 26, 1963, where he closed his final speech by saying: ''This sun in this sky which shines over Montana can be, I believe, the kind of inspiration to us all to recognize what a great single country we have—50 separate states, but one people living here in the United States, building this country and maintaining the watch around the globe. This is the opportunity before us as well as the responsibility.''

As I appear before you today in the great state of Massachusetts and in this historical city of Boston, I am proud to be part of these 50 great states. My experience the last five years in dealing with the Montana Freemen has instilled in me a great appreciation for our democratic form of government. Until you have to fight for your government you tend to take it for granted. In 1994 in a small county in Montana with only 1,500 residents and one sheriff and one deputy, our people had to make a decision to take a stand against 30 armed insurrectionists, even though it put their own lives and property at risk. Even with the knowledge of the risks, 80 people signed up to assist law enforcement in whatever was needed to be done to deal with a situation which was rapidly escalating into an armed confrontation. In accepting this award I wish to acknowledge the courage of those 80 people and of the rest of the community which overwhelmingly condemned this movement.

In ''Profiles in Courage'' I was struck by the stands taken by different people in history which left them alone to fight the battle. Everyone seemed to desert them at one time or another. I never felt completely alone in this struggle. I had the people of Garfield County for support. I had Attorney General Joe Mazurek assisting on behalf of the State of Montana. When times got real bad, I knew I could always call on Senator Max Baucus for help.

The story of Edmund G. Ross who cast the deciding vote in stopping the impeachment of President Andrew Johnson particularly touched me. Ross voted against the impeachment to save the Union against those who wanted to continue the struggles brought on by the Civil War. Years later the Kansas newspapers finally praised the actions of Ross. ''By the firmness and courage of Senator Ross, it was said, the country was saved from calamity greater than war, while it consigned him into a political martyrdom, the most cruel in our history. Ross was the victim of a wild flame of intolerance which swept everything before it. He did his duty knowing it meant his political death. It was a brave thing for Ross to do, but Ross did it. He acted for his conscience and with a lofty patriotism, regardless of what he knew must be the ruinous consequences to himself. He was right.''

There is a growing wave of intolerance in this country by those groups, which call themselves patriots, militias, constitutionalists, common law courts, posse commitatus, and freemen. Their numbers are estimated at between 5 and 20 million. They appear to be the disenfranchised Americans who believe the government has gotten so corrupt that the only solution is revolution. They were not taken very seriously until the Oklahoma City bombing. They have not gone away, although their movement has gone more underground. They will be back with the same hate-filled message filled with scapegoats and conspiracy theories for all their problems.

As a prosecutor, I am not sure I did anything in this situation that any other prosecutor in America would not have done. Everyday, all across this country, men and women in law enforcement put their lives on the line to enforce the law, so that the rest of us can live in peace. They are the true unsung heroes.

For many months before the FBI finally came to Garfield County, we tried to devise ways to serve our arrest warrants on fugitives residing in an armed camp. In those meetings, I learned the immense pressure felt by our leaders when they have to send men into harms way. The decision to make any attempt to serve our arrest warrants could result in the death of law enforcement personnel and of those people you previously considered to be your friend and neighbors. Most importantly, you learn that contrary to the television and the movie portrayals, sending armed men into an armed camp almost always results in something going wrong.

I also learned that those in law enforcement who are trained to take these actions are much like you and me. They are married with families, and their biggest desire is to go back to their families. I salute all of the fine men and women in the F.B.I. who came to our aid in Garfield County. I also want us to remember F.B.I. agent Kevin Cramer, who lost his life in an automobile accident on his way to the standoff area. He left behind a wife and two small children and we should not forget that we did have a fatality caused by the standoff.

I want to share this honor with the people of the great state of Montana who have over the past few years had to deal with different types of hate groups in different communities. In almost every case, the communities have come together to condemn the hate-motivated activities. In Billings, we had the wonderful example of a community showing support by placing menorahs in the windows of hundreds of homes after a Jewish family had a brick thrown through their window.

In other parts of Montana, we have had other Freemen-type activity which law enforcement has vigorously prosecuted. Lately, we had a fire set on one of our Hutterite colonies, which has led to condemnation by our Congressman and an intensive criminal investigation.

In Billings, Montana a campaign to deal with hate groups used the message ''Not in our Town.'' In Garfield County, the message our people sent was clear. ''Not in our County.'' In the State of Montana, I am proud to say we have sent a message ''Not in our State.'' I stand before you today in the great state of Massachusetts and say ''Not in this Country.''

Those groups who look with envious eyes at the vast open spaces of Montana with the idea of making it some type of refuge for white supremacists need to understand: We know about you and your hate-filled ideas. We will expose the truth about you and the truth will defeat you. To the rest of America, let Montana be an example of how hate can be conquered.

Finally I share this award with my wife and children who have had to endure the threats for the past 5 years. They have quietly stood by me and I thank them for that. I am deeply honored to accept this award and hope that I can live up to the ideals behind it each day of the rest of my life.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, June 3, 1998, the federal debt stood at $5,496,176,063,717.35 (Five trillion, four hundred ninety-six billion, one hundred seventy-six million, sixty-three thousand, seven hundred seventeen dollars and thirty-five cents).

One year ago, June 3, 1997, the federal debt stood at $5,357,051,000,000 (Five trillion, three hundred fifty-seven billion, fifty-one million).

Five years ago, June 3, 1993, the federal debt stood at $4,294,168,000,000 (Four trillion, two hundred ninety-four billion, one hundred sixty-eight million).

Ten years ago, June 3, 1988, the federal debt stood at $2,573,962,000,000 (Two trillion, five hundred seventy-three billion, nine hundred sixty-two million).

Fifteen years ago, June 3, 1983, the federal debt stood at $1,313,457,000,000 (One trillion, three hundred thirteen billion, four hundred fifty-seven million) which reflects a debt increase of more than $4 trillion—$4,182,719,063,717.35 (Four trillion, one hundred eighty-two billion, seven hundred nineteen million, sixty-three thousand, seven hundred seventeen dollars and thirty-five cents) during the past 15 years.

U.S. FOREIGN OIL CONSUMPTION FOR WEEK ENDING MAY 29TH

Mr. HELMS. Mr. President, the American Petroleum Institute reported for the week ending May 29, that the U.S. imported 8,549,000 barrels of oil each day, an increase of 175,000 barrels a day over the 8,374,000 imported during the same week a year ago.

Americans relied on foreign oil for 57.2 percent of their needs last week. There are no signs that the upward spiral will abate. Before the Persian Gulf War, the United States obtained approximately 45 percent of its oil supply from foreign countries. During the Arab oil embargo in the 1970s, foreign oil accounted for only 35 percent of America's oil supply.

Politicians had better give consideration to the economic calamity sure to occur in America if and when foreign producers shut off our supply—or double the already enormous cost of imported oil flowing into the U.S.—now 8,549,000 barrels a day.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT CONCERNING THE EXTENSION OF WAIVER AUTHORITY FOR BELARUS—MESSAGE FROM THE PRESIDENT—PM 134

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

To the Congress of the United States:

I hereby transmit the document referred to in subsection 402(d)(1) of the Trade Act of 1974, as amended (the ''Act''), with respect to the continuation of a waiver of application of subsections (a) and (b) of section 402 of the Act. This document constitutes my recommendation to continue in effect this waiver for a further 12-month period and includes my determination that continuation of the waiver currently in effect for the Republic of Belarus will substantially promote the objectives of section 402 of the Act, and my reasons for such determination. I will submit separate reports with respect to Vietnam and the People's Republic of China.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 3, 1998.*

REPORT CONCERNING THE EXTENSION OF WAIVER AUTHORITY FOR VIETNAM—MESSAGE FROM THE PRESIDENT—PM 135

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

To the Congress of the United States:

I hereby transmit the document referred to in subsection 402(d)(1) of the Trade Act of 1974 (the ''Act''), as amended, with respect to the continuation of a waiver of application of subsections (a) and (b) of section 402 of the Act to Vietnam. This document constitutes my recommendation to continue in effect this waiver for a further 12-month period and includes my determination that continuation of the waiver currently in effect for Vietnam will substantially promote the objectives of section 402 of the Act, and my reasons for such determination.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 3, 1998.*

REPORT CONCERNING THE EXTENSION OF WAIVER AUTHORITY FOR THE PEOPLE'S REPUBLIC OF CHINA—MESSAGE FROM THE PRESIDENT—PM 136

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

To the Congress of the United States:

I hereby transmit the document referred to in subsection 402(d)(1) of the Trade Act of 1974, as amended (the ''Act''), with respect to the continuation of a waiver of application of subsections (a) and (b) of section 402 of the Act to the People's Republic of China. This document constitutes my recommendation to continue in effect this waiver for a further 12-month period and includes my determination that continuation of the waiver currently in effect for the People's Republic of China will substantially promote the objectives of section 402 of the Act, and my reasons for such determinations.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 3, 1998.*

MESSAGES FROM THE HOUSE

At 10:49 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2798. An act to redesignate the building of the United States Postal Service located at 2419 West Monroe Street, in Chicago, Illinois, as the ''Nancy B. Jefferson Post Office Building.''

H.R. 2799. An act to redesignate the building of the United States Postal Service located at 324 South Laramie Street, in Chicago, Illinois, as the ''Reverend Milton R. Brunston Post Office Building.''

H.R. 3504. An act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts and to further define the criteria for capital repair and operation and maintenance.

H.R. 3630. An act to redesignate the facility of the United States Postal Service located at 9719 Candelaria Road NE., in Albuquerque, New Mexico, as the ''Steven Schiff Post Office.''

H.R. 3808. An act to designate the United States Post Office located at 47526 Clipper Drive in Plymouth, Michigan, as the ''Carl D. Pursell Post Office.''

H.R. 3978. An act to restore the provision agreed to the conferees to H.R. 2400, entitled the ''Transportation Equity Act for the 21st Century,'' but not included in the conference report to H.R. 2400, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 1244. An act to amend title 11, United States Code, to protect certain charitable contributions, and for other purposes.

ENROLLED BILL SIGNED

At 7:11 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the Speaker has signed the following enrolled bill;

H.R. 824. An act to redesignate the Federal building located at 717 Madison Place, N.W., in the District of Columbia, as the ''Howard T. Markey National Courts Building.''

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 2798. An act to redesignate the building of the United States Postal Service located at 2419 West Monroe Street, in Chicago, Illinois, as the ''Nancy B. Jefferson Post Office Building''; to the Committee on Government Affairs.

H.R. 2799. An act to redesignate the building of the United States Postal Service located at 324 South Laramie Street in Chicago, Illinois, as the ''Reverend Milton R. Brunson Post Office Building''; to the Committee on Governmental Affairs.

H.R. 3504. An act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts and to further define the criteria for capital repair and operation and maintenance; to the Committee on Environment and Public Works.

H.R. 3630. An act to redesignate the facility of the United States Postal Service located at 9719 Candelaria Road NE., in Albuquerque, New Mexico, as the ''Seven Schiff Post Office''; to the Committee on Governmental Affairs.

H.R. 3808. An act to designate the United States Post Office located at 47526 Clipper Drive in Plymouth, Michigan, as the ''Carl D. Pursell Post Office''; to the Committee on Governmental Affairs.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on June 4, 1998 he has presented to the President of the United States, the following enrolled bill:

S. 1605. An act to established a matching grant program to help State and local jurisdictions purchase armor vests for use by law enforcement departments.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–5196. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''1998 Amendment to Cotton Board Rules and Regulations Adjusting Supplemental Assessment on Imports'' (Docket CN–98–002) received on May 28, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5197. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Hazelnuts Grown in Oregon and Washington; Establishment of Interim and Final Free and Restricted Percentages for the 1997–98 Marketing Year'' (Docket FV98–982–1 FIR) received on May 28, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5198. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Melons Grown in South Texas; Decreased Assessment Rate'' (Docket FV98–979–1 FIR) received on May 28, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5199. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Grapes Grown in a Designated Area

of Southeastern California and Imported Table Grapes; Revision in Minimum Grade, Container, and Pack Requirements'' (Docket FV98–925–3 FIR) received on May 28, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5200. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Sweet Onions Grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon; Increased Assessment Rate'' (Docket FV98–956–2 FR) received on May 28, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5201. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Commuted Traveltime Periods: Overtime Services Relating to Imports and Exports'' (Docket 98–051–1) received on May 28, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5202. A communication from the Administrator of the Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''General Regulations and Standards for Certain Agricultural Commodities'' (RIN0580–AA54) received on May 28, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5203. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation entitled ''Department of Agriculture Fee Act''; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5204. A communication from the Secretary of Defense, transmitting, pursuant to law, the report of a certification regarding a multiyear contract for the Family of Medium Tactical Wheeled Vehicles program; to the Committee on Armed Services.

EC–5205. A communication from the Secretary of Defense, transmitting, pursuant to law, a report on the weapons storage security project and a certification regarding strategic offensive arms; to the Committee on Armed Services.

EC–5206. A communication from the Secretary of Defense, transmitting, pursuant to law, a report entitled ''Response to Recommendations Concerning Improvements to Department of Defense Joint Manpower Process''; to the Committee on Armed Services.

EC–5207. A communication from the Director of Defense Procurement, Office of the Under Secretary of Defense for Acquisition and Technology, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Waiver of Domestic Source Restrictions'' (Case 97–D321) received on May 26, 1998; to the Committee on Armed Services.

EC–5208. A communication from the Director of the Washington Headquarters Services, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Waiver of Collection of Payments Due From Certain Persons Unaware of Loss of CHAMPUS Eligibility'' (RIN0720–AA43) received on May 26, 1998; to the Committee on Armed Services.

EC–5209. A communication from the General Counsel of the Department of Defense, transmitting, pursuant to law, the report of the Department of Defense Panel to Study Military Justice in the National Guard Not in Federal Service; to the Committee on Armed Services.

EC–5210. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, pursuant to law, a report entitled ''Assessment of Reports from the Military Departments on Sexual Harassment Complaints''; to the Committee on Armed Services.

EC–5211. A communication from the Assistant Secretary for Strategy and Threat Reduction, Department of Defense, transmitting, pursuant to law, a report entitled ''Russian Plutonium Production Reactor Core Conversion Project''; to the Committee on Armed Services.

EC–5212. A communication from the Under Secretary of Defense for Acquisition and Technology, transmitting, pursuant to law, a report on the best commercial inventory practices; to the Committee on Armed Services.

EC–5213. A communication from the Chief of the Regulations Branch, United States Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Prior Disclosure'' (RIN1515–AB98) received on May 26, 1998; to the Committee on Finance.

EC–5214. A communication from the Chief of the Regulations Branch, United States Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Emissions Standards for Imported Nonroad Engines'' (RIN1515–AC28) received on May 26, 1998; to the Committee on Finance.

EC–5215. A communication from the Chief of the Regulations Branch, United States Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Automated Clearinghouse Credit'' (RIN1515–AC26) received on May 26, 1998; to the Committee on Finance.

EC–5216. A communication from the Chief of the Regulations Branch, United States Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Procedural Change Regarding American Shooks and Staves'' (RIN1515–AC18) received on May 28, 1998; to the Committee on Finance.

EC–5217. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on the Temporary Assistance for Needy Families (TANF) Contingency Fund; to the Committee on Finance.

EC–5218. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Surety Bond Requirements for Home Health Agencies'' (RIN0938–AI86) received on May 29, 1998; to the Committee on Finance.

EC–5219. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''1996 National Water Quality Inventory Report''; to the Committee on Environment and Public Works.

EC–5220. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule regarding Air Quality Implementation Plans in the District of Columbia (FRL6103–3) received on May 26, 1998; to the Committee on Environment and Public Works.

EC–5221. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of two rules regarding lead hazard education and Wyoming landfill gas emissions (FRL5751–7, FRL6104–7) received on May 28, 1998; to the Committee on Environment and Public Works.

EC–5222. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Identification of Ozone Areas Attaining the 1-Hour Standard and to Which the 1-Hour Standard is No Longer Applicable'' (FRL6105–6) received on May 29, 1998; to the Committee on Environment and Public Works.

EC–5223. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, a draft of proposed legislation to grant the District of Columbia control over local revenues; to the Committee on Governmental Affairs.

EC–5224. A communication from the Interim District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Review of The Financial And Administrative Activities of The Boxing and Wrestling Commission For Fiscal Years 1996 and 1997''; to the Committee on Governmental Affairs.

EC–5225. A communication from the Director of Corporate Audits and Standards, Accounting and Information Management Division, General Accounting Office, transmitting, a report entitled ''Congressional Award Foundation's 1997 and 1996 Financial Statements''; to the Committee on Governmental Affairs.

EC–5226. A communication from the Administrator of the Panama Canal Commission, transmitting, a report entitled ''Financial Statements For the Years Ended September 30, 1997 and 1996 Together With Auditors' Report''; to the Committee on Governmental Affairs.

EC–5227. A communication from the Office of the Public Printer, U.S. Government Printing Office, transmitting, pursuant to law, the report of the Office of the Inspector General for the period October 1, 1997, through March 31, 1998; to the Committee on Governmental Affairs.

EC–5228. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report under the Inspector General Act for the period October 1, 1997 through March 31, 1998; to the Committee on Governmental Affairs.

EC–5229. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees Health Benefits Program: Removal of Minimum Salary Requirement'' (RIN3206–AI05) received on May 28, 1998; to the Committee on Governmental Affairs.

EC–5230. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the report of the Office of Inspector General for the period October 1, 1997 through March 31, 1998; to the Committee on Governmental Affairs.

EC–5231. A communication from the Chairman and the General Counsel of the National Labor Relations Board, transmitting, pursuant to law, the report of the Office of the Inspector General for the period April 1, 1997 through September 30, 1997; to the Committee on Governmental Affairs.

EC–5232. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1997 through March 31, 1998; to the Committee on Governmental Affairs.

EC–5233. A communication from the Chairman of the District of Columbia Financial Responsibility and Management Assistance Authority, transmitting, pursuant to law, the Financial Plan and Budget for the District of Columbia for fiscal year 1999; to the Committee on Governmental Affairs.

EC–5234. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of the Office of Inspector General for the period October 1, 1997 through March 31, 1998; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Appropriations, without amendment:

S. 2132. An original bill making appropriations for the Department of Defense for fiscal year ending September 30, 1999, and for other purposes (Rept. No. 200).

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1301. A bill to amend title 11, United States Code, to provide for consumer bankruptcy protection, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. THURMOND, from the Committee on Armed Services:

Joseph W. Westphal, of Virginia, to be an Assistant Secretary of the Army.

Mahlon Apgar, IV, of Maryland, to be an Assistant Secretary of the Army.

Hans Mark, of Texas, to be Director of Defense Research and Engineering.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. GRAMS:

S. 2130. A bill to amend the Internal Revenue Code of 1986 to provide additional retirement savings opportunities for small employers, including self-employed individuals; to the Committee on Finance.

By Mr. CHAFEE (for himself, Mr. WARNER, and Mr. BAUCUS) (by request):

S. 2131. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. STEVENS:

S. 2132. An original bill making appropriations for the Department of Defense for fiscal year ending September 30, 1999, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 2133. A bill to designate former United States Route 66 as ''America's Main Street'' and authorize the Secretary of the Interior to provide assistance; to the Committee on Energy and Natural Resources.

By Mr. ALLARD:

S. 2134. A bill to provide for air transportation between Denver, Colorado, and London, England; to the Committee on Commerce, Science, and Transportation.

By Mr. SMITH of New Hampshire (for himself and Mr. HELMS):

S.J. Res. 47. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee on Finance.

By Mr. INHOFE:

S.J. Res. 48. A bill proposing an amendment to the Constitution of the United States restoring religious freedom; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ASHCROFT (for himself and Mr. HUTCHINSON):

S. Res. 242. A resolution expressing the sense of the Senate that the President should not go to China until certain aspects of United States policy toward China in the areas of national security, trade, and human rights have been clarified and outstanding questions surrounding the export of United States satellite and missile technology have been answered; to the Committee on Foreign Relations.

By Mr. BRYAN (for himself and Mr. REID):

S. Res. 243. A resolution to commend and congratulate the University of Nevada Las Vegas men's golf team on winning the team's first National Collegiate Athletic Association Championship; considered and agreed to.

By Mr. ABRAHAM (for himself, Mr. DEWINE, and Mr. ASHCROFT):

S. Con. Res. 101. A concurrent resolution expressing the sense of the Congress that the President of the United States should reconsider his decision to be formally received in Tiananmen Square by the Government of the People's Republic of China; to the Committee on Foreign Relations.

By Mr. ROCKEFELLER (for himself, Mr. SPECTER, Mr. LOTT, and Mr. DASCHLE):

S. Con. Res. 102. A concurrent resolution recognizing disabled American veterans; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAMS:

S. 2130. A bill to amend the Internal Revenue Code of 1986 to provide additional retirement savings opportunities for small employers, including self-employed individuals; to the Committee on Finance.

SMALL EMPLOYER NEST EGG ACT OF 1998

Mr. GRAMS. Mr. President, I rise today to acknowledge the National Summit on Retirement Savings which is taking place here in Washington today and tomorrow. I also want to use this occasion to introduce legislation that will empower a greater number of working Americans to save for their retirement through employer-sponsored retirement plans.

In the course of the next 2 days, the 239 delegates to the National Summit on Retirement Savings will address an issue of great importance as the baby boom generation draws closer to retirement age and the future of Social Security remains uncertain.

With savings rates at a 59-year low, and the revelation in the 1998 Social Security Trustees Report that Social Security is actuarially bankrupt, it is evident that we face what amounts to a retirement crisis.

The less individuals save for their retirement, the greater the strain on an ailing Social Security system that is incapable of sustaining the fast-growing retired population.

Yet studies show that an increasing number of Americans are depending on Social Security for their retirement income. According to the Employee Benefit Research Institute, Social Security is the primary source of income for 80% of retired Americans, and practically the only source for 40% of retirees.

Those who depend on Social Security for their retirement can expect a standard of living far lower than the one they enjoyed while in the work force.

For instance, an individual who has an annual income of $15,000 per year who retires in 1998 at age 65 can expect Social Security to provide only one-half their previous income, and the replacement rate drops steadily when moving up the income bracket.

Indeed, Social Security was never intended to be the major source of retirement savings that it seems to have become—its purpose was to serve as a single leg in a three-legged stool that would sustain Americans in their retirement years.

Social Security's original purpose was to provide Americans with the minimal level of income in retirement that when combined with personal savings and employment-based pensions would give retirees the living standard they enjoyed before retirement.

Mr. President, given these facts about Social Security and the decline in savings among Americans, it is crucial that steps be taken to ensure that the three-legged stool does not collapse under the weight of the growing retired population.

It is true that recent steps taken by Congress, particularly the 1996 enactment of the SIMPLE retirement plan, have succeed in increasing employee participation in employer-sponsored retirement plans.

However, the complexity of qualification requirements under current law and the administrative expenses associated with setting up retirement plans, including the SIMPLE plan, remain significant impediments to widespread implementation of these types of employer-based retirement systems.

This is particularly true for small employers with less than 100 employees, for whom the resulting benefits do not outweigh the administrative costs. Consequently, only 42% of all individuals employed by small businesses now participate in an employer-sponsored plan, as opposed to 78% of those who work for larger businesses.

To address this problem, I am introducing the Small Employer Nest Egg Act of 1998.

This legislation will create a new retirement option for small business owners with 100 or fewer employees and it would be similar to the SIMPLE plan

and the SMART plan President Clinton proposed in his fiscal year 1999 budget.

However, my proposal differs somewhat from these two plans in that it would allow the same level of benefits—both to employers and employees—as larger employers who maintain traditional qualified plans.

Furthermore, upon retirement or separation of service, employees would receive 100% account value.

To offset the high costs associated with starting a pension plan, at the centerpiece of this proposal is a tax cut equal to 50% of the administrative and retirement education expenses incurred for the first five years of a plan's operation.

In addition, participating businesses would be exempt from some of the more burdensome administrative requirements associated with qualified plans.

That exemption would be in exchange for the employers' agreement to provide a minimum benefit of 3% to all employees who satisfy a minimum age requirement of 21 years old and the minimum service requirement of 1,000 hours during the preceding calendar year.

Mr. President, small businesses are the lifeblood of our communities, providing millions of jobs nationwide.

This bill I am introducing has been endorsed by the U.S. Chamber of Commerce. It has also been endorsed by the National Association of Women Small Business Owners and also of 220 small businesses in Minnesota alone. So it has very strong endorsement from the small business community.

Small business owners want to help their employees to save for their retirement, yet many are unable to do so as a result of rigid Government policies that seemingly have little regard for the plight of the small employer.

I urge my colleagues to support this legislation and to give small employers the ability they have long sought to help their employees save for their retirement.

By Mr. CHAFEE (for himself, Mr. WARNER, and Mr. BAUCUS) (by request):

S. 2131. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Environment and Public Works.

WATER RESOURCES DEVELOPMENT ACT OF 1998

● Mr. CHAFEE. Mr. President, in my capacity as chairman of the Committee on Environment and Public Works, I join with Senators WARNER and BAUCUS today to introduce the Administration's 1998 Water Resources Development Act by request.

After 16 years of stalemate over the appropriate cost sharing of navigation, flood control, environmental restoration, and other types of water projects, the Reagan administration and Congress were able to reach agreement on the landmark Water Resource Development Act (''WRDA'') of 1986. As a part of that important compromise there was a general understanding that a two-year cycle of water project authorization bills would be established. With the exception of 1994, the administration and Congress have successfully worked together toward that end.

It is time once again to continue the biennial water resources authorization cycle with a 1998 WRDA. The bill we introduce today on behalf of the administration represents an effort to identify worthwhile projects and policies in support of the Army Corps of Engineers Civil Works program.

I and other members of the Committee on Environment and Public Works will conduct a thorough review of the administration's WRDA request, and the project and policy requests of individual Senators, to make sure that any bill reported to the full Senate later this year is economically and environmentally justified.

Mr. President, this legislation is important to communities throughout the nation. I look forward to working closely with colleagues in the coming weeks to ensure enactment of WRDA '98.●

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 2133. A bill to designate former United States Route 66 as ''America's Main Street'' and authorize the Secretary of the Interior to provide assistance; to the Committee on energy and Natural Resources.

ROUTE 66 LEGISLATION

Mr. DOMENICI. Mr. President, on behalf of myself and Senator BINGAMAN from New Mexico, I am pleased to introduce today what we will call the Route 66 Preservation Act of 1998. Some here in the Senate may recall that I introduced the Route 66 Study Act of 1990, which directed the National Park Service to determine the best way to preserve, commemorate and interpret ''America's Main Street''—Route 66.

Public Law 102–400 directed the National Park Service to conduct a study on the impact of that route, that highway on America's culture. The study was completed in 1995, and addressed the feasibility of preserving what remains of the highway and the facilities associated with it through private and public efforts.

Most nonprofit Route 66 organizations and other interested parties preferred preservation Alternative 5, asking for national recognition of Route 66 and partnerships between private and public groups for preservation. This bill is based on that alternative, and authorizes the National Park Service to join with Federal, State and private efforts to preserve aspects of historic Route 66, the Nation's most important thoroughfare for east-west migration in the 20th century.

Designated in 1926, the 2,200-mile Route 66 stretched from Chicago to Santa Monica, CA. The thoroughfare became the first completely paved highway across the United States in 1938. It rolled through Illinois, Missouri, Kansas, Oklahoma, Texas, New Mexico, Arizona and California. In my home State of New Mexico, it went through the communities of Tucumcari, Santa Rosa, Albuquerque, Grants, and Gallup.

The Legislation I am introducing today would have the National Park Service designate an ''Office for Preservation of America's Main Street'' with officials from the 8 affected States. The Preservation Office would be authorized to:

Support State, local and private efforts to preserve Route 66 by providing technical assistance, participating in cost-sharing programs, and making grants and loans;

Act as a clearing house for communication among Federal, State, local and private entities interested in the preservation of Route 66;

Assist States in determining the appropriation form of a non-Federal entity or entities to perform functions of the Preservation Office once it is terminated 10 years after enactment of this legislation; and,

Sponsor a road sign program on Route 66 to be implemented on a cost-sharing basis with State and local organizations.

Route 66 is really a modern-day equivalent to the Santa Fe Trail. I believe this bill will provide States and local communities a more tangible means of gaining Federal assistance to preserve aspects of Route 66.

At one time, Route 66 was the most famous highway in the United States. Now it is fading from the American landscape. If we want to preserve Route 66, it is now time to act.

Up to 500,000 Americans—one quarter of all entrants to California during that era—migrated to California from the Dust Bowl on Route 66 from 1935 to 1940. John Steinbeck captured this journey and christened Route 66 the ''Mother Road'' in his classic novel of the Depression: ''The Grapes of Wrath.''

After World War II, another generation of Americans trekked across America on Route 66, not to escape despair, but to embrace economic opportunities in the West. Songwriter Bobby Troup expressed the enthusiasm and sense of adventure of this generation in his song, ''Get Your Kicks on Route 66!''

Route 66 also allowed generations of vacationers to travel to previously remote areas and experience the natural beauty and cultures of the Southwest and Far West.

Route 66 began to decline with the enactment of the Interstate Highway Act in 1956. In 1984, the last federally designated portion of Route 66 was decommissioned when interstate 40 was completed in Arizona.

Hopefully, the Senate will join me in once again allowing another generation to ''get its kicks'' on Route 66.

The study has been completed, and now it is time to give the Park Service some direction—let them set up a small office for the preservation of Route 66. The bill authorizes partnerships between the private sector, State entities and the Federal Government through existing programs in an effort to preserve various aspects of this rather magnificent American roadway—Route 66.

Many songs have been written about it. Many dreams are described by people who lived part of their lives there. Part of the Grapes of Wrath took place on Route 66. I think before all of what remains of America's Main Street disappears, it is a good time to pass this kind of bill and see if we can't preserve parts of it. Much is made of preserving historic things in the United States. It would be a shame, since there are so many people out there who care about this piece of American history and want to try to preserve the remnants of Route 66, if we did not do something now to help them in that effort.

● Mr. BINGAMAN. Mr. President, I am pleased to speak in support of this important legislation being introduced today by my friend Senator DOMENICI. The bill designates the old Highway 66 as ''America's Main Street'' and authorizes the National Park Service to help state, tribal and local governments in their efforts to preserve this unique piece of our national heritage.

Mr. President, Route 66 is more than a 2400-mile highway from Chicago to Los Angeles. In many ways it represents the American dream, the open road, and our unending search for opportunity and adventure. This is the ''Mother Road'' of John Steinbeck's classic 1939 novel ''The Grapes of Wrath.'' This is the road immortalized by Cole Porter and Jack Kerouac. In the 1950s, this is the road that gave us the popular television series ''Route 66.''

In my state of New Mexico, Route 66 ran nearly 400 miles from Glenrio in Quay County on the east to Manuelito in McKinley County on the West. Before 1937, the road looped north through Santa Fe and Bernalillo and south through Isleta and Los Lunas. Many of us believe the state of New Mexico has some of the most compelling scenery along the highway.

Mr. President, from the beginning Route 66 was intended to link America's rural and urban areas. Much of the original roadway remains along with those old classic filling stations, cafes, motels, and, of course, those unforgettable neon signs. Indeed, the old highway remains the ''main street'' in many New Mexico cities, including Albuquerque, Tucumcari, Santa Rosa, Bernalillo, Gallup, and Grants.

I think it is unfortunate that many drivers on our modern Interstate 40 cross New Mexico without pausing to enjoy the nostalgia of the old highway. That's why I am pleased that New Mexico is already working aggressively to preserve and memorialize the old highway. The route in New Mexico is now designated a scenic byway. Our state has worked hard to provide appropriate signage, and the familiar brown and white shield signs are now prominent along the old route. A number of New Mexico towns and pueblos have permanent exhibits on the history of Route 66 in their areas. The city of Tucumcari has a whimsical monument to Route 66 modeled after a Cadillac tail fin. Soon there will be a Route 66 interpretative center at the Pueblo of Ácoma that will showcase the historic and cultural attractions of the region. A similar center is planned for the Indian Pueblo Cultural Center in Albuquerque.

Mr. President, Route 66 received its original designation in 1926 as a result of the first national highway plan. Now, over seventy years later, Congress has just passed a new highway bill that clearly recognizes through the Enhancements and Scenic Byways Programs the importance of preserving and protecting our national heritage. With the automobile firmly entrenched in our culture today, highways such as Route 66 are a genuine part of our heritage. This bill will help assure that heritage is preserved. I am pleased to co-sponsor this bill with Senator DOMENICI, and I thank him for his efforts.●

By Mr. ALLARD:

S. 2134. A bill to provide for air transportation between Denver, Colorado, and London, England; to the Committee on Commerce, Science, and Transportation.

DENVER INTERNATIONAL AIRPORT LEGISLATION

● Mr. ALLARD. Mr. President, I am introducing legislation today to encourage the Secretary of the Department of Transportation to act expeditiously in the interest of fairness and in support of the economy of my home state of Colorado.

I would like to explain the situation that causes me to make this proposal. There exists an agreement between the United States and the United Kingdom to allow US Airways to operate a direct flight from Charlotte, North Carolina, to Gatwick Airport in London, England. In accordance with fair and recognized practices, the airlines with established routes and time slots that have served Gatwick Airport for years were not disturbed, and US Airways was given landing rights for a time slot that is not currently occupied. Although it may not be US Airways' top choice, the time slot that has been allocated appears to be commercially viable. US Airways, however, refuses to begin service unless they are given a better time slot at Gatwick. This request is beyond the provisions of the approved agreement.

An unrelated agreement to allow British Airways to provide non-stop service from Denver, Colorado, to London, England, is currently pending approval by the United States Department of Transportation. The Department has chosen to deliberately delay approval of the British Airways' agreement in order to pressure British Airways and the authorities at Gatwick Airport to give US Airways the most desirable time slots. The Department is simply holding the Denver-London flights hostage until the demands of US Airways are met. This is not proper use of the Department of Transportation's authority; it sets a negative precedent for airline competition and cooperation between the United States and Europe, and it is impacting the growth of Colorado's economy.

The Secretary has been kind enough to meet with me personally, along with my colleague from Colorado, Senator BEN NIGHTHORSE CAMPBELL, to discuss this issue. In spite of our concerns about Colorado, the Department still resists any effort to progress on the approval of the British Airways Denver-London flights. The date for beginning service was postponed from June 1st to August 1st, and unfortunately British Airways will announce tomorrow that the delay in approval will preclude them from starting service by August 1st. The start date for Denver-London direct service has been indefinitely postponed.

This postponement denies Colorado its first overseas international flight at Denver International Airport. It prohibits our tourism industry from growing, especially during the upcoming ski season. It prevents increased competition that would result from connecting flights at DIA. It creates a problem for the employees in Denver who have already been hired by British Airways, but who have no jobs.

I hope that the Department of Transportation takes immediate action on the pending British Airways agreement, and I encourage my colleagues to support me and my efforts to ensure that the British Airways agreement is justly considered, and that Colorado is not harmed as the Department of Transportation deals with the separate concerns of US airways.●

By Mr. SMITH of New Hampshire (for himself and Mr. HELMS):

S.J. Res. 47. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee of Finance.

JOINT RESOLUTION DISAPPROVING WAIVER AUTHORITY FOR VIETNAM

● Mr. SMITH of New Hampshire. Mr. President, today I am introducing legislation to require Vietnam to provide freedom of emigration for the Vietnamese people before tax dollars from our constituents across America are used to further expand our government's trade relations with this communist regime. As provided for in the Trade Act of 1974, my resolution prohibits implementation of the President's decision yesterday to waive the freedom of emigration requirements with Vietnam.

I am pleased that Senator HELMS, the distinguished Chairman of the Senate Foreign Relations Committee, has joined me as a sponsor of this joint resolution, and I commend my colleague, Congressman ROHRABACHER, for introducing a companion measure in the House. I also note that our efforts are strongly supported by the Chairman of the House International Relations Committee, Congressman GILMAN, the Chairman of that Committee's panel on International Operations and Human Rights, Congressman CHRISTOPHER SMITH, and several other Members on both sides of the aisle in that chamber. Frankly, Mr. President, given the support for this resolution by the relevant Committee chairmen, one has to question why the Administration moved forward on this in March of this year and again yesterday. This is particularly troublesome given the fact that the President's own National Security Advisor stated this past December that the President would not move forward unless consultations with Congress went well. Clearly, the consultations did not go well.

When Congress considered and passed the amendment by Senator Jackson and Representative Vanik in the Trade Act of 1974, everyone at the time understood Congressional intent—free emigration was to be a condition for expanding U.S. trade relations with non-market communist nations.

Today, nearly two and a half decades later, we do not have free emigration provided to the people of Vietnam by the communist regime that took over that entire country by force in 1975. Moreover, the Administration has failed to make a convincing case to the Congress to justify President Clinton's decision to waive freedom of emigration requirements. Hanoi's record does not support this decision. Yes, Hanoi has taken some steps to permit more orderly departures in recent years, but there are still unwarranted delays, and I am very concerned that recent promises and pledges of cooperation have yet to be satisfactorily fulfilled.

Congressional intent was clear in 1974, and it has not changed since that time. U.S. policy is supposed to put freedom of emigration ahead of the trade interests some might have with this one-party communist state. We are supposed to be putting principle over profit, not the other way around.

I believe America should not abandon the Vietnamese people who long for respect for human rights and democratic freedoms. They were abandoned over two decades ago, and we simply cannot let it happen again. Jackson-Vanik requirements should not be waived for Vietnam if it is not absolutely clear that such a waiver would ''substantially promote'' freedom of emigration requirements as the law requires. This past March, State Department witnesses testified there had been ''measurable'' progress. The term measurable does not imply to me that we are seeing dramatic positive changes by Vietnam. I do not believe we have seen ''significantly more rapid progress'' which was the standard set by Secretary of State Albright herself last year during her visit to Vietnam. And I fail to see how the President's first waiver for Vietnam on March 9, 1998 has substantially promoted progress these past three months. If more people had been permitted to leave Vietnam in the last three months than we had seen over the last three years, then maybe the waiver would have, indeed, substantially promoted progress, but that has not happened, Mr. President, from what I have been told.

Today, as we introduce this joint resolution, there are still people in Vietnam who supported us and fought for us during the war who have not been allowed to freely emigrate. Some of them have not even been allowed to meet with U.S. officials for interviews. I understand that others have been forced to pay exorbitant bribes in order to be considered for exit visas.

Under the Trade Act of 1974, Congress has an opportunity to ensure that freedom of emigration requirements are met by Vietnam before further trade benefits are extended. The joint resolution introduced today by myself and Senator HELMS provides my colleagues the opportunity to go on record in support of the people of Vietnam. If you want to send a message to the Government of Vietnam that they must fully comply with the promises and commitments they have made in recent years, this is the way to do it.

Additionally, for those of my colleagues who continue to be concerned, as I am, that Hanoi has not been fully forthcoming in their accounting for American POWs and MIAs, and their progress on human rights, then you should support this resolution. Some of my colleagues may recall that both the POW/MIA issue and human rights concerns were, indeed, central to the provisions first adopted in the Trade Act of 1974, and so it is appropriate that these concerns are made part of the current debate as well.

How far must we go, Mr. President, to embrace this communist regime before they fully address our long-standing concerns on all these important issues? I am certain that the time has come once again for Congress to go on record in support of the objectives behind this resolution.

Finally, Mr. President, I would note that the resolution we are introducing today is strongly supported by numerous organizations of Vietnamese-Americans, many of our national veterans and POW/MIA family organizations, several international refugee organizations, and a host of other concerned groups of Americans.

I look forward to the forthcoming debate on this timely and important issue.●

ADDITIONAL COSPONSORS

S. 230

At the request of Mr. THURMOND, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 230, a bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes.

S. 831

At the request of Mr. SHELBY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 831, a bill to amend chapter 8 of title 5, United States Code, to provide for congressional review of any rule promulgated by the Internal Revenue Service that increases Federal revenue, and for other purposes.

S. 852

At the request of Mr. LOTT, the names of the Senator from Oklahoma (Mr. NICKLES) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 852, a bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles.

S. 1251

At the request of Mr. D'AMATO, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1251, a bill to amend the Internal Revenue Code of 1986 to increase the amount of private activity bonds which may be issued in each State, and to index such amount for inflation.

S. 1252

At the request of Mr. D'AMATO, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 1252, a bill to amend the Internal Revenue Code of 1986 to increase the amount of low-income housing credits which may be allocated in each State, and to index such amount for inflation.

S. 1334

At the request of Mr. BOND, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1334, a bill to amend title 10, United States Code, to establish a demonstration project to evaluate the feasibility of using the Federal Employees Health Benefits program to ensure the availability of adequate health care for Medicare-eligible beneficiaries under the military health care system.

S. 1345

At the request of Mr. ROCKEFELLER, the names of the Senator from Maine (Ms. SNOWE) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1345, a bill to amend titles XVIII and XIX of the Social Security Act to expand and clarify the requirements regarding advance directives in order to ensure that an individual's health care decisions are complied with, and for other purposes.

S. 1391

At the request of Mr. DODD, the name of the Senator from Michigan (Mr.

LEVIN) was added as a cosponsor of S. 1391, a bill to authorize the President to permit the sale and export of food, medicines, and medical equipment to Cuba.

S. 1413

At the request of Mr. LUGAR, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 1413, a bill to provide a framework for consideration by the legislative and executive branches of unilateral economic sanctions.

S. 1423

At the request of Mr. HAGEL, the names of the Senator from Montana (Mr. BURNS) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 1423, a bill to modernize and improve the Federal Home Loan Bank System.

S. 1427

At the request of Mr. FORD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1427, a bill to amend the Communications Act of 1934 to require the Federal Communications Commission to preserve lowpower television stations that provide community broadcasting, and for other purposes.

S. 1464

At the request of Mr. HATCH, the name of the Senator from Arkansas (Mr. BUMPERS) was added as a cosponsor of S. 1464, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit, and for other purposes.

S. 1529

At the request of Mr. KENNEDY, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1529, A bill to enhance Federal enforcement of hate crimes, and for other purposes.

S. 1808

At the request of Mr. REED, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1808, a bill to amend title XXVII of the Public Health Service Act and part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 to establish standards for the health quality improvement of children in managed care plans and other health plans.

S. 1879

At the request of Mr. BURNS, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from California (Mrs. BOXER), the Senator from Alabama (Mr. SHELBY), the Senator from Alabama (Mr. SESSIONS), and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of S. 1879, a bill to provide for the permanent extension of income averaging for farmers.

S. 1897

At the request of Mr. ROCKEFELLER, the names of the Senator from Rhode Island (Mr. CHAFEE) and the Senator from Illinois (Ms. MOSELEY-BRAUN) were added as cosponsors of S. 1897, a bill to require accurate billing by telecommunications carriers with respect to the costs and fees resulting from the enactment of the Telecommunications Act of 1996, and for other purposes.

S. 1917

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1917, a bill to prevent children from injuring themselves and others with firearms.

S. 1924

At the request of Mr. MACK, the names of the Senator from Georgia (Mr. CLELAND) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 1924, a bill to restore the standards used for determining whether technical workers are not employees as in effect before the Tax Reform Act of 1986.

S. 1959

At the request of Mr. COVERDELL, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 1959, a bill to prohibit the expenditure of Federal funds to provide or support programs to provide individuals with hypodermic needles or syringes for the use of illegal drugs.

S. 1991

At the request of Mr. JOHNSON, the names of the Senator from California (Mrs. BOXER) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 1991, a bill to require the Secretary of Transportation to issue regulations to provide for improvements in the conspicuity of rail cars of rail carriers.

S. 2014

At the request of Mr. BIDEN, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 2014, a bill to authorize the Attorney General to reschedule certain drugs that pose an imminent danger to public safety, and to provide for the rescheduling of the date-rape drug and the classification of certain ''club'' drug.

S. 2030

At the request of Mr. BUMPERS, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2030, a bill to amend the Federal Rules of Civil Procedure, relating to counsel for witnesses in grand jury proceedings, and for other purposes.

S. 2049

At the request of Mr. KERREY, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 2049, a bill to provide for payments to children's hospitals that operate graduate medical education programs.

S. 2073

At the request of Mr. HATCH, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 2073, a bill to authorize appropriations for the National Center for Missing and Exploited Children.

S. 2100

At the request of Mr. SPECTER, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 2100, a bill to amend the Higher Education Act of 1965 to increase public awareness concerning crime on college and university campuses.

S. 2107

At the request of Mr. ABRAHAM, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Mississippi (Mr. LOTT) were added as cosponsors of S. 2107, a bill to enhance electronic commerce by promoting the reliability and integrity of commercial transactions through establishing authentication standards for electronic communications, and for other purposes.

SENATE CONCURRENT RESOLUTION 94

At the request of Mr. LIEBERMAN, the names of the Senator from New York (Mr. MOYNIHAN) and the Senator from Illinois (Ms. MOSELEY-BRAUN) were added as cosponsors of Senate Concurrent Resolution 94, a concurrent resolution supporting the religious tolerance toward Muslims.

SENATE CONCURRENT RESOLUTION 95

At the request of Mr. DODD, the names of the Senator from South Dakota (Mr. DASCHLE) and the Senator from South Carolina (Mr. HOLLINGS) were added as cosponsors of Senate Concurrent Resolution 95, a concurrent resolution expressing the sense of Congress with respect to promoting coverage of individuals under long-term care insurance.

SENATE RESOLUTION 193

At the request of Mr. REID, the names of the Senator from North Carolina (Mr. FAIRCLOTH), the Senator from Virginia (Mr. ROBB), the Senator from Hawaii (Mr. AKAKA), and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of Senate Resolution 193, a resolution designating December 13, 1998, as ''National Children's Memorial Day.''

SENATE RESOLUTION 240

At the request of Mr. THOMAS, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of Senate Resolution 240, a resolution expressing the sense of the Senate with respect to democracy and human rights in the Lao People's Democratic Republic.

AMENDMENT NO. 2446

At the request of Mr. FEINGOLD his name was added as a cosponsor of Amendment No. 2446 proposed to S. 1415, a bill to reform and restructure the processes by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors, to redress the adverse health effects of tobacco use, and for other purposes.

SENATE CONCURRENT RESOLUTION 101—EXPRESSING THE SENSE OF CONGRESS THAT THE PRESIDENT OF THE UNITED STATES SHOULD RECONSIDER HIS DECISION TO BE FORMALLY RECEIVED IN TIANANMEN SQUARE BY THE PEOPLE'S REPUBLIC OF CHINA

Mr. ABRAHAM (for himself, Mr. DEWINE, and Mr. ASHCROFT) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 101

Whereas nine years ago on June 4, 1989, thousands of Chinese students peacefully gathered in Tiananmen Square to demonstrate their support for freedom and democracy;

Whereas it was with horror that the world witnessed the response of the Government of the People's Republic of China as tanks and military units marched into Tiananmen Square;

Whereas Chinese soldiers of the People's Republic of China were ordered to fire machine guns and tanks on young, unarmed civilians;

Whereas ''children were killed holding hands with their mothers,'' according to a reliable eyewitness account:

Whereas according to the same eyewitness account, ''students were crushed by armored personnel carriers'';

Whereas more than 2,000 Chinese pro-democracy demonstrators died that day, according to the Chinese Red cross;

Whereas hundreds continue to languish in prisons because of their belief in freedom and democracy;

Whereas nine years after the massacre on June 4, 1989, the Government of the People's Republic of China has yet to acknowledge the Tiananmen Square massacre; and

Whereas, being formally received in Tiananmen Square, the President would bestow legitimacy on the Chinese government's horrendous actions of 9 years ago: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the President should reconsider his decision to be formally received in Tiananmen Square until the Government of the People's Republic of China acknowledges the Tiananmen Square massacre, pledges that such atrocities will never happen again, and releases those Chinese students still imprisoned for supporting freedom and democracy that day.

Mr. ABRAHAM. Mr. President, today I submit a resolution expressing the sense of the Congress that the President of the United States should reconsider his decision to be formally received in Tiananmen Square by the Government of the People's Republic of China.

I submit this resolution, Mr. President, because I am convinced that the President of the United States, the leader of the world's first free nation and indeed of the free world, should not give the slightest reason for anyone to believe that he or the United States has forgotten the crimes against liberty and humanity committed by the communist regime in Beijing.

As we mark the ninth anniversary of the massacre of pro-democracy demonstrators in Tiananmen square, I think it is important that we consider our own role in bringing those students, mothers, fathers and children into the streets to demand their freedom. We must never forget, in my view, that it was to the United States, the birthplace of freedom, that these brave people looked in seeking a new path for China.

''The Goddess of Democracy''—our own Lady Liberty—and our Declaration of Independence were, despite long-standing government bans, constantly on the minds and in the hearts of those who demanded freedom and democracy.

The shot fired at Lexington and Concord continues to be heard round the world. The natural human desire for freedom, for the liberty to worship, to enjoy the fruits of one's labor, to tend one's family and community, will not die, despite the tanks and armored personnel carriers of a despotic regime.

We have a responsibility in my view, Mr. President, to stand up for the principles on which our nation was founded, the principles that brought virtually all of our ancestors to these shores, the principles that won the cold war and that continue to fire the hearts of all peoples the world over.

Now is the time for President Clinton to stand up for these principles. More than 2,000 freedom loving people, including children holding their mother's hands, were killed by the communist Chinese government in Tiananmen Square. Hundreds of innocent men and women continue to be held under inhuman conditions simply for standing up for freedom, democracy, and the truth of individual human dignity. And the Communist regime in Beijing continues to claim that it was right to act so brutally in putting down what it calls a ''counter revolutionary riot.''

Now is not the time, Mr. President, to greet Chinese officials in Tiananmen Square. Now is the time to speak out for the oppressed, those who have died and those who are imprisoned for their beliefs.

I have submitted this resolution because I believe it would be inappropriate, and a show of disrespect for those who have died for freedom, for our President to be formally received in Tiananmen Square by the Chinese Communist Government.

It is my hope that the President will heed this call to stand with the people of China, to uphold the principles of our nation, and to say not to tyranny.

Mr. President, I ask unanimous consent that a letter signed by several human rights, religious, and pro-family leaders urging the President to reconsider his decision to go to Tiananmen Square be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FAMILY RESEARCH COUNCIL,
Washington, May 20, 1998.

President WILLIAM J. CLINTON,
Washington, DC.

DEAR MR. PRESIDENT: Nine years ago, thousands of Chinese students peacefully gathered in Tiananmen Square to show their admiration of democracy. It was with horror that the world witnessed the response of China's government as tanks and military units marched into the square. Hundreds of students died that day. Hundreds more continue to languish in prisons for their belief in democracy. That day remains vivid in the minds of Americans across the political spectrum.

Therefore, we were deeply disturbed when we received the news that you will be officially recognized in Tiananmen Square during your upcoming visit to China. Although the signatories of this letter are often in disagreement over U.S. public policy, we are united in our passion for the founding words of this country: ''All men are created equal [and] . . . are endowed by their Creator with certain inalienable rights . . . [and] among these are life, liberty, and the pursuit of happiness. . . .'' These words, we believe, apply not just to Americans but to all men and women. No lasting gain can be achieved by tarnishing the very principles that we, as Americans, hold dear.

By being formally received in Tiananmen Square, Mr. President, you are bestowing legitimacy to the ground where innocent blood was needlessly shed. Nine years after the massacre on June 4, 1989, Beijing has yet to acknowledge that dreadful moment or the lives that were cruelly and arbitrarily taken. We ask that you reconsider your decision to go to Tiananmen Square until China's regime expresses regret and releases those still imprisoned for their brave stand.

Sincerely,

Gary L. Bauer, President, Family Research Council; Xiao Qiang, Executive Director, Human Rights in China; Kerry Kennedy Cuomo, Founder, Robert F. Kennedy Memorial Center for Human Rights; Dr. James Dobson, President, Focus on the Family; Harry Wu, Executive Director, The Laogai Research Foundation; Dr. William Bennett, Co-Director, Empower America; Joseph Kung, President, Cardinal Kung Foundation; Carmen Pate, President, Concerned Women for America; Deacon Keith A. Fournier, President, Catholic Alliance; Rev. Louis P. Sheldon, Chairman, Traditional Values Coalition; Phyllis Schlafly, President, Eagle Forum; Jeff Fiedler, President, Food and Allied Service Trade Department, AFL–CIO; Steve Snyder, President, International Christian Concern; Nina Shea, President, Center for Religious Freedom, Freedom House; Steven McFarland, Director, Center for Law and Religious Freedom, Christian Legal Society; Don Wildmon, President, American Family Association; Robert George, Professor, Princeton University; Michael Howden, Executive Director, Oregon Center for Family Policy; Michael Heath, Executive Director, Christian Civic League of Maine; William T. Devlin, Executive Director, Urban Family Council; Kent Ostrander, Executive Director, The Family Foundation; Matt Daniels, President, Massachusetts Family Institute; John H. Paulton, Executive Director, South Dakota Family Policy Council; Gary Schmitt, Executive Director, Project for the New American Century; Jeff Kemp, President, Washington Family Council; Randy Hicks, Executive Director, Georgia Family Council; Gary J. Palmer, Executive Director, Alabama Family Alliance; Len Deo, President, New Jersey Family Policy Council; William A. Smith, Executive Director, Indiana Family Institute; Paul Scianna, Executive Director,

Family Policy Center, Missouri; Thomas McMillen, President, Rocky Mountain Family Council; Michael Geer, Executive Director, Pennsylvania Family Institute; Don Hodel, President, Christian Coalition; Deal Hudson, Publisher and Editor, Crisis Magazine; Chuck Colson, President, Prison Fellowship; Randy Tate, Executive Director, Christian Coalition.

SENATE CONCURRENT RESOLUTION 102—REGARDING DISABLED AMERICAN VETERANS

Mr. ROCKEFELLER (for himself, Mr. SPECTER, Mr. LOTT, and Mr. DASCHEL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 102

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR DISABLED AMERICAN VETERANS EVENT.

Disabled American Veterans shall be permitted to sponsor a public event on the West Front Lawn of the Capitol on June 16 and 17, 1998, or on such other dates as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, in order announce the donation of 147 vans to the Department of Veterans Affairs by Disabled American Veterans.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—The event authorized by section 1 shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board.

(b) EXPENSES AND LIABILITIES.—Disabled American Veterans shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

(a) STRUCTURES AND EQUIPMENT.—Subject to the approval of the Architect of the Capitol, Disabled American Veterans may erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event authorized by section 1.

(b) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements as may be required to carry out the event, including arrangements to limit access to First Street Northwest and First Street Southwest as required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event authorized by section 1.

SEC. 5. PHOTOGRAPHS.

The event authorized by section 1 may be conducted only after the Architect of the Capitol and the Capitol Police Board enter into an agreement with Disabled American Veterans and the manufacturer of the vans referred to in section 1 that prohibits Disabled American Veterans and such manufacturer from using any photograph taken at the event for a commercial purpose. The agreement shall provide for financial penalties to be imposed if any photograph is used in violation of this section.

SENATE RESOLUTION 242—EXPRESSING THE SENSE OF THE SENATE OF THE PRESIDENT'S UPCOMIING VISIT TO AND NATIONAL POLICY TOWARD CHINA

Mr. ASHCROFT (for himself and Mr. HUTCHINSON) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 242

Whereas the President has pledged that the United States ''must remain a champion'' of the liberties of the Chinese people;

Whereas two of the most notable Chinese dissidents, Wang Dan and Wei Jingsheng, effectively have been exiled from their country;

Whereas thousands of other individuals remain imprisoned in China and Tibet for peacefully expressing their beliefs and exercising their inalienable rights, including freedom of association, freedom of speech, and freedom of conscience;

Whereas the Government of the People's Republic of China routinely, systematically, and massively continues to commit widespread human rights abuses in Tibet, including instances of death in detention, torture, arbitrary arrest, imprisonment for the peaceful expression of religious and political views, and intensified controls on the freedom of speech and the press, particularly for ethnic Tibetans;

Whereas China has taken extraordinary steps to avoid the condemnation of the United Nations Commission on Human Rights;

Whereas the President has failed to press China aggressively to protect the civil liberties of the Chinese people and failed even to sponsor a resolution at the meeting of the United Nations Commission on Human Rights condemning China's human rights violations, which include forced abortion, summary execution, arbitrary imprisonment, and persecution of religious minorities;

Whereas since November 1994, the President has declared annually a national emergency regarding the proliferation of weapons of mass destruction and stated that such proliferation poses ''an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States'';

Whereas, in a June 1997 report on proliferation activity, the Central Intelligence Agency identified China as ''the most significant supplier of weapons of mass destruction-related goods and technology'', including missile, nuclear, and chemical weapons technology to rogue states such as Iran;

Whereas United States satellite cooperation with China has benefited China's intercontinental ballistic missile program—missiles with nuclear warheads pointed at the United States, and the Department of Justice is investigating possible missile technology transfers to China resulting from United States-Chinese satellite cooperation;

Whereas the President's decision to waive restrictions on the export to China of missile technology similar to that under investigation by the Department of Justice, and the President's efforts to lift the requirements for launch waivers altogether, undermine the present Justice Department investigation and threatens United States national security;

Whereas the Department of Justice is investigating possible campaign contributions from the People's Liberation Army to the Democratic National Committee through contributions from an executive at China Aerospace International Holdings, an affiliate of China Aerospace Corporation, the firm which oversees China's missile development and space programs;

Whereas China made written commitments to the United States during the October 1997 summit to terminate nuclear cooperation with Iran and was later reported to be violating that pledge by attempting to provide Iran with hundreds of tons of anhydrous hydrogen fluoride, a material for use in Iran's nuclear weapons complex to enrich uranium to weapons grade;

Whereas the President, in allowing nuclear cooperation to proceed with China, certified that ''the People's Republic of China has provided clear and unequivocal assurances to the United States that it is not assisting and will not assist any nonnuclear-weapon state, either directly or indirectly, in acquiring nuclear explosive devices or the material and components for such devices'';

Whereas the credibility of this certification is undermined by China's continuing proliferation activity, including efforts to assist Iran's nuclear weapons program;

Whereas since the United States normalized trade relations with China in 1979, China has risen from the 57th to 4th largest supplier of United States imports;

Whereas China's trade and investment practices have resulted in a 1997 trade deficit of $49,700,000,000, an imbalance more than 2.5 times larger than the United States trade deficit with all European countries, and accounting for one-fourth of the United States trade deficit with the entire world;

Whereas in the Executive branch's 1997 National Trade Estimate on Foreign Trade Barriers, China's trade regime was identified as ''political'', ''severely restricted'', ''prohibitive'', ''unpredictable'', ''preferential'', ''de facto'', ''unpublished'', ''vague'', ''inaccessible'', ''inconsistent'', and ''noncompetitive'';

Whereas facing Congress's near withdrawal of most-favored nation (MFN) status in 1991 and President Bush's threat of sanctions, China, in order to keep MFN status and have the United States support its accession to the World Trade Organization (WTO), agreed that it would allow the United States automobile sector to compete freely in the Chinese market and that, by December 31, 1997, it would eliminate significant trade barriers to United States agricultural exports;

Whereas China's trade liberalization commitments in 1991 have not been honored, yet the Executive branch is moving forward in negotiations for China to accede to the WTO;

Whereas concessions made by China in negotiations to accede to the WTO have been piecemeal, inconsistent, and deficient, and thus limit the economic opportunity of United States businesses and workers;

Whereas Taiwan serves as an example of democratic governance to China and the authoritarian Chinese communist party;

Whereas the People's Republic of China carried out missile exercises in 1995 and 1996 intended to intimidate the people of Taiwan, continues a military buildup directed at the island, refuses to renounce the use of force against Taiwan, and consistently seeks to isolate Taipei from membership in international organizations and general relations with other countries;

Whereas the Chinese communist party has undermined the institutions of democratic government in Hong Kong by abolishing Hong Kong's elected legislature, designing a framework for legislative elections that severely limits representative democracy, and passing retroactive legislation exempting Chinese entities from a host of Hong Kong's laws; and

Whereas the Democratic Party of Hong Kong won every seat elected by direct ballot in Hong Kong, garnering over 60 percent of the popular vote, yet President Clinton has

declined to meet individually with the leadership of the Democratic Party of Hong Kong: Now, therefore, be it

Resolved, That, in the interest of improving United States-China relations, it is the sense of the Senate that—

(1) a healthy and stable relationship with China is in the national interests of the United States;

(2) the Chinese people should be allowed to freely exercise their unalienable rights, including the rights to freedom of speech, of religion, and of association;

(3) efforts by the Chinese government to restrict those liberties pose a threat to a stable China and a positive long-term relationship with the United States;

(4) the President should submit a report to Congress as soon as possible after the proposed summit in China concerning his progress in securing the release of persons remaining imprisoned in China and Tibet and other significant steps to improve human rights;

(5) China's proliferation of weapons of mass destruction technology poses an unusual threat to the national security of the United States;

(6) the President has failed to confront China's proliferation of weapons of mass destruction technology, proliferation that is directly responsible for contributing to an escalating nuclear arms race between India and Pakistan;

(7) the trustworthiness of the Chinese government is undermined when nonproliferation and trade commitments of Chinese officials are repeatedly broken;

(8) the President, in addition to applauding narrow trade concessions from China, should ensure that the highest levels of diplomacy are used to open the entire Chinese market to United States trade and investment;

(9) China's accession to the World Trade Organization (WTO) should be conditioned on China's compliance with past market access commitments and further steps to open China's market to United States investment and trade in goods and services;

(10) the United States should not jeopardize cooperation with and assistance to the democratic government of Taiwan to appease the Chinese government but instead should maintain unambiguously its legal commitments to help maintain Taiwan's capacity for self-defense while calling upon the Chinese government to renounce the use of force against the people of Taiwan;

(11) the preservation of democratic government and rule of law in Hong Kong is an obligation of the Chinese government and failure to honor that obligation will have a negative effect on United States policy toward China;

(12) China is resisting the spread of democracy in Asia, which is occurring from South Korea to Indonesia, and the failure of President Clinton to meet with the leaders of the Democratic Party of Hong Kong undermines his statement to President Jiang that China's repressive government is ''on the wrong side of history''; and

(13) the President should not go to China to attend a summit with President Jiang until—

(A) the President has provided a full disclosure to Congress concerning the transfer of United States satellite and missile technology to China; and

(B) United States policy toward China in general has been formulated more effectively to protect United States national security, economic, and human rights interests.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

● Mr. ASHCROFT. Mr. President, it is fitting on this day, the ninth anniversary of the Tiananmen Square massacre, to submit this resolution calling for the President to delay his trip to China. With allegations swirling about China's efforts to influence U.S. elections, and with the hard evidence we do have of China's continuing proliferation of weapons of mass destruction technologies, rewarding China with a summit visit is sending the wrong signal at the wrong time.

There is perhaps nothing more indicting than a vote in the United States Congress that the actions of a Commander-in-Chief were not in the national interest. And yet, that is precisely what the House of Representatives did on May 20, 1998. By a vote of 417 to 4, the House voted that the President's decision in February 1998 to allow the export of satellite technology to China was ''not in the national interest.'' The Justice Department reportedly protested the waiver, expressing concern that it would undermine an ongoing criminal investigation of a possible satellite technology transfer that occurred in 1996.

What is just as troubling is the possible link between the export of U.S. satellite technology and political donations from China's People's Liberation Army (PLA). Liu Chao-ying, an officer in the PLA, gave Johnny Chung—one of the central figures in the Administration's fundraising scandal—$300,000 to funnel into democratic coffers in the 1995–96 election cycle. Ms. Liu just happens to be a senior manager and vice president in the China Aerospace conglomerate, Beijing's state-owned company that oversees China's missile development and space launch programs.

The White House says it did not know the source of Mr. Chung's funding. I question how diligently Administration officials and democratic fundraisers wanted to know. Warnings from the National Security Council as to the intentions of Mr. Chung, described by one official as a ''hustler,'' went unheeded. Senator THOMPSON's fundraising investigation describe in careful detail how the Democratic National Committee dismantled its vetting process for contributions. Mr. Chung himself visited the White House 49 times. This was not a superficial relationship. This man was a regular guest of the Administration.

The recent scandals surrounding satellite technology transfers and Chinese efforts to influence U.S. elections are only the latest, troubling signs that this Administration's China policy is an abysmal failure. As Harry Wu said at this morning's press conference to commemorate the Tiananmen Square massacre, appeasement does not bring peace.

Appeasement is precisely what this Administration's China policy has become. China announces it will not conduct an inquiry into the Tiananmen Square massacre, yet President Clinton begins his summit at this site, where possibly thousands of Chinese were killed. In Hong Kong, President Clinton will not meet individually with Martin Lee, the leader of pro-democracy forces in the former colony whose Democratic Party won over 60% of the popular vote in the May 24 elections. China is identified by the CIA as the world's worst proliferator of weapons of mass destruction technology, proliferation activity that has contributed directly to the spiraling arms race between India and Pakistan. Yet the Administration rewards China with a nuclear cooperation agreement that will send America's best reactor technology to China. China repeatedly breaks commitments to open its market to U.S. businesses, yet the President renews MFN year after year.

This Administration apparently will overlook any offense to our nation's principles and security to continue the bankrupt policy of engaging communist China. China points nuclear missiles at the U.S., and PLA officers describe the United States as China's ''international archenemy.'' Yet the Administration allows advanced satellite and missile technology to be sent to China which a Pentagon memo says harmed U.S. national security.

China's actions, and this Administration's response to those actions, has set the U.S.-China relationship on a gravely dangerous course. It is time for a fundamental reevaluation of U.S. China policy. This resolution will provide a good start. This resolution outlines the areas of concern in our policy toward China, from human rights to national security to trade matters. In contrast to how U.S.-China relations have been administered for the last six years, a sound relationship between our two countries must be based on integrity, responsibility, and mutual respect.

China's behavior across the board has not given any basis for this Administration to pursue a ''strategic partnership'' with Beijing. Appeasement will not bring peace. This Administration obviously did not learn the lessons of the Cold War. China is an aggressive power that seeks regional hegemony. Extending MFN trade status in exchange for a $50 billion trade deficit, sending China our best nuclear reactor technology in exchange for Chinese weapons proliferation, and beginning the summit at Tiananmen Square when China continues to imprison its people is not the kind of policy that will bring mutual respect and peace in East Asia.

I call on the President to delay his trip to China until questions surrounding satellite technology transfer have been answered and U.S. China policy has been formulated more effectively to protect American interests. Senator HUTCHINSON is joining me as a cosponsor of this resolution, and I appreciate his tremendous work in this area. This resolution is designed to send a signal to the Chinese government and the victims of its repression that there are limits to the tolerance of China's appalling human rights record, continuing trade obstructionism, and destabilizing proliferation.●

SENATE RESOLUTION 243—CONGRATULATING THE UNVIERSITY OF NEVADA-LAS VEGAS MEN'S GOLF TEAM ON WINNING THE TEAM'S FIRST NATIONAL COLLEGIATE ATHLETIC ASSOCIATION CHAMPIONSHIP

Mr. BRYAN (for himself and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 243

Whereas the University of Nevada Las Vegas Rebels men's golf team shot four rounds of golf at a total of 1118 strokes for a total of 34 under par, to beat the second place Clemson Tigers by three strokes;

Whereas this score of 34 under par set a tournament record by 11 strokes;

Whereas Chris Berry shot a total of 272 strokes for 16 under par to finish second in individual competition, to help ensure the championship for the Rebels;

Whereas the University of Nevada Las Vegas men's collegiate golf team has displayed outstanding dedication, teamwork, and sportsmanship throughout the course of the season in achieving collegiate golf's highest honor; and

Whereas the Rebels have brought pride and honor to the State of Nevada: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Nevada Las Vegas for winning the 1998 National Collegiate Athletic Association Division I men's collegiate national golf championship;

(2) commends Chris Berry, for his second place individual finish at the National Collegiate Athletic Association golf championship;

(3) recognizes the achievements of all the players, coaches, and staff who were instrumental in helping the University of Nevada Las Vegas win the 1998 National Collegiate Athletic Association Division I men's collegiate national golf championship and invites them to the Capitol to be honored in an appropriate manner to be determined;

(4) requests that the President recognize the accomplishments and achievements of the 1998 University of Nevada Las Vegas Rebels golf team and invite the team to Washington, D.C. for the traditional White House ceremony held for national championship teams; and

(5) directs the Secretary of the Senate to make available enrolled copies of this resolution to the University of Nevada Las Vegas for appropriate display and to transmit an enrolled copy to each member of the 1998 University of Nevada Las Vegas National Collegiate Athletic Association Division I men's collegiate national championship golf team.

Mr. BRYAN. Mr. President, I am proud to take the floor today to commend and congratulate the University of Nevada-Las Vegas men's golf team on winning the team's first National Collegiate Athletic Association championship. This remarkable team of student-athletes acquitted themselves with great distinction this past week as they achieved this singular honor for themselves, for the community, and for the State of Nevada.

This accomplishment is further embellished by the fact the team shot 4 rounds of golf 34 under par, which set a tournament record by 11 strokes.

Chris Berry, one of the team members, shot a total of 272 for 16 under par, to finish second in the individual competition. What makes Chris' success even all the more noteworthy is that Chris had been involved in tournament play previous years where he had the misfortune of finishing at the other end and he, through determination and hard work, achieved this remarkable athletic achievement.

Congratulations should also go to the rest of his teammates, Bill Lunde, Charley Hoffman, Jeremy Anderson and Scott Lander. Bill Lunde and Jeremy Anderson made the All American college golf team. This golf team has had the goof fortune of being under the direction of an extraordinarily gifted coach as well. Dwaine Knight has placed the university's golf program on the national map. They have, in recent years, been top competitors, but not until this year did they achieve the ultimate, and that is the collegiate championship. Coach Knight is ably assisted by Assistant Coach Casey Whalen.

This year, under their coaching staff, the Rebels have won seven tournaments. The only other sports team in UNLV's history to attain national collegiate championship was in 1990, when the men's basketball program was so honored in the Final Four, in Denver, CO.

UNLV completed its season No. 1 in the polls, and I have encouraged the President to invite this extraordinarily able student athletic team to come to the White House and be appropriately recognized. The President himself is a golfer of note and distinction, and I am sure these fine young men are going to be able to offer a few tips the President might take advantage of to improve his own golf game.

AMENDMENTS SUBMITTED

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999

THURMOND AMENDMENTS NOS. 2447–2449

(Ordered to lie on the table.)

Mr. THURMOND submitted three amendments intended to be proposed by him to the bill (S. 2057) to authorize appropriations for the fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

AMENDMENT NO. 2447

On page 64, strike out lines 7 through 23, and insert in lieu thereof the following:

(3) The waiver authority under paragraph (1) does not apply to the limitation in subsection (d) or the limitation in section 2208(*l*)(3) of title 10, United States Code (as added by subsection (e)).

(d) FISCAL YEAR 1999 LIMITATION ON ADVANCE BILLINGS.—(1) The total amount of the advance billings rendered or imposed for the working-capital funds of the Department of Defense and the Defense Business Operations Fund in fiscal year 1999—

(A) for the Department of the Navy, may not exceed $500,000,000; and

(B) for the Department of the Air Force, may not exceed $500,000,000.

(2) In paragraph (1), the term ''advance billing'' has the meaning given such term in section 2208(*l*) of title 10, United States Code.

(e) PERMANENT LIMITATION ON ADVANCE BILLINGS.—(1) Section 2208(*l*) of title 10, United States Code, is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following new paragraph (3):

''(3) The total amount of the advance billings rendered or imposed for all working-capital funds of the Department of Defense in a fiscal year may not exceed $1,000,000,000.''.

(2) Section 2208(*l*)(3) of such title, as added by paragraph (1), applies to fiscal years after fiscal year 1999.

AMENDMENT NO. 2448

Beginning on page 400, strike out line 11 and all that follows through page 401, line 12, and insert in lieu thereof the following:

year 1999, $150,000,000 by the end of fiscal year 2000, $200,000,000 by the end of fiscal year 2001, and $250,000,000 by the end of fiscal year 2002.

(b) LIMITATION ON DISPOSAL QUANTITY.—The total quantities of materials authorized for disposal by the President under subsection (a) may not exceed the amounts set forth in the following table:

Authorized Stockpile Disposals

Material for disposal	Quantity
Chromium Metal—EL	8,511 short tons
Columbium Carbide Powder	21,372 pounds contained
Columbium Ferro High Carbon	249,395 pounds contained
Columbium Concentrates	1,733,454 pounds contained
Chromium Ferroalloy	92,000 short tons
Diamond, Stones	3,000,000 carats
Germanium Metal	28,198 kilograms
Indium	14,248 troy ounces
Palladium	1,227,831 troy ounces
Platinum	439,887 troy ounces
Tantalum Carbide Powder	22,681 pounds contained
Tantalum Metal Powder	50,000 pounds contained
Tantalum Minerals	1,751,364 pounds contained
Tantalum Oxide	122,730 pounds contained
Tungsten Ferro	2,024,143 pounds
Tungsten Carbide Powder	2,024,143 pounds
Tungsten Metal Powder	1,898,009 pounds
Tungsten Ores & Concentrates	76,358,230 pounds.

(c) MINIMIZATION OF DISRUPTION AND LOSS.—The President may not dispose of materials under subsection (a) to the extent that the disposal will result in—

(1) undue disruption of the usual markets of producers, processors, and consumers of the materials proposed for disposal; or

(2) avoidable loss to the United States.

(d) RELATIONSHIP TO OTHER DISPOSAL AUTHORITY.—The disposal authority provided in subsection (a) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding the materials specified in such subsection.

(e) AUTHORIZATION OF SALE.—The authority provided by this section to dispose of materials contained in the National Defense Stockpile so as to result in receipts specified in subsection (a) by the end of fiscal year 1999 shall be effective only to the extent provided in advance in appropriation Acts.

AMENDMENT NO. 2449

Strike section 1013 of the bill and insert the following:

SEC. 1013. TRANSFERS OF CERTAIN NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.

(a) AUTHORITY.—

(1) ARGENTINA.—The Secretary of the Navy is authorized to transfer to the Government of Argentina on a grant basis the tank landing ship Newport (LST 1179).

(2) BRAZIL.—The Secretary of the Navy is authorized to transfer vessels to the Government of Brazil as follows:

(A) On a sale basis, the Newport class tank landing ships Cayuga (LST 1186) and Peoria (LST 1183).

(B) On a combined lease-sale basis, the Cimarron class oiler Merrimack (AO 179).

(3) CHILE.—The Secretary of the Navy is authorized to transfer vessels to the Government of Chile on a sale basis as follows:

(A) The Newport class tank landing ship San Bernardino (LST 1189).

(B) The auxiliary repair dry dock Waterford (ARD 5).

(4) GREECE.—The Secretary of the Navy is authorized to transfer vessels to the Government of Greece as follows:

(A) On a sale basis, the following vessels:

(i) The Oak Ridge class medium dry dock Alamogordo (ARDM 2).

(ii) The Knox class frigates Vreeland (FF 1068) and Trippe (FF 1075).

(B) On a combined lease-sale basis, the Kidd class guided missile destroyers Kidd (DDG 993), Callaghan (DDG 994), Scott (DDG 995) and Chandler (DDG 996).

(C) On a grant basis, the following vessels:

(i) The Knox class frigate Hepburn (FF 1055).

(ii) The Adams class guided missile destroyers Strauss (DDG 16), Semmes (DDG 18), and Waddell (DDG 24).

(5) MEXICO.—The Secretary of the Navy is authorized to transfer to the Government of Mexico on a sale basis the auxiliary repair dry dock San Onofre (ARD 30) and the Knox class frigate Pharris (FF 1094).

(6) PHILIPPINES.—The Secretary of the Navy is authorized to transfer to the Government of the Philippines on a sale basis the Stalwart class ocean surveillance ship Triumph (T-AGOS 4).

(7) PORTUGAL.—The Secretary of the Navy is authorized to transfer to the Government of Portugal on a grant basis the Stalwart class ocean surveillance ship Assurance (T-AGOS 5).

(8) SPAIN.—The Secretary of the Navy is authorized to transfer to the Government of Spain on a sale basis the Newport class tank landing ships Harlan County (LST 1196) and Barnstable County (LST 1197).

(9) TAIWAN.—The Secretary of the Navy is authorized to transfer vessels to the Taipei Economic and Cultural Representative Office in the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act) on a sale basis as follows:

(A) The Knox class frigates Peary (FF 1073), Joseph Hewes (FF 1078), Cook (FF 1083), Brewton (FF 1086), Kirk (FF 1087) and Barbey (FF 1088).

(B) The Newport class tank landing ships Manitowoc (LST 1180) and Sumter (LST 1181).

(C) The floating dry dock Competent (AFDM 6).

(D) The Anchorage class dock landing ship Pensacola (LSD 38).

(10) TURKEY.—The Secretary of the Navy is authorized to transfer vessels to the Government of Turkey as follows:

(A) On a sale basis, the following vessels:

(i) The Oliver Hazard Perry class guided missile frigates Mahlon S. Tisdale (FFG 27), Reid (FFG 30) and Duncan (FFG 10).

(ii) The Knox class frigates Reasoner (FF 1063), Fanning (FF 1076), Bowen (FF 1079), McCandless (FF 1084), Donald Beary (FF 1085), Ainsworth (FF 1090), Thomas C. Hart (FF 1092), and Capodanno (FF 1093).

(B) On a grant basis, the Knox class frigates Paul (FF 1080), Miller (FF 1091), W.S. Simms (FF 1059).

(11) VENEZUELA.—The Secretary of the Navy is authorized to transfer to the Government of Venezuela on a sale basis the unnamed medium auxiliary floating dry dock AFDM 2.

(b) BASES OF TRANSFER.—

(1) GRANT.—A transfer of a naval vessel authorized to be made on a grant basis under subsection (a) shall be made under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(2) SALE.—A transfer of a naval vessel authorized to be made on a sale basis under subsection (a) shall be made under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(3) COMBINED LEASE-SALE.—(A) A transfer of a naval vessel authorized to be made on a combined lease-sale basis under subsection (a) shall be made under sections 61 and 21 of the Arms Export Control Act (22 U.S.C. 2796 and 2761, respectively) in accordance with this paragraph.

(B) For each naval vessel authorized by subsection (a) for transfer on a lease-sale basis, the Secretary of the Navy is authorized to transfer the vessel under the terms of a lease, with lease payments suspended for the term of the lease, if the country entering into the lease of the vessel simultaneously enters into a foreign military sales agreement for the transfer of title to the leased vessel. Delivery of title to the purchasing country shall not be made until the purchase price of the vessel has been paid in full. Upon delivery of title to the purchasing country, the lease shall terminate.

(C) If the purchasing country fails to make full payment of the purchase price by the date required under the sales agreement, the sales agreement shall be immediately terminated, the suspension of lease payments under the lease shall be vacated, and the United States shall retain all funds received on or before the date of the termination under the sales agreement, up to the amount of the lease payments due and payable under the lease and all other costs required by the lease to be paid to that date. No interest shall be payable to the recipient by the United States on any amounts that are paid to the United States by the recipient under the sales agreement and are not retained by the United States under the lease.

(c) REQUIREMENT FOR PROVISION IN ADVANCE IN AN APPROPRIATIONS ACT.—Authority to transfer vessels on a sale or combined lease-sale basis under subsection (a) shall be effective only to the extent that authority to effectuate such transfers, together with appropriations to cover the associated cost (as defined in section 502 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 661a)), are provided in advance in an appropriations Act.

(d) NOTIFICATION OF CONGRESS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to Congress, for each naval vessel that is to be transferred under this section before January 1, 1999, the notifications required under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) and section 525 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105–118; 111 Stat. 2413).

(e) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of the naval vessels authorized by subsection (a) to be transferred on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) shall not be counted for the purposes of that section in the aggregate value of excess defense articles transferred to countries under that section in any fiscal year.

(f) COSTS OF TRANSFERS.—Any expense of the United States in connection with a transfer authorized by subsection (a) shall be charged to the recipient (notwithstanding section 516(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)(1)) in the case of a transfer authorized to be made on a grant basis under subsection (a)).

(g) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—The Secretary of the Navy shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

(h) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under subsection (a) shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

HUTCHINSON AMENDMENT NO. 2450

(Ordered to lie on the table.)

Mr. HUTCHINSON submitted an amendment intended to be proposed by him to the bill S. 2057, supra; as follows:

On page 268, between lines 8 and 9, insert the following:

SEC. 1064. CLARIFICATION OF CIRCUMSTANCES FOR WAIVER OF SUSPENSION OF PROGRAMS AND ACTIVITIES REGARDING THE PEOPLE'S REPUBLIC OF CHINA.

Section 902 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 2151 note) is amended—

(1) in subsection (b)(2), by striking out ''in the national interest'' and inserting in lieu thereof ''in the vital national security interest''; and

(2) by adding at the end the following:

''(d) JUSTIFICATION OF CERTAIN WAIVERS.—The President shall submit to Congress a detailed justification of each exercise of the authority under subsection (b)(2). Each justification shall be sumitted in unclassified form, but may include a classified annex.''.

NATIONAL TOBACCO POLICY AND YOUTH SMOKING REDUCTION ACT

LOTT (AND OTHERS) AMENDMENT NO. 2451

Mr. LOTT (for himself, Mr. COVERDELL, Mr. CRAIG, Mr. ABRAHAM, Mr. FAIRCLOTH, Mr. INHOFE, Mr. SESSIONS, and Mr. GRASSLEY) proposed an amendment to the bill (S. 1415) to reform and restructure the processes by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors, to redress the adverse health effects of tobacco use, and for other purposes; as follows:

Strike all after the word ''subtitle'' and insert the following:

TITLE ___—DRUG-FREE NEIGHBORHOODS

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Drug-Free Neighborhoods Act''.

Subtitle A—Stopping the Flow of Drugs at Our Borders

CHAPTER 1—INCREASED RESOURCES FOR INTERDICTION

SEC. ___11. INCREASED RESOURCES FOR INTERDICTION.

(a) CUSTOMS.—In addition to other amounts appropriated for the United States Customs Service for a fiscal year, there is authorized to be appropriated from the Trust Fund under section 401, $500,000,000 for each of the fiscal years 1999 through 2003 to be used to monitor border ports of entry to stop the flow of illegal drugs into the United States.

(b) COAST GUARD.—In addition to other amounts appropriated for the United States Coast Guard for a fiscal year, there is authorized to be appropriated from the Trust Fund under section 401, $400,000,000 for each of the fiscal years 1999 through 2003 to be used to expand activities to stop the flow of illegal drugs into the United States.

(c) DEPARTMENT OF DEFENSE.—In addition to other amounts appropriated for the Department of Defense for a fiscal year, there is authorized to be appropriated from the Trust Fund under section 401, $470,000,000 for each of the fiscal years 1999 through 2003 to be used to expand activities to stop the flow of illegal drugs into the United States.

CHAPTER 2—DRUG-FREE BORDERS

SEC. ___15. SHORT TITLE.

This chapter may be cited as the ''Drug-Free Borders Act of 1998''.

SEC. ___16. FELONY PUNISHMENT FOR VIOLENCE COMMITTED ALONG THE UNITED STATES BORDER.

(a) IN GENERAL.—Chapter 27 of title 18, United States Code, is amended by adding at the end the following:

''§ 554. Violence while eluding inspection or during violation of arrival, reporting, entry, or clearance requirements

''(a) IN GENERAL.—Whoever attempts to commit or commits a crime of violence during and in relation to—

''(1) attempting to elude or eluding customs, immigration, or agriculture inspection or failing to stop at the command of an officer of customs, immigration, or animal and plant and health inspection services; or

''(2) an intentional violation of arrival, reporting, entry, or clearance requirements, as set forth in a provision of law listed in subsection (c);

shall be fined under this title or imprisoned for not more than 5 years, or both, except that if bodily injury (as defined in section 1365(g) of this title) results, the maximum term of imprisonment is 10 years, and if death results, the offender may imprisoned for any term of years or for life, and may be sentenced to death.

''(b) CONSPIRACY.—If 2 or more persons conspire to commit an offense under subsection (a), and 1 or more of such persons do any act to effect the object of the conspiracy, each shall be punishable as a principal, except that the sentence of death may not be imposed.

''(c) PROVISIONS OF LAW.—The provisions of law referred to in subsection (a) are—

''(1) section 107 of the Federal Plant Pest Act (7 U.S.C. 150ff));

''(2) section 7 of the Federal Noxious Weed Act of 1974 (7 U.S.C. 2806);

''(3) section 431, 433, 434, or 459 of the Tariff Act of 1930 (19 U.S.C. 1431, 1433, 1434, 1459);

''(4) section 6 of the Act of August 30, 1890 (21 U.S.C. 105; Chapter 839, 26 Stat. 416);

''(5) section 2 of the Act of February 2, 1903 (21 U.S.C. 111; Chapter 349, 32 Stat. 791)

''(6) section 231, 232, 234, 235, 236, 237, or 238 of the Immigration and Nationality Act (8 U.S.C. 1221, 1222, 1224, 1225, 1226, 1227, 1228);

''(7) section 4197 of the Revised Statutes of the United States (46 U.S.C. App. 91); or

''(8) section 111 of title 21, United States Code.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 27 of title 18, United States Code, is amended by inserting at the end the following:

''554. Violence while eluding inspection or during violation of arrival, reporting, entry, or clearance requirements.''.

SEC. ___17. INCREASED PENALTY FOR FALSE STATEMENT OFFENSE.

Section 542 of title 18, United States Code, is amended by striking ''two years'' and inserting ''5 years''.

SEC. ___18. SANCTIONS FOR FAILURE TO LAND OR HEAVE TO, OBSTRUCTING A LAWFUL BOARDING, AND PROVIDING FALSE INFORMATION.

(a) IN GENERAL.—Chapter 109 of title 18, United States Code, is amended by adding at the end the following:

''§ 2237. Sanctions for failure to heave to; sanctions for obstruction of boarding and providing false information

''(a) FAILURE TO HEAVE TO.—

''(1) IN GENERAL.—It shall be unlawful for the master, operator, or person in charge of a vessel of the United States or a vessel subject to the jurisdiction of the United States, to fail to obey an order to heave to that vessel on being ordered to do so by an authorized Federal law enforcement officer.

''(2) OBSTRUCTION.—It shall be unlawful for any person on board a vessel of the United States or a vessel subject to the jurisdiction of the United States knowingly or willfully to—

''(A) fail to comply with an order of an authorized Federal law enforcement officer in connection with the boarding of the vessel;

''(B) impede or obstruct a boarding or arrest, or other law enforcement action authorized by any Federal law; or

''(C) provide false information to a Federal law enforcement officer during a boarding of a vessel regarding the vessel's destination, origin, ownership, registration, nationality, cargo, or crew.

''(3) AIRCRAFT.—

''(A) IN GENERAL.—It shall be unlawful for the pilot, operator, or person in charge of an aircraft which has crossed the border of the United States, or an aircraft subject to the jurisdiction of the United States operating outside the United States, to fail to obey an order to land by an authorized Federal law enforcement officer who is enforcing the laws of the United States relating to controlled substances, as that term is defined in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), or relating to money laundering (sections 1956–57 of this title).

''(B) REGULATIONS.—The Administrator of the Federal Aviation Administration, in consultation with the Commissioner of Customs and the Attorney General, shall prescribe regulations governing the means by, and circumstances under which a Federal law enforcement officer may communicate an order to land to a pilot, operator, or person in charge of an aircraft. Such regulations shall ensure that any such order is clearly communicated in accordance with applicable international standards. Further, such regulations shall establish guidelines based on observed conduct, prior information, or other circumstances for determining when an officer may use the authority granted under subparagraph (A).

''(b) NO LIMITATION OF EXISTING AUTHORITY.—This section does not limit in any way the preexisting authority of a customs officer under section 581 of the Tariff Act of 1930 or any other provision of law enforced or administered by the Customs Service, or the preexisting authority of any Federal law enforcement officer under any law of the United States to order an aircraft to land or a vessel to heave to.

''(c) FOREIGN NATIONS.—A foreign nation may consent or waive objection to the enforcement of United States law by the United States under this section by international agreement or, on a case-by-case basis, by radio, telephone, or similar oral or electronic means. Consent or waiver may be proven by certification of the Secretary of State or the Secretary's designee.

''(d) DEFINITIONS.—In this section:

''(1) FEDERAL LAW ENFORCEMENT OFFICER.—The term 'Federal law enforcement officer' has the meaning set forth in section 115 of this title.

''(2) HEAVE TO.—The term 'heave to' means to cause a vessel to slow or come to a stop to facilitate a law enforcement boarding by adjusting the course and speed of the vessel to account for the weather conditions and sea state.

''(3) SUBJECT TO THE JURISDICTION OF THE UNITED STATES.—An aircraft 'subject to the jurisdiction of the United States' includes—

''(A) an aircraft located over the United States or the customs waters of the United States;

''(B) an aircraft located in the airspace of a foreign nation, where that nation consents to the enforcement of United States law by the United States; and

''(C) over the high seas, an aircraft without nationality, an aircraft of United States registry, or an aircraft registered in a foreign nation that has consented or waived objection to the enforcement of United States law by the United States.

''(4) VESSEL.—The terms 'vessel of the United States' and 'vessel subject to the jurisdiction of the United States' have the meanings set forth for these terms, respectively, in the Maritime Drug Law Enforcement Act (46 App. U.S.C. 1903).

''(5) WITHOUT NATIONALITY.—An aircraft 'without nationality' includes—

''(A) an aircraft aboard which the pilot, operator, or person in charge makes a claim of registry, which claim is denied by the nation whose registry is claimed; and

''(B) an aircraft aboard which the pilot, operator, or person in charge fails, upon request of an officer of the United States empowered to enforce applicable provisions of United States law, to make a claim of registry for that aircraft.

''(e) FINES OR IMPRISONMENT.—Whoever intentionally violates this section shall be fined under this title or imprisoned for not more than 5 years, or both.

''(f) SEIZURE AND FORFEITURE.—A aircraft or vessel that is used in violation of this section may be seized and forfeited to the United States. The laws relating to the seizure, summary and judicial forfeiture, and condemnation of property for violation of the customs laws, the disposition of such property or the proceeds from the sale thereof, the remission or mitigation of such forfeitures, and the compromise of claims, shall apply to seizures and forfeitures undertaken, or alleged to have been undertaken, under any of the provisions of this section; except that such duties as are imposed upon the customs officer or any other person with respect to the seizure and forfeiture of property under the customs laws shall be performed with respect to seizures and forfeitures of property under this section by such officers, agents, or other persons as may be authorized or designated for that purpose. An aircraft or vessel that is used in violation of this section is also liable in rem for any fine imposed under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 109 of

title 18, United States Code, is amended by adding at the end the following:

''2237. Sanctions for failure to heave to; sanctions for obstruction of boarding or providing false information.''.

SEC. ___19. CIVIL PENALTIES TO SUPPORT MARITIME LAW ENFORCEMENT.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by adding at the end the following:

''§ 676. Civil penalty for failure to comply with vessel boarding

''(a) IN GENERAL.—Any person that engages in conduct that violates section 2237(a)(1) or (2) of title 18, United States Code, shall be liable to the United States Government—

''(1) for a civil penalty of not more than $25,000, in the case of an intentional violation; or

''(2) for a civil penalty of not more than $15,000, in the case of any other violation.

''(b) SEIZURE OR FORFEITURE.—A vessel used to engage in conduct for which a penalty is imposed under subsection (a) is liable in rem for that penalty and may be seized, forfeited, and sold in accordance with customs laws.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of title 14, United States Code, is amended by adding at the end the following new item:

''676. Civil penalty for failure to comply with vessel boarding.''.

SEC. ___20. INCREASED NUMBER OF BORDER PATROL AGENTS.

Section 101(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–553) is amended to read as follows:

''(a) INCREASED NUMBER OF BORDER PATROL AGENTS.—The Attorney General in each of fiscal years 1999, 2000, 2001, 2002, and 2003 shall increase by not less than 1,500 the number of positions for full-time, active-duty border patrol agents within the Immigration and Naturalization Service above the number of such positions for which funds were allotted for the preceding fiscal year, to achieve a level of 15,000 positions by fiscal year 2003.''.

SEC. ___21. BORDER PATROL PURSUIT POLICY.

A border patrol agent of the United States Border Patrol may not cease pursuit of an alien who the agent suspects has unlawfully entered the United States, or an individual who the agent suspects has unlawfully imported a narcotic into the United States, until State or local law enforcement authorities are in pursuit of the alien or individual and have the alien or individual in their visual range.

SEC. ___22. AUTHORIZATION FOR BORDER PATROL TO INTERDICT THE IMPORTATION OF NARCOTICS.

The United States Border Patrol within the Department of Justice shall have as one of its functions the prevention of unlawful importation of narcotics into the United States and confiscation of such narcotics. The Attorney General shall ensure that this function is assigned a priority at least as high as is assigned to the Border Patrol's function of preventing the unlawful entry into the United States of aliens.

SEC. ___23. ROTATION OF DUTY STATIONS AND TEMPORARY DUTY ASSIGNMENTS OF OFFICERS OF THE UNITED STATES CUSTOMS SERVICE.

Section 5 of the Act of February 13, 1911 (19 U.S.C. 267) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

''(f) ROTATION OF DUTY STATIONS AND TEMPORARY DUTY ASSIGNMENTS OF CUSTOMS OFFICERS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, bargaining agreement, or Executive order, beginning October 1, 1998, in order to ensure the integrity of the United States Customs Service, the Secretary of the Treasury—

''(A) may transfer up to 5 percent of the customs officers employed as of the beginning of each fiscal year to new duty stations in that fiscal year on a permanent basis; and

''(B) may transfer customs officers to temporary duty assignments for not more than 90 days.

''(2) VOLUNTARY AND OTHER TRANSFERS.—A transfer of a customs officer to a new duty station or a temporary duty assignment under paragraph (1) is in addition to any voluntary transfer or transfer for other reasons.

''(3) RULE OF CONSTRUCTION.—The requirements of this subsection, including any regulations established by the Secretary to carry out this subsection, are not subject to collective bargaining.

''(4) AVAILABILITY OF AMOUNTS.—Of the amounts made available for fiscal years 1999 and 2000 under subparagraphs (A) and (B) of section 301(b)(1) of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075(b)(1)(A) and (B)), $25,000,000 for each such fiscal year shall be available to carry out this subsection.''.

SEC. ___24. EFFECT OF COLLECTIVE BARGAINING AGREEMENTS ON ABILITY OF UNITED STATES CUSTOMS SERVICE TO INTERDICT CONTRABAND.

Section 5 of the Act of February 13, 1911 (19 U.S.C. 267), as amended by this Act, is further amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) EFFECT OF COLLECTIVE BARGAINING AGREEMENTS ON ABILITY OF CUSTOMS SERVICE TO INTERDICT CONTRABAND.—

''(1) SENSE OF THE CONGRESS.—It is the sense of the Congress that collective bargaining agreements should not have any adverse impact on the ability of the United States Customs Service to interdict contraband, including controlled substances.

''(2) PROVISIONS CAUSING ADVERSE IMPACT TO INTERDICT CONTRABAND.—

''(A) REQUIREMENT TO MEET.—If the Commissioner of the Customs Service determines that any collective bargaining agreement with the recognized bargaining representative of its employees has an adverse impact upon the interdiction of contraband, including controlled substances, the parties shall meet to eliminate the provision causing the adverse impact from the agreement.

''(B) FAILURE TO REACH AGREEMENT.—If the parties do not reach agreement within 90 days of the date of the Customs Service determination of adverse impact, the negotiations shall be considered at impasse and the Customs Service may immediately implement its last offer. Such implementation shall not result in an unfair labor practice or, except as may be provided under the following sentence, the imposition of any status quo ante remedy against the Customs Service. Either party may then pursue the impasse to the Federal Service Impasses Panel pursuant to section 7119(c) of title 5, United States Code, for ultimate resolution.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit the authority of the Customs Service to implement immediately any proposed changes without waiting 90 days, if exigent circumstances warrant such immediate implementation, or if an impasse is reached in less than 90 days.''.

Subtitle B—Protecting Our Neighborhoods and Schools from Drugs

CHAPTER 1—DRUG-FREE TEEN DRIVERS

SEC. ___25. SHORT TITLE.

This subtitle may be cited as the ''Drug Free Teenage Drivers Act''.

SEC. ___26. DEMONSTRATION PROGRAM.

The National Highway Traffic Safety Administration shall establish a demonstration program in several States to provide voluntary drug testing for all teenager applicants (or other first time applicants for a driver's license regardless of age) for a driver's license. Information respecting an applicant's choice not to take the drug test or the result of the drug test on the applicant shall be made available to the applicant's automobile insurance company. If an applicant tests positive in the drug test, the State in which the program is established will not issue a license to the applicant and will require the applicant to complete a State drug treatment program and to not test positive in a drug test before reapplying for a license.

SEC. ___27. INCENTIVE GRANT PROGRAM.

(a) IN GENERAL.—The Secretary of Transportation shall establish an incentive grant program for States to assist the States in improving their laws relating to controlled substances and driving.

(b) GRANT REQUIREMENTS.—To qualify for a grant under subsection (a) a State shall carry out the following:

(1) Enact, actively enforce, and publicize a law which makes it illegal to drive in the State with any measurable amount of an illegal controlled substance in the driver's body. An illegal controlled substance is a controlled substance for which an individual does not have a legal written prescription. An individual who is convicted of such illegal driving shall be referred to appropriate services, including intervention, counselling, and treatment.

(2) Enact, actively enforce, and publicize a law which makes it illegal to drive in the State when driving is impaired by the presence of any drug. The State shall provide that in the enforcement of such law, a driver shall be tested for the presence of a drug when there is evidence of impaired driving and a driver will have the driver's license suspended. An individual who is convicted of such illegal driving shall be referred to appropriate services, including intervention, counselling, and treatment.

(3) Enact, actively enforce, and publicize a law which authorizes the suspension of a driver's license if the driver is convicted of any criminal offense relating to drugs.

(4) Enact a law which provides that beginning driver applicants and other individuals applying for or renewing a driver's license will be provided information about the laws referred to in paragraphs (1), (2), and (3) and will be required to answer drug-related questions on their applications.

(c) USE.—A State may only use a grant under subsection (a) to implement and enforce the programs described in subsection (b).

SEC. ___28. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated from amounts made available from the Trust Fund under section 401, $10,000,000 for each of the fiscal years 1999 through 2003 to carry out this chapter.

CHAPTER 2—DRUG-FREE SCHOOLS

SEC. ___31. FINDINGS.

Congress finds that—

(1) the continued presence in schools of violent students who are a threat to both teachers and other students is incompatible with a safe learning environment;

(2) unsafe school environments place students who are already at risk of school failure for other reasons in further jeopardy;

(3) recently, over one-fourth of high school students surveyed reported being threatened at school;

(4) 2,000,000 more children are using drugs in 1997 than were doing so a few short years prior to 1997;

(5) nearly 1 out of every 20 students in 6th through 12th grade uses drugs on school grounds;

(6) more of our children are becoming involved with hard drugs at earlier ages, as use of heroin and cocaine by 8th graders has more than doubled since 1991; and

(7) greater cooperation between schools, parents, law enforcement, the courts, and the community is essential to making our schools safe from drugs and violence.

Subchapter A—Student Safety and Family Choice

SEC. ___31A. STUDENT SAFETY AND FAMILY SCHOOL CHOICE.

(a) IN GENERAL.—Subpart 1 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) is amended by inserting after section 1115A of such Act (20 U.S.C. 6316) the following:

"SEC. 1115B. STUDENT SAFETY AND FAMILY SCHOOL CHOICE.

''(a) IN GENERAL.—Notwithstanding any other provision of law, if a student is eligible to be served under section 1115(b), or attends a school eligible for a schoolwide program under section 1114, and becomes a victim of a violent criminal offense, including drug-related violence, while in or on the grounds of a public elementary school or secondary school that the student attends and that receives assistance under this part, then the local educational agency may use funds provided under this part or under any other Federal education program to pay the supplementary costs for such student to attend another school. The agency may use the funds to pay for the supplementary costs of such student to attend any other public or private elementary school or secondary school, including a religious school, in the same State as the school where the criminal offense occurred, that is selected by the student's parent. The State educational agency shall determine what actions constitute a violent criminal offense for purposes of this section.

''(b) SUPPLEMENTARY COSTS.—The supplementary costs referred to in subsection (a) shall not exceed—

''(1) in the case of a student for whom funds under this section are used to enable the student to attend a public elementary school or secondary school served by a local educational agency that also serves the school where the violent criminal offense occurred, the costs of supplementary educational services and activities described in section 1114(b) or 1115(c) that are provided to the student;

''(2) in the case of a student for whom funds under this section are used to enable the student to attend a public elementary school or secondary school served by a local educational agency that does not serve the school where the violent criminal offense occurred but is located in the same State—

''(A) the costs of supplementary educational services and activities described in section 1114(b) or 1115(c) that are provided to the student; and

''(B) the reasonable costs of transportation for the student to attend the school selected by the student's parent; and

''(3) in the case of a student for whom funds under this section are used to enable the student to attend a private elementary school or secondary school, including a religious school, the costs of tuition, required fees, and the reasonable costs of such transportation.

''(c) CONSTRUCTION.—Nothing in this Act or any other Federal law shall be construed to prevent a parent assisted under this section from selecting the public or private, including religious, elementary school or secondary school that a child of the parent will attend within the State.

''(d) CONSIDERATION OF ASSISTANCE.—Subject to subsection (h), assistance made available under this section that is used to pay the costs for a student to attend a private or religious school shall not be considered to be Federal aid to the school, and the Federal Government shall have no authority to influence or regulate the operations of a private or religious school as a result of assistance received under this section.

''(e) CONTINUING ELIGIBILITY.—A student assisted under this section shall remain eligible to continue receiving assistance under this section for at least 3 academic years without regard to whether the student is eligible for assistance under section 1114 or 1115(b).

''(f) TUITION CHARGES.—Assistance under this section may not be used to pay tuition or required fees at a private elementary school or secondary school in an amount that is greater than the tuition and required fees paid by students not assisted under this section at such school.

''(g) SPECIAL RULE.—Any school receiving assistance provided under this section shall comply with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and not discriminate on the basis of race, color, or national origin.

''(h) ASSISTANCE; TAXES AND OTHER FEDERAL PROGRAMS.—

''(1) ASSISTANCE TO FAMILIES, NOT SCHOOLS.—Assistance provided under this section shall be considered to be aid to families, not schools. Use of such assistance at a school shall not be construed to be Federal financial aid or assistance to that school.

''(2) TAXES AND DETERMINATIONS OF ELIGIBILITY FOR OTHER FEDERAL PROGRAMS.—Assistance provided under this section to a student shall not be considered to be income of the student or the parent of such student for Federal, State, or local tax purposes or for determining eligibility for any other Federal program.

''(i) PART B OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—Nothing in this section shall be construed to affect the requirements of part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

''(j) MAXIMUM AMOUNT.—Notwithstanding any other provision of this section, the amount of assistance provided under this part for a student shall not exceed the per pupil expenditure for elementary or secondary education, as appropriate, by the local educational agency that serves the school where the criminal offense occurred for the fiscal year preceding the fiscal year for which the determination is made.''.

SEC. ___31B. TRANSFER OF REVENUES.

(a) IN GENERAL.—Notwithstanding any other provision of Federal law, a State, a State educational agency, or a local educational agency may transfer any non-Federal public funds associated with the education of a student who is a victim of a violent criminal offense while in or on the grounds of a public elementary school or secondary school served by a local educational agency to another local educational agency or to a private elementary school or secondary school, including a religious school.

(b) DEFINITIONS.—For the purpose of subsection (a), the terms ''elementary school'', ''secondary school'', ''local educational agency'', and ''State educational agency'' have the meanings given such terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

Subchapter B—Victim and Witness Assistance Programs for Teachers and Students

SEC. ___32. AMENDMENTS TO VICTIMS OF CRIME ACT OF 1984.

(a) VICTIM COMPENSATION.—Section 1403 of the Victims of Crime Act of 1984 (42 U.S.C. 10602) is amended by adding at the end the following:

''(f) VICTIMS OF SCHOOL VIOLENCE.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, an eligible crime victim compensation program may expend funds appropriated under paragraph (2) to offer compensation to elementary and secondary school students or teachers who are victims of elementary and secondary school violence (as school violence is defined under applicable State law).

''(2) FUNDING.—There is authorized to be appropriated from the Trust Fund under section 401, such sums as may be necessary to carry out paragraph (1).''.

(b) VICTIM AND WITNESS ASSISTANCE.—Section 1404(c) of the Victims of Crime Act of 1984 (42 U.S.C. 10603(c)) is amended by adding at the end the following:

''(5) ASSISTANCE FOR VICTIMS OF AND WITNESSES TO SCHOOL VIOLENCE.—Notwithstanding any other provision of law, the Director may make a grant under this section for a demonstration project or for training and technical assistance services to a program that—

''(A) assists State educational agencies and local educational agencies (as the terms are defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)) in developing, establishing, and operating programs that are designed to protect victims of and witnesses to incidents of elementary and secondary school violence (as school violence is defined under applicable State law), including programs designed to protect witnesses testifying in school disciplinary proceedings; or

''(B) supports a student safety toll-free hotline that provides students and teachers in elementary and secondary schools with confidential assistance relating to the issues of school crime, violence, drug dealing, and threats to personal safety.''.

Subchapter C—Innovative Programs to Protect Teachers and Students

SEC. ___35. DEFINITIONS.

In this subchapter:

(1) ELEMENTARY SCHOOL, LOCAL EDUCATIONAL AGENCY, SECONDARY SCHOOL, AND STATE EDUCATIONAL AGENCY.—The terms ''elementary school'', ''local educational agency'', ''secondary school'', and ''State educational agency'' have the meanings given the terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

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

SEC. ___36. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated from the Trust Fund under section 401 such sums as may be necessary to carry out this subchapter.

SEC. ___37. AUTHORIZATION FOR REPORT CARDS ON SCHOOLS.

(a) IN GENERAL.—The Secretary is authorized to award grants to States, State educational agencies, and local educational agencies to develop, establish, or conduct innovative programs to improve unsafe elementary schools or secondary schools.

(b) PRIORITY.—The Secretary shall give priority to awarding grants under subsection (a) to—

(1) programs that provide parent and teacher notification about incidents of physical violence, weapon possession, or drug activity on school grounds as soon after the incident as practicable;

(2) programs that provide to parents and teachers an annual report regarding—

(A) the total number of incidents of physical violence, weapon possession, and drug activity on school grounds;

(B) the percentage of students missing 10 or fewer days of school; and

(C) a comparison, if available, to previous annual reports under this paragraph, which comparison shall not involve a comparison of more than 5 such previous annual reports; and

(3) programs to enhance school security measures that may include—

(A) equipping schools with fences, closed circuit cameras, and other physical security measures;

(B) providing increased police patrols in and around elementary schools and secondary schools, including canine patrols; and

(C) mailings to parents at the beginning of the school year stating that the possession of a gun or other weapon, or the sale of drugs in school, will not be tolerated by school authorities.

SEC. ___38. APPLICATION.

(a) IN GENERAL.—Each State, State educational agency, or local educational agency desiring a grant under this subchapter shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(b) CONTENTS.—Each application submitted under subsection (a) shall contain an assurance that the State or agency has implemented or will implement policies that—

(1) provide protections for victims and witnesses to school crime, including protections for attendance at school disciplinary proceedings;

(2) expel students who, on school grounds, sell drugs, or who commit a violent offense that causes serious bodily injury of another student or teacher; and

(3) require referral to law enforcement authorities or juvenile authorities of any student who on school grounds—

(A) commits a violent offense resulting in serious bodily injury; or

(B) sells drugs.

(c) SPECIAL RULE.—For purposes of paragraphs (2) and (3) of subsection (b), State law shall determine what constitutes a violent offense or serious bodily injury.

SEC. ___39. INNOVATIVE VOLUNTARY RANDOM DRUG TESTING PROGRAMS.

Section 4116(b) of the Safe and Drug-Free Schools and Communities Act of 1994 (20 U.S.C. 7116(b)) is amended—

(1) in paragraph (9), by striking ''and'' after the semicolon;

(2) by redesignating paragraph (10) as paragraph (11); and

(3) by inserting after paragraph (9) the following:

''(10) innovative voluntary random drug testing programs; and''.

Subchapter D—Parental Consent Drug Testing

SEC. ___40. GRANTS FOR PARENTAL CONSENT DRUG TESTING DEMONSTRATION PROJECTS.

(a) IN GENERAL.—The Administrator is authorized to award grants to States, State educational agencies, and local educational agencies to develop, establish, or conduct programs for testing students for illegal drug use with prior parental consent.

(b) GUIDELINES.—The Administrator may award grants under subsection (a) only to programs that substantially comply with the following guidelines:

(1) Students will only be tested with their parent's consent. If the program also requires the consent of the student, the parent will be informed of any refusal by the student to give consent.

(2) The program may involve random testing or testing of all students within certain grade or age parameters at a participating school. No students under seventh grade or over 12th grade may be tested using funds from grants awarded under this section.

(3) Students who test positive for illegal drugs or whose parents do not consent to the drug testing will not be penalized, except that the privilege of participating in optional courses or extra-curricula activities in which drug impairment might pose a safety risk (such as athletic teams, drivers education, or industrial arts) may be restricted.

(4) The parent of a student who tests positive for illegal drugs shall be notified of the results in a discrete manner by a health care professional, a counselor, or other appropriate person. Parents shall be advised of resources that may be available in the local area to treat drug dependency.

(5) The procedures used in the demonstration project shall be designed to ensure fairness and accuracy. The procedures shall also require personnel administering the drug testing program to treat individual test results confidentially, and not to provide individual test results to law enforcement officials. Statistical information which does not reveal individual identifying information should be provided to law enforcement officials.

(c) SUBPOENAS AND DISCOVERY.—Test results for tests conducted under a demonstration project receiving funds under this section shall not be subject to subpoena or discovery in any court or administrative forum, without the consent of the individual's parent, unless the individual is no longer a minor, in which case the individual's consent is required.

(d) MATCHING FUNDS.—The Administrator may give a preference in the award of grants under this section to applicants who provide an assurance that such applicant will commit some level of matching funds or resources for the program.

(e) CONSTRUCTION OF THIS SECTION.—Nothing in this section shall be construed to restrict other permissible drug testing activities in schools. Additional drug testing not conducted in accordance with the guidelines in subsection (b) may be conducted in schools which receive funding under this section, except that grants awarded under this section shall not be used to fund such additional testing.

(f) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice.

(2) PARENT.—The term ''parent'' means a custodial parent or legal guardian.

(3) STATE, STATE EDUCATIONAL AGENCY, AND LOCAL EDUCATIONAL AGENCY.—The terms ''State'', ''State educational agency'', and ''local educational agency'' have the meanings given such terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated from the National Tobacco Settlement Trust Fund, $10,000,000 for each of the fiscal years 1999 through 2003. Such sums shall remain available until expended.

CHAPTER 3—DRUG-FREE STUDENT LOANS

SEC. ___41. DRUG-FREE STUDENT LOANS

(a) IN GENERAL.—Section 484 of the Higher Education Act of 1965 (20 U.S.C. 1091) is amended by adding at the end the following:

''(q) SUSPENSION OF ELIGIBILITY FOR DRUGRELATED OFFENSES.—

''(1) IN GENERAL.—An individual student who has been convicted of any felony offense under any Federal or State law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under this title during the period beginning on the date of such conviction and ending after the interval specified in the following table:

''If convicted of an offense involving:	Ineligibility period is:
The possession of a controlled substance:	
First offense	1 year
Second offense	2 years
Third offense	indefinite
The sale of a controlled substance:	
First offense	2 years
Second offense	indefinite

''(2) REHABILITATION.—A student whose eligibility has been suspended under paragraph (1) may resume eligibility before the end of the period determined under such paragraph if the student satisfactorily completes a drug rehabilitation program that complies with such criteria as the Secretary shall prescribe for purposes of this paragraph and that includes two unannounced drug tests.

''(3) DEFINITIONS.—As used in this subsection, the term 'controlled substance' has the meaning given in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to financial assistance to cover the costs of attendance for periods of enrollment beginning after the date of enactment of this Act.

CHAPTER 4—DRUG-FREE WORKPLACES

SEC. ___51. SHORT TITLE.

This chapter may be cited as the ''Drug-Free Workplace Act of 1998''.

SEC. ___52. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) 74 percent of adults who use illegal drugs are employed;

(2) small business concerns employ over 50 percent of the Nation's workforce;

(3) in over 88 percent of families with children under the age of 18, at least 1 parent is employed; and

(4) employees who use drugs increase costs for businesses and risk the health and safety of all employees because—

(A) absenteeism is 66 percent higher among drug users than nondrug users;

(B) health benefit utilization is 300 percent higher among drug users than nondrug users;

(C) 47 percent of workplace accidents are drug-related;

(D) disciplinary actions are 90 percent higher among drug users than nondrug users; and

(E) employee turnover is significantly higher among drug users than nondrug users.

(b) PURPOSES.—The purposes of this chapter are to—

(1) educate small business concerns about the advantages of a drug-free workplace;

(2) provide financial incentives and technical assistance to enable small business concerns to create a drug-free workplace; and

(3) assist working parents in keeping their children drug-free.

SEC. ___53. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) businesses should adopt drug-free workplace programs; and

(2) States should consider financial incentives, such as reductions in workers' compensation premiums, to encourage businesses to adopt drug-free workplace programs.

SEC. ___54. DRUG-FREE WORKPLACE DEMONSTRATION PROGRAM.

The Small Business Act (15 U.S.C. 636 et seq.) is amended—

(1) by redesignating section (32) as section (33); and

(2) by inserting after section 31 the following:

''SEC. 30. DRUG-FREE WORKPLACE DEMONSTRATION PROGRAM.

''(a) ESTABLISHMENT.—There is established a drug-free workplace demonstration program, under which the Administration may make grants to eligible intermediaries described in subsection (b) for the purpose of providing financial and technical assistance to small business concerns seeking to start a drug-free workplace program.

''(b) ELIGIBILITY FOR PARTICIPATION.—An intermediary shall be eligible to receive a grant under subsection (a) if it meets the following criteria:

''(1) It is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from tax under section 5(a) of such Act, a program of such organization, or provides services to such organization.

''(2) Its primary purpose is to develop comprehensive drug-free workplace programs or to supply drug-free workplace services.

''(3) It has at least 2 years of experience in drug-free workplace programs.

''(4) It has a drug-free workplace policy in effect.

''(c) REQUIREMENTS FOR PROGRAM.—Any drug-free workplace program established as a result of this section shall include—

''(1) a written policy, including a clear statement of expectations for workplace behavior, prohibitions against substances in the workplace, and the consequences of violating such expectations and prohibitions;

''(2) training for at least 60 minutes for employees and supervisors;

''(3) additional training for supervisors and employees who are parents;

''(4) employee drug testing; and

''(5) employee access to an employee assistance program, including assessment, referral, and short-term problem resolution.

''(d) AUTHORIZATION.—There is authorized to be appropriated from the Trust Fund under section 401 of the National Tobacco Policy and Youth Smoking Reduction Act to carry out this section, $10,000,000 for fiscal year 1999. Such sums shall remain available until expended.''.

SEC. ___55. SMALL BUSINESS DEVELOPMENT CENTERS.

Section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(3)) is amended—

(1) in subparagraph (R), by striking ''and'' at the end;

(2) in subparagraph (S), by striking the period and inserting ''; and''; and

(3) by inserting after subparagraph (S) the following:

''(T) providing information and assistance to small business concerns with respect to developing drug-free workplace programs.''.

SEC. ___56. CONTRACT AUTHORITY.

The Administrator of the Small Business Administration may contract with and compensate government and private agencies or persons for services related to carrying out the provisions of this chapter.

CHAPTER 5—DRUG-FREE COMMUNITIES

SEC. ___61. DRUG-FREE COMMUNITIES.

Section 1024(a) of the National Leadership Act of 1988 (21 U.S.C. 1524(a)) is amended—

(1) in paragraph (1), by adding ''and'' after the semicolon; and

(2) by striking paragraphs (2) through (5), and inserting the following:

''(2) $50,000,000 for each of the fiscal years 1999 through 2003, of which $10,000,000 in each such fiscal year shall be used for volunteer grassroots drug prevention programs that mobilize parent action teams nationwide to conduct community teen drug awareness education and prevention activities that guarantee increased parental involvement.''.

CHAPTER 6—BANNING FREE NEEDLES FOR DRUG ADDICTS

SEC. ___65. PROHIBITION ON USE OF FUNDS FOR HYPODERMIC NEEDLES.

Notwithstanding any other provision of law, no Federal funds shall be made available or used to carry out or support, directly or indirectly, any program of distributing sterile hypodermic needles or syringes to individuals for the hypodermic injection of any illegal drug.

Subtitle C—Defeating the Drug Mafia

CHAPTER 1—INCREASED RESOURCES FOR LAW ENFORCEMENT

SEC. ___71. INCREASED RESOURCES FOR LAW ENFORCEMENT.

(a) DRUG ENFORCEMENT ADMINISTRATION.—In addition to other amounts appropriated for the Drug Enforcement Administration for a fiscal year, there is authorized to be appropriated from the Trust Fund under section 401, $300,000,000 for each of the fiscal years 1999 through 2003 to be used for additional activities to disrupt and dismantle drug trafficking organizations.

(b) FEDERAL BUREAU OF INVESTIGATION.—In addition to other amounts appropriated for the Federal Bureau of Investigation for a fiscal year, there is authorized to be appropriated from the Trust Fund under section 401, $200,000,000 for each of the fiscal years 1999 through 2003 to be used to enhance investigative and intelligence gathering capabilities relating to illegal drugs.

CHAPTER 2—REGISTRATION OF CONVICTED DRUG DEALERS

SEC. ___99B. REGISTRATION OF CONVICTED DRUG DEALERS.

(a) IN GENERAL.—The Attorney General shall establish an incentive grant program for States to assist the States in enacting laws that establish State registration programs for individuals convicted of criminals offenses involving drug trafficking.

(b) GRANT REQUIREMENTS.—To qualify for a grant under subsection (a) a State shall enact, actively enforce, and publicize a law that requires that a person who is convicted of a criminal offense involving drug trafficking register a current address with a designated State law enforcement agency for up to 10-years following the date on which such individual is convicted or released from prison.

(c) REQUIREMENTS OF STATE LAW.—A State law enacted under subsection (b) shall contain the following elements:

(1) DUTIES OF RESPONSIBLE OFFICIALS.—If a person who is required to register under a State law under this section is released from prison, or placed on parole, supervised release, or probation, a State prison officer, the court, or another responsible officer or official, shall—

(A) inform the person of the duty to register and obtain the information required for such registration;

(B) inform the person that if the person changes residence address, the person shall report the change of address as provided by State law;

(C) inform the person that if the person changes residence to another State, the person shall report the change of address as provided by State law and comply with any registration requirement in the new State of residence, and inform the person that the person must also register in a State where the person is employed, carries on a vocation, or is a student;

(D) obtain fingerprints and a photograph of the person if these have not already been obtained in connection with the offense that triggers registration; and

(E) require the person to read and sign a form stating that the duty of the person to register under this section has been explained.

(2) TRANSFER OF INFORMATION TO STATE.—State procedures under the State law shall ensure that the registration information is promptly made available to a law enforcement agency having jurisdiction where the person expects to reside and entered into the appropriate State records or data system.

(3) VERIFICATION.—For a person required to register, State procedures under the State law shall provide for verification of address at least annually.

(4) NOTIFICATION OF LOCAL LAW ENFORCEMENT AGENCIES OF CHANGES IN ADDRESS.—A change of address by a person required to register under a State law under this section shall be reported by the person in the manner provided by State law. State procedures shall ensure that the updated address information is promptly made available to a law enforcement agency having jurisdiction where the person will reside and entered into the appropriate State records or data system.

(5) REGISTRATION FOR CHANGE OF ADDRESS TO ANOTHER STATE.—A person who has been convicted of an offense which requires registration under a State law under this section and who moves to another State, shall report the change of address to the responsible agency in the State the person is leaving, and shall comply with any registration requirement in the new State of residence. The procedures of the State the person is leaving shall ensure that notice is provided promptly to an agency responsible for registration in the new State, if that State requires registration.

(6) LENGTH OF REGISTRATION.—A person required to register under a State law under this section shall continue to comply with this section, except during ensuing periods of incarceration, until 10 years have elapsed since the person was released from prison or placed on parole, supervised release, or probation.

(7) REGISTRATION OF OUT-OF-STATE OFFENDERS, FEDERAL OFFENDERS, PERSONS SENTENCED BY COURTS MARTIAL, AND OFFENDERS CROSSING STATE BORDERS.—A State shall include in its registration program residents who were convicted in another State and shall ensure that procedures are in place to accept registration information from—

(A) residents who were convicted in another State, convicted of a Federal offense, or sentenced by a court martial; and

(B) nonresident offenders who have crossed into another State in order to work or attend school.

(8) REGISTRATION OF OFFENDER CROSSING STATE BORDER.—Any person who is required under a State law under this section to register in the State in which such person resides shall also register in any State in which the person is employed, carries on a vocation, or is a student.

(9) PENALTY.—A person required to register under a State law under this section who knowingly fails to so register and keep such registration current shall be subject to criminal penalties in any State in which the person has so failed.

(10) RELEASE OF INFORMATION.—

(A) IN GENERAL.—The information collected under a State registration program under this section may be disclosed for any purpose permitted under the laws of the State.

(B) PROTECTION OF THE PUBLIC.—The State or any agency authorized by the State shall

release relevant information that is necessary to protect the public concerning a specific person required to register under this section.

(11) IMMUNITY FOR GOOD FAITH CONDUCT.—Law enforcement agencies, employees of law enforcement agencies and independent contractors acting at the direction of such agencies, and State officials shall be immune from liability for good faith conduct under a State law under this section.

(12) FINGERPRINTS.—Each requirement to register under a State law under this section shall be deemed to also require the submission of a set of fingerprints of the person required to register, obtained in accordance with regulations prescribed by the Attorney General under section 170102(h).

(d) USE.—A State may only use a grant under subsection (a) to implement and enforce the law described in subsection (b).

(e) DEFINITION.—In this section, the term ''offenses involving drug trafficking'' means a criminal offense under Federal or applicable State law relating to—

(1) the distribution of illegal drugs to individuals under the age of 21 years;

(2) the distribution of manufacturing of illegal drugs in or near schools, colleges, universities, or youth-centered recreational facilities; or

(3) any other activity relating to illegal drugs determined appropriate by the chief executive officer of the State involved.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriate form amounts made available from the Trust Fund under section 401, $5,000,000 for each of the fiscal years 1999 through 2003.

Subtitle D—National Drug Control Strategy

SEC. ___99C. DEVELOPMENT, SUBMISSION, IMPLEMENTATION, AND ASSESSMENT OF NATIONAL DRUG CONTROL STRATEGY.

Section 1005 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1504) is amended to read as follows:

''SEC. 1005. DEVELOPMENT, SUBMISSION, IMPLEMENTATION, AND ASSESSMENT OF NATIONAL DRUG CONTROL STRATEGY.

''(a) TIMING, CONTENTS, AND PROCESS FOR DEVELOPMENT AND SUBMISSION OF NATIONAL DRUG CONTROL STRATEGY.—

''(1) TIMING.—

''(A) IN GENERAL.—Not later than October 1, 1998, the President shall submit to Congress a National Drug Control Strategy, which shall set forth a comprehensive 2-year plan for reducing drug abuse and the consequences of drug abuse in the United States, by limiting the availability of and reducing the demand for illegal drugs.

''(B) 4-YEAR PLAN.—Not later than October 1, 2001, and on October 1 of every fourth year thereafter, the President shall submit to Congress a revised National Drug Control Strategy, which shall set forth a comprehensive 4-year plan for reducing drug abuse and the consequences of drug abuse in the United States, by limiting the availability of and reducing the demand for illegal drugs, and shall include quantifiable 4-year performance objectives, targets, and measures for each National Drug Control Strategy goal and objective.

''(2) CONTENTS.—

''(A) IN GENERAL.—The National Drug Control Strategy submitted under paragraph (1) shall include—

''(i) comprehensive, research-based, long-range, quantifiable, goals for reducing drug abuse and the consequences of drug abuse in the United States;

''(ii) short-term measurable objectives to accomplish long-term quantifiable goals that the Director determines may be realistically achieved during the 2-year period beginning on the date on which the strategy is submitted;

''(iii) 5-year projections for program and budget priorities; and

''(iv) a review of State, local, and private sector drug control activities to ensure that the United States pursues well-coordinated and effective drug control at all levels of government.

''(B) CLASSIFIED INFORMATION.—Any contents of the National Drug Control Strategy that involves information properly classified under criteria established by an Executive order shall be presented to Congress separately from the rest of the Strategy.

''(3) PROCESS FOR DEVELOPMENT AND SUBMISSION.—

''(A) CONSULTATION.—In developing and effectively implementing the National Drug Control Strategy, the Director—

''(i) shall consult with—

''(I) the heads of the National Drug Control Program agencies;

''(II) Congress;

''(III) State and local officials;

''(IV) private citizens and organizations with experience and expertise in demand reduction; and

''(V) private citizens and organizations with experience and expertise in supply reduction; and

''(ii) may require the National Drug Intelligence Center and the El Paso Intelligence Center to undertake specific tasks or projects to implement the Strategy.

''(B) INCLUSION IN STRATEGY.—The National Drug Control Strategy under this subsection, and each report submitted under subsection (b), shall include a list of each entity consulted under subparagraph (A)(i).

''(4) MODIFICATION AND RESUBMITTAL.—Notwithstanding any other provision of law, the Director may modify a National Drug Control Strategy submitted under paragraph (1) at any time.

''(b) ANNUAL STRATEGY REPORT.—

''(1) IN GENERAL.—Not later than February 1, 1999, and on February 1 of each year thereafter, the President shall submit to Congress a report on the progress in implementing the Strategy under subsection (a), which shall include—

''(A) an assessment of the Federal effectiveness in achieving the Strategy goals and objectives using the performance measurement system described in subsection (c), including—

''(i) an assessment of drug use and availability in the United States; and

''(ii) an estimate of the effectiveness of interdiction, treatment, prevention, law enforcement, and international programs under the National Drug Control Strategy in effect during the preceding year, or in effect as of the date on which the report is submitted;

''(B) any modifications of the Strategy or the performance measurement system described in subsection (c);

''(C) an assessment of how the budget proposal submitted under section 1003(c) is intended to implement the Strategy and whether the funding levels contained in such proposal are sufficient to implement such Strategy;

''(D) beginning on February 1, 1999, and every 2 years thereafter, measurable data evaluating the success or failure in achieving the short-term measurable objectives described in subsection (a)(2)(A)(ii);

''(E) an assessment of current drug use (including inhalants) and availability, impact of drug use, and treatment availability, which assessment shall include—

''(i) estimates of drug prevalence and frequency of use as measured by national, State, and local surveys of illicit drug use and by other special studies of—

''(I) casual and chronic drug use;

''(II) high-risk populations, including school dropouts, the homeless and transient, arrestees, parolees, probationers, and juvenile delinquents; and

''(III) drug use in the workplace and the productivity lost by such use;

''(ii) an assessment of the reduction of drug availability against an ascertained baseline, as measured by—

''(I) the quantities of cocaine, heroin, marijuana, methamphetamine, and other drugs available for consumption in the United States;

''(II) the amount of marijuana, cocaine, and heroin entering the United States;

''(III) the number of hectares of marijuana, poppy, and coca cultivated and destroyed;

''(IV) the number of metric tons of marijuana, heroin, and cocaine seized;

''(V) the number of cocaine and methamphetamine processing laboratories destroyed;

''(VI) changes in the price and purity of heroin and cocaine;

''(VII) the amount and type of controlled substances diverted from legitimate retail and wholesale sources; and

''(VIII) the effectiveness of Federal technology programs at improving drug detection capabilities in interdiction, and at United States ports of entry;

''(iii) an assessment of the reduction of the consequences of drug use and availability, which shall include estimation of—

''(I) the burden drug users placed on hospital emergency departments in the United States, such as the quantity of drug-related services provided;

''(II) the annual national health care costs of drug use, including costs associated with people becoming infected with the human immunodeficiency virus and other infectious diseases as a result of drug use;

''(III) the extent of drug-related crime and criminal activity; and

''(IV) the contribution of drugs to the underground economy, as measured by the retail value of drugs sold in the United States;

''(iv) a determination of the status of drug treatment in the United States, by assessing—

''(I) public and private treatment capacity within each State, including information on the treatment capacity available in relation to the capacity actually used;

''(II) the extent, within each State, to which treatment is available;

''(III) the number of drug users the Director estimates could benefit from treatment; and

''(IV) the specific factors that restrict the availability of treatment services to those seeking it and proposed administrative or legislative remedies to make treatment available to those individuals; and

''(v) a review of the research agenda of the Counter-Drug Technology Assessment Center to reduce the availability and abuse of drugs; and

''(F) an assessment of private sector initiatives and cooperative efforts between the Federal Government and State and local governments for drug control.

''(2) SUBMISSION OF REVISED STRATEGY.—The President may submit to Congress a revised National Drug Control Strategy that meets the requirements of this section—

''(A) at any time, upon a determination by the President and the Director that the National Drug Control Strategy in effect is not sufficiently effective; and

''(B) if a new President or Director takes office.

''(c) PERFORMANCE MEASUREMENT SYSTEM.—

''(1) IN GENERAL.—Not later than October 1, 1998, the Director shall submit to Congress a

description of the national drug control performance measurement system, designed in consultation with affected National Drug Control Program agencies, that—

''(A) develops performance objectives, measures, and targets for each National Drug Control Strategy goal and objective;

''(B) revises performance objectives, measures, and targets, to conform with National Drug Control Program Agency budgets;

''(C) identifies major programs and activities of the National Drug Control Program agencies that support the goals and objectives of the National Drug Control Strategy;

''(D) evaluates implementation of major program activities supporting the National Drug Control Strategy developed under section 1005;

''(E) monitors consistency between the drug-related goals and objectives of the National Drug Control Program agencies and ensures that drug control agency goals and budgets support and are fully consistent with the National Drug Control Strategy; and

''(F) coordinates the development and implementation of national drug control data collection and reporting systems to support policy formulation and performance measurement, including an assessment of—

''(i) the quality of current drug use measurement instruments and techniques to measure supply reduction and demand reduction activities;

''(ii) the adequacy of the coverage of existing national drug use measurement instruments and techniques to measure the casual drug user population and groups that are at risk for drug use; and

''(iii) the actions the Director shall take to correct any deficiencies and limitations identified pursuant to subparagraphs (A) and (B) of subsection (b)(4).

''(2) MODIFICATIONS.—A description of any modifications made during the preceding year to the national drug control performance measurement system described in paragraph (1) shall be included in each report submitted under subsection (b).''.

SEC. ___99D. REPORT BY PRESIDENT.

Not later than October 1, 1998, and every April 1 and October 1 thereafter, the President shall prepare and submit to the appropriate committees of Congress a report on the prevalence of the use of any illegal drugs by youth between the ages of 12 and 17.

Subtitle E—Miscellaneous Provisions

SEC. ___99E. LIMITATIONS ON FUNDING.

(b) IN GENERAL.—Notwithstanding section 451(b), amounts in the Public Health Account shall be available to the extent and only in the amounts provided in advance in appropriations Acts, to remain available until expended, only for the purposes of—

(1) carrying out smoking cessation activities under part D of title XIX of the Public Health Service Act, as added by title II of this Act;

(2) carrying out activities under section 453;

(3) carrying out—

(A) counter-advertising activities under section 1982 of the Public Health Service Act as amended by this Act;

(B) smoking prevention activities under section 223;

(C) surveys under section 1991C of the Public Health Service Act, as added by this Act (but, in no fiscal year may the amounts used to carry out such surveys be less than 10 percent of the amounts available under this subsection); and

(D) international activities under section 1132;

(4) carrying out—

(A) Food and Drug Administration activities;

(B) State retail licensing activities under section 251;

(C) anti-Smuggling activities under section 1141; and

(5) carrying out education and prevention relating to drugs under this title.

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999

ABRAHAM AMENDMENTS NOS. 2452–2456

(Ordered to lie on the table.)

Mr. ABRAHAM submitted five amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2452

At the appropriate place, insert the following section:

SEC. . US FORCE LEVELS IN ASIA.

(a) SENSE OF CONGRESS.—It is the Sense of Congress that the current force levels in the Pacific Command Theater of Operations are necessary to the fulfillment of that command's military mission, and are vital to continued peace and stability in the region. Any reductions in those force levels should only be done in close consultation with Congress and with a clear understanding of their impact upon the United States' ability to fulfill its current treaty obligations with other states in the region, as well as to the continued ability of the United States to deter potential aggression in the region.

(b) ANNUAL NATIONAL SECURITY STRATEGY REPORT REQUIREMENT.—The Annual National Security Strategy Report as required by Section 603 of Public Law 99–433 should provide specific information as to the adequacy of the capabilities of the United States armed forces to support the implementation of the national security strategy as it relates to the People's Republic of China.

AMENDMENT NO. 2453

At the appropriate place, insert the following section:

SEC. . ENFORCEMENT OF IRAN-IRAQ ARMS NON-PROLIFERATION ACT WITH RESPECT TO THE PEOPLE'S REPUBLIC OF CHINA.

(a) STATEMENT OF POLICY.—It shall be the policy of the United States that—

(1) the delivery of 60 C–802 cruise missiles by the China National Precision Machinery Import Export Corporation to Iran poses a new, direct threat to deployed United States forces in the Middle East and materially contributed to the efforts of Iran to acquire destabilizing numbers and types of advanced conventional weapons; and

(2) the delivery is a violation of the Iran-Iraq Arms Non-Proliferation Act of 1992 (50 U.S.C. 1701 note).

(b) IMPLEMENTATION OF SANCTIONS.—

(1) REQUIREMENT.—The President shall impose on the People's Republic of China the mandatory sanctions set forth in paragraphs (3), (4), and (5) of section 1605(b) of the Iran-Iraq Arms Non-Proliferation Act of 1992.

(2) NONAVAILABILITY OF WAIVER.—For purposes of this section, the President shall not have the authority contained in section 1606 of the Iran-Iraq Arms Non-Proliferation Act of 1992 to waive the sanctions required under paragraph (1).

AMENDMENT NO. 2454

At the appropriate place, insert the following section:

SEC. . ANNUAL REPORTS ON INTELLIGENCE ACTIVITIES OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) REPORTS.—

(1) IN GENERAL.—Not later than March 31 each year, the Director of Central Intelligence and the Director of the Federal Bureau of Investigation, jointly and in consultation with the heads of other appropriate Federal agencies (including the Departments of Defense, Justice, Treasury, and State), shall submit to the Members of Congress referred to in paragraph (2) a report on the intelligence activities of the People's Republic of China directed against or affecting the interests of the United States.

(2) SUBMITTAL.—Each report under paragraph (1) shall be submitted to the following:

(A) The Majority leader and Minority leader of the Senate.

(B) The chairman and ranking member of the Select Committee on Intelligence of the Senate.

(C) The Speaker and Minority leader of the House of Representatives.

(D) The chairman and ranking member of the Permanent Select Committee on Intelligence of the House of Representatives.

(3) FORM.—Each report shall be submitted in unclassified form, but may include a classified annex.

(b) CONTENTS OF REPORTS.—Each report under subsection (a) shall include information concerning the following:

(1) Political and military espionage.

(2) Intelligence activities designed to gain political influence, including activities undertaken or coordinated by the United Front Work Department of the Chinese Communist Party.

(3) Efforts to gain direct or indirect influence through commercial or noncommercial intermediaries subject to control by the People's Republic of China, including enterprises controlled by the People's Liberation Army.

(4) Disinformation and press manipulation by the People's Republic of China with respect to the United States, including activities undertaken or coordinated by the United Front Department of the Chinese Communist Party.

AMENDMENT NO. 2455

At the appropriate place, insert the following section:

SEC. . SANCTIONS REGARDING CHINA NORTH INDUSTRIES GROUP, CHINA POLY GROUP, AND CERTAIN OTHER ENTITIES AFFILIATED WITH THE PEOPLE'S LIBERATION ARMY.

(a) FINDING; PURPOSE.—

(1) FUNDING.—Congress finds that, in May 1996, United States authorities caught representatives of the People's Liberation Army enterprise, China Poly Group, and the civilian defense industrial company, China North Industries Group, attempting to smuggle 2,000 AK–47s into Oakland, California, and offering to sell to Federal undercover agents 300,000 machine guns with silencers, 66-millimeter mortars, hand grenades, and 'Red Parakeet' surface-to-air missiles, which, as stated in the criminal complaint against one of those representatives, ''* * * could take out a 747'' aircraft.

(2) PURPOSE.—The purpose of this section is to impose targeted sanctions against entities affiliated with the People's Liberation Army that engage in the proliferation of weapons of mass destruction, the importation of illegal weapons or firearms into the United States, or espionage in the United States.

(b) SANCTIONS AGAINST CERTAIN PLA AFFILIATES.—

(1) SANCTIONS.—Except as provided in paragraph (2) and subject to paragraph (3), the President shall—

(A) prohibit the importation into the United States of all products that are produced, grown, or manufactured by a covered entity, the parent company of a covered entity, or any affiliate, subsidiary, or successor entity of a covered entity;

(B) direct the Secretary of State and the Attorney General to deny or impose restrictions on the entry into the United States of any foreign national serving as an officer, director, or employee of a covered entity or other entity described in subparagraph (A);

(C) prohibit the issuance to a covered entity or other entity described in subparagraph (A) of licenses in connection with the export of any item on the United States Munitions List;

(D) prohibit the export to a covered entity or other entity described in subparagraph (A) of any goods or technology on which export controls are in effect under section 5 or 6 of the Export Administration Act of 1979;

(E) direct the Export-Import Bank of the United States not to give approval to the issuance of any guarantee, insurance, extension of credit, or participation in the extension of credit with respect to a covered entity or other entity described in subparagraph (A);

(F) prohibit United States nationals from directly or indirectly issuing any guarantee for any loan or other investment to, issuing any extension of credit to, or making any investment in a covered entity or other entity described in subparagraph (A); and

(G) prohibit the departments and agencies of the United States and United States nationals from entering into any contract with a covered entity or other entity described in subparagraph (A) for the procurement or other provision of goods or services from such entity.

(2) EXCEPTIONS.—

(A) IN GENERAL.—The President shall not impose sanctions under this subsection—

(i) in the case of the procurement of defense articles or defense services—

(I) under contracts or subcontracts that are in effect on October 1, 1998 (including the exercise of options for production quantities to satisfy United States operational military requirements);

(II) if the President determines that the person or entity to whom the sanctions would otherwise be applied is a sole source supplier of essential defense articles or services and no alternative supplier can be identified; or

(III) if the President determines that such articles or services are essential to the national security; or

(ii) in the case of—

(I) products or services provided under contracts or binding agreements (as such terms are defined by the President in regulations) or joint ventures entered into before October 1, 1998;

(II) spare parts;

(III) component parts that are not finished products but are essential to United States products or production;

(IV) routine servicing and maintenance of products; or

(V) information and technology products and services.

(B) IMMIGRATION RESTRICTIONS.—The President shall not apply the restrictions described in paragraph (1)(B) to a person described in that paragraph if the President, after consultation with the Attorney General, determines that the presence of the person in the United States is necessary for a Federal or State judicial proceeding against a covered entity or other entity described in paragraph (1)(A).

(3) TERMINATION.—The sanctions under this subsection shall terminate as follows:

(A) In the case of an entity referred to in paragraph (1) or (2) of subsection (c), on the date that is one year after the date of enactment of this Act.

(B) In the case of an entity that becomes a covered entity under paragraph (3) or (4) of subsection (c) by reason of its identification in a report under subsection (d), on the date that is one year after the date on which the entity is identified in such report.

(c) COVERED ENTITIES.—For purposes of subsection (b), a covered entity is any of the following:

(1) China North Industries Group.

(2) China Poly Group, also known as Polytechnologies Incorporated or BAOLI.

(3) Any affiliate of the People's Liberation Army identified in a report of the Director of Central Intelligence under subsection (d)(1).

(4) Any affiliate of the People's Liberation Army identified in a report of the Director of the Federal Bureau of Investigation under subsection (d)(2).

(d) REPORTS ON ACTIVITIES OF PLA AFFILIATES.—

(1) TRANSFERS OF SENSITIVE ITEMS AND TECHNOLOGIES.—Not later than 30 days after the date of enactment of this Act and annually thereafter through 2002, the Director of Central Intelligence shall submit to the appropriate members of Congress a report that identifies each entity owned wholly or in part by the People's Liberation Army which, during the 2-year period ending on the date of the report, transferred to any other entity a controlled item for use in the following:

(A) Any item listed in category I or category II of the MTCR Annex.

(B) Activities to develop, produce, stockpile, or deliver chemical or biological weapons.

(C) Nuclear activities in countries that do not maintain full-scope International Atomic Energy Agency safeguards or equivalent full-scope safeguards.

(2) ILLEGAL ACTIVITIES IN THE UNITED STATES.—Not later than 30 days after the date of enactment of this Act and annually thereafter through 2002, the Director of the Federal Bureau of Investigation shall submit to the appropriate members of Congress a report that identifies each entity owned wholly or in part by the People's Liberation Army which, during the 2-year period ending on the date of the report, attempted to—

(A) illegally import weapons or firearms into the United States; or

(B) engage in military intelligence collection or espionage in the United States under the cover of commercial business activity.

(3) FORM.—Each report under this subsection shall be submitted in classified form.

(e) DEFINITIONS.—In this section:

(1) AFFILIATE.—The term ''affiliate'' does not include any United States national engaged in a business arrangement with a covered entity or other entity described in subsection (b)(1)(A).

(2) APPROPRIATE MEMBERS OF CONGRESS.—The term ''appropriate members of congress'' means the following:

(A) The Majority leader and Minority leader of the Senate.

(B) The chairmen and ranking members of the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

(C) The Speaker and Minority leader of the House of Representatives.

(D) The chairmen and ranking members of the Committee on International Relations and the Committee on National Security of the House of Representatives.

(3) COMPONENT PART.—The term ''component part'' means any article that is not usable for its intended function without being embedded or integrated into any other product and, if used in the production of a finished product, would be substantially transformed in that process.

(4) CONTROLLED ITEM.—The team ''controlled item'' means the following:

(A) Any item listed in the MTCR Annex.

(B) Any item listed for control by the Australia Group.

(C) Any item relevant to the nuclear fuel cycle of nuclear explosive applications that are listed for control by the Nuclear Suppliers Group.

(5) FINISHED PRODUCT.—The term ''finished product'' means any article that is usable for its intended function without being embedded in or integrated into any other product, but does not include an article produced by a person or entity other than a covered entity or other entity described in subsection (b)(1)(A) that contains parts or components of such an entity if the parts or components have been substantially transformed during production of the finished product.

(6) INVESTMENT.—The term ''investment'' includes any contribution or commitment of funds, commodities, services, patents, processes, or techniques, in the form of—

(A) a loan or loans;

(B) the purchase of a share of ownership;

(C) participation in royalties, earnings, or profits; and

(D) the furnishing of commodities or services pursuant to a lease or other contract, but does not include routine maintenance of property.

(7) MTCR ANNEX.—The term ''MTCR Annex'' has the meaning given that term in section 74(4) of the Arms Export Control Act (22 U.S.C. 2797c(4)).

(8) UNITED STATES NATIONAL.—

(A) IN GENERAL.—The term ''United States national'' means—

(i) any United States citizen; and

(ii) any corporation, partnership, or other organization created under the laws of the United States, any State, the District of Columbia, or any territory or possession of the United States.

(B) EXCEPTION.—The term ''United States national'' does not include a subsidiary or affiliate of corporation, partnership, or organization that is a United States national if the subsidiary or affiliate is located outside the United States.

AMENDMENT NO. 2456

Add at the end the following new titles:

TITLE ____—**MONITORING OF HUMAN RIGHTS ABUSES IN CHINA**

SEC. ____. SHORT TITLE.

This title may be cited as the ''Political Freedom in China Act of 1998''.

SEC. ____. FINDINGS.

Congress makes the following findings:

(1) Congress concurs in the following conclusions of the United States State Department on human rights in the People's Republic of China in 1996:

(A) The People's Republic of China is ''an authoritarian state'' in which ''citizens lack the freedom to peacefully express opposition to the party-led political system and the right to change their national leaders or form of government''.

(B) The Government of the People's Republic of China has ''continued to commit widespread and well-documented human rights abuses, in violation of internationally accepted norms, stemming from the authorities' intolerance of dissent, fear of unrest, and the absence or inadequacy of laws protecting basic freedoms''.

(C) ''[a]buses include torture and mistreatment of prisoners, forced confessions, and arbitrary and incommunicado detention''.

(D) ''[p]rison conditions remained harsh [and] [t]he Government continued severe restrictions on freedom of speech, the press, assembly, association, religion, privacy, and worker rights''.

(E) ''[a]lthough the Government denies that it holds political prisoners, the number of persons detained or serving sentences for 'counterrevolutionary crimes' or 'crimes against the state', or for peaceful political or religious activities are believed to number in the thousands''.

(F) ''[n]onapproved religious groups, including Protestant and Catholic groups * * * experienced intensified repression''.

(G) ''[s]erious human rights abuses persist in minority areas, including Tibet, Xinjiang, and Inner Mongolia[, and] [c]ontrols on religion and on other fundamental freedoms in these areas have also intensified''.

(H) ''[o]verall in 1996, the authorities stepped up efforts to cut off expressions of protest or criticism. All public dissent against the party and government was effectively silenced by intimidation, exile, the imposition of prison terms, administrative detention, or house arrest. No dissidents were known to be active at year's end.''.

(2) In addition to the State Department, credible independent human rights organizations have documented an increase in repression in China during 1995, and effective destruction of the dissident movement through the arrest and sentencing of the few remaining pro-democracy and human rights activists not already in prison or exile.

(3) Among those were Li Hai, sentenced to 9 years in prison on December 18, 1996, for gathering information on the victims of the 1989 crackdown, which according to the court's verdict constituted ''state secrets''; Liu Nianchun, an independent labor organizer, sentenced to 3 years of ''re-education through labor'' on July 4, 1996, due to his activities in connection with a petition campaign calling for human rights reforms; and Ngodrup Phuntsog, a Tibetan national, who was arrested in Tibet in 1987 immediately after he returned from a 2-year trip to India, where the Tibetan government in exile is located, and following a secret trial was convicted by the Government of the People's Republic of China of espionage on behalf of the ''Ministry of Security of the Dalai clique''.

(4) Many political prisoners are suffering from poor conditions and ill-treatment leading to serious medical and health problems, including—

(A) Gao Yu, a journalist sentenced to 6 years in prison in November 1994 and honored by UNESCO in May 1997, has a heart condition; and

(B) Chen Longde, a leading human rights advocate now serving a 3-year reeducation through labor sentence imposed without trial in August 1995, has reportedly been subject to repeated beatings and electric shocks at a labor camp for refusing to confess his guilt.

(5) The People's Republic of China, as a member of the United Nations, is expected to abide by the provisions of the Universal Declaration of Human Rights.

(6) The People's Republic of China is a party to numerous international human rights conventions, including the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

SEC. ___. CONDUCT OF FOREIGN RELATIONS.

(a) RELEASE OF PRISONERS.—The Secretary of State, in all official meetings with the Government of the People's Republic of China, should request the immediate and unconditional release of Ngodrup Phuntsog and other prisoners of conscience in Tibet, as well as in the People's Republic of China.

(b) ACCESS TO PRISONS.—The Secretary of State should seek access for international humanitarian organizations to Drapchi prison and other prisons in Tibet, as well as in the People's Republic of China, to ensure that prisoners are not being mistreated and are receiving necessary medical treatment.

(c) DIALOGUE ON FUTURE OF TIBET.—The Secretary of State, in all official meetings with the Government of the People's Republic of China, should call on that country to begin serious discussions with the Dalai Lama or his representatives, without preconditions, on the future of Tibet.

SEC. ___. AUTHORIZATION OF APPROPRIATIONS FOR ADDITIONAL PERSONNEL AT DIPLOMATIC POSTS TO MONITOR HUMAN RIGHTS IN THE PEOPLE'S REPUBLIC OF CHINA.

There are authorized to be appropriated to support personnel to monitor political repression in the People's Republic of China in the United States Embassies in Beijing and Kathmandu, as well as the American consulates in Guangzhou, Shanghai, Shenyang, Chengdu, and Hong Kong, $2,200,000 for fiscal year 1999 and $2,200,000 for fiscal year 2000.

SEC. ___. DEMOCRACY BUILDING IN CHINA.

(a) AUTHORIZATION OF APPROPRIATIONS FOR NED.—In addition to such sums as are otherwise authorized to be appropriated for the ''National Endowment for Democracy'' for fiscal years 1999 and 2000, there are authorized to be appropriated for the ''National Endowment for Democracy'' $4,000,000 for fiscal year 1999 and $4,000,000 for fiscal year 2000, which shall be available to promote democracy, civil society, and the development of the rule of law in China.

(b) EAST ASIA-PACIFIC REGIONAL DEMOCRACY FUND.—The Secretary of State shall use funds available in the East Asia-Pacific Regional Democracy Fund to provide grants to nongovernmental organizations to promote democracy, civil society, and the development of the rule of law in China.

SEC. ___. HUMAN RIGHTS IN CHINA.

(a) REPORTS.—Not later than March 30, 1999, and each subsequent year thereafter, the Secretary of State shall submit to the International Relations Committee of the House of Representatives and the Foreign Relations Committee of the Senate an annual report on human rights in China, including religious persecution, the development of democratic institutions, and the rule of law. Reports shall provide information on each region of China.

(b) PRISONER INFORMATION REGISTRY.—The Secretary of State shall establish a Prisoner Information Registry for China which shall provide information on all political prisoners, prisoners of conscience, and prisoners of faith in China. Such information shall include the charges, judicial processes, administrative actions, use of forced labor, incidences of torture, length of imprisonment, physical and health conditions, and other matters related to the incarceration of such prisoners in China. The Secretary of State is authorized to make funds available to nongovernmental organizations presently engaged in monitoring activities regarding Chinese political prisoners to assist in the creation and maintenance of the registry.

SEC. ___. SENSE OF CONGRESS CONCERNING ESTABLISHMENT OF A COMMISSION ON SECURITY AND COOPERATION IN ASIA.

It is the sense of Congress that Congress, the President, and the Secretary of State should work with the governments of other countries to establish a Commission on Security and Cooperation in Asia which would be modeled after the Commission on Security and Cooperation in Europe.

SEC. ___. SENSE OF CONGRESS REGARDING DEMOCRACY IN HONG KONG.

It is the sense of Congress that the people of Hong Kong should continue to have the right and ability to freely elect their legislative representatives, and that the procedure for the conduct of the elections of the legislature of the Hong Kong Special Administrative Region should be determined by the people of Hong Kong through an election law convention, a referendum, or both.

SEC. ___. SENSE OF CONGRESS RELATING TO ORGAN HARVESTING AND TRANSPLANTING IN THE PEOPLE'S REPUBLIC OF CHINA.

It is the sense of Congress that—

(1) the Government of the People's Republic of China should stop the practice of harvesting and transplanting organs for profit from prisoners that it executes;

(2) the Government of the People's Republic of China should be strongly condemned for such organ harvesting and transplanting practice;

(3) the President should bar from entry into the United States any and all officials of the Government of the People's Republic of China known to be directly involved in such organ harvesting and transplanting practice;

(4) individuals determined to be participating in or otherwise facilitating the sale of such organs in the United States should be prosecuted to the fullest possible extent of the law; and

(5) the appropriate officials in the United States should interview individuals, including doctors, who may have knowledge of such organ harvesting and transplanting practice.

NATIONAL TOBACCO POLICY AND YOUTH SMOKING REDUCTION ACT

CHAFEE AMENDMENT NO. 2457

Mr. CHAFEE submitted an amendment intended to be proposed by him to the bill, S. 1415, supra; as follows:

At the appropriate place in title V, insert the following:

SEC. _____. EDUCATION AND OUTREACH.

(a) NATIONAL EDUCATION AND OUTREACH CAMPAIGN.—The Administrator shall use amounts made available under subsection (c)(1) in each fiscal year to establish a national education and outreach campaign relating to the effect on individuals of exposure to tobacco smoke and ways to minimize such exposure. In establishing such campaign, the Administrator shall—

(1) focus on children's exposure to environmental tobacco smoke in the home; and

(2) coordinate activities with the Secretary of Health and Human Services and other Federal agencies as determined appropriate by the Administrator.

(b) PEER REVIEW.—The Administrator shall use amounts made available under subsection (c)(2) in each fiscal year to carry out research, and provide for peer review studies of research, related to the exposure of individuals to environmental tobacco smoke.

(c) FUNDING.—There shall be made available from the Public Health Allocation Account established under section 451(b) to the Administrator—

(1) $50,000,000 for each of the fiscal years 1999 through 2003 to carry out subsection (a); and

(2) $5,000,000 for each of the fiscal years 1999 through 2003 to carry out subsection (b).

NOTICE OF HEARING

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION AND RECREATION

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation, and Recreation.

The hearing will take place on June 18, 1998 at 2:00 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on S. 469, a bill to designate a portion of the Sudbury,

Assabet, and Concord Rivers as a component of the National Wild And Scenic Rivers System; S. 1016, a bill to authorize appropriations for the Coastal Heritage Trail Route in New Jersey, and for other purposes; S. 1665, a bill to reauthorize the Delaware and Lehigh Navigation Canal National Heritage Corridor Act, and for other purposes; S. 2039, a bill to amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail; and, H.R. 2186, a bill to authorize the Secretary of the Interior to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on National Parks, Historic Preservation and Recreation, Committee on Energy and Natural Resources, United States Senate, 364 Dirksen Senate Office Building, Washington, DC 20510–6150.

For further information, please contact Darlene Koontz of the Subcommittee staff at (202) 224–7555 or Shawn Taylor at (202) 224–6969.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 10 a.m. on Thursday, June 4, 1998, in open/closed session, to receive testimony on the future threats to the Department of Defense information systems, including the year 2000 problems and the sale of the frequency spectrum.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 2 p.m. on Thursday, June 4, 1998, in open session, to receive testimony on U.S. forces participating in NATO operations in Bosnia and progress in achieving benchmarks in the civil implementation of the Dayton Agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, June 4, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this oversight hearing is to receive GAO's preliminary comments on its review of the Administration's Climate Change Proposal and to hear the Administration's response to GAO's comments.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate for a hearing entitled ''Oversight of the Small Business Innovation Research (SBIR) Program.'' The hearing will begin at 10 a.m. on Thursday, June 4, 1998, in room 428A Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. GRAMM. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, June 4, 1998 at 10 a.m. to hold a closed hearing on Intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AVIATION

Mr. GRAMM. Mr. President, I ask unanimous consent that the Aviation Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, June 4, 1998, at 2:15 p.m. on Airline Alliances.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COMMUNICATIONS

Mr. GRAMM. Mr. President, I ask unanimous consent that the Communications Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, June 4, 1998, at 9:30 a.m. on Oversight of the Cable Services Bureau.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. GRAMM. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Land Management of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, June 4, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2 p.m. The purpose of this hearing is to receive testimony on S.1253, the Public Land Management Act of 1997.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HOUSING OPPORTUNITY AND COMMUNITY DEVELOPMENT

Mr. GRAMM. Mr. President, I ask unanimous consent that the Subcommittee on Housing Opportunity and Community Development of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the sessions of the Senate on Thursday, June 4, 1998, to conduct an oversight hearing on the Programs and Operations of the Federal Housing Administration (FHA).

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, RESTRUCTURING, AND THE DISTRICT OF COLUMBIA

Mr. GRAMM. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Subcommittee on Oversight of Government Management, Restructuring, and the District of Columbia to meet on Thursday, June 4, 1998, at 10 a.m. for a hearing on ''Competition for Commercial Activities in the Federal Government''.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

IMPORTANCE OF SENATE ACTION ON THE COMPREHENSIVE TEST BAN TREATY

● Mr. JOHNSON. Mr. President, like many of my colleagues I am deeply concerned about the recent nuclear tests conducted by India and Pakistan. The leaders of these two nations acted with disregard and both countries must be shown that such actions are unacceptable. No nation should think that it can conduct secret nuclear tests and not be held accountable. The United States and the international community will continue to impose sanctions on both countries, causing further economic hardship for these impoverished populations. However, I believe we can do much more to prevent further testing.

India and Pakistan are two of the three nations who were suspected of having nuclear capability which had not joined the Comprehensive Test Ban Treaty (CTBT). Now, both countries should be pressured to sign the treaty immediately. In Tuesday's New York Times, Stanford Professor Sidney Drell stated a compelling argument for United States ratification of the CTBT, and I ask that the attached article be printed in the RECORD at the conclusion of my remarks. I agree with Drell's sentiment that, rather than pointing to India's and Pakistan's tests as reason for inaction, the Senate should immediately take up and approve the treaty. I feel strongly that Senate ratification would make our efforts to dissuade India and Pakistan from an arms race much more credible, and would send a message to any other nations considering tests of their own. Of course, the US and the international community should concentrate on facilitating the dialog necessary between Indian and Pakistan to diffuse the points of contention currently driving this arms race, and ratification of the CTBT will help to shift that focus.

Additionally, the best way for India and Pakistan to address the sanctions resulting from their irresponsible nuclear tests is to sign the CTBT, without conditions. Instead of spending scarce resources on a nuclear arms race, we must convince the leadership

of both countries to rebuild their economies and improve the standard of living for the people, something that obviously has not been the case for either India or Pakistan. Urging them to sign the treaty would be one step in the right direction. Treaty ratification is also a necessary step for restricting the flow of nuclear technology, from these emerging nuclear powers and nations worldwide.

I urge Senator LOTT to take up consideration of the Comprehensive Test Ban Treaty, and I urge all of my Senate colleagues to vote for a ban on nuclear testing by the United States. The United States must lead by example. We did not do enough to prevent the nuclear tests by India or Pakistan, and now we must do more to ensure that further testing is halted in South Asia and throughout the world. President Clinton is scheduled to travel to China and South Asia later this year. I believe such a diplomatic mission is extremely timely and must include visits to China, India and Pakistan for the distinct purpose of discussing global security in light of the round of nuclear capacity testing in the region. I encourage my Senate colleagues to support the President in this endeavor.

The article follows:

[From the New York Times, June 2, 1998]

REASONS TO RATIFY, NOT TO STALL

(By Sidney D. Drell)

STANFORD, Calif.—The nuclear tests by India and Pakistan have led some in the United States Senate to seek further delay on the Comprehensive Test Ban Treaty, which has already been awaiting ratification for more than a year and a half. Senator Trent Lott of Mississippi, the majority leader, said on Friday that ''the nuclear spiral in Asia demonstrates that irrelevance of U.S. action'' on the treaty, calling the pact ''unverifiable and ineffectual.''

To the contrary, the treaty's international monitoring system, when used in combination with our own intelligence resources, provides the means to verify the test ban effectively. Moreover, a quick vote in the Senate approving the treaty is an essential response to the South Asian nuclear gambit.

While it is true that American intelligence failed to provide imminent warning of India's first three nuclear tests on May 11, we were well aware that the technical preparations had been made for testing. Furthermore, the global network of seismic sensors that will form the core of the treaty's verification system did detect, locate and identify the main nuclear blast that day.

It is evident that the system also proved effective in detecting Pakistan's tests, both on Thursday and on Saturday. And the treaty calls for the monitoring system to be beefed up. Also, the treaty would allow us to request a short-notice, on-site suggesting that a nuclear weapons test might have occurred.

India has claimed that its last two announced tests, on May 13, had very low yields, in the subkiloton range. Whether or not we succeed in corroborating possible tests of such relatively small magnitude, we need to remember that very low yield tests are of questionable value in designing new nuclear weapons or confirming that a new design will work as intended. Any failure by the monitors to detect such tests is not the proper benchmark for determining the system's—or the treaty's—effectiveness.

I know from my own work for the Director of Central Intelligence, George Tenet, that the existing monitoring system did the job last summer, detecting a ''seismic event'' off Novaya Zemlya in Russia and eventually helping to determine that it was not from a nuclear test. Our intelligence services are rightly assigned the task of monitoring for nuclear explosions, with or without the treaty. But with the treaty, additional sensors would be deployed in a global network that would complement our own intelligence. Some of these additional sensors would be ''aimed'' at the subcontinent. And with the treaty, we could request onsite inspection of suspicious activities.

The test ban treaty—which has already been signed by 149 nations and ratified by our nuclear allies, Britain and France—provides the legal framework for a long-term solution to the problem of nuclear testing in India and Pakistan. The best way for these two nations to begin addressing the international condemnation and sanctions that have resulted from their tests is for them to sign the treaty, without condition. Senate ratification would strengthen our hand in pushing India and Pakistan toward a responsible course, and it would help dissuade other states from going down the dangerous road of developing nuclear weapons.

Senator Lott also expressed concern that the treaty ''will not enter into force unless 44 countries, including India and Pakistan, ratify it.'' Precisely for this reason, Article 14 of the treaty calls for a review conference in September 1999 to look for ways to put the treaty into effect if it has not been approved by all 44 nuclear-capable nations (i.e., those with nuclear weapons or with nuclear reactors for research or power).

Only those nations that have ratified will have a seat at that conference. Thus the United States must ratify the treaty this year if we are to be a leader, as we must be, in an effort to put the treaty into force.

Previous Senates have shown that they can act quickly and courageously on such matters. When President John F. Kennedy submitted the Limited Test Ban Treaty to the Senate in 1963, the Foreign Relations Committee held its first hearing four days later, and the treaty was approved by the full Senate in less than two months.

Yet in the wake of the Indian and Pakistani tests, it would appear that the Senate will not act even to bring the treaty to a vote. Inaction will not help to deter further nuclear tests or reduce nuclear dangers. Rather than pointing to India's and Pakistan's tests as an excuse for inaction, the Senate should be approving the treaty without delay.

Four decades ago President Dwight D. Eisenhower said that not achieving a nuclear test ban ''would have to be classed as the greatest disappointment of any administration—of any decade—of any time and of any party.'' It would be tragic if once more we fail to seize this opportunity.●

CONFLICT IN THE REPUBLIC OF GEORGIA

● Mr. BROWNBACK. Mr. President, the newspapers are full of Kosovo and Serbia, of India and Pakistan and of course, Indonesia. These threatening events have captured most of the headlines and have attracted the attention of the Administration in greater or lesser degrees. These are not trivial issues, and we cannot afford to ignore their importance for challenging US interests.

But another conflict rages that, while small, challenges US interests in ways that few other conflicts can: I am speaking of the conflict in the Republic of Georgia in the distant but strategically critical region of Abkazia.

And yet the stability in independent Georgia is one of the principal US interests in the former USSR and should be one of our overriding strategic goals. This is not just sentiment for one of the earliest Christian civilizations in a part of the world where Christian civilizations do not thrive: rather it is a clear statement of our own strategic interest and objectives.

Georgia is a NATO borderland and an entry point to the emerging new Silk Road. It is a key ally of our partner Turkey and is important in many ways: strategically, militarily, commercially. If Georgia were to become unstable, the entire region would be put in jeopardy.

Against overwhelming odds, Georgia has achieved strong positive economic growth in the last few years. It is one of the most stable of the post-Soviet states, with world-class leadership in President Eduard Shevardnadze. It is America's natural ally in a neighborhood that features Iran and Iraq.

Georgia is central to the successful development of what the new Silk Road from Central Europe to China. This ambitious project will eventually encompass pipelines, roads and railroads, airports and communications networks that stretch from Central Europe to China. This corridor will completely alter the economics and the politics of Eurasia in ways that we cannot now foresee, but which are certain to intersect US strategic interests in Eurasia in many places. The states of the Caucasus—Georgia, Azerbaijan and Armenia—lie at the very center of this new Silk Road. For the corridor to function, stability in these states is essential.

Not surprisingly, some people wish ardently to jeopardize America's interests in this region by threatening Georgia's stability, and they have fastened on a perverse way of doing so. the small, break-away region of Abkazia has been Russia's best available instrument to diminish Georgia's accomplishments and to imperil its remarkable gains. Russia is the only power to benefit from such activity. Let us not be timid in naming the problem: Russia is the problem, the aggressor and the single-most threat to stability in Georgia and the entire Caucasus.

Since the early 1990s, Russia, acting through Abkazia, has attempted to bring down Georgia. This is no secret. Virtually every expert to travel to the region reports the same thing: Russia is responsible for arming, training and sustaining Abkazia's so-called freedom fighters. Russia's support for the pro-Russian Abkazian leadership is barely disguised: Russia has funneled arms and support for more than six years into the Abkaz region of Georgia for one specific task: to destabilize the government of Eduard Shevardnadze so that Georgia will be unable to realize

its goals of being independent, of joining the community of free democratic nations, and of providing better lives—free lives—for the people of Georgia.

It is high time the Administration took a strong position on the subject of the Caucasus and of Georgia in particular. So far, it has not only failed to reign in Russian efforts against Georgia, but by this very failure, it has insured that the Russian-promoted destabilization efforts will continue.

Administartion apathy on this subject is best illustrated by the astonishing lack of urgency that the State Department ascribes to placing qualified and dynamic ambassadors in these countries. Georgia has been without a U.S. ambassador for well over six months. No candidate has yet been identified, let alone brought to the Senate for confirmation, despite persistent and forceful requests by President Shevardnadze and other key leaders in Georgia for such an appointment.

The Administration has also been supporting the Russian ''mediation'' of the Abkaz conflict: this policy must be reversed. Russian ''mediation'' consists of injecting Russian peacekeepers into the region to separate the Georgian and Abkaz combatants. Their behavior in the recent fighting in Abkazia shows their true intentions: the best case scenario shows that the Russian peacekeeping forces did nothing to interdict the flow of separatist personnel and heavy weaponry into the region where the fighting was taking place. The worst case scenario has them actually providing weapons to the Abkaz combatants. This is unacceptable.

Allowing continued Russian control over this situation is tantamount to inserting the fox's first cousin as a mediator between the foxes and the hens. The current situation insures that Georgia can only lose. It is time for the Administration to demand the removal of the bogus Russian peacekeepers, and to insist on their replacement by an independent force of peacekeepers. To do less is to acknowledge implicitly that Georgia remains within Russia's sphere of control.

This matter also raises the issue of the continued presence of Russian military bases in Georgia. They are there despite the overwhelming opposition of Georgian citizens. These bases were established at a time when Georgia was in no position to repulse Russian advances. Russia has no legitimate national security claim on Georgia. Russia is no less safe—indeed it is safer—with a Georgia that is free, independent, democratic and with free markets close to its southern border. These bases—from which the perpetrators of the assassination attempts on President Shevardnadze are reported to have fled—must be closed. The United States must not accept the notion that Georgian independence can only be secured by Russian power. Nothing could be more alien to the truth and to our national values.

Mr. President, it is time for the Administration to state unequivocally that the stability and survival of an independent Georgia is a fundamental U.S. interest. That Russia's collusion with the Abkaz is nothing less than Moscow's effort to maintain control over sovereign Georgia and will not be tolerated; and that it is time to put an end to Russian Trojan horses in Georgia—the phony Russian ''peacekeepers'' and the military bases that provide Russia with the means to threaten Georgia's future and to put U.S. interests at risk.●

TRIBUTE TO LAHAINALUNA HIGH SCHOOL OF MAUI, HAWAII

● Mr. AKAKA. Mr. President, I rise today to congratulate the students from Lahainaluna High School from Lahaina, Maui, who recently came to Washington, D.C., to participate in the national competition of We the People . . . The Citizens and the Constitution.

As you may know, We the People . . . The Citizen and the Constitution is a civic education program which seeks to develop young students into enlightened and capable citizens who understand and promote responsible participation in our democratic process. Students learn the history and principles behind our constitutional democracy through the use of the Declaration of Independence, the U.S. Constitution, and the Bill of Rights.

These young students competed against 49 other classes from across the Nation, demonstrating a youthful and enthusiastic interest in the fundamental ideas that are imperative for gaining a better understanding of our government. We the People is not only a competitive event, but it is also the most extensive civics program to reach more than 26 million students from elementary, middle, and high schools across the country.

I would like to recognize these fine students for their accomplishments: Iao Eisenberg, Tiffany Fujiwara, Jasmine Hentz, Erin Lockhard, William Myers, Leah Nakamura, Ryan Ott, Michael Prieto, Julie Reed, Sal Saribay, Justin Serrano, Jeffrey Shelton, Yee Ning Tay, and Kerri Tsubaki. I would also like to acknowledge the contributions of their teacher, Mrs. Ruth E. Hill, and the District and State Coordinators, Ms. Jane Kinoshita and Ms. Sharon Kaohi, respectively. Without their dedication and leadership, our students would be unable to participate in this important program.

Mr. President, I commend all the students and teachers who participated in this program, and particularly the students of Lahainaluna High School who represented Hawaii in the national competition. It is always heartwarming to see students actively engaged in the learning process. I wish the students and teacher of Lahainaluna High School the best as they continue to pursue their future endeavors.●

TRIBUTE TO THE MARSH BILLINGS NATIONAL HISTORIC PARK

● Mr. JEFFORDS. Mr. President, June 5, 1998, is a great day for Vermont and for the Nation as we open Vermont's first, and the Nation's newest, National Historic Park. On behalf of all Vermonters I want to welcome the National Park Service and express my deepest gratitude to Laurence and Mary Rockefeller for making this possible.

Vermonters have always drawn a special strength from the land. And as Vermonters, we have a responsibility to the land. I was proud to introduce for myself, Senator LEAHY and all Vermonters, the legislation that created this National Historic Park in 1991. A perfect ''Vermont scale'' National Park, its size fits our State's landscape, incorporating many of the most significant attributes about Vermont: our stewardship of the working agricultural and forest landscapes, our dedication to conservation, and our commitment and respect for our towns and communities.

Mr. President, the beauty and significance of this site will now forever receive the same recognition as our other great National Parks, such as Yellowstone, Grand Teton, and Gettysburg.

George Perkins Marsh, Frederick Billings, and Laurence Rockefeller's devotion and commitment to the issues of conservation, forest management, and agriculture have helped develop this nation's attitudes for how we treat and respect our lands. Private land owners throughout the country have followed the example of these distinguished leaders. Today, those who work and own the land, and hold true to the ideals of Marsh and Billings, are this Nation's most important stewards. The preservation and conservation of the Nation's working landscape, and historic and natural resources are increasingly important and yet are becoming more difficult to maintain. The Marsh Billings National Park will forever serve Vermont and the Nation as a model for conservation.

I salute Mary and Laurence Rockefeller for their vision in providing this park to the people of Vermont and the United States. The Rockefeller family has given future generations of Vermonters, indeed all Americans, access to a truly historic and beautiful site. This is only the most recent accomplishment in Mr. Rockefeller's more than 50 years of conservation leadership. Laurence Rockefeller was the first person ever awarded a Congressional Gold Medal for conservation work, and that award was richly deserved. I am proud to have been an original cosponsor of the legislation that granted him the award.

Mr. President, the people of Woodstock and the entire State of Vermont have lived a long time in harmony with the landscape. Our first national park not only recognizes the two founders of the American conservation movement,

it is a tribute to all Vermonters and to the Vermont way of life.●

IN MEMORY OF MABEL VIRGINIA JEWS

● Ms. MIKULSKI. Mr. President, I rise today to celebrate the life of Mabel Virginia Jews, a dedicated mother and a great educator who passed away on May 23, 1998. As we work to strengthen our Nation's families, I hope we can all find inspiration in the life of this remarkable woman.

In 1934, Mrs. Jews graduated from then Morgan State College and followed her undergraduate studies with a Masters degree from the former Salisbury State College in the 1960's. She lived most of her life on Maryland's Eastern Shore where she dedicated herself to education, both in her classrooms and in the life of her son, William Jews, Jr. As a teacher, Mrs. Jews taught English and home economics in junior high and high school where her patience and kindness taught students to feel comfortable about learning. In addition to her service as a schoolteacher, Mrs. Jews also worked as hospital administrator, Pentagon employee and property manager.

Mabel Jews believed in getting behind our kids, making her son and his education her top priority. Mrs. Jews focused her life's work on helping young Bill build an educational record that would give him the opportunity to attend any school in the country. I'm pleased to say he chose Maryland's Johns Hopkins University. As many of my colleagues know, Bill Jews is now the president of CareFirst Inc. and chief executive officer of Blue Cross and Blue Shield of Maryland. We can imagine how proud Mrs. Jews was of her son's success. She was a model mother who espoused the values we work to promote in our country's families.

Mr. President, I am honored today to pay special tribute to such an inspirational and important Marylander. Throughout her lifetime, Mabel Jews made vital contributions to the successful life of her son Bill, as well as to the lives and lessons of those who surrounded her. The great state of Maryland is fortunate to have been home to such a great woman.●

NATIONAL SMALL BUSINESS WEEK

● Mr. ABRAHAM. Mr. President, I rise today to mark National Small Business Week. This is the week when we honor, as we have for the past 35 years, the American entrepreneurs who have done so much to make ours a prosperous, thriving nation. America's 23 million small businesses employ more than half our country's private work force, create two of every three new jobs, and generate a majority of American innovations.

Mr. President, it would be impossible to exaggerate the contribution of small business to America's economy. Small business is our engine of economic growth. Small business-dominated industries produced an estimated 64 percent of the 2.5 million new jobs created during 1996. Small businesses also account for 28 percent of jobs in high technology sectors—the sectors of our economy pushing us into the future and keeping us competitive in world markets.

Small businesses also serve as the training ground for America's workforce, providing 67 percent of workers with their first jobs and initial on the job training in basic skills.

Small business is especially important in my own state of Michigan, where almost half a million small businesses and sole proprietors created every net new job in our economy from 1992 to 1996.

How did Michigan's small businesses accomplish this? Ask Pamela Aguirre of Mexican Industries in Michigan and Cheryl Hughes of C&D Hughes. Both these women are being honored by the Small Business Administration for their efforts in expanding their small businesses against great odds through hard work, perseverance and devotion to quality.

Ms. Aguirre has taken the eight employee leather and soft trim automotive products manufacturer she inherited from her father and turned it into a 1,500 employee eight plant corporation with 1996 sales of $158 million. Her company had plants in Detroit empowerment zones before they were empowerment zones. Hundreds of local residents have found training, skills and careers thanks to her.

Cheryl Hughes started running her highway construction company in 1980 out of her home. Now, after weathering reductions in federal highway funding, C&D Hughes employs 60 people, has achieved annual sales of over $7 million, and is recognized as one of the fastest growing privately held companies in Michigan.

Entrepreneurs like Pamela Aguirre and Cheryl Hughes deserve our respect, Mr. President. Their efforts make their communities and our nation better and more prosperous. By providing jobs they help people learn skills and build lives for themselves and for their families.

But they also need our help. If small business owners like Pamela Aguirre and Cheryl Hughes are to continue to grow and to provide good jobs to millions of Americans, they must be freed from excessive federal regulations and mandates, and from frivolous lawsuits that drive up the cost of insurance and can drive a small business owner into bankruptcy.

For example, Mr. President, current regulatory costs are staggering—$647 billion in 1994 according to the General Accounting Office. Our small businesses cannot afford to bear this kind of burden. What is more, many small companies refuse to grow because doing so would subject them to a number of costly, unnecessary regulations.

The answer, in my view, is real-world cost benefit analysis. No one wants to put our families and children at risk from unsafe products or procedures. But the federal government must implement strict policies seeing to it that scientific data is used to determine whether any proposed regulation will cause more harm than good—to people, to the economy and to small business.

In addition, Mr. President, Washington too often imposes unfunded mandates on America's job creators. The benefits of government programs are there for all to see. But the costs imposed by these programs on workers, consumers, and small businesses are not so clear. Reduced wages, increased prices and stagnant growth all can result from unfunded federal mandates. That is why I believe it is crucial that we institute mandate reform legislation that would direct the Congressional Budget Office to study the effects of proposed private sector mandates on workers, consumers and economic growth, and provide a point of order allowing members to call Congress' attention to these costs.

Finally, Mr. President, entrepreneurs increasingly are being forced out of business, or deciding not to go into business for themselves, out of fear of lawsuits. One recent Gallup poll reported that fear of litigation has caused 20 percent of small businesses not to hire more employees, expand their business, or introduce new products. And that figure does not include those who have decided not to go into business at all.

The culprit is the frivolous lawsuit. The stories are well-known: A Northridge, California woman claims damages from a store after she pulled out the bottom box in a blender display stack and brought it down on her. A former smoker in Seattle sues a supermarket and Washington dairy farmers for failing to warn him that a lifetime of drinking whole milk might clog his arteries and cause him to have a heart attack. A teenager in Nashau, New Hampshire sues the manufacturer of a basketball net after he attempts a slam dunk and looses two teeth when they get caught in the net.

We must put a stop to this lawsuit abuse before it stifles our economic growth, innovation and entrepreneurial spirit. Ideally, we would pass legislation discouraging all frivolous lawsuits. Unfortunately, while we have tried several times to enact broad-based legal reform, the President has successfully opposed it. That is why I have sponsored the ''small business lawsuit abuse protection act.'' For small businesses, this legislation will limit the punitive damages that can be awarded against the company. Punitive damages would be available only if the injured party proves convincingly that the harm was caused by the small business through at least a conscious, flagrant indifference to the rights and safety of others. And punitive damages would be limited to the lesser of

$250,000 or two times the compensatory damages awarded for the harm.

The bill also would limit joint and several liability for small businesses. This doctrine, according to which a company that caused, say, two percent of the harm could be held liable for the full amount of damages, has forced many companies related to an accident tangentially if at all (including, for example, Mr. Van de Putte) to pay the entire amount of the settlement because others are bankrupt or otherwise not subject to being sued. Under this legislation a small business would be liable for pain and suffering and any other noneconomic damages only in proportion to its responsibility for causing the harm. They would still be fully, jointly and severally liable for economic damages.

For the sake of our small businesses, and for the sake of the millions of Americans who rely on those small businesses for goods, services, training and jobs, we must address the costs Washington and our broken civil justice system impose on entrepreneurial activity and business growth. It is my hope that National Small Business Week will provide all of us with the opportunity to reflect on the tremendous debt we owe the entrepreneurs of our country and that we will do our best to encourage them to continue making life better for all Americans.●

CELEBRATION OF JUNE DAIRY MONTH

● Mr. FEINGOLD. Mr. President, I rise today to celebrate National Dairy Month and the great history of the dairy industry in our nation. As many of you know, even before the inception of National Dairy Month, in 1937, Wisconsin was historically the national leader in milk and cheese production. Even today, Wisconsin leads the nation in cheese volume and variety, offering more than 300 varieties, types and styles of cheese.

Mr. President, during June Dairy Month, we celebrate America's dairy industry and Wisconsin dairy's proud tradition and heritage of quality. It provides Wisconsin's dairy farmers a special time to reflect on their accomplishments and those of their ancestors, and to look forward to continued success in the future.

As I mentioned, Mr. President, Wisconsin was nicknamed America's Dairyland in the 1930s, but it became a leader in the industry soon after the first dairy cow came to Wisconsin in the 1800's. This year's celebration of National Dairy Month, is especially important for the people of my home state of Wisconsin because this is also the year we are celebrating our sesquicentennial—150 years of Wisconsin statehood. Dairy history and the state's history have been intertwined from the beginning. Why, before Wisconsin was even declared a state, Ms. Anne Pickett established Wisconsin's first cheese ''factory'' when she combined milk from her cows with milk from her neighbor's cows and made it into cheese.

Other Wisconsin dairy firsts include: the development of Colby cheese in 1874, the creation of brick cheese in 1875, the first dairy school in America-established in 1891 at the University of Wisconsin at Madison, the first statewide dairy show in the U.S. in 1928, and the creation of the world-record holding 40,060 pound, Grade-A Cheddar cheese in 1988. And Wisconsin also can claim one of the best-tasting inventions in the history of dairy industry: the creation of the first ice cream sundae in 1881.

Wisconsin cows produce more than 22.4 billion pounds of milk a year, nearly 90 percent is processed into cheese and other products. Wisconsin leads the nation in the production of cheese and are the top producer of many varieties including Cheddar, American, Muenster, Brick, Blue and Italian—not to mention the ONLY U.S. producer of the famous Limburger cheese variety. Also, Wisconsin buttermakers produce nearly 25 percent of America's butter supply.

National Dairy Month is the American consumer's oldest and largest celebration of dairy products and the people who have made the industry the success it is today. During June, Wisconsinites will hold nearly 100 dairy celebrations across our state, including dairy breakfasts, ice cream socials, cooking demonstrations, festivals and other events. These events are all designed to make consumers aware of the quality, variety and great taste of Wisconsin dairy products and to honor the producers who make it all possible.

I am proud to honor this great American tradition—proud to honor the dairy producers not only in Wisconsin, but also those across this great nation.●

TRIBUTE TO KAIMUKI INTERMEDIATE SCHOOL

● Mr. AKAKA. Mr. President, it is with great pride that I rise today to honor the students, teachers, staff, administrators, parents, and supporters of Kaimuki Intermediate School from Kaimuki, O'hau for their achievement in receiving the prestigious Blue Ribbon Schools award. This year, Kaimuki Intermediate School was one of the schools selected from hundreds of secondary schools across the nation to receive this award. It is a reflection of the administration's, teachers', and staff's determination to provide an excellent educational environment for their students.

The U.S. Department of Education presents the Blue Ribbon Schools award to schools that have excelled in leadership, community involvement, environmental awareness, and a continuous desire to overcome the barriers that impede a quality education. This award is one of the most prestigious educational awards in the nation. Schools that receive this recognition provide a challenging education for their students, strive to maintain a clean and healthy environment, develop and maintain family relations, and recruit and maintain high caliber teachers.

Mr. President, it is no surprise that Kaimuki Intermediate School, which challenges students academically, has been chosen for such an honor. Students are given numerous opportunities to expand their interests and talents by participating in committees, including School Community Based Management (SCBM) and the Student Activities Council (SAC). These committees enable students to participate in the administrative process of their education and allow them to contribute ideas to improve school activities and develop ideas that could further benefit their education.

The students at Kaimuki Intermediate School have had many accomplishments. One student traveled to Washington, D.C., to compete in the national math competition. The eighth grade girls basketball team won first place in their league, and other students participate in a wide range of activities like intermural and extramural sports, band, and math competitions. Indeed, Kaimuki Intermediate School has excelled in their effort to provide students with a well rounded education.

Mr. President, I am proud to rise today to recognize everyone who has contributed to making this award a reality, and congratulate the faculty and staff and, most importantly, the students of Kaimuki Intermediate School for a job well done.●

PATRICIA RUSSO

● Mr. DODD. Mr. President, later this month the State of Connecticut will say good-bye to one of its strongest and most respected voices on women's issues: Patricia Russo. Known by her friends as Pat, Ms. Russo has worked for the past 18 years to promote civil rights for women, assure equality in education for girls, and help women achieve economic parity in the workplace. This July, Pat will be moving with her family to Tokyo, and she will be dearly missed.

Pat Russo has served on the Permanent Commission on the Status of Women (PCSW) for the past 15 years. She currently serves as the Chairperson of this agency, which provides research and analysis to legislators and state leaders on issues such as sex discrimination, child care, sexual harassment, child support enforcement and the economic status of women.

On behalf of the PCSW, Ms. Russo is the founder of the Connecticut Women's Agenda, a state-wide coalition of key women's organizations in Connecticut. She also chairs the PCSW's Congressional District Advisory Council (CDAC) in the fourth congressional district.

Ms. Russo's work on behalf of ending violence against women earned her a seat on the 1997 Task Force to Study Domestic Violence, along with the Attorney General and other state leaders.

In addition to her work at the PCSW, Ms. Russo also serves on the Advisory Board of Woman magazine and the Advisory Council of the Rape and Sexual Abuse Crisis Center. She was recently appointed to the Board of Directors of the National Association of Commissions for Women (NACW). She is also President of the Women's Business Development Center of Connecticut, a new agency that moves women from welfare to work.

Pat Russo's leadership has earned her numerous awards, including the prestigious Hannah G. Solomon award, given by the National Council of Jewish Women, and the distinction of ''Woman of the Year'' by the Business and Professional Women of Connecticut.

In 1997, Ms. Russo was named to the Racial Justice Committee of the YWCA of Greenwich, and is an honorary member of the American Association of University Women, in celebration of her 20 years of activism on behalf of Connecticut women.

I have known Pat personally for many years and worked with her on many important issues. I have always found her to be extremely capable and completely dedicated to improving the quality of justice for women in this country. She is truly a remarkable individual, and I am sad to see her go. I wish her only the best as she leaves for Japan and in all of her future endeavors.●

U.S.-PHILIPPINE RELATIONS

● Mr. ABRAHAM. Mr. President, I rise today to cosponsor a resolution offered by my colleague the Senator from Hawaii, Mr. AKAKA. This resolution commemorates 100 years of relations between the people of the United States and the people of the Philippines.

100 years ago, Mr. President, the Philippines gained their independence from Spain. This was the beginning of a long and fruitful relationship between our two countries and our two peoples.

The people of the Philippines have shown a strong commitment to free government, individual liberty and a market economy. Over the last 100 years they have worked hard to establish democratic institutions and to develop a thriving free market economy.

The Philippines has served as an important ally to the United States, protecting the peace and security of South Asia as it provided an example of the human desire for freedom.

What is more, Mr. President, Filipino soldiers have fought side by side with American troops in World War II, Korea and Vietnam. The people of the Philippines have shown themselves to be strong and loyal friends of America.

The significant number of Filipinos who have come to the United States also have made great contributions of our nation through their culture and their individual initiative.

The Philippines has become a major trading partner for the United States and remains a strong ally in our efforts to maintain regional stability.

It is my hope that our two nations will enjoy another 100 years of mutual respect and support, and that my colleagues will join me in congratulating the Philippines on the anniversary of its independence from Spain.●

U.S. SPECIAL FORCES TRAINING

● Mr. LEAHY. Mr. President, several months ago, as the conflict in Indonesia escalated, United States Special Forces training of Indonesian troops came under intense scrutiny. As journalists and human rights groups compiled and publicized allegations of torture, disappearances and killings by ''Kopassus,'' an Indonesian special forces commando group, and other Indonesian military units, the Defense Department was conducting joint exercises with some of these same forces. It was only several weeks ago that Defense Secretary Cohen suspended the program because of instability in the country.

The training of U.S. Special Forces on foreign soil provides a valuable opportunity for our soldiers to learn how other militaries operate and to familiarize themselves with different cultures, climates and terrain. They need to be able to operate in the most difficult conditions. However, while the program benefits our soldiers, it also provides training to foreign security forces. And sometimes those forces have a history of involvement in human rights violations. Unlike the International Military Education and Training (IMET) program which screens foreign participants for any involvement in human rights violations, the Special Forces program, which conducted training exercises in 102 countries in fiscal year 1997, apparently does not. No credible effort is made to screen prospective foreign participants. If there were, there is no way this training would be conducted with Kopassus, which has been implicated in a pattern of torture and extrajudicial killings dating back many years.

A May 25, 1998 article in the Washington Post describes how the Special Forces program in Colombia has continued to operate and maintain close relationships with foreign security forces there despite the Colombian army's abysmal human rights record, pervasive allegations of drug-related corruption and accusations linking the armed forces with paramilitary killings of civilians. Just as in Indonesia, where Special Forces training continued despite a congressional cutoff of IMET assistance due to human rights concerns, the Special Forces training program in Colombia, funded by the Department of Defense, continued in 1997 even though our aid to the Colombian army was withheld on account of a human rights provision in our Foreign Operations law.

I do not oppose Special Forces training. Our soldiers need the experience. But we also need a consistent human rights policy. The human rights procedures that have been applied to the IMET program are far from foolproof, but they do help reduce the chance that the foreign forces we train have been involved in human rights abuses. These same screening procedures should apply to training conducted by U.S. Special Forces.

Mr. President, a country is judged, in part, by the company it keeps. By failing to establish a clear, transparent and comprehensive policy that governs all our military training programs and adequately takes into account human rights considerations, the United States, and our soldiers, will continue to be implicated in the atrocities of those we train.●

RELEASE OF ''UNDER THE RUG: SUBSTANCE ABUSE AND THE MATURE WOMAN''

● Ms. MIKULSKI. Mr. President, today I joined former First Lady Betty Ford, former HEW Secretary Joe Califano, and Congresswoman NANCY JOHNSON to release the first national, comprehensive study of the abuse of alcohol, cigarettes, and psychoactive prescription drugs by women over age 59. The study found that in 1998, substance abuse by mature women will trigger more than $30 billion in health costs—$10.1 billion in inpatient hospital bills, $12.2 billion in nursing home bills, and $7.7 billion for physician services and home health care.

I would like to pay a special tribute to Mrs. Ford. Her courage and her gallantry has given hope to others who have faced similar if not identical problems. By speaking out and by facing her own problems with the love and support of her family, she gave those who have less power, or maybe less love, the strength to do what she did. Mrs. Ford, Liz Taylor, Ann Richards, I think we really owe a debt of gratitude to them, and we owe a debt to every well-known woman in our society who has been willing to step forward, speak up and speak out about the dangers of older women and substance abuse.

I'd also like to pay tribute to President Ford for the courage to organize a family intervention. Thank you for showing us that when a man really loves a woman, sometimes you need tough love. If Mrs. Ford had had a heart attack, Mr. Ford would have been the first one there with CPR. His intervention was the CPR of substance abuse.

Today's findings address a problem hidden in the shadow for too long. Mature women who struggle with depression and loneliness and fight them with drugs and alcohol today know they are not alone. This study shines the bright light of research and knowledge to take this problem out of the shadows.

It is the first step to help mature women get help from doctors, from family, and from friends. It is the first step to help grown men and women identify the warning signs of addiction, not just with their own kids, but with their parents. It is startling and troubling that mature women are more likely to be hospitalized for substance abuse than for heart attacks.

In Maryland in 1996, 285 mature women sought help for substance abuse in certified treatment centers, 230 in 1997. Thousands more are too scared, too sick, or too alone to seek out care they need. This study can help them. And it can help America.

I have been a life-long fighter for mature Americans. I believe ''honor your mother and father'' is not just a good commandment, it's good public policy. That's why I am such a big supporter of research like today's study. This study not only highlights a big problem, it highlights opportunities to make good public policy.

If we can end substance abuse among the elderly, we can lower financial costs for Medicaid and Medicare. More importantly, we can lower the emotional cost to women and families. We can't let a blanket of shame and denial blind us to problems that we can and should solve.

I support more research to help protect seniors from scams, from poverty, and from threats to their health. I send thanks to Bristol-Myers Squibb and to the National Center on Addiction and Substance Abuse for revealing this troubling problem and helping to create solutions.

Today's research, which focuses on women and seniors, is one big reason I am a big supporter of NIH. Women's health has made great headway with NIH. In 1990, Congresswomen CONNIE MORELLA, Pat Schroeder and I showed up on the steps at NIH to launch what we hoped would be a women's health initiative. Through our efforts, the Office of Women's Health Research was established so that women would no longer be left out of clinical trials and research protocols. I am pleased that we are now seeing more and better research on women's health.

I am sending this report to Dr. Varmus, Director of NIH with my endorsement and with my request that NIH expand its research on alcohol and drug abuse by mature women. Today's study is a shining example of what can get done with attention and money and more women in the House and Senate.

I would ask all my colleagues, men and women, Democrat and Republican, House and Senate, to read the executive summary of ''Under the Rug: Substance Abuse and the Mature Woman'', which I will send to them. We shouldn't play politics with women's lives, and we shouldn't play politics with the lives of the mature women and their families who are trying to cope with the terrible problems of substance abuse.

BEVERLY GIBSON

● Mr. BAUCUS. Mr. President, I rise today to honor an outstanding Montanan, Beverly Gibson. She will retire June 30 after twenty years as assistant director of the Montana Association of Counties and nearly 30 years of outstanding public service to her State. Through her work I believe Bev knows almost everyone involved in county government in the State, and those of us who have had the great fortune to know her stand in awe of this great lady's achievements.

Montana-born and journalist by training, Bev has been the heart and soul and living history of MACO since its very early expertise have touched many lives. In a State like mine, with its vast area and sparse population spread over 56 counties, local government is the lifeblood of politics. Bev is the real champion in this arena.

At MACO Bev is known as the person who gets things done. Twice a year, MACO holds statewide meetings and she was always the first to get there and welcome everyone. She would research all the issues, staff committees, act as official photographer, coordinate speakers and agency representatives and was the last to say goodbye. Can you imagine doing that for 168 commissioners of different parties? I honestly don't know how the organization will get along without her, except that she is leaving an incredible legacy that will brighten the way for others.

As she retires, I want to wish her much joy, health and happiness. And I also want to say thanks, Bev, for a job well done and for a real service to Montana.●

COMMEMORATION OF PRO-DEMOCRACY ACTIVISTS OF 1989

● Mr. FEINGOLD. Mr. President, I rise today to join in marking the ninth anniversary of the Tiananmen Square Massacre, a tragic day when a still unknown number of Chinese—some say hundreds, others, thousands—died at the hands of the People's Liberation Army, and perhaps thousands more were placed in detention.

Despite this monumental tragedy, China's leaders remain unwilling to reexamine the events of June 4, 1989. Indeed, they would like nothing more than to have Tiananmen fade from the world's memory.

But today, the spirit of Tiananmen lives in our memory in the strongest way. We have recently welcomed to the United States two key pro-democracy leaders who were released from Chinese prisons. But as lucky as we are to have Wei Jingsheng, Wang Dan, and others in our midst, we are all well aware that they are not yet free; they remain in the United States because they cannot return freely to their homeland.

Moreover, at least 158 people remain in prison for their role in the 1989 demonstrations. Certainly for these people and their families, Tiananmen remains a part of daily life.

For those of us who are concerned about human rights in China, the very date of June 4th remains a powerful reminder that the Chinese Government has not changed.

But despite the lack of progress, the executive branch of our government continues to pursue a policy of constructive engagement with China, a policy that will be capped off by the President's visit to Beijing at the end of the month. This upcoming summit is yet another in a long line of unwise steps that the Administration has taken with respect to China. I have generally opposed all of these steps because I do not see that progress has been achieved on human rights in China. This includes the October 1997 state visit of Chinese President Jiang Zemin. That was a mistake. We should challenge China's leaders rather than toast them.

The failure of the United States to sponsor a resolution condemning human rights abuses in China and Tibet at the most recent meeting of the United Nations Commission on Human Rights was also a mistake. The Administration made this decision despite the overwhelming support in the Senate of a resolution that urged the United States to ''introduce and make all efforts necessary to pass a resolution'' at the Commission on Human Rights. I was proud to co-sponsor that resolution.

As we all know, for the past few years, China's leaders have aggressively lobbied against resolutions at the UN Human Rights Commission earlier and more actively than the countries that support a resolution. In 1997, China threatened Denmark, which had made a difficult and courageous decision to sponsor a resolution on human rights in China. This year, Chinese officials played a diplomatic game with various European governments, and succeeded in getting European Union foreign ministers to drop any EU co-sponsorship of a resolution.

The complete failure of the United States and the EU to push for a resolution at the Commission was, in my mind, gravely unfortunate. The multilateral nature of the Commission makes it an appropriate forum to debate and discuss the human rights situation in China. By signing international human rights treaties, China has obliged itself to respect international human rights law. One of the basic purposes of the Commission is specifically to evaluate China's performance with respect to those commitments. The Commission's review has led to proven, concrete progress on human rights elsewhere, and the expectation has been that such scrutiny would lead to concrete progress in human rights in China, but China's rulers cynically ignore their legal and moral duty to respect the human rights of their own citizens. And they do it with impunity.

Despite China's announcement last year that it would sign the United Nation's Covenant on Economic, Social

and Cultural Rights and take a few other token steps, I see no evidence of real human rights improvement on the ground in China. The fact that human rights conditions in China are growing worse, not better, demands that human rights continue to be a top priority in our China policy—but it is not a priority, and the rulers in Beijing know that.

Nearly four years after the President's decision to de-link most-favored-nation status from human rights—a decision I have always said was a mistake—we cannot forget that the human rights situation in China and Tibet remains abysmal. Hundreds, if not thousands of Chinese and Tibetan citizens are detained or imprisoned for their political and religious beliefs. The press is subject to oppressive restrictions. And monks and nuns in Tibet are harassed for showing reverence to the Dalai Lama.

In a well-quoted sentence, the most recent State Department human rights report notes that ''the Government of China continued to commit widespread and well-documented human rights abuses, in violation of internationally accepted norms, including extra-judicial killings, the use of torture, arbitrary arrest and detention, forced abortion and sterilization, the sale of organs from executed prisoners, and tight control over the exercise of the rights of freedom of speech, press and religions.'' If that shameful litany is not grounds for a tougher policy, please, somebody, tell me what is!

Today, on the ninth anniversary of one of the most traumatic events in the modern history of China, we remember the courageous people who stood before the tanks, who gave their lives for bravely choosing to express their notions of freedom and breathed their last on the bloody paving stones of Tiananmen, and we honor those heroes who continue to take risks to struggle for real change in China and Tibet.

It is unfortunate, then, that the President's proposed trip to Beijing, which will take place in just a few weeks, will send the wrong signal—not only to China's leaders, but also to those in China and Tibet who have worked so tirelessly to achieve the basic freedoms that we, as Americans, take for granted. In particular, in a move that almost adds insult to injury, the President has agreed to stage his arrival ceremony in Tiananmen Square itself.

If ever a moment cried out for a gesture, Mr. President, that will be the moment. That will be the chance for our President to restore some small moral weight to our China policy.

Mr. President, if the President of the United States feels he must go to Beijing, if he feels he must go there this month, a month when we remember and honor the heroes of Tiananmen, and if he feels he must visit the site of that horrible 1989 massacre, I hope he will take the time to visit with the families of the victims—a suggestion I made to Assistant Secretary of State Stanley Roth in a recent Senate Foreign Relations Committee hearing.

Finally, it is imperative that throughout his visit to China, the President send a clear unequivocal message about the importance of human rights, of the rule of law and of democracy. The students at Tiananmen erected a goddess of democracy. Our China policy worships trade and pays short shrift to the ideal of freedom. Our policy has got to change.

We owe as much to the victims, to the champions of democracy in China today, and to the American people.●

SENATOR PELL ON CUBAN POLICY

● Mr. REED. Mr. President, I rise today to submit an editorial on U.S. policy toward Cuba written by my esteemed predecessor, the Honorable Claiborne Pell. The editorial was printed in the May 5, 1998 edition of the Providence Journal Bulletin.

Senator Pell served in the United States Senate for thirty-six years. While in the Senate, he served as Chairman of the Committee on Foreign Relations for eight years. Senator Pell's remarkable career also included eight years of service as a State Department Official and Foreign Service Officer as well as the United States Representative to the 25th and 51st Sessions of the United Nations General Assembly. Senator Pell's positions have taken him to Cuba on three occasions, most recently in early May. Senator Pell's observations of American foreign policy toward Cuba have led him to the conclusion that continuing the 38 year embargo on Cuba will not destabilize the Castro regime and is hurting the Cuban people.

In his editorial, Senator Pell makes a number of insightful points. I hope all my colleagues will take the opportunity to read this piece by an expert in foreign relations and seriously consider his observations regarding relations with our neighbor.

Mr. President, I ask that the editorial from the Providence Journal Bulletin be printed in the RECORD.

The editorial follows:

[From the Providence Journal-Bulletin, May 5, 1998]

OUR CUBA POLICY HAS NOT WORKED

One can only hope that the small but significant changes in U.S. policy toward Cuba that President Clinton announced in late March portend more sweeping changes in the months ahead toward a more rational, more self-interested and more effective U.S. policy.

Having just returned from a five-day visit to Cuba with a distinguished group of Americans, I am more convinced than ever that our existing policy, built around the 38-year-old embargo of Cuba, simply doesn't work.

The embargo upsets the Cuban government and hurts the Cuban people, but, from our discussions with an array of Cuban government officials, religious and dissident leaders and foreign diplomat observers, one thing emerged clearly: The Cuban economy is strong enough to limp along for the foreseeable future. There is no evidence at all to suggest that U.S. economic sanctions are any more likely to destabilize the Castro regime in the near future than they have been over the past 38 years.

Cuba is now some six years into what the regime euphemistically calls the ''special period,'' the time of economic distress that began with the collapse of the Soviet Union. Cuba lost its preferential trading arrangement with Moscow and the other former communist republics of Eastern Europe, and was left to fend for itself.

If U.S. economic pressure was ever to work, that was the time. But Cuba has muddled through. In moves that must have been bitter pills for Castro to swallow, Cuba ''dollarized'' its economy, allowed private farmers' markets and other small-scale private enterprises, and offered more favorable terms for foreign investment.

As a result, the Cuban economy, in free fall during 1993, has started to come around. The evidence abounds in Havana. Not only tourists, but all Cubans can purchase an array of consumer goods in ''dollar stores'' that are prevalent in Havana. When we asked one government official how Cubans with no access to dollars can survive, he shot back: ''Who doesn't have dollars?''

One exquisite irony is that this dollar-focused Cuban economy is now in part propped up by an annual deluge of dollars, estimated at $600 million to $1 billion, that arrives in Cuba from the United States, primarily from Cuban-Americans anxious to make life easier for their relatives. Whatever pain the embargo causes is offset by this dollar flow, which they will likely increase with the restoration of legal remittances.

Tourism has expanded greatly since I last visited Cuba 10 years ago, and brings both much needed hard currency and less desirable consequences, including prostitution, which seems widespread in parts of Havana after dark. Our delegation visited only Havana and we were told that times are tougher in the smaller cities and the countryside. But the Cuban economy has clearly recovered and, while it could benefit from many more reforms, there is no sign it will collapse.

Cuba is still very much an authoritarian state with tight state control over all aspects of society, including public debate. One day, I visited a showplace medical campus where very interesting neurological research is being conducted. The center was equipped with what appeared to be sophisticated computers and has its own ''web site.''

Next, I sat with a group of dissidents and asked about their access to the Internet. ''We can't use the Internet,'' one said. ''We cannot even have computers; they just take them away.''

Yet I felt a much greater openness in Havana this time than in my last visit, and certainly than in 1974, when Sen. Jacob Javits (the late U.S. Republican senator from New York) and I were among the first members of Congress to visit since the revolution. Back then, we were shadowed everywhere we went, were confident our hotel rooms were bugged, and sensed a real oppressiveness in the city. In those days, the infamous Committees for the Defense of the Revolution were an effective neighborhood spy network; today, they seem more a network of aging busybodies. Havana is certainly not a free city, but it has a liveliness and verve that startled me.

On this trip, everywhere we went people still were abuzz about the visit of the Pope. Church leaders do not know yet whether the visit, of which virtually all Cubans seemed immensely proud, will lead to much greater openness. But colleagues of mine went to Mass on Sunday at a Jesuit church in a rundown section of the city, and described a vibrant community with an abundance of

young adults worshipping with pride and intensity. The dissidents we met reported that a substantial number of political offenders have been freed and the atmosphere seems to them ''more relaxed.''

Cuba's repressive communist regime has survived, if not thrived, for 38 years in economic isolation from the United States. When a policy has failed that long, isn't it time to try something else? In my view, a policy of contact, trade, cultural exchanges and dialogue, just as we had with the communist states of Europe, could well lead to a more open, free-market economy and more political diversity in Cuba. Even if it doesn't, it won't be any less effective than the policy we've been following these past 38 years.●

EXPRESSING THE SENSE OF THE SENATE ON THE NINTH ANNIVERSARY OF THE MASSACRE OF PRO-DEMOCRACY DEMONSTRATORS ON TIANANMEN SQUARE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of a Senate resolution at the desk which would express the sense of the Senate on the ninth anniversary of the massacre of prodemocracy demonstrators on Tiananmen Square in China. I ask further consent that the resolution be agreed to, the preamble be agreed to, and that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Ms. COLLINS. Mr. President, I find myself in the awkward position of having to object to consideration of my own resolution. I want to make this clear that I am doing this solely as a courtesy to the Democratic leader.

The PRESIDING OFFICER. Objection is heard.

Ms. COLLINS. Mr. President, I am really surprised and shocked that apparently there is objection on the Democratic side of the aisle to consideration of this important resolution. I had hoped that we would consider this evening a resolution expressing the sense of the Senate upon the ninth anniversary of the tragic massacre of Chinese students in Tiananmen Square on June 4, 1989.

My resolution, had I been permitted to proceed with it this evening, was cosponsored by the distinguished majority leader, by the Senator from Arkansas, Senator HUTCHINSON, and by the Senator from Michigan, Senator ABRAHAM. Regrettably, my colleagues from the Democratic side of the aisle have blocked consideration of this resolution. I would, however, like to take a moment to explain why I consider it to be very important.

Mr. President, 9 years ago, thousands of students were peaceably assembled on Tiananmen Square in Beijing, peacefully protesting their government's refusal to permit them even the most basic freedoms of expression, association, and political activity.

As a symbol of their hopes and aspirations for a democratic China, these students constructed a scale model of our own Statue of Liberty. It was to them, as it is to us and to untold millions around the world, a symbol of freedom's promise for people everywhere. Quoting Thomas Jefferson, these brave Chinese students spoke eloquently of the need for China to develop democratic institutions, and finally to allow a degree of political progress to match its dramatic economic change and development in recent years.

Nine years ago today—today—the excitement and the promise of this Chinese democracy movement were extinguished as troops and armored vehicles were ordered into action against the peaceful students. Mr. President, it may never be known exactly how many died in the resulting bloodbath, but hundreds of Chinese demonstrators were certainly killed and many thousands more were arrested for so-called counterrevolutionary offenses that consisted only of attempting to assert rights that it is the duty of civilized governments everywhere to observe, protect and promote.

I am wearing, Mr. President, a ribbon to commemorate just one of those political prisoners from that very sad period.

I had hoped to introduce and have the Senate pass this resolution to make very clear to everyone in this country and, indeed, around the globe that the U.S. Senate has not forgotten what occurred in Tiananmen Square 9 years ago today.

Mr. President, my resolution sought to do no more than to make clear that what occurred on June 4, 1989, was profoundly wrong and that we should not permit ourselves or our Government ever to forget this. This resolution would have merely expressed the sense of the Senate that our Government should remain committed to honoring the memory and the spirit of the Chinese citizens who died on Tiananmen Square and that assisting China's peaceful transition to democracy should be a principal goal of our foreign policy.

Mr. President, it is important that we remember Tiananmen Square today precisely because we do enjoy increasingly close ties with the regime in Beijing. Relations with the People's Republic of China are—and must—be a continual balancing act. The memory of Tiananmen Square should help us find the appropriate bounds, preventing us from giving way to a wholly unchecked enthusiasm in U.S.-Chinese relations by disregarding the fundamental nature of the regime with which we are dealing. China is not a democracy, after all, and its government still has few qualms about using armed force to suppress the legitimate aspirations of its people for basic liberties.

I do not expect democracy to flower overnight in China. But it is today quite clear that China is capable of democracy. The very strength of the student movement that Communist authorities tried to crush on Tiananmen Square nine years ago attests to the powerful appeal that democracy and human rights have in China. The successes of pro-democracy candidates in Hong Kong's recent elections also attest to how strong democratic ideals can be in China when not suppressed by autocrats intent upon preserving their own power and privileges. Most of all, the new and thriving democracy on Taiwan stands as the clearest indication that the phrase ''Chinese democracy'' is not an oxymoron. In fact, the phrase ''Chinese democracy is a ray of hope for a quarter of our planet's population.

This is why it is important always to keep Tiananmen Square in our minds as we pursue our ''engagement'' with China. While we cannot ignore China and its huge population, neither can we ignore the human rights abuses committed by its government. Sound public policymaking is about pragmatism, but it is about the pragmatic pursuit of principles. Without principle, pragmatism is no more than a fraud, a process that lacks a purpose; there is no substitute for an underlying moral compass. This is why I very much wanted to introduce my resolution today: in U.S.-China relations, the memory of Tiananmen Square is one of the cardinal points on our moral compass, without which we cannot navigate.

I ask unanimous consent that the text of the resolution I would have introduced be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. RES.—

Whereas in the spring of 1989, thousands of students demonstrated in Tiananmen Square in Beijing in favor of greater democracy, civil liberties, and freedom of expression in the People's Republic of China (PRC);

Whereas these students' protests against political repression in their homeland were conducted peacefully and posed no threat to their fellow Chinese citizens;

Whereas on the evening of June 4, 1989, these students were brutally attacked by infantry and armored vehicles of the People's Liberation Army (PLA) acting under orders from the highest political and military leadership of the PRC;

Whereas hundreds of these students were killed by the PLA in Tiananmen Square on June 4, 1989 for offenses no more serious than that of seeking peacefully to assert their most basic human, civil, and political rights;

Whereas many of the leaders of the student demonstrations thus attacked were subsequently imprisoned, sought out for arrest, or otherwise persecuted by the Government of the PRC;

Whereas during or shortly after the brutal assault of June 4, 1989, at least 2,500 persons were arrested for so-called ''counter-revolutionary offenses'' across China and dozens of persons were executed;

Whereas the Chinese government has never expressed regret for its actions on June 4, 1989, still imprisons at least 150 persons in connection with the Tiananmen Square demonstrations, and has continued to deny its citizens basic internationally-recognized human, civil, and political rights;

Whereas the Government of the PRC, as detailed in successive annual reports on

human rights by the United States Department of State, still routinely and systematically violates the rights of its citizens, including their rights to freedom of speech, assembly, worship, and peaceful dissent; and

Whereas the Tiananmen Square Massacre has become indelibly etched into the political consciousness of our times as a symbol both of the impossibility of forever denying a determined people the right to control their own destiny and of the oppressiveness and brutality of governments that seek to do so: Now, therefore, be it

Resolved, That, in the interest of expressing support for the observance of human, civil, and political rights in China and around the world, it is the sense of the Senate that—

(1) the United States Government should remain committed to honoring the memory and spirit of the brave citizens of China who suffered and died in Tiananmen Square on June 4, 1989 for attempting to assert their internationally-recognized rights; and

(2) supporting the peaceful transition to democratic governance and the observance of internationally-recognized human, civil, and political rights and the rule of law in China should be a principal goal of United States foreign policy.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

COMMENDING THE UNIVERSITY OF NEVADA LAS VEGAS COLLEGIATE GOLF TEAM ON THEIR NCAA CHAMPIONSHIP

Ms. COLLINS. I now ask unanimous consent the Senate proceed to the immediate consideration of Senate Resolution 243 submitted earlier today by Senators BRYAN and REID.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 243) to commend and congratulate the University of Nevada Las Vegas men's golf team on winning the team's first National Collegiate Athletic Association Championship.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Ms. COLLINS. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 243) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 243

Whereas the University of Nevada Las Vegas Rebels men's golf team shot four rounds of golf at a total of 1118 strokes for a total of 34 under par, to beat the second place Clemson Tigers by three strokes;

Whereas this score of 34 under par set a tournament record by 11 strokes;

Whereas Chris Berry shot a total of 272 strokes for 16 under par to finish second in individual competition, to help ensure the championship for the Rebels;

Whereas the University of Nevada Las Vegas men's collegiate golf team has displayed outstanding dedication, teamwork, and sportsmanship throughout the course of the season in achieving collegiate golf's highest honor; and

Whereas the Rebels have brought pride and honor to the State of Nevada: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Nevada Las Vegas for winning the 1998 National Collegiate Athletic Association Division I men's collegiate national golf championship;

(2) commends Chris Berry, for his second place individual finish at the National Collegiate Athletic Association golf championship;

(3) recognizes the achievements of all the players, coaches, and staff who were instrumental in helping the University of Nevada Las Vegas win the 1998 National Collegiate Athletic Association Division I men's collegiate national golf championship and invites them to the Capitol to be honored in an appropriate manner to be determined;

(4) requests that the President recognize the accomplishments and achievements of the 1998 University of Nevada Las Vegas Rebels golf team and invite the team to Washington, D.C. for the traditional White House ceremony held for national championship teams; and

(5) directs the Secretary of the Senate to make available enrolled copies of this resolution to the University of Nevada Las Vegas for appropriate display and to transmit an enrolled copy to each member of the 1998 University of Nevada Las Vegas National Collegiate Athletic Association Division I men's collegiate national championship golf team.

RECOGNIZING DISABLED AMERICAN VETERANS

Ms. COLLINS. Mr. President, I now ask unanimous consent the Senate proceed to the immediate consideration of Senate Concurrent Resolution 102, introduced earlier today by Senator ROCKEFELLER and others.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 102) recognizing disabled American veterans.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. ROCKEFELLER. Mr. President, as the Ranking Member of the Senate Committee on Veterans' Affairs, I, along with Senators SPECTER, LOTT, and DASCHLE submit a Senate Concurrent Resolution that will allow the Disabled American Veterans to sponsor an event on the U.S. Capitol grounds on June 16 and 17, 1998, during which they will donate 147 transportation vans to the Department of Veterans Affairs.

Senator SPECTER, Chairman of the Committee on Veterans' Affairs, and I were asked to help coordinate this unique event, and we are grateful for the support of the Leadership on both sides of the aisle. As my colleagues are aware, Senator SPECTER is unable to be here today due to recent surgery.

Mr. President, the Disabled American Veterans (DAV) was chartered by the Congress of the United States in 1932 and serves as an incredibly strong advocate for our Nation's disabled veterans. In 1987, as part of their mission, DAV organized a nationwide transportation program to help sick and disabled veterans receive the essential medical care they so desperately need. From the time of its inception to the present, DAV will have donated 750 vans in support of this program.

In my state of West Virginia, thousands of veterans live in rural areas, miles from the nearest VA medical center, and often in areas with no public transportation. So I am acutely aware of how veterans not only in West Virginia, but from coast to coast, rely on the DAV transportation program to receive essential medical care. I am proud to have worked with DAV to help foster this program.

I ask all of my colleagues to join us in supporting legislation to authorize use of the Capitol Grounds for this remarkable event. And I, along with Senators SPECTER, LOTT, and DASCHLE, commend DAV for their donation and work on behalf of our Nation's veterans.

Ms. COLLINS. I ask unanimous consent the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements related to the concurrent resolution be printed in the RECORD at the appropriate place as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 102) reads as follows:

S. CON. RES. 102

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR DISABLED AMERICAN VETERANS EVENT.

Disabled American Veterans shall be permitted to sponsor a public event on the West Front Lawn of the Capitol on June 16 and 17, 1998, or on such other dates as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, in order announce the donation of 147 vans to the Department of Veterans Affairs by Disabled American Veterans.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—The event authorized by section 1 shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board.

(b) EXPENSES AND LIABILITIES.—Disabled American Veterans shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

(a) STRUCTURES AND EQUIPMENT.—Subject to the approval of the Architect of the Capitol, Disabled American Veterans may erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event authorized by section 1.

(b) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements as may be required to carry out the event, including arrangements

to limit access to First Street Northwest and First Street Southwest as required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event authorized by section 1.

SEC. 5. PHOTOGRAPHS.

The event authorized by section 1 may be conducted only after the Architect of the Capitol and the Capitol Police Board enter into an agreement with Disabled American Veterans and the manufacturer of the vans referred to in section 1 that prohibits Disabled American Veterans and such manufacturer from using any photograph taken at the event for a commercial purpose. The agreement shall provide for financial penalties to be imposed if any photograph is used in violation of this section.

ORDERS FOR FRIDAY, JUNE 5, 1998

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 9:30 a.m. on Friday, June 5. I further ask that on Friday, immediately following the prayer, the routine requests through the morning hour be granted, and the Senate then begin a period of morning business until 10:30 a.m. with Senators permitted to speak for up to 5 minutes each, with the following exceptions: Senator SMITH of New Hampshire for 30 minutes; Senator CLELAND for 10 minutes; Senator WELLSTONE for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I further ask that following morning business the Senate resume consideration of the Coverdell amendment No. 2451 pending to the tobacco legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Ms. COLLINS. Mr. President, for the information of all Senators, when the Senate reconvenes tomorrow at 9:30 a.m., there will be a period of morning business until 10:30 a.m. Following morning business, the Senate will resume consideration of S. 1415, the tobacco legislation, with several amendments still pending. It is hoped that short time agreements can be reached on these amendments so that remaining amendments to this important bill may be offered and debated.

As a reminder to all Members, a cloture motion was filed by the minority leader to the tobacco committee substitute. Under rule XXII, Senators have until 1 p.m. on Friday to file first-degree amendments to the modified tobacco committee substitute. The leader has announced there will be no roll-call votes during Friday's session. Therefore, the cloture vote and any votes ordered with respect to the tobacco bill during tomorrow's session will be postponed to occur at a later date.

As always, Members will be notified of the voting schedule next week as soon as it becomes available.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:45 p.m., adjourned until Friday, June 5, 1998, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate June 4, 1998:

THE JUDICIARY

YVETTE KANE, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF PENNSYLVANIA, VICE EDWIN M. KOSIK, RETIRED.

JAMES M. MUNLEY, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF PENNSYLVANIA VICE WILLIAM W. CALDWELL, RETIRED.

THOMAS J. WHELAN, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA VICE JOHN S. RHOADES, SR., RETIRED.

DEPARTMENT OF STATE

EDWARD L. ROMERO, OF NEW MEXICO, TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ANDORRA.

EXTENSIONS OF REMARKS

IN SUPPORT OF SAMPLING FOR 2000 CENSUS

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. FROST. Mr. Speaker, I rise today to bring attention to the importance and the need for a fair and accurate census count in the year 2000. The Constitution commands that a census of the nation's population be taken every ten years. Through its failure in accuracy, the 1990 census provided us with many valuable lessons, although better designed and executed than any previous census.

An accurate census is of the utmost importance, because the effects from inaccuracy can be detrimental to the population. As a result of inaccuracy, the 1990 Census caused many Americans to be denied an equal voice in their government. Federal spending employing population based formulas—for schools, crime prevention, health care, and transportation—were misdirected. The census provides the structure to base information and knowledge about the American population, and can only be done in an efficient, effective manner.

The census provides information for virtually all demographic information used by educators, policy makers, journalists, and community leaders. Census data directly affects decisions made on all matters of national and local importance, including education, employment, veterans' services, public health care, rural development, the environment, transportation and housing. Federal, state and local governments use census information to guide the annual distribution of $180 billion in critical services. Congressional seats are reapportioned and legislative districts are drawn based on census data.

The 1990 census was a difficult undertaking, and in spite of unprecedented efforts to count everyone, accuracy in the 1990 Census fell short of the accuracy achieved in the 1980 Census. According to the Census Bureau, the 1990 Census missed 8.4 million people and double-counted 4.4 million others. In Texas alone, the 1990 Census missed more than 482,700 people, with children representing nearly half of Texas' undercount. Like the national results, a disproportionate number of the undercounted Texans were minorities—4% of African Americans were missed; 2.6% of Asians were undercounted; 5.4% of Latinos and persons of Hispanic origin were missed; and 2.8% of Native Americans were undercounted in Texas.

With all of the information we have gathered, regarding our past mistakes, it is of the greatest urgency that we utilize the most effective, efficient method for counting. Experts from the Census Bureau and three National Academy of Sciences panels concluded that lower accuracy and undercounts were caused through a number of societal trends. Congress has already addressed the issue of inaccuracy in the Census through the Decennial Census Improvement Act of 1991, signed by President Bush, requiring the National Academy of Science to study ''the means by which the Government could achieve the most accurate population count possible.'' Specifically considered was *inter alia,* ''the appropriateness of using sampling methods in combination with basic data-collection techniques or otherwise, in the acquisition or refinement of population data for different levels of geography. . . .'' The legislation passed in both the House and under suspension of the rules by unanimous consent in the Senate.

An accurate count in the 200 Census is far too important for partisan, political disputes. We need to ensure that we utilize the most scientific methods available. It is what every American deserves.

CONGRATULATING HIGH POINT REGIONAL HIGH SCHOOL

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate High Point Regional High School in Sussex Borough, New Jersey, on receiving the U.S. Department of Education's prestigious Blue Ribbon Schools Award.

This award recognizes that High Point Regional High School is one of the finest schools in our entire nation. This proves that public education works and that our young people in Sussex County are among the best and brightest. This honor is the result of hard work on the part of students, their parents, teachers and the Board of Education. Special congratulations go to Principal Barbara Miller. As a former teacher and school board member, I am proud of everyone associated with this accomplishment.

Of the thousands of middle schools and high schools across the United States, only 166 this year were found to be outstanding enough to receive this high honor. Recipients of the Blue Ribbon Schools Award have been judged particularly effective at meeting local, state and national goals. The award is presented to schools that have shown strong leadership, a clear vision and sense of mission, high quality teaching, challenging curriculum, a safe environment for learning, solid evidence of family involvement, evidence that the school helps all students achieve high standards, and a commitment to share best practices with other schools. These schools clearly display the quality of excellence necessary to prepare our young people for the challenges of the next century.

High Point serves more than 1,000 ninth-through-twelfth-grade students from the municipalities of Branchville, Frankford, Lafayette, Sussex Borough and Wantage—an area of 123 square miles. The modern, two-story facility was built in 1965 to replace the former Sussex Borough High School and was expanded in 1975 and 1991 to accommodate steady increases in enrollment. The building includes a 7,000-square-foot library/media center, five computer labs with 105 work stations, a variety of comprehensive science labs, a modern television production studio, five physical education facilities, a vocational guidance center, and special education vocational training classrooms. Last year, a fiber optics system was installed to facilitate the expansion of future technology into every classroom. Outdoors, an outstanding rock climbing facility accentuates the extensive recreational opportunities of the region served by the school.

High Point's extensive and rigorous academic program spans more than 170 course offerings, including special courses in computers, engineering, law and cinema. Honors and advanced placement programs are offered in English, computer science, social studies, science, mathematics and foreign languages. Required courses for freshmen include English, mathematics, science, social studies and physical education. A rich and varied arts program is offered, with 25 percent of students participating in the music program and 30 percent in art. The Gifted and Talented program provides unique courses, independent study options, and many workshops and extracurricular activities such as Mock Trial and Model Congress. The fully functional Road Kill Cafe provides on-the-job training for vocational students while special education programs offer both departmental and mainstream classes. A program for autistic students was added during the 1997–1998 school year.

Recognizing that student attendance is essential to foster high student performance, High Point has a strict attendance policy that mandates summer sessions for students with excessive absences. The result is an attendance rate that exceeds 95 percent.

The excellence of High Point's academic program has been repeatedly recognized. The school was selected for the state Department of Education's Best Practices Award in recognition of its innovative Peer Leadership and Adventure Program. The *Star-Ledger* newspaper has ranked it No. 1 in New Jersey among schools of its class. The quality of the academic program is further proven by student test scores. More than 90 percent of students have passed the New Jersey High School Proficiency Test in the past three years, with passing rates of 91.3 percent in reading, 97.8 percent in writing and 98.9 percent in mathematics.

High Point students are well prepared by their teachers, parents and role models in the community. They can rest assured they will be able to handle whatever challenges they choose in life. Once again, congratulations to everyone involved in this impressive achievement.

COMMEMORATING THE RETIREMENT OF LOIS SCHMITT

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise today to commemorate Beattie Elementary School Principal Lois Schmitt upon her retirement after 34 years of service to the community. As the school's principal of 24 years, Principal Schmitt has touched the lives of teachers and students at Beattie Elementary for nearly three decades. Having begun as a teacher when the school first opened, she rose to the position of principal after two years. Her devotion to children and her openness to new suggestions and ideas earned her the respect of her colleagues, parents, and students over the years.

Principal Schmitt committed her life's work to education. Her legacy is the success of this school and the children who have spent their first years of learning within its classroom walls. Although she retires this June, her contribution to our community flourishes through those whose lives she has touched. In the words of Historian Henry Brooks Adams, ''A teacher affects eternity; he can never tell where his influence stops.''

Thank you, Mr. Speaker for the opportunity to commemorate the work of Lois Schmitt upon her retirement.

THE ANTI-CRAMMING PROTECTION ACT OF 1998

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. GORDON. Mr. Speaker, I rise today to introduce important consumer protection legislation, H.R. 3990, the Gordon and Dingell Anti-Cramming Protection Act of 1998. This bill will prevent unauthorized charges from showing up on a consumer's telephone bill, or ''cramming'' as this practice has been dubbed.

Cramming is the fastest rising subject of fraud, according to the National Fraud Information Center. It has risen from the twelfth on the list of most frequent frauds to fourth. The FCC has received nearly 2000 complaints, and these are largely under-reported numbers.

In most instances of cramming, unauthorized charges are billed every month as a ''Miscellaneous Charges and Credits'' entry on the local phone bill. I am concerned that cramming will tarnish the integrity of the local phone bill as an option for billing competitive telecommunications services, and hope that it does not lead to selective billing. That way, customers will continue to have competitive choices when ordering telecommunications services.

Approximately 32 million of these ''Miscellaneous'' transactions are processed for residential customers—that is one out of every 6 Americans. Some of these charges are for long-distance calling plans like 5-cent Sundays that come with a $3.00 monthly fee. Other charges are for enhanced telecommunications services, Internet Access, calling card fees, paging services or telecommunications equipment like caller-ID boxes. The fraudulent or ''crammed'' charges seem to threaten the legitimate products and services that are billed in the same manner, except without consent.

In my home state of Tennessee, the Tennessee Regulatory Authority has recently handled over 100 cramming complaints—resulting in the removal of over $11,000 in charges from consumers' phone bills.

One of my constituents, Mark Cole, of Smyrna, Tennessee, was crammed when an unauthorized charge for a calling card plan appeared as $9.02 charge on his local phone bill every month. As it turns out, while shopping one day, his wife filled out a contest entry form. However, the fine print was illegible. By signing the contest entry form, she was unknowingly enrolled in a new calling card plan with a monthly fee. It took at least three months and help from the Tennessee Regulatory Authority before the charges were removed.

I have been an advocate for consumer protection and of maintaining the integrity of local telephone billing for several years. I first became involved when constituents began complaining about extraordinary high charges for calls to 1–900 numbers.

Cramming has emerged in a similar fashion as the fraud that once plagued the 900 Number Industry. As the author of the Telephone Disclosure and Dispute Resolution Act (TDDRA), the bill that regulates the 900 Numbers Industry, I know that, it serves as a basis for cleaning up the cramming problem. That is why my bill adds a new Title to TDDRA and will prohibit this deceptive practice.

Allow me to share a few highlights from my legislation. The Anti-Cramming Prevention Act:

Ensures that the subscriber has knowingly consented to any purchase or charges that appear in the miscellaneous section of their phone bill.

Requires the service or product to be clearly listed and described on the phone bill.

Permits consumers to block blocking for miscellaneous charges, where cramming appears, at their request.

Requires the names and phone numbers of the Service Provider and any third party billing company to be printed on bill for the consumer's information.

Entitles consumers that have been crammed to an automatic refund or credit within 90 days of the billing date.

Orders the Federal Trade Commission to prescribe rules and procedures for the resolution of disputes of unauthorized charges reported after the first 90 days.

Cramming is a spreading problem nationwide, and must be stopped. Mr. Speaker, I encourage all of my colleagues that care about consumer protection to sign on as a co-sponsor to the Anti-Slamming Protection Act.

IN HONOR OF ST. JOHN CANTIUS CHURCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. KUCINICH. Mr. Speaker, I rise to recognize the Centennial Anniversary of Saint John Cantius Church.

One hundred years ago, the ''Heights'' area of Cleveland was a quiet community near the Cuyahoga River. Many of Cleveland's steelworkers and other laborers were Polish immigrants who, although financially poor, were rich in faith. Their religious fervor transcended their small numbers and His Excellency, the Most Reverend Bishop Ignatius Horstmann appointed Reverend Orlowski to serve the parish of St. John Cantius. Masses were originally held in a two-story barn, but the hard-working parishioners looked forward. The poor immigrants understood the importance of a good education. So, they created a pastoral residence, a school, and a Sisters' home in separate apartments behind the barn.

From those humble beginnings, the community built a magnificent Romanesque church, a grade school and high school, and a convent. Yet the parish never forgot their heritage. Still comprised of, in some instances, fourth generation Polish-Americans, St. John Cantius is as active and vital as ever.

Parishioners serve their church and those around them. They belong to service organizations including the Parish Councilmen, 111 Order of St. Francis, Knights of Columbus, St. Stanislaw Kostki Lodge, and the Booster Club. And like their forefathers, today's parishioners also look toward the future. To reflect the changing neighborhood, the Church has brought in two sisters with experience in Latin America and hold Mass in Spanish on Saturday. They recognize the effects of world communication and urbanization on their children; so, they attempt to combine the sophistication of today, with the goodness and humility of their past.

My fellow colleagues, please join me in applauding this committed congregation and the centennial anniversary of Saint John Cantius Church.

CONGRATULATING RIVER DELL REGIONAL HIGH SCHOOL

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate River Dell Regional High School in Oradell, N.J., on receiving the U.S. Department of Education's prestigious Blue Ribbon Schools Award.

This award recognizes that River Dell Regional High School is one of the finest schools in our entire nation. This proves that public education works and that our young people in Bergen County are among the best and brightest. This honor is the result of hard work on the part of students, their parents, teachers and the Board of Education. Special congratulations go to Principal Lorraine Brooks. As a former teacher and school board member, I am proud of everyone associated with this accomplishment.

Of the thousands of middle schools and high schools across the United States, only 166 this year were found to be outstanding enough to receive this high honor. Recipients of the Blue Ribbon Schools Award have been judged particularly effective at meeting local, state and national goals. The award is presented to schools that have shown strong leadership, a clear vision and sense of mission, high quality teaching, challenging curriculum, a safe environment for learning, solid evidence of family involvement, evidence that the

school helps all students achieve high standards, and a commitment to share best practices with other schools. These schools clearly display the quality of excellence necessary to prepare our young people for the challenges of the next century.

With 750 students, River Dell has been a four-year high school since 1994. It serves the communities of Oradell and River Edge, hence the name River Dell.

River Dell offers its students a variety of rigorous academic courses which emphasize writing, computer and research skills in all disciplines. All students are required to take four years of English and 25 percent take advanced placement English. Innovative courses such as 10th-grade American Studies—combining American history and literature—supplement more-traditional World Cultures and U.S. History. Chemistry, physics, biology, calculus, statistics, business and economics courses are all offered, most of them at the advanced placement level. The Fine Arts Department requires a professional portfolio of students participating in its advanced placement program. Musical opportunities include band/orchestra, strings, chorus, musicianship and ensemble groups. The Business Department operates a real company, the Sweet Tooth Corp. All students are required to take at least two computer courses.

River Dell teachers are exceptionally well-educated, with 7.4 percent holding doctorates and 90 percent holding a master's degree.

The excellence of River Dell's academic program has been repeatedly recognized. The school has won a series of Best Practices Awards from the state Department of Education, recognizing its programs for the gifted and talented, special students, business and history. The success of the academic programs is also proven by students' success—92 percent of the members of the Class of 1997 went on to college.

River Dell students are well prepared by their teachers, parents and role models in the community. They can rest assured they will be able to handle whatever challenges they choose in life. Once again, congratulations to everyone involved in this impressive achievement!

REMARKS OF ANDREW J. MAIR

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise today to introduce the remarks of my friend and constituent, Andrew J. Mair. Even in retirement, Andy continues his long tradition of public service by speaking and writing on important issues of domestic and foreign policy. His insightful commentary on social security and the federal budget was published in the Ft. Collins ''Coloradoan'' on Sunday, May 31, 1998.

As Andy points out, current surpluses generated by the Social Security tax are being used to finance other functions of the federal government. Of the $5.5 trillion gross national debt, $1.7 trillion is held by government accounts. This portion of the debt represents obligations of one government agency, in this case the Treasury Department, to various federal trust funds. The Social Security trust fund is a good example. I hereby submit for the RECORD, Andy Mair's report.

May 14, 1998.

TO THE EDITOR: We are in a period of record prosperity and a booming economy. Unemployment is at a 28-year low. This prosperity has resulted in a record amount of money collected by Social Security in payroll taxes. The surplus goes into the Social Security trust fund.

For decades the federal government has been borrowing the surplus of Social Security and spending it on other federal programs. Therefore, the money owed to Social Security becomes part of the federal public debt.

The current push to reform Social Security and the discussions on what to do with money accumulated by balancing the budget caused me to search out data on the 1998 federal budget.

The White House Office of Management and Budget collects and maintains financial data for the federal government. The data in the attached chart is taken from their report. Copies are available to the public.

The chart shows a rapid expansion in the money collected and the money spent by the federal government. It shows the increase that started in the 1980s has continued through the 1990s.

It shows total receipts, ''all money collected'' by the federal government; total outlays, all money spent; and the increase in federal debt by fiscal year.

Using three six-year periods in the chart provides the opportunity to evaluate the last six years.

TABLE 1.3.—SUMMARY OF RECEIPTS, OUTLAYS, AND FEDERAL DEBT

[In billions of dollars]

	Receipts	Outlays	Federal debt
1980	$517.1	$590.9	$909,050
1986	769.3	990.5	2,120,627
1992	1,091.1	1,381.7	4,002,453
1998	1,566.8	1,687.5	5,465,000

Total money collected in 1980 was $517.1 billion and in 1998 was $1,566.8 trillion, an increase of over 300% in 18 years. The ''outlays,'' total money spent, went from $590.9 in 1980 to $1,687.5 trillion in 1998, and the public debt increased from $909,050 billion in 1980 to $5,465,000 trillion as of April 15, 1998.

The annual report from the office of Social Security shows total income for retirement, survivor payments, and disability insurance for 1997 was $449.9 billion, and total outgo's were $367.5 billion. This increased the Social Security trust fund by $75.4 billion.

Projections for fiscal year 1998 show income to Social Security will exceed $500 billion, and $100 billion will be added to the trust fund. This will bring the total value of the Social Security trust fund to over $700 billion.

By the year 2012 projections are that money paid out to retirees will exceed money received, unless drastic changes are made in Social Security. Money to pay Social Security benefits will have to be borrowed by increasing the federal debt, or dramatically raising taxes. Will either of these choices be available?

If a thirty-year-old worker looks at the record of the last 18 years, or the last six years. He cannot be optimistic there will be any Social Security for him.

In prosperous times, with everybody working, why have we increased total federal debt by over $1 trillion during the last six years? Why have we increased federal spending by over $300 billion?

No, the day of big government is not over. We are not putting Social Security first. We have the best government in the world. Social Security is a good program. It can be saved if the government will put its financial house in order and stop the rapid expansion in federal spending.

ANDREW J. MAIR,
Retired, U.S. Government.

By current estimates, the Social Security trust fund will continue to run a surplus until 2012, when the first of the Baby Boom generation begins to retire. After that time, general federal tax revenues will be required to cover the ever-increasing difference between Social Security expenditures, and the revenue from Social Security taxes. Unless changes are made, this situation will place an ever-increasing squeeze on the federal budget, forcing either massive cuts in other programs or cutting Social Security benefits bloating the debt or eventually, a combination of these responses. The arithmetic which makes this a certainty is clear: As recently as 1950, there were 16 workers for every Social Security beneficiary. Today there are only 3.3. By 2025, there will be fewer than two.

What is needed is a fundamental reassessment of how the federal government spends the taxes it collects. Though the budget is technically near-balance, we must continue to reduce spending and real reforms must be instituted to sustain Social Security.

The National Debt Repayment Act (H.R. 2191) offers responsible management for any future budget surpluses. As an original cosponsor of this legislation, I am working hard to see it become law. The proposal will require an annual surplus of one percent. The proceeds from that surplus will then be used to pay for the various trust funds, tax cuts and debt repayment. This planned, systematic approach to the budget will assure continued progress toward a rational fiscal policy. This will enable us to further decrease interest rates, ensure the integrity of the Social Security and highway trust funds, and eliminate the burden our children and grandchildren would otherwise have to bear. Reforms such as H.R. 2191 are a good first step, but we must act now to assure the government fulfills its obligations to today's retirees, as well as tomorrow's Clearly, spending the ''surplus'' on new programs is unacceptable. I thank Andy Mair for his continuing involvement on this and other issues of importance to my constituents and all Americans.

HONORING HENDERSONVILLE HIGH SCHOOL STATE SOCCER CHAMPIONS FOR AN OUTSTANDING SEASON

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. GORDON. Mr. Speaker, I would like to express my congratulations to the Commandos of Hendersonville High School in Hendersonville, Tennessee as they celebrate their victory in the 1998 TSSAA Class AAA State Soccer Championship.

This is a tremendous achievement for the Commandos as it is their first State Championship since 1989. In a remarkable show of school and community spirit, senior team members aspired to win not only for themselves, but also for alumni who had played before them.

The championship game was won 2 to 1 by the Commandos under the leadership of Head Coach Russ Plummer and Assistant Coach Darren Frank. Goals were made by seniors Jeff Cundiff and Dylan Brown. Other team members include seniors Ryan Brody, David Kopko, Ryan McComas, Leif Sherry, Clark Hastings, Ian Cummings, and Ben Meyer; juniors Danny O'Keefe, Doug Ziegler, and Michael Rose; and sophomores Joe Carmack, Ryan Alexander, Travis Pulley, Jeremy Willis, Hank Stanfill, Andy Duensing, Corey DeGuira, and Zach Glaser. I congratulate these players and others who have made significant contributions to their success, including Hendersonville High School Principal Paul Decker, Athletic Trainer Robb Williams, Athletic Director Charlie Lewis, and Team Managers Kathy Calderala and Megan McMullen.

However, the greatest honor goes to the parents who, I am sure, are very proud of their sons' accomplishments. I give my highest congratulations to these young men on their great achievement. I am certain the Hendersonville community is very proud of these young men for their hard work and dedication.

IN HONOR OF COLONEL DAVID (MICKEY) MARKUS

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. SCHUMER. Mr. Speaker, I stand here today to honor the memory of a truly exceptional citizen on the 50th anniversary of his tragic death.

Colonel David (Mickey) Markus was a hero. Brooklyn born and bred, Colonel Marcus graduated from West Point in 1924 before returning to Brooklyn to attend Brooklyn Law School. After graduation, Colonel Marcus served our country as an Assistant United States Attorney and then as an officer in the Army during World War II.

In 1948, Colonel Markus travelled to the Middle East to fight for the creation of a Jewish state in the War of Independence. While serving as an officer in the Israeli army, Colonel Markus was killed in battle.

Even though he was serving in a foreign army, Colonel Markus was buried at West Point under special permission by President Truman. His contribution to the fight for an independent Israel were recognized by Prime Minister Ben Curion, who issued a special statement in his honor. Colonel Marcus's gave is honored with pebbles left by visitors in the Jewish tradition.

Colonel Marcus made our neighborhood and our country proud. We recognize his achievements on this solemn day and honor his memory.

CONGRATULATING BENJAMIN FRANKLIN MIDDLE SCHOOL

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate Benjamin Franklin Middle School in Ridgewood, New Jersey, on receiving the U.S. Department of Education's prestigious Blue Ribbon Schools Award.

This award recognizes that Benjamin Franklin Middle School is one of the finest schools in our entire nation. This proves that public education works and that our young people in Bergen County are among the best and brightest. This accomplishment is the result of hard work on the part of students, their parents, teachers and the Board of Education. Special congratulations go to Principal Paul Folkemer, and Superintendent of Schools Frederick J. Stokley. As a former teacher and school board member, I am proud of everyone associated with this accomplishment.

Of the thousands of middle schools and high schools across the United States, only 166 this year were found to be outstanding enough to receive this high honor. Recipients of the Blue Ribbon Schools Award have been judged particularly effective at meeting local, state and national goals. The award is presented to schools that have shown strong leadership, a clear vision and sense of mission, high quality teaching, challenging curriculum, a safe environment for learning, solid evidence of family involvement, evidence that the school helps all students achieve high standards, and a commitment to share best practices with other schools. These schools clearly display the quality of excellence necessary to prepare our young people for the challenges of the next century.

With 600 students, Benjamin Franklin has served students in the sixth, seventh and eighth grades as a middle school since 1985, when it reorganized from a junior high serving seventh, eighth and ninth grades. The mission of the school is to ''help children grow up''—intellectually, emotionally, socially and physically—and its organization, instructional program and support system are focused on that goal. The school is divided into two ''houses,'' each with an administrator, guidance counselor, learning disabilities consultant and 12 teachers divided into three teams of four each. Each team meets daily to discuss curriculum, review individual student progress and coordinate activities.

The school's curriculum is comprehensive and challenging. All sixth-grade students are required to take classes in English, math, science, social studies, a foreign language, physical education, art, technology, health and music. Seventh- and eighth-graders take courses in the same categories plus a selection of electives. The focus of the curriculum is on mastery of the language, problem solving, creativity, critical thinking and basic skill development.

Modern technology is a part of all courses. The school has a three-room technology center, a television studio, an automated information retrieval system, and televisions, telephones and computers in every classroom. Students word process all English assignments.

Since 1990, Benjamin Franklin has emphasized a ''reality-based'' curriculum that links academic topics to real-life situations. Students have explored how race relations played a role in the Yankees' decision to stay in the Bronx, the arson of African-American churches and the World War II Holocaust.

The excellence of Benjamin Franklin's academic program has been repeatedly recognized. In 1996, the school was selected as one of the top 10 schools in New Jersey and was recognized for its reality-based curriculum. In the past four years, the school has received nine Best Practices Awards from the state Department of Education, recognizing its courses in citizenship (twice), career education, English (twice), art, special education, foreign language and physical education. No other school in New Jersey has received that many awards during the four-year history of the Best Practices program.

Benjamin Franklin students are well prepared by their teachers, parents and role models in the community. They can rest assured they will be able to handle whatever challenges they choose in life. Once again, congratulations to everyone involved in this impressive achievement.

SPEAKER GINGRICH ADDRESSES ISRAEL'S PARLIAMENT

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. GILMAN. Mr. Speaker, I want to take this opportunity to share with our colleagues the address the Speaker delivered at Israel's parliament during our visit last week in commemoration of Israel's jubilee anniversary. The Speaker's appearance at the Knesset podium was the first by any Speaker of the House of Representatives. Such a historic event reaffirms and underscores the bonds of friendship and cooperation between the United States and Israel, and especially between Israel and the Congress of the United States. Accordingly, while many of our colleagues were privileged to hear the Speaker deliver these moving remarks, I am certain that the remainder of our colleagues would appreciate having the opportunity to review these remarks as well.

This congressional visit to Israel—to celebrate the miraculous rebirth of the modern State of Israel—was the largest visit of Members of the House and Senate to Israel in its fifty-year history. Under the Speaker's leadership, Members participated in valuable meetings with Prime Minister Netanyahu, and with Speaker Dan Tichon, with colleagues of ours in the Knesset. In what was a precedent-setting meeting, it was agreed that a US-Israel parliamentary group would be established, with the first bilateral focus to be on missile defense systems.

We were also privileged to spend several hours with Minister of National Infrastructure Ariel Sharon, who took us to two settlements across the green line in the West Bank. At one site, known as Paduel, we saw across the entire coastal plain to Ben Gurion airport and the skyline of Tel Aviv. It was clear that Israel's security concerns are deep and real.

In his remarks to the Knesset, Speaker GINGRICH eloquently relayed the affection and respect we have for the people and State of Israel. It was a memorable and historic day for the Knesset, the Congress of the United States, and for the citizens our two great democratic institutions represent.

Accordingly, I submit the Speaker's speech for the Knesset to be printed in the CONGRESSIONAL RECORD.

REMARKS BY U.S. HOUSE SPEAKER NEWT GINGRICH TO THE ISRAELI KNESSET, JERUSALEM, ISRAEL, TUESDAY, MAY 26, 1998

Speaker Dan Tichon and Mrs. Tichon; ministers and deputy ministers of the government of Israel; members of the Knesset, former Knesset Speaker Shlomo Hillel; former members of the Knesset; my congressional colleagues; distinguished guests and friends—and as I look out, I see friends, many of whom go back for many years—it is a great honor to stand before you today in the Knesset, the one truly democratic parliament in the entire Middle East. For 50 years, the Knesset has led a nation that has gathered in people from over a hundred lands, survived the perils of many wars, and built a thriving nation out of the desert.

As we celebrate the remarkable achievements of the last 50 years, let me simply say: kol hah-kavod—all honor to you. Democratic leader Dick Gephardt and I have joined with the largest bipartisan gathering of congressmen and senators ever to visit Jerusalem. We are here to celebrate the 50th anniversary of Israel's rebirth as a modern state. We commemorate 50 years of a close and cooperative relationship between our two countries and our two peoples.

In a sense, however, we are not only celebrating the last 50 years. The American and Israeli people are bound together by 3,000 years of a shared and ancient tradition. We are bound together by a common spiritual experience.

It is a bond that is felt most powerfully here, in this city. As we overlook Jerusalem and look at the sights that touched the lives of Abraham, David, and Christ, we understand the depth of a relationship that is far more than shared geopolitical interests. We are bound together morally. Our two countries are committed to freedom, democracy, the rule of law, and individual rights. We're bound together by pure friendship.

It has been a privilege for me to return to Israel and spend time with your leaders, some of whom I've known for almost 20 years. For Marianne, it has been a chance to see friends she worked with on the Israel free trade zone issue.

A member of our delegation, Congressman Tom Lantos, a survivor of the Holocaust, first visited Israel in 1956. And this is his 57th trip to visit Israel.

Two key chairmen in our delegation, Bob Livingston and Ben Gilman, have coupled their leadership in Congress with a deep understanding and love for the land and people of Israel.

Another member, Congressman Henry Waxman, returns to Israel often to visit his daughter, son-in-law, and grandchildren, who live here.

The ties that bind America to Israel are greater than the economic and security interests that our nations share. We are two nations grown from a common source, both forged by the courage and imagination of pioneers and both expressing in our founding documents our ultimate reliance on divine providence.

As we celebrate with you, we remember together the courage of David, who established Jerusalem 3,000 years ago as the political and spiritual capital of the Jewish people. We commemorated that event the last time Marianne and I saw Prime Minister Rabin alive, at an event in our Capitol, in the Rotunda, to celebrate the 3,000th anniversary of Jerusalem. Prime Minister Rabin spoke with deep emotion of his own ties to Jerusalem, the city where he was born and the city he fought to defend throughout his life. We in Congress stood with him then and stand with you today in recognizing Jerusalem as the united and eternal capital of Israel.

We remember the commitment of the early Zionists who convened the first Zionist Congress a century ago, lived through the horror of the Holocaust, and finally, witnessed the birth of a Jewish homeland in Eretz Yisrael. We remember the story of the last 50 years, of a state that has survived wars and countless acts of terrorism to maintain its place among the nations. We remember with you because we believe that the anniversary of Israel's rebirth is not just a celebration for Israel alone, it is a celebration for all who are inspired by the faith that was born in this land. It is a celebration for all who see in Israel an outpost in the struggle for freedom across the globe. And it is a celebration for all who see in the fundamental relationship between our two countries a remarkable history and a great hope.

For we are here to celebrate more than the first 50 years. In a sense, we're here to celebrate the first 3,000 years. And we're not just here to look ahead with you to the next 50 years; we dream of how we and our children can build a future that holds more than the hope for mere survival, a future that can lead to a lasting prosperity, an enduring peace, and a truly free land. Such a future, one marked by peace, prosperity and freedom, must be built upon an unending commitment to security for those who seek peace.

One of our greatest presidents, Ronald Reagan, had a simple strategy to expand freedom across the globe. It came down to three words: peace through strength. He knew that strength was the key to security and that security was essential to peace. He knew that a lasting peace required a durable security.

This truth was reinforced for me in a personal and powerful way during this trip to Israel. On Sunday, we visited the Weizman Institute, where we met with some of your most talented scientists to learn about the technological breakthroughs that will shape our mutual future. As we were leaving, I spoke to Manuela Deviri, whose son Yoni was killed in Lebanon on February 26th of this year. A 20-year-old staff sergeant from Kfar Saba, he served in an intelligence unit and died when a mortar round struck his position. Manuela had, in Abraham Lincoln's words, laid the most costly sacrifice on the altar of freedom. She had lost her son. She still has another son and a daughter and a granddaughter. Yet she said to me unequivocally that she did not believe peace could come without security. And this was her formula: ''You should not need two words,'' she said. ''Peace has within it the word security.'' When you say peace, it must include security, or it has not meaning. While this tragedy has deprived Manuela of Yoni, I know the deepest hope that she has for her granddaughter, Gali, is a future of peace, freedom and security. We join Manuela Deviri and the rest of the Israeli people in their aspirations for peace. No one can understand the depth of that aspiration unless they have lived so long without peace. And no one can hope to achieve true peace unless it is always coupled with true security.

The peace process must ensure that Israel will retain the ability its own citizens from terrorism. It must ensure that Israel maintains secure borders with its neighbors. Without establishing those realities, it cannot succeed.

For this reason, we support the Clinton administration when it says that Israel alone must determine its security needs. We cannot allow non-Israelis to substitute their judgment for the generals the Israel has trusted with its security. If Israel is to take risks for peace, as she has often done in the past, it must be risks she accepts, not risks that are imposed upon her.

While the peace process is designed to provide security within Israel and on her borders, perhaps the greatest threat is beyond the peace process. Israel and the United States now face a growing threat beyond the horizon: weapons of mass destruction in the hands of outlaw dictatorships.

Through our victory in the Cold War, the United States and its allies defeated Soviet communism. In the subsequent years, however, rogue regimes in countries like Iraq, Iran, North Korea and Libya emerged from the shadows of the vanishing Soviet empire. In the hands of these dictatorships, weapons of mass destruction and the means to deliver them have become a dangerous threat to Israel, to the United States and to our allies. Like few others on the planet, Israelis know the real palpable threat from dictatorships that are methodically developing these weapons and delivery technologies.

In 1991, 28 Iraqi Scud missiles rained down on Israel, inflicting causalities and portending Israel's vulnerability. We too know the consequences of these weapons. Thirty-eight young Americans were killed when an Iraqi Scud struck their barracks in Dhahran. Despite the partial effectiveness of Patriot missiles, at times our only defense was the inaccuracy of the Scuds themselves. In our review of the Gulf War, we discovered that not one Scud or Scud launcher was confirmed as destroyed on the ground in Iraq, despite a great effort to do so.

Since 1991, rogue dictatorships have relentlessly worked to improve both their weapons of mass destruction and their delivery systems. Nevertheless, in some quarters, there is a breathtaking avoidance of what these facts imply. If dictatorships work while democracies talk, a catastrophe will become inevitable. For democracies to survive and dictatorships to fail, we must establish a vision of a secure democracy, and we must implement three parallel strategies to achieve that vision.

Our success must be built on the strategies of containment, defense and replacement. First, we must put unrelenting pressure on anyone assisting these outlaw dictatorships with their weapons programs. We cannot have normal relations with governments' either tolerating or encouraging assistance to these dictatorships, whether the governments are active participants or acquiescent partners.

Due to Russian assistance, Iran will reportedly be able to manufacture its own medium-range ballistic missiles by the end of this year capable of striking Israel and parts of Europe. Russia has also assisted Iraq with its own weapons program. It is time for our patience with the Russian government to come to an end. It should be clearly communicated that Russia's relationship with the United States and Israel, and other nations of the West, will suffer if its actions do not match its commitments. The same message should be expressed to others, including China, who assist these countries in their nuclear, chemical, biological and missile programs. We have a range of policy instruments at our disposal, including diplomatic and economic levers, and we should be prepared to use them.

The United States must make clear that stopping Iraq and Iran from acquiring weapons of mass destruction is its most intense goal. And we should organize our allies to jointly prevent these dictatorships from acquiring weapons of terror.

Second, we cannot rely solely on containment to protect us from rogue dictatorships' developing these capabilities. As these countries develop more and more accurate guidance systems for their missiles with increasingly virulent biological and chemical warheads, it will become even more urgent to

develop effective defenses against these systems. In the United States today, we do not have the military capability to stop even one theater or intercontinental ballistic missile from reaching its target.

Our senior military officers would be reduced to scanning the horizon like the rest of us, watching for the missile that could destroy our city, our family, our home. We are totally vulnerable. But we are told that a 25-year-old treaty with a non-existent entity, the Soviet Union, prevents us from responding to this danger.

Israel, not bounded by an outmoded dogma, is taking steps to develop missile defense and we are assisting in those efforts. We have joined the Israeli government in the Arrow ballistic missile defense initiative to protect your citizens from the very real threat. The Arrow program is a tribute to the ingenuity and determination of the people of Israel to forge an effective defense for your homeland. The United States must aggressively develop both theater and global missile defenses to complement and reinforce the protection Arrow will provide here in Israel.

Containment and defense provide interim security, but they cannot, by themselves, guarantee success. As long as individual dictators or regimes based on hatred work to develop terror weapons, all democratic societies will be threatened with catastrophe. A single nuclear, chemical or biological device in one of our great cities would create a tragedy of unthinkable proportions.

Our third strategy must be to preempt catastrophe by insisting that dictatorships be replaced with democracies. Clearly, the free world has the capacity to liberate the people of Iraq; clearly, the free world has the resources to encourage the people of Iran to complete the process of change which hopefully began with the election of President Khatami. We need the will, the courage and the determination to work together to replace dictatorships seeking weapons of terror with democracies seeking friendship and economic prosperity.

This vision of democratic success and the failure of dictatorships will require the same level of courage and commitment that in World War II defeated Nazi Germany, fascist Italy, and imperial Japan. It will require the unrelenting persistence that for 45 years methodically contained, defended against, and in concert with the Russian and other captive peoples, ultimately replaced a communist dictatorship with fledgling democracies. Those democracies, while still struggling, have advanced freedom dramatically from the police state they replaced.

Free peoples who face down and defeated these dangers, should see today's dangerous but fragile dictatorships for what they are—our opportunities to expand freedom. Sustaining security and establishing freedom will lead not only to peace but also to economic prosperity. If we achieve peace through security in this region, the economies will flourish. They will flourish first because open borders and free trade produce wealth. No one should know this better than the Palestinians. When acts of terror force Israel to seal its border, it is the Palestinians who suffer most. They lose access to the strong Israeli economy, and 100,000 Palestinians are cut off from their jobs. When regional tension chokes off commerce, it is Israel's neighbors who suffer most. Open borders and free trade allow others to share in Israel's economic growth.

In addition, the region's economies will flourish as broad cooperation solves the most pressing problems of the next 50 years. Nowhere is that cooperation more vital than in dealing with the shortage in the region's most precious resource, water. Water has always been a central security concern in this land. Hezekiah enhanced Jerusalem's security dramatically when he protected the Gihon spring, his water source, by extending the walls of the city. Today, water is an equally critical security concern, with the future of aquifers like the Yarkon as a principal issue in the peace process.

Right now, the United States gives incremental assistance to manage the problem. It has provided hundreds of millions of dollars to the Palestinians, primarily to tap new sources of water and manage the existing ones. In addition, it has assisted other countries in the region by providing them with Israeli expertise on things like drip irrigation and water recycling.

Each of these efforts does assist countries that have a large and growing water deficit. They ultimately have a marginal impact, however. Our challenge for the next 50 years is to find the strategic solution to the shortage of water in the region. We must do more than manage an ever-scarcer resource. We must support the scientific and engineering advances that will erase the shortage of water forever. Israel, the country that caused the desert to bloom, must lead this effort. From the cisterns of Masada to the drip irrigation of today, Israel has learned how to preserve a scarce resource. Today it is the world's leader on those questions.

In the future, Israel should become the world leader on expanding the supply of water. It has both the regional need and the human capital to lower the cost of desalinization and end the shortage of water for the region.

The United States has already invested in sharing Israeli expertise with the region, learning to manage a scarce resource. For the future, leadership demands that we do more than simply manage the current options. We, the United States, must invest with Israel to overwhelm the shortage of water with research that will provide fresh water from an abundant source, the oceans that cover most of our planet.

Our joint efforts for the future are built on the close relationship between our two countries. This relationship has been fostered in a sustained way by the United States Congress. The strong personal bond that members of Congress feel toward Israel has led to consistent support of the state, reaching back to congressional resolutions as early as 1922 that supported a Jewish homeland in Palestine.

Congress approved its first package of aid to Israel, $65 million, in 1951. Congress pressed to maintain Israel's qualitative military edge. It provided emergency military assistance during the Gulf War. Congress approved $10 billion in housing-loan guarantees in order to absorb the flood of Jewish refugees from the former Soviet Union and Ethiopia. It is Congress that enacted legislation in 1995 that requires our government to move its embassy to Jerusalem, finally recognizing the fact that Jerusalem has been Israel's capital for the last 50 years.

As speaker of the United States House, I want to initiate a far more direct relationship between the Knesset and the Congress. Today, Speaker Tichon and I are inaugurating a new U.S.-Israel interparliamentary initiative on strategic cooperation to be pursued by members from the U.S. Congress and the Knesset. This effort was conceived by Chairman Uzi Landau of the Knesset's Foreign and Defense Affairs Committee and Senator JOHN KYL of the U.S. Congress. The initiative will focus on security issues, particularly the crucial question of missile defense. It offers an excellent starting point for broadening and deepening the interaction between the Congress and the Knesset. The relationship are we establishing between Congress and the Knesset, will not be unique. As democracy spreads across the region, as it inevitably will, we should work together to broaden the interaction with other democratic parliaments.

As we celebrate Israel's 50th anniversary, we honor those both American and Israeli whose commitment to security and freedom ensured Israel's survival. Today, we must draw inspiration from their example. And let me just close by sharing with you. We've had a wonderful several days. We just had a meeting with your Foreign and Defense Committee that was very direct and very candid on both sides, not quite up to the Knesset standard of bluntness, but we're trying to learn. I just want to share with you, for one brief moment, the magic that you represent. One hundred years ago, this was Ottoman Turkish land. Russia was czarist. Germany was imperial. China had not yet had the revolution that ended the Confucian domination, and the Manchu Dynasty was still there. Japan was imperial in every sense, and democracy was a strange idea in only a few countries.

One hundred years later, we are gaining. It's painful. It costs lives. We make big mistakes. If you go to Yad Vashem you're reminded with heart-rendering clarity of the cost of being wrong.

And yet in America, in Israel, in Europe, in more and more of Asia, in Russia, day by day, this thing that we jointly represent—elect people to speak for you, put them in one room, and make them fight it out—this thing is slowly spreading across the planet.

I am convinced from our trip here that Israeli democracy's never been more vibrant. It's never had a greater range of potential leaders pushing, shoving, arguing. it's never wrestled more passionately with the future of Israel and its relation with its neighbors. And as an American, I can tell you how much we gained from these days, how stronger we will be going home, how much more grateful we are that you here, in the city of David, continue to stand for freedom, and how much we want to reach out to work with each and every one of you to make sure that 50 years and 3,000 years from now freedom exists in this land.

Thank you for allowing us to visit.

TENTH ANNUAL ASBURY PARK CAROUSEL AWARDS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. PALLONE. Mr. Speaker, this evening, Thursday, June 4th, the Greater Asbury Park, NJ, Chamber of Commerce, will present its Tenth Carousel Awards Dinner at Christie's Restaurant in Wanamassa, NJ. It is a great honor for me to pay tribute to this year's recipients.

The Carousel Awards express the recognition and appreciation of a grateful community to individuals and organizations who have contributed in many ways to the revitalization of Asbury Park, making this great American city a better place to live and work. The recipients of the 1998 awards are:

New Jersey Natural Gas Company, Spirit of Asbury Park Award; Monmouth County Freeholder Theodore J. Narozanick, Special Recognition Award; The Monmouth Ocean Development Council, Special Recognition

Award; Kleenzie-Benje Carpet Specialist, Business Achievement Award; Burger King of Asbury Park, Community Service Award; and Asbury Park Fire Department & Emergency Medical Services, Community Service Award.

Mr. Speaker, it is a great honor for me to represent the City of Asbury Park in the U.S. House of Representatives. Asbury Park, on the Jersey Shore, is a city of legendary proportions. Many Americans from other regions of the country may only recognize its name from the title of Bruce Springsteen's first album, ''Greetings from Asbury Park, New Jersey.'' For years and years, people from all walks of life have come to Asbury Park to enjoy the boardwalk, the night life and the sandy beaches. But, besides launching the career of one of America's best-loved singer-songwriters and being a favorite tourist destination for decades, what Asbury Park is really about is a thriving, diverse, tight-knit community, proud of its illustrious past and working hard to build a better future. The recipients of this year's Carousel Awards have all contributed significantly to the advancement of this very special community.

RECOGNIZING EAST BRUNSWICK HIGH SCHOOL FOR ACHIEVING FIRST PLACE IN THE NATIONAL ''WE THE PEOPLE'' COMPETITION

HON. MICHAEL PAPPAS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. PAPPAS. Mr. Speaker, it is my distinct pleasure to rise today to congratulate John Calimano and his students at East Brunswick High School on earning first place in the nation at the We the People . . . The Citizen and the Constitution competition in Washington, D.C. on May 2 through 4, 1998. This is an exceptional program with an outstanding advisor deserving of much acclaim.

During the national finals of the event, more than 1200 students from 50 states and the District of Columbia demonstrated their knowledge of constitutional principles and their relevance to contemporary issues before simulated congressional committees composed of constitutional scholars, lawyers, journalists, and government leaders.

East Brunswick High School has represented New Jersey in the national finals of the program for ten consecutive years—every year that this prestigious event has been held. They have consistently been recognized as an outstanding institution by the program and have set a standard for excellence during their tenure. Their knowledge of the material is exceptional and their ability to articulate this knowledge is impressive. This year, they demonstrated once again that they are among our nation's best and brightest.

Mr. Calimano has been the teacher and advisor for the program at East Brunswick High School and has established a remarkable track record in his time at the school. The founder of the Institute for Political and Legal Education program at the high school, Mr. Calimano's dedication and tireless efforts have established a tradition of honor at the school. I commend him for all that he has done and wish him much success in his future endeavors.

Congratulations to Mr. Calimano and the members of the National Champion team: Mian Azmy, Michael Carr, Daniel Cohen, Michael Cohen, Stacie Dubin, Andrea Feit, Naomi Finkelstein, Christian Forsythe, Hillary Gallanter, Gina Gancheva, Heather Gerchen, Brett Gursky, Denise Heitzenroder, Rachel Katz, Terry Lin, Jonathan Meer, George Mossad, Amanda Rosen, Joel Pruce, Niyati Shah, Naseer Siddique, Michael Sturm, Robert Thompson, Howard Wachtel, Ari Waldman, Jamie Yonks, and Joanna Young. Mr. Speaker, if this outstanding achievement is any indication of the future success of these students, America's brightest days are truly to come.

PERSONAL EXPLANATION

HON. CHARLES F. BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. BASS. Mr. Speaker, the RECORD currently indicates that I did not vote during rollcall No. 170, on the Hunter Amendment to H.R. 3616, the FY99 Defense Authorization Act. It is my recollection that, in fact, I voted in favor of this important amendment. I therefore ask unanimous consent that the RECORD indicate my support for this amendment.

PERSONAL EXPLANATION

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. MICA. Mr. Speaker, due to official business, I was unable to vote on June 3, 1998.

On approving the Journal Agreed to by the Yeas and Nays, Roll No. 193, I would have voted yes. On designating the Carl D. Pursell Post Office, Roll No. 194, I would have voted yes. On designating the Steven Schiff Post Office, Roll No. 195, I would have voted yes.

THE NEED FOR TECHNOLOGY FOR THE F–15E EAGLE AIRCRAFT

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. COSTELLO. Mr. Speaker, I want to pass along information to my colleagues today bout our nation's defense and a critical issue facing our military forces. The issue concerns much-needed technology for the F–15E Eagle aircraft. The need for this technology is almost always pitted against the realities of the budget and other domestic needs which compete with our military readiness and maintenance expenses.

The F–15E has received the support of the Congress in developing and testing low band self-protection. In the FY97 budget deliberations, Congress chose to develop and test the ALQ–135 Band 1.5, to help the Air Force continue to try and protect the F–15E. We must now move forward to ask the Defense Department to consider the need to procure the ALQ–135 Band 1.5.

Procuring this new technology, which is made in my home state of Illinois, would give greater protection to our men and women in the Air Force. During Desert Shield/Storm, 48 F–15E's were equipped with the ALQ–135 Band 3, or high band. It performed so well during Desert Storm that no a single F–15E was lost to enemy threats, against which the Band 3 provides protection. Unfortunately, there is not the same level of protection with the low band threats. Band 1.5 was not available and as a result, at least one F–15E valued at $50 million was lost. We cannot afford to allow this situation to persist; our airmen and women need the most up-to-date technology possible.

Accelerating funding for the ALQ–135 Band 1.5 will allow much earlier installation and protection of the F–15E, and will provide essential protection to our aircrews. The F–15E can accept this technology; everything is ready to plug the black boxes into the aircraft and provide this protection. One reason to accelerate the funding will be to keep the ALQ–135 Band 1.5 production line open, and avoiding $100 million in cost, savings thousands of jobs with only a $25 million investment.

I urge my colleagues to give consideration to the need to accelerate funding for the F–15E's ALQ–135 Band 1.5 technology. It will provide needed capability to our airmen and allow hardworking citizens to continue working on the current production line.

STATEMENT RECOGNIZING EL SALVADOR'S SUCCESSFUL PRIVATIZATION PROGRAM

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. GILMAN. Mr. Speaker, I would like to join with the honorable gentleman from North Carolina, Mr. BALLENGER, to recognize the successful privatization program being implemented in El Salvador. Mr. BALLENGER is a distinguished member of our Committee on International Relations, and he and I share a longstanding interest in El Salvador.

After more than a decade of civil war, many people understand that El Salvador has made a successful transition into a healthy, functioning, multi-party democracy—one in which the former FMLN rebels are now completely integrated into Salvadoran society as a political party. What is not as widely known, however, is the fact that El Salvador has also undergone an equally dramatic economic transition. With this statement, we would like to pay tribute to the people of El Salvador and their political leaders, including especially President Armando Calderón Sol, and congratulate them for the success of their recent privatization efforts.

In 1990, El Salvador embarked on the process of modernizing its national economy, including the privatization of key industries. The effect of these policies on the people of El Salvador has been dramatic. In 1997, El Salvador's economy grew by 4 percent, the inflation rate was pushed (from highs of 30 percent in the late 1980s) to below 1.93 percent and unemployment fell to around 7 percent in urban areas. El Salvador is now ranked by the Heritage Foundation as the third most open

economy in Latin America. In addition, Moody's recently issued a Baa3 investment grade rating for the country—effectively putting it on par with some of its larger neighbors in Latin America most notably Chile.

Recently, El Salvador successfully privatized its state electricity industry. The state entity known as CEL (the Comisión Ejecutiva Hidroelectrica del Río Lempa) has been the traditional operator of electricity generation and transmission assets in El Salvador.

On January 20, 1998, CEL auctioned 75 percent of the shares of four state-owned electric distribution companies in El Salvador for a total of $586.1 million dollars. This transaction was the first successful privatization of the electric industry in central America, and represents the most money earned to date from any privatization in the region. The three international investors who won the bidding process were: Enersal C.A. of Venezuela, Electricidad de Central America (a division of EMEL) of Chile (in which Pennsylvania Power and Light is a major stock holder) and AES Aurora El Salvador from the United States. Each company reserved 20 percent of its shares for purchase by its workers. The remaining 5 percent shares in each of the four companies will be offered to individual investors on June 10, 1998 on the El Salvador stock exchange.

In April, El Salvador launched a new retirement system based on the Chilean pension fund model. Five companies, including Citibank from the United States, were authorized to manage pension funds. After passing legislation to create the new pension fund retirement system in December, 1996, the Salvadoran government worked carefully to create a proper framework to safeguard and regulate the new pension system. The United States Agency for International Development provided key training for the Superintendencia de Pensiones.

The Government of El Salvador is planning to finalize the privatization of the state telephone company ANTEL next month. In addition to French, Spanish, Swedish and Mexican concerns, three U.S. companies, GTE, Bell South and Southwest Bell have submitted bids.

These privatizations have brought significant private investment to El Salvador. Moreover, to date, organized labor and El Salvador's political parties have been involved and have supported the government's efforts. The privatization process has also been roundly praised for its transparency and openness. These privatizations put El Salvador on the map as a good place to invest in the region.

We extend our best wishes for success to El Salvador as it moves forward with its privatization process.

IN HONOR OF FR. JOHN CHARLES DALTON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. KUCINICH. Mr. Speaker, I rise to honor the achievements and contributions of Fr. John Charles Dalton, on the 50th Anniversary of his Ordination.

Father Dalton entered St. Mary Seminary in 1943 and was ordained five years later, by Most Reverend Edward F. Hoban. In his years of service, Father Dalton baptized over 2,000 parishioners and united 545 couples in marriage. He served as Associate Director of Services to the Deaf, Counselor to self-help groups, and role model to his community.

Throughout his distinguished life of service, Father Dalton has been a powerful force in the ministry. From the physical exertion of constructing a ballfield, to the patience of teaching, to the compassion of working with the deaf, Father Dalton has proven himself as a gentleman driven to help his community. He continues to visit the homebound and the hospitalized, and remains active in the Parish Ministry at Holy Name, Cleveland. From him, we can all learn of dedication, selflessness, generosity and wisdom.

My fellow colleagues, please join me in recognizing the community service of Father John C. Dalton, and celebrating the 50th Anniversary of his Ordination.

CARL D. PURSELL POST OFFICE

SPEECH OF

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 1998

Mr. PORTER. Mr. Speaker, I rise in strong support of H.R. 3808, a bill to name a Post Office building in Plymouth, Michigan after my good friend Carl D. Pursell.

Mr. Speaker, this is a fine honor for one of the finest gentlemen to ever grace the halls of Congress. Carl Pursell distinguished himself through his incisive intelligence, his leadership and his friendly demeanor. I had the great honor to serve with Carl on the Appropriations Committee and on the Labor/HHS/Education Subcommittee. I learned a great deal from Carl about appropriations and about the legislative process and, in particular, like the other members of the subcommittee, I benefitted immensely from the knowledge that Carl brought to the subject of education as a result of his past career as a teacher. Carl was uniquely suited to the challenge of formulating a coherent federal education policy and his contributions continue to this day to benefit the nation's students. He was also an early and tireless crusader for the interests of the nursing profession and the driving force behind formation of the National Institute for Nursing Research. His compassion, his common sense, and his strong knowledge of health and education policy issues all combined to make him a strong and effective legislator on behalf of the American people.

Mr. Speaker, this is a truly fitting honor for a truly fine gentleman and I commend the gentleman from Michigan, Mr. UPTON, for his efforts in steering this important legislation to the floor today.

IN HONOR OF FATHER ANTHONY C. CASEY

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. SCHUMER. Mr. Speaker, I would like to take a couple of minutes today to recognize the contributions of Father Anthony C. Casey on the 40th anniversary of his ordination.

Father Casey was ordained as a priest on June 15, 1958 in his native Ireland. He came to the United States soon thereafter, and immediately devoted himself to our communities. He has faithfully served on dioceses in Brooklyn and Queens, including St. Mel's in Flushing, Holy Innocents in Flatbush, Saint Joan of Arc in Jackson Heights, and Holy Family in Flushing.

Father Casey joined the Saint Columba family in 1979, bringing with him a strong sense of spirituality and a deep desire to help others. All who have met him have been touched by his sincerity, devotion, charm, and tireless commitment to those in need. The Brooklyn community benefits from the hard work of this truly special man.

Father Casey has also distinguished himself outside the church. While serving our community, Father Casey also devoted considerable energy to his own education. He earned a Master of Science from Iona College and a Ph.D. in Clinical Psychology from St. John's University. A diligent scholar, he has brought the same dedication to his work as an author, linguist, and artist. A leader by example, Father Casey recently lent considerable time and effort towards the push for peace in Ireland.

On this special day, we take time to recognize the contributions of our leader and dear friend. We extend our sincerest thanks to Father Casey, and hope that the Brooklyn community can enjoy the fruits of his labor for years to come.

PERSONAL EXPLANATION

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. McINNIS. Mr. Speaker, because I was attending the funeral services of police officer Dale Claxton, who was shot in his patrol car, I was not present to participate and vote on Wednesday, June 3, 1998.

Mr. Speaker, on the morning of Friday, May 29, 1998, Cortez Police Officer Dale Claxton was fatally wounded. Officer Claxton was a cherished and beloved husband, father and member of the community of Cortez, Colorado. He is survived by his wife Susan Claxton and his children Judy Claxton Choate, Caitlin Claxton, Colton Claxton and Corbin Claxton. The tragic and sudden death of Officer Claxton has left a tremendous hole in a community and he will be greatly missed.

Additionally, deputies Jason Bishop and Todd Martin of Montezuma County Sheriff's Department were wounded as well. The death of officer Claxton as well as the injuries sustained by deputies Bishop and Martin remind us that every day thousands of brave men and women put their lives on the line providing the thin blue wall between the law abiding citizenry and lawlessness.

IN HONOR OF MRS. MARY L. LIDDELL

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. HASTINGS of Florida. Mr. Speaker, it is my privilege to rise today in order to publicly recognize a civic leader of South Florida, Mrs. Mary Liddell.

As some of you may know, Mrs. Liddell has worked tirelessly for the students of the Dade County Public School System.

Mary began her career as an elementary school teacher at Miami's Dubar Elementary School in 1964. Since then, she has served six schools in four decades. In each community, she has blessed her students with an uncommon commitment to an education that goes far beyond reading, writing, and arithmetic.

In addition to her long years of service to the Dade County Public Schools, Mrs. Liddell is a leading community activist. As a representative of the March of Dimes, the YWCA, numerous voter registration drives, and the Democratic Black Caucus of Dade County, she has demonstrated to her students first hand what it means to be an interested and concerned citizen.

After more than 35 years serving the Dade Country Public Schools, Mary Liddell will be retiring on June 19, 1998. The following evening, Miami's education and community service communities will be joining together to celebrate her noteworthy career. Mr. Speaker, I ask for any colleagues to join me today as we honor a truly great American. Mary has touched the lives of literally thousands of our children and for that we thank her.

IN HONOR OF HOST/SHPE GALA BANQUET

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. MENENDEZ. Mr. Speaker, I rise today to congratulate the Society of Hispanic Professional Engineers (SHPE) at the New Jersey Institute of Technology (NJIT) for their second place finish at the SHPE National Academic Olympiad in Orlando, Florida. The NJIT team was attempting to defend their 1997 Academic Olympiad National title, but narrowly lost to the worthy team from Rice University.

The Collegiate Bowl Competition is in a Jeopardy format, but with a focus on engineering. The NJIT SHPE team did successfully defend its regional title by besting teams from MIT, RPI and Stevens Institute of Technology.

The NJIT SHPE team is a tremendous example of the New Jersey Institute of Technology's commitment to diversity and scientific excellence. Team members Rene Yandum, Priya Singh, Omar Rodriguez, and Edward Komenda have done their school and our state proud.

These champions' accomplishments will be celebrated May 16 at the Hispanic Organizations of Students in Technology/Society of Hispanic Professional Engineers of New Jersey Institute of Technology Gala Banquet. The banquet will be held at the Campino Restaurant in Newark, New Jersey.

THE 95TH ANNIVERSARY OF THE HARLEY-DAVIDSON MOTOR COMPANY OF MILWAUKEE, WISCONSIN

HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. BARRETT of Wisconsin. Mr. Speaker, on June 13, 1998, if you are shaken from your bed in the middle of the night by a loud rumbling while your windows rattle and your floor shakes, don't worry, it's not an earthquake, it's just Milwaukee going ''HOG WILD'' in anticipation of Harley-Davidson's 95th Anniversary.

All around the country, HOG riders are saddling up and heading to the Midwest and the great City of Milwaukee for a week-long celebration of one of the world's most recognizable American-made products, Harley-Davidson Motorcycles.

I share my hometown of Milwaukee with Harley-Davidson. After college, I even worked on the factory assembly line for a summer. Its commitment to excellence has established Harley-Davidson as a world-class corporation, and its commitment to the Milwaukee community has established Harley-Davidson as a world-class corporate neighbor. And in the true spirit of corporate responsibility, Harley-Davidson is sponsoring five-week-long rides to Milwaukee from around the country and will use the rides to raise funds for the Muscular Dystrophy Association (MDA).

When Harley-Davidson issued its invitation to call its family home for this great celebration, Milwaukee responded by dedicating its resources to ensuring that this celebration will be one for the ages. On June 13, Milwaukee will open its arms and welcome more than 60,000 people to the city for a reunion celebration unparalleled in Milwaukee's history. The city will host spectacular parades of motorcycles winding their way through Milwaukee to the festival grounds. The reunion celebration will feature national and regional entertainment on eight stages located around the grounds and antique motorcycle displays, demonstrations, games, auctions, raffles and an evening birthday celebration.

Harley-Davidson's international success and world-wide recognition for quality is epitomized by the international celebrations of its 95th Anniversary. In conjunction with the activities in Milwaukee on June 13, rides and celebrations are scheduled for Prague, Czech Republic, Mexico City, Mexico, Vancouver, Halifax and cities in Asia and Australia.

I congratulate Harley-Davidson for 95 years of service to motorcyclists across America and around the world and I am proud to be a part of the celebration of this great American corporation.

RECOGNIZING SASHA SCHWARTZ FOR PARTICIPATION IN THE INTERNATIONAL MATH OLYMPIAD

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to recognize an outstanding student from my district—Alexander (Sasha) B. Schwartz. Sasha, a sophomore student at Radnor High School, has won a place on the U.S. Mathematics Olympiad Team which will compete against seventy-five other nations in a two day, nine hour mathematical examination to be held this summer in Taipei, Taiwan.

Sasha took part in the American Invitational Math Exam along with 250,000 other students nationwide. After being named one of the 7,500 students who qualified for the United States of America Math Olympiad, Sasha competed in a grueling six hour exam. As a result of his extensive studying and preparation, Sasha tied for first place in the nation and was named to the National team. Armed with only a compass, protractor, ruler, and pencil, Schwartz will lead the six-member team in a two-day, nine-hour exam in Taipei, Taiwan this coming July.

At a time when many question the quality of our mathematic education in this country, Sasha proves that the United States will produce many of the best students in the world. Sasha's exceptional achievement also speaks for the superb quality of our public school systems in Pennsylvania, highlighting that of Radnor Township.

Mr. Speaker, I ask my colleagues to join me in congratulating this amazing young man on his achievement and in wishing him and the entire U.S. Mathematics Olympiad Team good luck in the upcoming competition in Taipei.

SALUTE TO THE PAINTSVILLE MIDDLE SCHOOL COMMUNITY FUTURE PROBLEM SOLVING TEAM

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. ROGERS. Mr. Speaker, on June 12th and 13th the members of the Paintsville Middle School Community Future Problem Solving Team will be in Ann Arbor, Michigan, for the Future Problem Solvers of America national competition.

This competition is an excellent opportunity for young men and women throughout our nation to put their creative thought processes to work as they find workable, innovative solutions to many of the problems that face our schools, communities, states and nation.

The Paintsville Middle School Community Future Problem Solving Team has already demonstrated its outstanding problem solving abilities by winning the State of Kentucky's Problem Solving Competition. The group helped tackle a local school problem by trying to find a way to help improve student performance on state-required tests.

They analyzed the current situation and came up with the idea of offering instant, confidential, one-on-one help through a free

Homework Hotline. The Team worked with the local telephone company and school officials to establish the Hotline, setting up both a telephone line and an Internet chat room. The members of the Community Problem Solving Team manned the Hotline under the supervision of adult volunteers and the 8th grade members of the Team.

The response to the new Homework Hotline was extremely positive. Students who used the service became more adept at refining their questions and moved away from one-line fact requests to research-based inquiries for additional sources of information that they could access on their own. The Team is now considering continuing the program into next year.

I want to congratulate all the members of the Paintsville Middle School Community Future Problem Solving Team: Catlin Boswell, Zachary Boswell, Ashley Boswell, Katie Brown, Hayley Castle, Elizabeth Combs, John Compton, Sashi Param, Malloree Collins, Katie Gilkerson, and John Petot. They have spent countless hours working on the Homework Hotline project, and their dedication to their community and fellow students should serve as an inspiration to us all. I also want to commend the Team's Coach, Brenda Porter, and the Team's advisors: Teresa Boswell, Larry Compton, Teresa Petot, and South Central Bell. Their support and guidance has been invaluable in spurring the success of the Community Future Problem Solving Team.

Mr. Speaker, the activities of the Problem Solvers are important, and we should support their efforts. Today's problem solvers are tomorrow's problem solvers and community leaders. I ask my colleagues to join me in congratulating the Paintsville Middle School Community Problem Solving Team on a job well done, and to wish them the best of luck as they compete in Ann Arbor, Michigan, next week.

TRIBUTE TO GARRY FREID

HON. JIM DAVIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. DAVIS of Florida. Mr. Speaker, I rise today to honor Mr. Garry Freid, a constituent of mine in Tampa who will celebrate his eightieth birthday on Monday, June 8th.

Mr. Freid has contributed tirelessly and selflessly to his country, state, community, and family. His patriotism and citizenship continue to shape the face of our nation and are held out as examples to all Americans. As a soldier, businessman, and father, he helped mark many milestones in the history of the United States. So now, it is with great respect and thanks that Congress and I acknowledge his personal milestone today.

As a child of immigrant parents, Mr. Freid and his family represent the earnest fabric of our country. He endured the Great Depression and World War II; his service record is a source of great pride to his family. With his wife Hannah, he prospered, raised four children, supported public education, became a part of the workforce, and helped grow the city of Tampa. Therefore, with thanks and reverence, we mark his personal triumph by saying congratulations.

HONORING MR. CHESTER J. MACKOWIECKI OF AUBURN, MA, ON THE OCCASION OF HIS RETIREMENT

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. NEAL of Massachusetts. Mr. Speaker, I am privileged today to have the opportunity to acknowledge and honor my constituent, Mr. Chester J. Mackowiecki, on the occasion of his retirement from the field of education. Mr. Mackowiecki, resident of Auburn, Massachusetts, has been an educator, administrator, and leader in education in the over 30 years that culminate his career in education. His dedication to improving children's lives through education is evident by his past involvement in and progression through the school system in Webster, Massachusetts.

Mr. Mackowiecki began his career in 1959 as a fifth grade teacher at the School Street School. He then moved to the Webster Intermediate School in 1961 where he served as a fifth grade teacher until he was appointed Assistant Principal. Shortly thereafter, Mr. Mackowiecki served as Principal of the Intermediate Annex and Filmer School until he was appointed to his present position of Principal of the Park Avenue Elementary School. He has served as a leader and mentor to all those students and teachers that have had the opportunity to learn and flourish under his administration at Park Avenue Elementary over an astounding 28 year period!

Mr. Mackowiecki's 39 year commitment to education and to providing quality education to the children of Webster is a most admirable achievement that should serve as an inspiration to all who enter the field of education. The loyalty and pride that is felt toward him by his colleagues and all teachers who have served under his leadership is indicative of the positive atmosphere for learning that Mr. Mackowiecki fostered within the classrooms of the Park Avenue Elementary School. Mr. Mackowiecki will be greatly missed by all those who he has touched and influenced, both young and old. I wish him many years of health, happiness, and peace during his retirement and am assured that the legacy he has left in Webster Education will not be forgotten.

CONGRATULATING KITTATINNY REGIONAL HIGH SCHOOL

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate Kittatinny Regional High School on receiving the U.S. Department of Education's prestigious Blue Ribbon Schools Award.

This award recognizes that Kittatinny Regional High School is one of the finest schools in our entire nation. This proves that public education works and that our young people in Sussex County are among the best and brightest. This accomplishment is the result of hard work on the part of students, their parents, teachers and the Board of Education. Special congratulations go to Principal Susan Kappler, Superintendent of Schools Robert Walker and English teacher Carol Fishbone, who helped Mrs. Kappler shepherd the Blue Ribbon application. As a former teacher and school board member, I am proud of everyone associated with this accomplishment.

Of the thousands of middle schools and high schools across the United States, only 166 this year were found to be outstanding enough to receive this high honor. Recipients of the Blue Ribbon Schools Award have been judged particularly effective at meeting local, state and national goals. The award is presented to schools that have shown strong leadership, a clear vision and sense of mission, high quality teaching, challenging curriculum, a safe environment for learning, solid evidence of family involvement, evidence that the school helps all students achieve high standards, and a commitment to share best practices with other schools. These schools clearly display the quality of excellence necessary to prepare our young people for the challenges of the next century.

Kittatinny Regional High School is located on 95 acres in Hampton Township and offers its 1,100 seventh-through-twelfth-grade students a modern physical plant designed for learning. It includes more than 50 classrooms, nine science labs, six computer labs, a media center, two gymnasiums, cafeteria, main office, superintendent's office, a pool and eight athletic fields. A computer network has been installed throughout the building. Each classroom has a telephone, at least one computer and a video connection. The computer labs offer facilities ranging from word processing to presentation software.

An outstanding physical plant is, of course, worthless without an excellent teaching staff and Kittatinny's teachers have been recognized as some of the best in New Jersey. Special education teacher Lynn Bishop and speech coordinator Marie Decker this year jointly received the state Department of Education's Best Practice Award. Social studies teacher Ellen Kolonoski received a grant from the National Geographic Society Education Foundation and sociology teacher Pamela Bilby was chosen to participate in the Belfer National Conference for Education held by the U.S. Holocaust Memorial Museum. English teacher Mary Jane Westra was the 1997 Kittatinny Teacher of the Year and received the Paul Harris Fellow Award from the Newton Rotary. Computer assisted drafting teacher Bill Meyer was the 1997 New Jersey Technology Teacher of the Year and received the 1996 Distinguished Alumni Award from the College of New Jersey. These are just a few of Kittatinny's award-winning teachers and I offer my apologies to those I've left out.

The school offers a wide variety of courses in English, mathematics, science, social studies, history, foreign languages, fine arts, technology, creative arts, health, physical education and business. Many of the courses are given credit by Sussex County Community College. A strong emphasis is placed on honors courses and advanced placement courses. A successful school-to-career program helps prepare non-college-bound students for direct entry into the workforce.

The excellence of Kittatinny's academic program has been repeatedly recognized. Last year, it was selected as one of 10 ''Star Schools'' in New Jersey. It has received several ''Best Practices'' awards in New Jersey.

Mock trial and other academic teams have earned state championship titles and athletic teams have produced championship titles at county, regional and state levels.

Management style at Kittatinny emphasizes collaborative decision-making, site-based management and teacher/staff empowerment. Committees deal with current and future needs of the school and allow the faculty to have a voice in changes in policy.

Kittatinny students are well prepared by their teachers, parents and role models in the community. They can rest assured they will be able to handle whatever challenges they choose in life. Once again, congratulations to everyone involved in this impressive achievement.

COMMUNITIES IN SCHOOLS OF THE LEHIGH VALLEY

HON. PAUL McHALE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. McHALE. Mr. Speaker, in this season of graduation throughout the country, today I would like to highlight the achievements of a very special group of students. Four years ago, Communities In Schools of the Lehigh Valley created a new ''Academy'' within William Allen High School in Allentown, PA, in my district. Young people who were at risk of dropping out of school were identified and asked to participate in this new program. With the support of the Allentown School District, an innovative curriculum was created and instituted by two teachers: James R. Gollatz and Darryl Skrovanek. Mr. Gollatz was recently honored as a ''Teacher of the Year'' at the high school. Mr. Skrovanek has taken a leadership role as President of the Allentown Education Association.

The students recruited into the program found a safe place where they could successfully learn and prepare for life. When additional services were needed to help, Communities In Schools forged partnerships with scores of other organizations to meet these needs. These students found the resources within themselves, in the school, and in the community to meet their challenge. They stayed in school.

Next week, on June 10th, 1998, this group of young adults will accomplish something perhaps they and others doubted they could do: they will graduate with a diploma from William Allen High School. Mr. Speaker, please join me in recognizing the accomplishments of: Albert Albino, Saywood Cross, Brent Davis, Theresa Duch, Lazarus Figueroe, Jeffrey Freer, Zila Gonzalez, Shane Heiser, Stephen Hertzog, Mellisa Koehler, Peter Macias, Mathew Reese, Shuree Riddick, Jennifer Seltzer, Jessica Snyder, and Lindsey Wargo.

I know you join me in offering heartfelt congratulations and best wishes for all their future endeavors.

HONORING ALEX KIRPNICK

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. REYES. Mr. Speaker, I rise today to honor Border Patrol Agent Alex Kirpnick, who was shot and killed last night in Nogales, Arizona. Alex and his partner came upon five drug smugglers crossing just west of Nogales and in the course of doing his job, Alex was killed.

Alex Kirpnick immigrated to the United States from Russia 10 years ago. He had been with the Border Patrol for 20 months and was a highly skilled agent who spoke eight languages. I know from speaking to Alex's colleagues that Alex was a man of great character and he will be missed.

Alex was well-liked and respected by all those he worked with. Alex is survived by his parents, Boris and Eta Kirpnick, and a sister, Zhanna, who live in California. I have never felt the pain of losing a child, but during my tenure as Border Patrol Chief in Texas, I lost many good officers. I would like to extend my condolences to Alex's family and to his colleagues in Nogales who have lost a dear friend and a good agent.

As a former border patrol chief, I know the sacrifices made by the men and women on our border, protecting our communities. I ask all of my colleagues to remember Alex and the often thankless job he performed each and every day. Alex faithfully served our nation and protected our communities while serving on our nation's border and we owe Alex a great debt of gratitude for his service and commitment.

RECOGNIZING THE NEW JERSEY SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS ON THEIR 100TH ANNIVERSARY

HON. MICHAEL PAPPAS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. PAPPAS. Mr. Speaker, I rise today to honor the New Jersey Society of Certified Public Accountants in commemoration of their 100th anniversary. I am honored to recognize this outstanding association for all that they have done for the state of New Jersey and its citizens. Each year, many New Jersey residents turn to these professionals to help sort through the countless number of forms and regulations that the Internal Revenue Service puts out. It is often our CPA that we can thank for keeping our family or business in compliance with the laws.

The New Jersey Society of Certified Public Accountants was founded on January 19, 1898 in Newark, New Jersey and has served the community ever since. They have experienced significant growth and change in their century of existence. Similarly, they have also sparked much growth and prosperity in partnership with New Jersey businesses and citizens.

The organization has encouraged modifications in the tax rate, has supported state tort reform, and was instrumental in the creation of the State's Taxpayer Bill of Rights. It is for this that I pay tribute to this organization on this special anniversary. Their record of service to the people of New Jersey has been meritorious and for this I commend them.

I want to congratulate all of the members of the society and thank them for all of their years of dedication and service. It is a pleasure to have many of the members as my constituents and I wish every one of them future success.

HOUSE CONCURRENT RESOLUTION 286—UNDERSTANDING THE LINK BETWEEN ANIMAL ABUSE AND HUMAN VIOLENCE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. LANTOS. Mr. Speaker, I rise today to call attention to the strong link between violence against animals and violence against people, and to call to the attention of my colleagues House Concurrent Resolution 286 which urges greater attention to identifying and treating individuals who are guilty of violence against animals because of the link between abuse of animals and violence against humans. The resolution also calls for additional research to increase our understanding of the connection between cruelty to animals and violence against humans.

After the recent school shootings in Arkansas and Oregon, heavy attention has been paid to the early signs of the potential for children to commit violent crime. It is no coincidence that the accused in these two tragic cases are juveniles with disturbing histories of animal cruelty and abuse. Mr. Speaker, it is common sense knowledge that any individual who harms animals cruelly and deliberately is not otherwise well adjusted.

Mr. Speaker, the FBI already lists violence against animals as a behavioral trait and characteristic of violent offenders. Almost all serial killers are known to have abused animals. Indeed, cruelty toward animals is often a sign of mental disturbance in both children and adults.

Teachers, principals, parents, and law enforcement officers must all be encouraged to recognize this connection and to take incidences of animal cruelty seriously. An abused animal is often a sign that a spouse, a child, or an elder in the household is or may become the victim of aggression and abuse. A pet may be a surrogate target of violence. Abuse of a household pet often fuels violent tendencies that are a precursor to acts of violence against family members and others.

Violence against animals co-exists with and precedes violent crimes, especially crimes of domestic violence. The Federal Government must not overlook this correlation. By studying this link, we can increase awareness and understanding of violent crime and the potential violent crimes in our homes, in our schools, and in our communities.

Furthermore, we must reject the notion that violence against animals is simply normal societal behavior. If we treat cruelty to animals with a dismissive ''boys will be boys,'' we may well be ignoring critical initial signs that may lead to violent behavior and we may be passing up an opportunity to take action to prevent

a future tragedy. By allowing children and adults to abuse animals without sanction, Mr. Speaker, we are ignoring an important tool in the fight against domestic violence and an important tool in helping to prevent other tragic acts of violence such as those we have seen in Arkansas and Oregon.

Mr. Speaker, the legislation I have introduced today with the cosponsorship of thirteen of our colleagues expresses the sense of Congress that appropriate Federal agencies thoroughly support and incorporate research on the connection between acts of cruelty against animals and humans. Furthermore, it recognizes the validity and significance of this link.

Mr. Speaker, I urge my colleagues to join me in encouraging research and awareness about this disturbing connection between violence against animals and violence against people. I ask that the full text of this resolution be placed in the RECORD.

H. CON. RES. 286

Expressing the sense of the Congress regarding the link between violence against animals and violence against humans and urging greater emphasis upon identifying and treating individuals who are guilty of violence against animals, which is a crime in its own right in all 50 states, in order to prevent violence against humans and urging research to increase understanding of the connection between cruelty to animals and violence against humans.

Whereas as urgent need exists to prevent violence, especially among juvenile offenders and in domestic situations;

Whereas a strong correlation between animal abuse and violence against humans has been documented by criminal profiling experts associated with the Federal Bureau of Investigation, who have identified cruelty to animals as one of the three traits often found in the ''homicidal traid'' which indicates the characteristics of a violent personality;

Whereas a disproportionately high number of violent killers in the prison system admit to having abused animals, and virtually every serial killer and many violent killers have a history of abusing animals;

Whereas many of the recent cases of school violence have involved students with a history of abusing animals;

Whereas individuals who deliberately abuse animals are more likely to abuse their spouse and their children or otherwise be involved in violent crimes;

Whereas some experts believe that abusing animals may increase or fuel the desire to commit violence against humans in certain disturbed individuals;

Whereas animal cruelty is violence and should be recognized as such when assessing an individual's propensity to commit future acts of violent crime;

Whereas intentional animal abuse is an early warning signal that individuals, including young people, could perpetrate violent crimes against other individuals; and

Whereas laws against cruelty to animals have been enacted in all 50 states and provide penalties for the purposeful torture and killing of animals, and the enforcement of these animal abuse laws provide law enforcement officials with an opportunity to bring potentially violent offenders into the criminal justice system before they commit more serious crimes against humans;

Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes that individuals who abuse animals are more likely to commit more serious violent crimes against humans;

(2) urges social workers, teachers, mental health professionals, and others to be aware of the connection between animal cruelty and human violence and to evaluate carefully and to monitor closely individuals who have a history of abusing animals because this may indicate a propensity to commit violence against other humans;

(3) urges appropriate Federal agencies to encourage and support research to increase the understanding of the connection between cruelty to animals and violence against humans in order to utilize instances of animal abuse to identify and intervene with potentially violent individuals, and urges federal agencies which are undertaking research on violent crime and its causes to incorporate examination of the link between violence against animals and violence against humans;

(4) urges local law enforcement officials to treat cases of animals cruelty seriously both because such cruelty is a crime in its own right in all 50 states and because it is a reliable indicator of the potential for domestic and other forms of violence against humans; and commends the fine work of local animal control officials and humane investigators who enforce laws against animal abuse and urges these professionals to work more closely with local law enforcement personnel to identify and prevent potential violence against humans.

THE MEDICARE CONSUMER BILL OF RIGHTS CONFORMING ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. STARK. Mr. Speaker, earlier this year, President Clinton issued an Executive Memorandum directing all Federal health plans, which serve over 85 million Americans, to come into substantial compliance with the Consumer Bill of Rights recommended by the President's Quality Commission.

The Advisory Commission on Consumer Protection and Quality in the Health Care Industry recommended: Consumer information disclosure; choice of providers and plans; access to emergency services; consumer participation in treatment decisions; nondiscrimination protections; confidentiality of health information; access to complaints and appeals processes; and, a recognition of consumer responsibilities.

The Medicare program is already meeting most of these standards, but there are two specific components of the Consumer Bill of Rights that cannot be enforced in Medicare without a statutory fix. Both provisions affect the choice of plans and providers. The first would grant women direct access to obstetricians and gynecologists, the second would grant transitional care protections to patients who are undergoing a course of treatment and faced with an involuntary change in health plans or their doctor leaving the plan.

Today, I rise with my Democratic colleagues from the Ways and Means Health Subcommittee to introduce ''The Medicare Consumer Bill of Rights Conforming Act'' which creates statutory authority for Medicare to fully enforce the President's Quality Commission's Consumer Bill of Rights.

The Medicare Consumer Bill of Rights Conforming Act would require health plans to allow a Medicare beneficiary to select an OB–GYN as her primary care provider if she so chooses. It would also prohibit health plans from requiring women to obtain prior authorization before obtaining routine gynecological care.

An issue of real concern to people in managed care plans, and those thinking of joining them, is that doctors come and go from health plans, resulting in a loss of continuity of care for patients during those transitional times. The Medicare Consumer Bill of Rights Conforming Act would create short-term protections for Medicare patients in such situations. Patients undergoing a course of treatment when a health care provider is terminated from the plan would be able to continue that care with the same provider for up to 90 days. Cases involving institutionalization, pregnancy or terminal illness could have longer periods of transitional coverage. In all instances, the provider would need to accept the payment rate of the patient's health plan in order to qualify for continued participation.

The Medicare Consumer Bill of Rights Conforming Act is a small but important piece of legislation that would ensure Medicare beneficiaries of a basic set of consumer protections. These protections are not controversial. They were endorsed by the President's Quality Commission, which included representatives of big business, insurers, small business, labor, consumers, seniors, and the managed care industry. This is a very small step for Congress to take to provide Medicare with the authority to enact these protections for our nation's seniors and disabled population. I look forward to working with my colleagues to enact this sensible, non-controversial legislation.

INTRODUCTION OF LEGISLATION TO REDUCE MARRIAGE PENALTY OF EARNED INCOME TAX CREDIT

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. NEAL of Massachusetts. Mr. Speaker, along with Representatives MCDERMOTT and KENNELLY, I am introducing legislation which addresses the marriage penalty of the earned income tax credit (EITC). Recently, there has been a lot of talk about reducing the marriage penalty. Several bills have been introduced to reduce the penalty. In addition, the House Budget Resolution includes a provision to reduce the marriage penalty.

The focus of reducing the marriage penalty has been geared toward middle income and upper income families. Senator PHIL GRAMM was the first Member of Congress to bring attention to the marriage penalty of the EITC. Senator GRAMM is attempting to amend the tobacco legislation. His amendment addresses the marriage penalty for families with lower incomes and the marriage penalty of the EITC.

Today, we are introducing legislation which addresses part of the marriage penalty in the current Tax Code by increasing the phase-out of the EITC for joint filers with qualifying children. This legislation increases the phase-out by $3,500. In 1999, the current law phase-out is $12,520 and this bill increases it to $16,020. The substantive effect of this bill is the same

as the EITC provision in Senator GRAMM's amendment.

This legislation complements legislation introduced by Reps. MCDERMOTT and KLECZKA. Their bill increases the standard deduction for those filing joint returns. The bill I am introducing today and the McDermott/Kleczka bill provide a realistic solution to the marriage penalty that addresses the issues at all income levels.

I urge you to join me in reducing the marriage penalty associated with the EITC. This legislation will help working families who are trying to stay off welfare.

H.R. 3990, THE ''ANTI-CRAMMING PROTECTION ACT OF 1998''

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. DINGELL. Mr. Speaker, I rise today to introduce H.R. 3990, the ''Anti-Cramming Protection Act of 1998'' to protect the American public from those that perpetrate the unfair and anti-competitive outrage known as ''cramming.'' Crammers are companies that impose phantom charges on customers' telephone bills without their knowledge or consent.

In this information age, consumers are increasingly turning to their telephones not only to communicate with their friends, family, and business associates, but as a device for engaging in electronic commerce. With this legislation, we can ensure that consumers have protections from those who would swindle them simply because they use their telephone.

This legislation entitles consumers to have crammed charges dropped from their telephone bills if they dispute the charges within 90 days of receiving their telephone bill. The bill authorizes State Attorneys General to sue crammers under Section 5 of the Federal Trade Commission (FTC) Act to protect consumers in their States from crammers. The bill requires the FTC to write rules to outlaw unfair and deceptive acts and practices in connection with billing for products or services on telephone bills. These rules would ensure that such charges are authorized by the consumer and are easily identifiable on the consumer's telephone bill. Also, subscribers would be permitted to block telephone billing of miscellaneous products and services at their own election. Finally, telephone companies would be authorized to discontinue billing on behalf of known crammers.

Cramming is a spreading problem. Cramming is one of the most frequent sources of consumer complaints at the Federal Communications Commission (FCC). Moreover, since cramming is a relatively new breed of consumer fraud, existing law is inadequate to provide consumers needed protection. Since the FCC began recording cramming complaints in December, it has processed nearly two thousand complaints. Local telephone companies also have received thousands of complaints, and that number is rising rapidly. Worse, since crammed charges are usually undetected by the consumers who are victimized, many cases go unreported. Without tough legislation, the number of victims is certain to rise, and legitimate competition will be stifled.

How do crammers get away with this trickery? Their creativity is boundless. For example, when a consumer dials a number to learn about a product, get sports scores, or hear their horoscope, their home telephone number is often captured through a number identification system. Crammers then use the telephone number to submit bogus charges to the consumer's local telephone company. Worse, crammers are not limited to finding victims through incoming calls. The white pages directory lists their potential prey in alphabetical order. Again, the crammer simply selects telephone numbers at random and submits bogus charges for billing.

Some crammers use names on telephone bills that intend to mislead or confuse the consumer. They will call themselves ''F.C.C.'', for example, in an attempt to be mistaken for a government agency. Or they will use a name like ''Enhanced Services'' that may be mistaken for other legitimate charges the consumer has ordered. In addition, there is often a middleman involved that submits billing to the local telephone service provider on behalf of multiple vendors, further complicating matters for consumers who want to dispute a charge. These charges are typically in the $3 to $5 range in an attempt to fall below the consumer's radar screen. Of course, these charges add up.

Many more choices are available to consumers today to make purchases of goods and services they want and need. Unfortunately these benefits also create many more opportunities for consumer confusion and fraud. Mr. Speaker, we need tough legislation to stop bad actors who are cramming bogus charges onto our constituents' phone bills. The ''Anti-Cramming Protection Act of 1998'' provides the tools needed to solve this problem.

TRIBUTE TO MR. JUAN VENÉ

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. SERRANO. Mr. Speaker, I rise to pay tribute to Mr. Juan Vené, one of the most knowledgeable and experienced sports reporters and writers about baseball in the history of this sport.

Mr. Vené was honored for his achievements and dedication to writing about baseball by the organization Latino Sports. The banquet dinner in his honor was held at the Grand Hyatt, in New York City, on October 30.

Mr. José Rafaél Machado Yanes, better known by his pen name of Juan Vené, was born in Caracas, Venezuela in 1929.

His career as a reporter started in 1947, and since then he has dedicated every single day of his life to his profession as a director, editor, investigative reporter, columnist, sports writer, radio and TV commentator. The Spanish newspaper El Diario/La Prensa in New York City has honored him for each of the past 11 years as the most distinguished reporter who writes about the Yankees and the Mets.

Mr. Vené holds the record as the only sports reporter in the United States and Latin America who has covered every World Series for the past 37 years.

He was born with the passion for writing and reporting about the sport of baseball. Mr. Vené went to Cuba in 1948 to study journalism at the School of Marques Sterling, University of Havana, because during those years Venezuela did not have an institution of higher education that taught this field. He graduated from the university in Cuba in 1952. His interest in learning more about journalism motivated him to attend specialized seminars in the field. He also obtained a designation as a historian of baseball and has taught 73 courses on this field.

Mr. Vené writes a daily syndicated column on baseball for numerous newspaper in the United States, Puerto Rico, the Dominican Republic, Mexico and Venezuela. He was a sports commentator for the Voice of America. He is also credited with being the first to launch a Spanish-language radio network to provide detailed coverage of the history of baseball, the training of baseball players, and all the games of the Major Leagues. The program aired in 11 countries.

He has produced many TV shows on baseball including, ''Play Ball'', ''El Mundo en su Marcha'', ''Los Cuadros del Pueblo'', ''La Historia del Beisbol'', ''Magazine'', ''Juan Vené en Acción''. He also belongs to the team of producers and writers of Major League Baseball Productions. Mr. Vené is a member of the Baseball Writer's Association of America and the Society for American Baseball Research. He is married and has four children and one grandchild.

At age 68, Mr. Vené talks about covering baseball with the same excitement and passion that he has demonstrated throughout his life. According to an interview conducted by Bob Shannon, which was published in ''New World'' in London, when he was asked what he would do next in his life, Mr. Vené responded that he will probably write an encyclopedia on the history of baseball in Latin America and Spain. When he was asked what sports he likes other than baseball, he responded: ''As Babe Ruth once said, 'Is there any other sport?' ''.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. José Rafaél Machado Yanes, writing as Juan Vené, for his great contributions to reporting and recording the history of our beloved national sport—baseball.

GLENN ''JEEP'' DAVIS

HON. THOMAS C. SAWYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. SAWYER. Mr. Speaker, on Sunday, June 7, 1998, one of Barberton, Ohio's favorite sons will be honored. A statue of Glenn ''Jeep'' Davis will be unveiled as part of a community-wide celebration of an extraordinary athlete, teacher, and example for us all.

If there is an award in amateur athletics, Glenn ''Jeep'' Davis has probably won it. If there's a hall of fame, he's probably in it.

Jeep won three Olympic Gold Medals. He took the Olympic Gold in 1956 in the 440y Intermediate Hurdles. His Gold Medal win was no surprise. Earlier in the year during the Olympic trials, Jeep became the first man to break the 50-second barrier in that event. In 1960, he doubled his Gold Medal accomplishment. That year, he defended his Olympic title with a second Gold Medal in the 440y Intermediate Hurdles and went on to win another Gold Medal in the 4x400 Relay.

Jeep set eight World Records and won a NCAA title in addition to the Olympic gold. He also played two years in the National Football League for the Detroit Lions even though he had never played college football.

Perhaps his most fitting tribute was in 1958 when Jeep won the prestigious James E. Sullivan Award. That award has been presented annually since 1930 by the U.S. Amateur Athletic Union recognizing our nation's most outstanding amateur athlete. But the award is about more than athletic performance. The Sullivan Award is given to the athlete who, ''By his * * * performance, example and influence as an amateur, has done the most during the year to advance the cause of sportsmanship.''

No finer tribute could be given, and no one has been more deserving of it, than Glenn ''Jeep'' Davis.

Glenn ''Jeep'' Davis' remarkable career began in Barberton, Ohio where he single-handedly won Barberton High School the 1954 Ohio state high school title in track and field. Best of all, Jeep returned to Barberton where he continued his distinguished career as a coach, a teacher, and a mentor. Today, with hurdles far behind, he remains an inspiration to the people of Barberton and to everyone who remembers his outstanding athletic achievements.

TRIBUTE TO CONNECTICUT STATE UNIVERSITY WARRIORS

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. GEJDENSON. Mr. Speaker, I rise today to pay tribute to the Eastern Connecticut State University Warriors, a college baseball team in my district that took home the national Division III title on May 28. The accomplishments of Division III teams are frequently overlooked, and I believe we should all take the time to recognize the extraordinary efforts made by both the players and coaches.

As we in Congress all know, NCAA Division III programs are not allowed to offer scholarships or other financial incentives to their players. These college athletes truly play for a love of the game. These students put in as much time and effort into the sport as any other college athletes, even though there is little media coverage and less fanfare.

This Division III team's return to Connecticut last Thursday, however, met with a great deal of fanfare. On their route back to the campus in Wilamantic, the team members and coaches were met with a police escort. The students sat on a flatbed truck, which paraded them onto campus, where some 250 fans were waiting to greet them at a celebration.

This recognition is well-deserved. The Warriors blew out their opponent 16–1 in the Division III finals last Wednesday in Salem, Virginia. Among this fine group of athletes and coaches, I would like to especially recognize a few.

First of all, I would like to congratulate Coach Bill Holowaty. This marks his third national title in his 30-season coaching career at Eastern Connecticut. Coach Holowaty has a winning percentage of .725, making him the second-winningest active coach in Division III. My congratulations to him; his wife, Jan, and his three children.

Secondly, I would like to also extend my congratulations to the tournament MVP, Chris D'Amato. D'Amato, who is also the team co-captain, batted .786 in the tournament and finished the season with a 20-game hitting streak. He will be starting a student teaching position in the fall, and this will complete his studies in physical education. D'Amato hopes to coach baseball as a future career. My best wishes for his future with the game.

Each of the other players, assistant coaches and everyone associated with the team should be commended for their efforts. This has been an amazing year for an excellent program, and I wish all of them the best for the future.

PERSONAL EXPLANATION

HON. J.D. HAYWORTH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. HAYWORTH. Mr. Speaker, yesterday, June 4, 1998, I missed roll call votes 193, 194, and 195 because I was attending former Arizona Senator Barry Goldwater's funeral. Had I been present, I would have voted ''aye'' on all three votes.

THE ALAMEDA COUNTY DESALINATION PROGRAM

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. STARK. Mr. Speaker, I rise today to announce the introduction of important legislation that will benefit the people in Alameda County, California.

I have introduced a bill that would authorize the construction of the Alameda County Brackish Water Desalination plant. This plant would treat the water from San Francisco Bay that has been creeping into the groundwater used by residents of my district in Alameda County. The water would either be directed for residential use or be put back into the ground.

This project will decrease our dependability on water imported from the San Francisco Bay Delta and help us reclaim our groundwater basin. Additionally, this plant will improve the water quality and availability for almost 300,000 people in Fremont, California and the surrounding areas.

This bill would authorize construction of the plant under the Reclamation Wastewater and Groundwater Studies Act and will cost $30 million. The bill makes specific provisions to exclude the U.S. Government from incurring any costs associated with the operation of the plant and limits the total federal expenditures to 25% of the total construction cost. This one-time appropriation for construction will go a long way to ensure water quality and accessibility for the people of Alameda County.

I urge my colleagues to support this important project and to take action soon to allow the Bureau of Reclamation to proceed with the feasibility study.

IN HONOR OF PROFESSOR EDWARD REICHBACH

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Ms. ROS-LEHTINEN. Mr. Speaker, I pay a respectful tribute and congratulate a man I am proud to call my former college professor, Dr. Edward Reichbach, on his well earned retirement.

Dr. Reichbach was a member of the founding faculty at my alma mater, Florida International University. He will retire this June after forty-four years of being an educator. Throughout his career he prepared both elementary grade students and trained college students to become teachers, guiding them toward graduate degrees. Concentrating in the field of Social Studies, Dr. Reichbach taught mostly minority students to become elementary school teachers in south Florida.

As a college professor, he urged his students to make teaching Social Studies fun and enjoyable by emphasizing why historical events occurred and what effect they had on the people, particularly children, of the time. Dr. Reichbach's classes at Florida International University soon became a favorite as he was able to capture the attention and adoration of his students through his wit and innovating teaching techniques.

During his tenure, Dr. Reichbach conducted workshops throughout the country and participated in travels to India, China and Africa to speak on Social Studies topics. During his travels, he was fortunate to meet with important leaders, such as Indira Ghandi, with whom he discussed the problems confronting the Indian education system.

This month, Dr. Reichbach and his wife Judith will be traveling in a motor home to revisit the historical and geographical sites, in both the U.S. and Canada, that he lectured on for forty-four years.

In honor of Dr. Edward Reichbach's vast accomplishments and outstanding achievements, I ask my Congressional colleagues to join me in honoring and congratulating him on his well-deserved retirement.

A CELEBRATION OF FORTY YEARS OF PRIESTHOOD: THE REVEREND WILLIAM J. SHIELDS

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. BORSKI. Mr. Speaker, I rise today to pay a special tribute to Reverend William J. Shields in honor of his forty years of priesthood.

Father Shields has brought a wealth of knowledge, sensitivity, inspiration, and service to all that have encountered his wisdom. He was born in the ''Swampoodle'' section of North Philadelphia, near St. Columba's Church at 24th and Lehigh. Father Shields likes to remind us that he was born in the shadow of the old Connie Mack Stadium.

The young William Shields was extremely involved in the Parish Scouting Troop #22. After graduating from St. Columba's Grade

School, Father Shields then went to Roman Catholic High School at Broad and Vine Streets, the oldest Catholic High School in the nation. He graduated from Roman in 1948 and began his college career at St. Charles Seminary in Philadelphia. He received his B.A. in Philosophy in 1954 and then began graduate studies in Theology. He completed his Theological studies in 1958 and was ordained to the Priesthood by Cardinal John P. O'Hara, Archbishop of Philadelphia.

The young Father Shields began his priesthood at St. Ambrose Parish in Schuylkill Haven. After that a succession of appointments took him to Shillington, Hamburg, Shenandoah, Allentown, Catasauqua, and Lansford and Reading. He then went to Weatherly, where he spent 22 years as the Pastor of St. Nicholas Parish. In 1995 Father Shields retired and now resides at Holy Family Villa in Bethlehem.

Father Shields is a man of many interests. The greatest of his interests is people. He has a genuine and abiding interest in the people around him. He loves his family. He loves Philadelphia and its history. He has a great love of church music. He has an appreciation and love of architecture as he repeatedly argues, ''Don't look down. Look up and see the tops of the buildings!'' He loves Cape May. He loves traveling—meeting new people and seeing new scenes. But above all, he loves language—words and concepts.

On Sunday, May 17, 1998 Saint Columbkill Church in Boyertown, Pennsylvania, gathered to honor Father Shields on his Fortieth Anniversary of his priestly ordination. With great love and admiration, his friends and family came to celebrate a good friend, a good priest, a good pastor, and a good Christian man. I am proud to extend to him my most heartfelt good wishes in honor of his forty year achievement.

INTRODUCTION OF LEGISLATION

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. CRANE. Mr. Speaker, I rise to commend to the attention of my colleagues legislation that I am introducing today with my fellow Ways and Means Committee member, ROBERT MATSUI.

Quite simply, this bill will clarify the length of time which petroleum storage facilities are depreciated for tax purposes. Since 1981 the petroleum terminal industry has depreciated this property over a 5 year time period. Recently, however, the Internal Revenue Service (IRS) has challenged this practice. Instead, the IRS has suggested that the correct depreciable life for petroleum storage facilities is 15 years. My bill will end this debate and state that petroleum storage tanks may be depreciated over five years.

Congress has changed the depreciation rules for numerous properties since 1981, but we have not acted to specifically change the depreciation rules for petroleum storage tanks. The petroleum storage industry has complied with the tax code in good faith, now only to be told the IRS wants to change the rules. The IRS is even instituting this change in selective cases through examinations. While we in Congress do give the IRS the authority to enforce the tax laws, only Congress, and specifically the House Ways and Means Committee, has the Constitutional authority to originate new tax laws.

Enactment of this legislation will resolve this issue, and both the taxpayers in the petroleum storage industry as well as the IRS will be saved the millions of dollars which would otherwise be spent disputing the correct depreciation time. I urge my colleagues to join us in cosponsoring this important bill.

MICHIGAN CITY NEWS DISPATCH 60TH ANNIVERSARY CELEBRATION DAY

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. ROEMER. Mr. Speaker, Thomas Jefferson once said of newspapers: ''The basis of our government being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.''

Today, June 4th, one of the great papers in the State of Indiana, the Michigan City News-Dispatch, marks 60 years of continuous publication as a daily newspaper. Formed by the merger of the Michigan City News and the Evening Dispatch in 1938, the News-Dispatch has compiled an outstanding record of professionalism and public service. Michigan City and the State of Indiana are fortunate to have a newspaper that sets such a high standard for community service and journalistic competence.

The News-Dispatch is an exceptional newspaper in a variety of ways. Allow me to mention a few examples. First, the dedicated and devoted staff of the News-Dispatch produce a newspaper that is consistent in the high quality of its content. Even though the newspaper has recently changed ownership, the News-Dispatch has retained its reputation as a reliable source of the community's daily information.

Second, the News-Dispatch has been actively involved in and devoted to improving the Michigan City community. From the very beginning of its publication, the News-Dispatch has successfully pursued projects such as helping to rid crime from Michigan City; financially supporting area children's groups; and promoting community pride and civic participation.

Third, the News-Dispatch has been devoted to ensuring that local businesses receive support from the area. By initiating a successful campaign for the development of a municipal airport, voicing the need for more trade within the area, and by organizing a developmental advisory counsel, the News-Dispatch has not only voiced its concern about the livelihood of area businesses, but also taken action to ensure that these businesses are able to thrive in the community.

When Joseph Pulitzer retired, he outlined a standard for newspapers that exemplifies the history of the News-Dispatch. ''That it will always fight for progress and reform, never tolerate injustice or corruption, always fight demagogues of all parties, never lack sympathy with the poor, always be drastically independent, never be afraid to attack wrong, whether by predatory plutocracy or predatory poverty.''

The residents of the News-Dispatch will mark June 4th with the hope and assurance that the newspaper will continue to have a similar impact for many years into the future.

AUDREY A. STRICKER HONORED BY COOPERATIVE OF AMERICAN PHYSICIANS, INC. ''21ST CENTURY WOMAN OF MEDICINE''

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. GEKAS. Mr. Speaker, I want to bring to your attention that Audrey A. Stricker, a native born and raised Pennsylvanian who did her early nursing training in Pittsburgh, has devoted 30 years to the field of medicine in evolving capacities and is returning home from Los Angeles, CA to the East Coast this month. On June 17, 1998, the Cooperative of American Physicians-Mutual Protection Trust (CAP–MPT) is honoring Ms. Stricker at their Los Angeles headquarters on her retirement to express their appreciation for her 19 years of service to CAP–MPT. The mission of the Cooperative of American Physicians, Inc. is to provide risk reduction and financial protection services of the highest quality for physicians and affiliated groups, and to promote membership in the interindemnity trust (MPT). The mission of the Mutual Protection Trust is to provide the highest quality, cost effective professional liability protection services for qualified member physicians and affiliated entities. CAP–MPT continues to strive to put doctors in charge of the business of medicine with its 13 physician member Board of Directors led by President and Chairman Darwood B. Hance, M.D. and its 5 physician member Board of Trustees led by Chairman J. Michael Wormley, M.D. CAP–MPT, as it did in its beginning 21 years ago in response to the California crisis in medical malpractice liability insurance, remains a physician directed enterprise.

Ms. Stricker's early career was devoted to front-line management and delivery of medical care at various hospitals from 1968 until 1979, including: Shadyside Hospital, Pittsburgh, PA as an Operating Room and Recovery Room Supervisor; Director of Operating and Recovery Room Services at Northridge General Hospital, Fort Lauderdale, FL; and finally as Asst. Director of Nursing, Operating Room Services at Cedars Sinai Medical Center in Los Angeles. During this period, Ms. Stricker pursued a quest of knowledge and personal growth that mirrors the changing times in medical practice in the United States by enhancing her skills from an R.N. Degree obtained in Pittsburgh, PA to a B.S. in Nursing Degree from the University of Buffalo, N.Y. Continuing in the path of expanding her medical expertise and horizons while serving at Cedars Sinai Medical Center, Ms. Stricker in April, 1980 obtained a B.S. Degree in Management from Pepperdine University, Los Angeles.

With this broad base of educational and professional experience and resources in medicine, Ms. Stricker began in 1979 her service

with CAP–MPT, and from 1987 to 1994 served at different times as both Executive Vice President & Chief Operating Officer of CAP–MPT. Retiring as Executive Vice President, Ms. Stricker is an example of the high quality of CAP–MPT's current leadership team headed by Chief Executive Officer James L. Weidner and their commitment to assisting its physician members in reducing the risks associated with medical practice and to improving the quality of patient care.

It is through CAP–MPT's advocacy and Ms. Stricker's participation in that effort that I become better acquainted, while serving on the House Committee on the Judiciary, with California's 20 year experience with the Medical Injury Compensation Reform Act (MICRA) and its important role in holding down the costs of medical care. The MICRA model as employed by CAP–MPT is of renewed significance as the Congress continues to address the issue of managed care and HMO reforms and how to best insure physician control of the patient care.

We welcome home Audrey Stricker as our own Pennsylvania inspired and ever evolving ''21st Century Woman of Medicine''. She will continue to inspire us, as she did all her colleagues through her steadfast pursuit of excellence. We look forward to the continued success of CAP–MPT's model of patient choice and physician control in its pursuit for the best medical results.

TRIBUTE TO DR. BILL J. JAMES

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mrs. TAUSCHER. Mr. Speaker, I rise today to honor my constituent and my friend, Dr. Bill J. James, who is retiring this August as Superintendent of the Pleasanton Unified School District.

I applaud Dr. James for his continuous efforts on behalf of the children and their education in Pleasanton over the last 13 years. He is clearly one of the most recognized and revered educational leaders in the Tenth Congressional District and I thank him for the advice and expertise he has so graciously provided me in my first term.

In 1985, Dr. James came to Pleasanton to serve as the Superintendent of the then Amador Valley Joint Union High School District and the Pleasanton Joint School District. Prior to his arrival in Pleasanton, Dr. James was the Superintendent of the Paso Robles Joint Union High School District and the Paso Robles Union Elementary School District.

Some of the accomplishments in Dr. James' 13 years as Superintendent include the passage of a $85 million school bond in 1988 with 76% of the vote and the passage of a $70 million school bond in 1997 with 77% of the vote, the initiation of a Chamber of Commerce education subcommittee that later evolved into the PPIE Foundation, his appointment by the Governor to the Educational Council for Technology and Learning in 1997, the construction of a 1300 capacity middle school, the implementation of elementary counseling for grades K–5 in 1989 and the execution of a developer fee agreement to ensure that new growth covers the cost associated with expanding enrollments.

Dr. James, even with his very busy schedule, has truly been an involved and active member of the community. The Pleasanton Chamber of Commerce, the Pleasanton Rotary Club, the Pleasanton Fine Arts Council, the Tri-Valley Business Council and the Pleasanton Partnerships in Education Foundation are just a few of the many organizations Dr. James has contributed his time to over the past 13 years.

Though Dr. James is retiring as Superintendent of the Pleasanton Unified School District, I take great comfort in knowing that he will continue to reside in Pleasanton. He is an incredible resource on educational matters and he can certainly expect me to continue to take advantage of his expertise. Let me again offer my warmest congratulations for his 13 years of exemplary stewardship of Pleasanton's public schools and his 38 year career in education. I wish him the best in his well-deserved retirement.

TOBACCO LEGISLATION IN THE 105TH CONGRESS

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. GALLEGLY. Mr. Speaker, I would like to take this opportunity to express some thoughts regarding the legislation dealing with the proposed tobacco settlement.

Several weeks ago I sent a letter to the Chairman of the Committee on Commerce, the Honorable TOM BLILEY, asking that as the Committee considers legislation in this area, that it include several elements which I believe are critical to decreasing the rate of tobacco addiction among young people. I would briefly like to outline these points.

First, I strongly believe that any settlement legislation should include language requiring the General Accounting Office or other nonpartisan, respected organization to conduct periodic studies on the impact of any tobacco legislation on tobacco usage by young Americans. These studies should examine tobacco usage not only among both teenagers, but also among pre-teenagers.

These follow-up studies are necessary, I believe, for providing policy-makers, including members of Congress, with detailed information on the success or failure of various aspects of a tobacco bill. The findings will also serve as the basis for any future legislative or regulatory changes to our nation's tobacco-reduction efforts. Currently, it is estimated that over 35 percent of high-school seniors smoke—a nineteen-year high—and that since 1991 smoking rates for both eighth and tenth graders have increased dramatically. It is imperative that any policies enacted are successful in reversing these alarming trends.

Second, I also strongly urge that any tobacco legislation include provisions aimed at curtailing the use by young people of all tobacco products, including smokeless tobacco and cigars. These products are very harmful to young persons. I am particularly disturbed by a Centers for Disease Control study which found that 16 percent of boys in grades nine to twelve use smokeless tobacco products in a thirty-day period. Other reports have found that cigar usage has increased at an alarming rate among American boys and girls.

The inclusion of these two elements will ensure that any tobacco legislation reduce the usage of all types of tobacco products. It will further ensure that Congress is given the data and information necessary to make common sense, effective changes in future tobacco policy with the ultimate goal of significantly decreasing the number of teenagers who smoke.

''U.S. POLICY OPTIONS TOWARD INDONESIA: WHAT WE CAN EXPECT; WHAT WE CAN DO''

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. BEREUTER. Mr. Speaker, as Chairman of the House International Relations Subcommittee on Asia and the Pacific, this Member urges his colleagues to pay careful attention to the crisis in Indonesia. It is far too large, and far too important a nation to dismiss in a cavalier fashion. This Member would take a moment to address the ongoing crisis in Indonesia and to explore what the United States and the international community can do to help stabilize that nation's economy and to help promote its nascent democratization.

Virtually all of Asia seems to be in turmoil these days, and Indonesia is no exception. Following months of economic turmoil and decline, unsatisfactory elections where the old regime sought an artificial vote of confidence, and weeks of student protest, President Suharto resigned after 32 years of autocratic rule. He leaves behind a nation on the edge of chaos. Although we must give Suharto due credit for leading his country through several decades of strong economic growth and development, this narrow economic success took place in the absence of the development of sound social and political institutions. The media was stifled, as were other forms of political and social expression.

The tragic neglect of these institutions and basic human rights by President Suharto may overshadow his economic achievements; only history will tell. Ironically however, President Suharto's neglect of political reform while promoting economic reform has perhaps done more to debunk the myth of Asian values and expose the Asian miracle than any other single action.

Most importantly, however, Suharto's neglect of political reform has caused much human suffering and tragedy. Indonesia's recent past has been marked with violence and bloodshed. Over 500 people died in the riots that left much of Jakarta's Chinatown in ruins. Some estimates have the death toll much higher. Many elites fled the country along with the large expatriate community, taking their capital with them.

The current situation in Indonesia is at the same time both complex and fragile. The public euphoria that accompanied Suharto's resignation is already being replaced by the sobering reality that Indonesia is entering a dangerous period. Suharto—who led his nation through a period of dynamic growth under an autocratic system—has left behind a political vacuum. The various social and political forces kept impotent under the Suharto regime must now forge a new identity and find a way to reassert themselves without causing a splintering of Indonesian society. Proliferation of ethnic or religious-based parties that would pull

the country apart at precisely the time when unity is most fragile is a risk that Indonesia cannot afford to ignore.

The Indonesian military is widely recognized as one of the linchpins of society. With some glaring and regrettable exceptions, it thus far has exercised restraint. (The same cannot be said of the police, who were more brutal during the demonstrations.) Commander-in-Chief Wiranto seems to have served as a force for change, refusing to take Suharto's side last week when the result could have been widespread bloodshed. This Member would like to believe that this restraint is at least, in part, attributable to the salutary effect of years of military-to-military contacts through IMET, E–IMET and other U.S. programs that attempt to raise the level of professionalism of foreign military elites while simultaneously offering human rights training. Whatever the cause, the military will be under enormous pressure as a new government sorts itself out.

Clearly, the economic situation in Indonesia is dire. And most unfortunately, indications are that the situation will get worse before it gets better. It is difficult for us to imagine how desperate conditions are. Credible economists estimate that Indonesia will suffer negative economic growth of between 20–25 percent in 1998. It is hard to over-emphasize the degree of hardship that Indonesia's people have faced in the past months, since the beginning of the Asian financial crisis last summer. Yet, despite the hopeful signs on the political front, Indonesia's economic crisis seems far from over. The economic challenges faced by Indonesia's new government would be daunting under the best of circumstances. But these are anything but the best of circumstances.

The questions now to be addressed include: What steps must Indonesia take to pull its economy out of its nose-dive and restore investor confidence? What are the prospects for Indonesia's future? What political reforms are necessary, and what are possible in the near term and the long term? What institutional factors must first be addressed? And most importantly, what are the implications of Indonesia's current economic and political crisis on U.S. national interests?

These questions about Indonesia's economic and political future raise serious questions for U.S. policy toward Indonesia. For example, as the largest shareholder in the IMF, World Bank, and one of the largest in the Asian Development Bank, we must decide when these institutions should resume their financial assistance to the country and under what conditions. In making these decisions we will appropriately have to decide how long a Habibie caretaker government should last and when elections can reasonably be held.

As a final note, this Member strongly believes this is the time that the United States should focus on the issue of East Timor. For over two decades, East Timor has been a stumbling bloc to Indonesia's relations with the United States and with the European Union. There is a long and complicated history to this troubled corner of Asia, but suffice it to say that the West has never recognized the legality of the Indonesian incorporation of East Timor. It would seem to me that there is an opportunity to put aside the old inflexible positions that the various sides have taken in the past, and to look for new ways to move toward a mutually acceptable solution. Is there any role the United States might play in fostering such a renewed dialogue?

Mr. Speaker, it is clear that Indonesia needs America's help and that of the international community. Our actions must be bold, but not rash. We must be thoughtful, but not timid. Certainly, we must take care to preserve and strengthen the delicate unity which has managed to hold Indonesia together, but we must not allow a new government to fall back into the bad practices that doomed the Suharto regime.

IN HONOR OF JONETTE ENGAN

HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. MINGE. Mr. Speaker, today I rise to honor Jonette Engan, a truly remarkable person with a distinguished record in her church, community and Minnesota politics. With great sadness, but best wishes, I announce Jonette's resignation from her leadership position as Chairperson of the Minnesota Second District Democratic Farmer Labor party.

Jonette's commitment to the DFL has been remarkable. Born into a family with strong DFL political roots, she has a keen sense of fairness and how the political process can work to improve our society. After years of volunteering for candidates at every level of government, Jonette took over the reigns of Minnesota's Second Congressional District DFL party. District Chairperson is a herculean task anywhere, but the logistics of coordinating 28 counties is incredibly daunting. Jonette thrived in a position most would not even consider taking.

The advice of Jonette Engan is sought by candidates for public office at all levels. Jonette has helped numerous candidates understand the political system and landscape. Minnesota's state capital is populated by those who aptly learned under Jonette's tutelage. When I was a first time candidate, Jonette walked this greenhorn through the nomination and electoral process with great patience, excellent advice, and wonderful counsel.

Despite the long hours, the DFL has not been Jonette's only interest. Jonette has balanced an incredible time commitment to politics as well as remaining active in her church, the Lutheran Women's League and numerous civic functions.

With so many exciting experiences in her life, Jonette will still tell you that her greatest achievement has been her family. Her husband, Dale, has been supportive and helpful in accommodating Jonette's demanding schedule. The love of her children, Natasha and Nick, is obvious in her proud stories of their latest achievements and adventures. I have had the great pleasure of working with Natasha when she interned in my Washington office.

Although I know Jonette will remain a phone call away for advice and support, her absence from the Second District DFL leadership will be sorely missed. My hat is off to Jonette in thanks for all of her assistance to me, her community, and Minnesota. I wish her the best in the new challenges she undertakes.

PROTECTING CHILDREN FROM TOBACCO

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. HORN. Mr. Speaker, one of the most unsettling recent public health trends has been rising tobacco use among teenagers. In 1991, 14 percent of eighth graders, 21 percent of tenth graders, and 28 percent of 12th graders smoked. By 1996, those percentages had risen to 21 percent of eighth graders, 30 percent of tenth graders, and 34 percent of twelfth graders.

What is most infuriating is that tobacco companies have geared their marketing toward children. Our nation was shocked several months ago to read about tobacco companies' documents detailing their plans to market their products to children. In January, Times magazine reported that R.J. Reynolds official J.W. Hind, in a 1975 memo, urged the company, maker of Camel, Winston and Salem cigarettes, to ''increase its share penetration among the 14–24 age group.'' In 1976, a ten-year plan written for the board of directors of R.J. Reynolds and stamped ''RJR SECRET'' said that teenagers ages 14 to 18 were ''an increasing segment of the smoking population'' and suggested a brand targeted to them. After a subpoena from House Commerce Committee Chairman TOM BLILEY (R–VA), documents were released showing that the tobacco industry misled people with its health claims and covered up potentially damaging research. Other documents showed that when industry officials marketed tobacco products to ''young adults,'' they were referring to children as young as 13.

Their strategy worked. In the first four years that Camel ads featured the cartoon character Joe Camel, smokers under 18 who preferred Camels rose from less than 1 percent to as much as 30 percent of the market. Some studies even show that six-year-old are as familiar with Joe Camel as they are with Mickey Mouse.

Big Tobacco did not care that people who start smoking at a young age are more likely to become severely addicted than those who start at a later age. Big Tobacco shrugged at the fact that approximately one-third of these children who become smokers will eventually die of smoking-related diseases. Big Tobacco showed no concern that their product acts as a ''gateway drug'' for children who enter a sequence of drug use that can include alcohol, marijuana, and harder drugs. Big Tobacco's only concern was its bottom line.

It is imperative that Congress passes a bill to curb teen smoking. In an effort to move that process along, I recently joined a group of House members in introducing the Bipartisan No Tobacco for Kids Act, a tough measure which would dramatically reduce teenage smoking.

The Bipartisan No Tobacco for Kids Act would increase the price of a pack of cigarettes by $1.50 over three years. Health experts say that one of the most effective ways to reduce youth smoking is to raise the price of tobacco products. Except for a small amount of money dedicated to federal tobacco enforcement efforts and payments to settle state lawsuits against the tobacco industry, all

funds raised are dedicated to reducing the federal debt. The bill validates the authority of the Food and Drug Administration (FDA) to regulate tobacco products, including stronger warning labels, advertising restrictions, and detailed disclosure of all ingredients. The bill sets aggressive targets to reduce youth tobacco use by 80 percent over 10 years.

The bill embodies the strong tobacco control measures supported by Dr. C. Everett Koop, former U.S. Surgeon General under President Reagan, and Dr. Davis A. Kessler, former Commissioner of the FDA under both President Bush and President Clinton.

By introducing this bill with strong bipartisan support, we hope to keep our national effort against teen smoking out the arena of partisan posturing. Our children's lives are infinitely more important than political gamesmanship, and infinitely more precious than Big Tobacco's profit margins.

The Senate is expected to vote soon on a comprehensive anti-tobacco bill sponsored by Sen. JOHN MCCAIN (R–AZ). Legislation is still being introduced and examined in the House. Congress should act expeditiously to send anti-teen smoking legislation to the President. America's children deserve nothing less.

TRIBUTE TO GOLD STAR PARENTS DAY

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. RODRIGUEZ. Mr. Speaker, I rise to pay tribute to Gold Star Parents Day, commemorated in my home state of Texas on June 8.

Gold Star Parents is dedicated to honoring those who inspire service to our nation in their children. Celebrated halfway between Mother's Day and Father's Day, Gold Star Parents Day is a reminder that behind every veteran who serves his or her nation, there is a mother AND a father who directly or indirectly motivate a son or a daughter into service.

Founded in Laredo, Texas in 1971, Gold Star Parents boasts a membership that spans the state. Among patriotic family organizations, Gold Star Parents is one of the few of its kind in that it offers full membership to both mothers and fathers of veterans.

Last week on Memorial Day we paused to reflect upon the service of our nation's veterans. Today, I urge you to consider the tremendous sacrifice the brave mothers and fathers of those veterans endure when they send their beloved off to war. Our nation's freedom is built upon the sacrifices of our nation's veterans. We must not forget that those sacrifices are borne foremost among the mothers and fathers of those veterans.

For that I honor the parents and urge the remembrance of the mothers and fathers of our fallen heroes on June 8.

THE UNNECESSARY LEGISLATIVE FIGHT OVER ENCRYPTION

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. BEREUTER. Mr. Speaker, H.R. 695, the Security and Freedom Through Encryption (SAFE) Act is unnecessary legislation and should not be passed. Past service on the House Permanent Select Committee on Intelligence has provided this Member with considerable evidence of the harmful effects this legislation, in its current form, would have on our national security and law enforcement efforts. In addition, H.R. 695 would prohibit the Administration and specifically, the Bureau of Export Administration, from striking the proper balance between national security and commercial interests in the licensing of strong encryption. The legislation needs to be amended, dramatically, if it comes to the House Floor. But most importantly, it is not necessary.

In the House International Relations Committee, this Member co-authored and supported an amendment to H.R. 695 which would have given the President of the United States a national security waiver to the mandated and complete relaxation of export controls of encryption products under H.R. 695. Unfortunately, our amendment was defeated on a 13–22 vote in the House International Relations Committee and H.R. 695 was passed over my opposition. This issue has been intensely lobbied by the software and electronics business sector and others.

On the other hand, this Member also does not support competing legislation to H.R. 695, which would impose domestic controls on the use of encryption in the United States. This very complicated and important national issue has been unnecessarily polarized by the software industry and by the law enforcement community. In fact, the software industry's uncompromising position on H.R. 695 has actually prompted the law enforcement community to push for this more rigorous domestic legislation and a stalemate has been created.

This Member believes that the disinformation that has been provided by a few groups or persons on both sides of this national debate has not led to an environment where a legislative compromise is easily achieved. For example, the software industry currently downplays the fact that many U.S. software manufacturers and hardware exporters are exporting relatively robust encryption after obtaining license approvals from the Department of Commerce. Moreover, U.S. financial institutions have general exceptions to the export controls on encryption for their own purposes.

These two important points reveal that the solution to this issue for U.S. software exporters is not the legislative process, but a change in the administrative regulations. Simply put, current law does not prohibit the Administration from relaxing these export controls and, therefore, a change in law is not necessary.

TEENS URGE HOUSE ACTION ON COMPREHENSIVE TOBACCO BILL

HON. HAROLD E. FORD, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. FORD. Mr. Speaker, I call my colleagues attention to almost 1,800 students from Tennessee's Ninth Congressional District who want us to act immediately on a comprehensive tobacco bill. Young people have been and continue to be the targets of deceptive marketing tactics of cigarette companies and in light of the industry's most recent lobbying effort, I believe it is critical that the voices of those who are most affected by their practices be heard. It is my hope that these signatures will send a message to those who are captive to the powerful tobacco lobby that our children will no longer be manipulated into taking up the deadly habit of smoking.

I ask that the attached letter to the Speaker and the names of the signers of the attached petitions be entered into the RECORD.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 4, 1998.

Hon. NEWT GINGRICH,
Speaker of the House, Washington, DC.

DEAR MR. SPEAKER: Today I am submitting to the Congressional Record the names of almost 1,800 public and private school students from Tennessee's Ninth Congressional District urging you to act immediately to bring comprehensive tobacco legislation to the floor for a vote.

Since the 1950's, tobacco companies have repeatedly lied in sworn congressional testimony and public statements about the harm caused by their products and whether they intentionally marketed cigarettes to children. Most recently, the industry released more than 40,000 previously secret documents showing that nicotine is addictive. The current public health impact of tobacco on our young people is devastating.

Over 4 million high school seniors are addicted to tobacco.

In Tennessee, 39% of 9th—12th graders smoke cigarettes and 27% of high school boys use smokeless tobacco.

33% of young people who begin smoking while in high school will die early from a smoking related illness.

As you know, the Senate is currently debating a tough and comprehensive tobacco bill, but the House hasn't held one hearing nor have you committed to bringing a bill to the full House for consideration during the 105th Congress. Our lack of action on this matter will only result in more young people becoming addicted to smoking and more smoking related illnesses in the years to come. I urge you to heed the calls from the many young people in Tennessee's Ninth Congressional District and throughout the nation to move a tough tobacco bill this year.

Sincerely,

HAROLD FORD, JR.,
Member of Congress.

Corry Middle School.—LaToya House, LaShanna House, Nicole Gillespie, Gwendolyn Gordon, Shanta Morris, Kyla Goliday, Angel Jackson, Serenity Washington, Monique Wilkinson, TaJuana Bratcher, Shemeka Hall, Ebony Farris, Jeremy Boyd, Richarg Payne, Liz Edwards, Michelle Taylor, Tiffany S. Young, Tiffany Harwell, Jeremy Hunt, Melvin Robinson, Krystal N. Finnie, Kevin Washington, Selena D. Coulta, Sheeria Franklin, Erica Freeman, Catarica Rodgers, Brandi Terrell, Morris Doyle, Nakia Dowdy, Kenesha Payne, Ebony Stone, Latoya Henderson, Shannon Martin, Shawn Bragg, Marquita Palmoo, Willie Simmons, Nick Anderson, Patria Bryant, Tabetha Brown, Tina Hines, Allen S. Franklin, Rapheal Poole, Cammie Thomas, Clinton Smith, Dernita Mobley, Carlos Richardson, Crystal Watson, James Boone, Cherenthia Franklin, Tikeya Morris, Toya Bond, Shekia Mouing, Carter Eugene, James Boone, Carlos Richardson, Crystal Watson, Cherenthia Franklin, LaDonna Boyd, Morris Reed, Devin Williams, Jerome Jackson, Chris Demble, Mariario Blair, Darrell Williams,

Kenneth Reid, Daniel Jefferson, Cheryl Smith, Audra Carr, David Williams, Bryant Hall, Omari Benyoun, Gloyd Humphrey, Tamika Roberts, Joshua Coleman, Alisa Wesley, and Autowe Jullair.

Humes Junior High School.—Patrice Matthews, Nicole Hall, Charistye Deverry, Tashieka Armour, Shirley M. Mabern, Patrice Mitchell, LaTrevon S. Ealy, Ashley N. Davis, Oneika Fowler, India Butler, Shun 'Quita Martin, Ida Hunley, Shirley Renee Porter, Sharieka Williams, Joanethia Diggs, Benjamin Miles, Tarsha Nelson, Tiffany McGee, Rhonda Shelton, Kendra Meshan, Candance McKinley, Kristy Moore, Shantel Phipps, Kristy Owens, Regina Minor, Kimberly Moore, Lisa Parker, Sharee Murphey, Latoya Kelley, Shakisha Brooks, Aisha Vaughn, Doll Anderson, Nateisha Campbell, Harley Anderson, James Anderson, Chiquita Harvey, Erica Matthews, Lakesha Love, April Brown, Tracy Jones, Shayla Mennis, Casell Macklin, Montual Johnson, Derrick Hollon, Dewayne Mosley, John Hall, Thomas Moore, Jurrett Coward, Kedrick Mitchell, Marcus Jones, Cindy Mckinnie, Billy Toby, Justin J. Tucker, Alicia McKinley, Natasha McClafsky, Marcus Jones, Derrick Hollon, Carvell Lovett, Maurice Joy, Laura Jones, Timothy Coley, Billy Hubbard, Apryl Lampkin, Angel Mitchell, Tinn Legrone, Stacy Jones, Rachel Light, Torin Isaac, Jamison Jones, Tamika J., Alexandria H., Kristin Bell, LaKeshia Bowens, Alicia Beloch, Sherita Franklin, Kamisha Cobbins, Kaia Burnett, Lawrence Bridgewater, LaToya Greer, Khristina Mason, Terrell M. Moore, George Riley, Michael Edwards, Courtney Phillips, Warren Morris, Kristy Moore, Kimberly Moore, Josie Draine, Latisha Williams, Shameka Williams, Kamishilia Mathis, Kristy Owens, Lisa Parker, Stacy McCoy, Crystal Parks, Dumanic Hester, Shantel Phipps, Christal Malone, Regina Minor Emmett Jones, Kendra McShan, Colette M. Mickels, Tarsha Nelson, Crystal Brown, DeAndra Henderson, Latrice Freeman, Trista Brown, Gregory Johnson, Sandra T. Cox, Latoya Harris, Felicia Blackman, Toya Doss, Dewayne Carter, Charles Malone, Chasity Jones, Cedric Arnold, Stacy Jones, Alexander Ayers, LaTonya Laury, Marcus Bibbs, Steven Henderson, Daryl Gibson, Lisa Lang, Ashley Morris, Chezarea Myrio, Krystle Foster, Jaren L. Burks, Shenia Gathing, Deirdre Ford, Kimberly Hendree, Tiffany Cleveland, Vernon Jones, Tameka Holyfield, Steven Crawford, Rodrecus Jackson, Tekio Allen, Darron Cox, Debra Heill, Monroe Lewis, Jonathan Cohran, Darrell Macklin, Albert Hooper, Marco Lewis, Willie Macklin, Nathan Jordan, Shaunn Burks, Christopher Blakeley, Jamison Jones, Torin Isaac, and Tiffany Johnson.

Chicksaw Junior High School.—Byron Clark, Curtis Mayes, Talisha Hobbs, Tamika Clayton, Coreame Wade, Shaneise Young, Tiffany Maten, Michael McClelland, LaTonya Beard, Tammy Walton, Terry Jones, John Wilson, Damien Stafford, Christine Williams, Vanita Young, Amber Earl, LaDeidra Neville, Stephanie Campbell, Vernita McKinney, Jerome J. Marion, Jr., Christina Hill, Tri'Rese Taylor, Christopher Garner, Daniel Houston, Marqueta McJemore, Shakita Williams, Claudia Afflins, Laquita Wilkins, Herbert Brooks, AnLisa Quinn, Amber Heath, Angela Brooks, Eric Clark, Gemayel Andre Jones, Kesha Surndle, Shaquita Williams, Alicia Causey, Tonya Spight, Yakesha Starks, Derrick Betts, Jennifer Crenshaw, Tiffany Hilliard, Deidre Bess, Stacey Moore, Jineane Banks, Sherry Jackson, Reninea White, Steuelle Reed, LaShaun Johnson, Lasheena Coll, Erick Hayes, Tristan Patton, Assiius Rirley, Davis Garner, Tamarcus Young, Brandon Cole, Antonio Brown, Ashley Moton, and Chasity Jones.

Hamilton High School.—Kehli Bynum, Sharonda Walker, Ca'Tron Robinson, Thais K. Polk, Jeremy Watkins, Mario Albright, RaDonna Hobbs, April Potter, Candace Posey, Lakesha Omill, Oynesha Bolden, Tekesha Johnson, Sherry Heggett, Sherita Fleming, Courtney Williams, Quincey E. Martin, Jaida McKay, Kehin Mays, Tamara Britt, Shawn Partee, Marquis Shaw, Tomy Thomas, Tamika Foster, Lonnetta Wright, Frank Jones, Bryan Franklin, Shaumall Chears, Eva Mitchell, Sandra Calvin, Beltina Watkins, Lattie Jenkins, Thomas Alexander, Terrence D. Sims, Teena M. Ayers, Tita Doggett, Christine Clark, Tanesha Bates, Ericka Strong, Darrell M. Parrett, Renondia S. Patterson, Tenika R. Rose, Robert Humphrey, Angela Green, Monique Galloway, Candis Echols, Patrick Gillespie, Bruce Eason, Darrick Elliott, Beverly Deje, Tamara Edmundson, Yolanda Bruce, Sonya Johnson, Marcus Miller, Diandria B. Wash, Donald Hines, Kimberly B. Carpenter, and Ashley Williams.

Hutchison School.—Catherine Folk, Grace Henderson, Sara Hester, Katie George, Rochelle Cameron, Ellen Thompson, Leslie Turley, Lindsay Caldwell, Caroline Kirkland, Lauren Schwartz, Paige Patrick, Martha Hollis, Anne Frisby, Anne Morrow, Megan Stout, Jessica Jordan, Emily Fudge, Frannie Wesberry, Micah Pioreck, Emily Cadyman, Lauren Ploch, Curry Barton, Cassie McGill, Laura Lochman, Lindsay Wallace, and Katie Siegal.

Collierville Middle School.—Morgan Cox, Kristen Creasy, Natalie Rogers, Nick Ludwig, Laura Albright, Nealy Woodard, Jennifer Ekedal, Adrian Tucker, Beth Willingham, David Nelson, Susanna Williams, Emery Tubbs, Danielle Stilte, Sam White Zack McAlexander, Corey Tharker, Lauren Davis, Jermeca Lockett, Briana Worle, Jessica Willhite, Audra Butler, Katie Phillips, Jenna Crawford, Bagin Krajewski, Nicole Hulbert, Carly Chambers, Scott West, Andrew Thornbury, John Van Grouw, Tina Walker, Ashlee Farmer, Christie Rodgers, Katrina DeZella, Courtney Welson, Maliri Duborg, Kirby Schutzman, Heather Sorsby, Kara Drewry, Sheronda Williams, John Mark Braswell, Gletcher Caulk, Zack Cozart, Kevin Stewart, Sam Whitney, Reuben Booker, David Walls, Danny Waddell, Stefanie Vick, Pam Curry, Ashley Banks, Jami Billings, Sheila Fleming, Artie Fagin, Thomas Darden, Sean Coring, Eric Hays, Omari Fuben, Shane O'Connell, Lauren Morr, Talia Ruggiert, Elliott Skiles, Casy Taylor, Eric Tusets, Greg Benson, Andrea Foxx, Velma Thomson, Margaret E. Davis, Patrick Brown, Eddie Jones, Terrence Marshall, Harolyn S. Butler, Chris Mitchell, Mark Sparybep, David Fletcher, Charles Noble, Lauren Myruik, Elizabeth Mills, Heather Stegall, Will Boothe, Kimberly Ridgway, Cynthia Kallaher, Hally Burten, Michael Cameron, Jessie Seahorn, Jonathan Mahon, Dylan Royal, Rachael Martin, Anna Rowland, Brandon Kelser, Danielle DeFur, Adam Winstead, Chris Barthold, Brittany Fryona, James Johnson, Kevin Kerley, Mike Pastorius, Courtney Knop, Ruth Nall, B.J. Jernigan, William Powell, Samantha McCallum, Ryan Taylor, Julia A. Wilson, Jason Zaloudek, Taylor Buckley, Robert Corken, Brian Donovan, Jason Sanden, Scott Helihy, Ashley Fields, Erica Sanders, Justin Klein, Thaisha Collins, Olivia Davis, Natalie Spencer, Tara Goodwin, Cassie N. Qualls, Amanda Spencer, Keri Logan, Andrew Legge, Allistar Bryant, Liz Schultz, Amanda Morehart, Joshua Hoaglan, Anthony Hall, Matt Hudson, Benjie Marvell, Mark Ledbettei, Erin Dutton, Joseph Martin, Vicki Brand, Justin McTeer, David Oliver, Kimberly May, Jessica Parks, Allie DeCeault, Angela Hood, Matt Hayeslip, Jason Faulstick, Chris Lemon, Emily Phillips, Joanne Upton, Heidi McDevitt, Erin Ours, Tiffany Ford, Angie Dorsey, Matt Wadlington, Michael Slater, Ana Ayers, Maureen Pecinovsky, Britni Achermenne, Alison Barnirrell, Jeremy Beridreamy, Brittany Caggman, Josh Carlan, Kevin Hale, Larry O'Malley, Amanda Duckworth, Patrick Davis, Jessica Hall, Stefanie Hall, Matthew House, Amanda Johnston, Brad Jones, Pam Higginbotham, James Watts, Tommy Siskman, Terry Moore, Chris Britt, Joseph Ferronte, Shenna Williams, Aaron Scott, Adam Maida, Muriel Tedbette, Chris Sniper, Amanda Pirani, Paige Jennings, Jason Casey, Kevin Hogue, Gina Smith, Derick Reayan, Willie Adams, Trey Crouch, Lauren Petrovsky, Kyle Woj, Rosalyn Collins, Mary Jo Bracken, Lindsay Talarico Jaime Pidkowicz, Valerie Short, Don Selentine, Seth Estock, Eric Crocker, Davis Moore, Mark Guess, Charise Hansen, Katie Hindley, Heather Hunt, Christina Oppenhuizen, Brooke Feathers, Amber Chauncey, Katrina Russell, Queta Dillard, Adam Coats, Megan Gabohart, Cecelia Dowling, C.J. Passmne, Matt Foster, Leigh Ann Tippett, Ryan Weaver, Karen Jeffries, Sarah Mullally, Brittany Whittington, Eric Kimura, Farris McDowell, Ryan Bunting, Shannon Simpson, Jamie Runtz, J.R. Moorhead, Emily Schmitt, Trecie Williams, Andy Gardner, Laura Poole, Ashley Gaines, Patty Berry, Adam Winstead, Adam Teveante, Bria Chambers, Jamie Bryan, Austin Williams, Blake Straussen, Hope Anderson, Maggie Tucker, Hunter Eline, Dennis Manning, Kelli Parrish, Cory Garvey, Heather Duborg, James Culpepper, Melissa Brent, Yekeshia Smith, Ashanti Smoot, Kimberly Stigall, Branoon Still, April Stone, Kimathi Streit, Kim Washington, Portia Williams, Rondah Smart, Aisha Sharif, Karonda Kirkwood, Jasmine McNeill, Marsha Jones, Jason Cunningham, Warren Thomas, Dore'al L. Mills, Adam McGahee, Roddrick Cole, Elizabeth Caroul Leng, Donecia Christian, Erica Butler, Terrance Terrell Jones-Young, Kelli Jones, Laurelon Lawson, Nakita Jones, Thomas Seymanek, Melanie Hall, Bridgette Flake, Crystal Holly, Tamyra Henry, Seirra Hamilton, Macus Williams, James A. Barnett, Charla L. Hubbard, Roger Ebstrom Joshua Hordin, Kenny Franklin, Miriam Jackson, L'rae Gregory, Charlotte Austin, Andrea Isom, Pamela Higgs, Andrea Grier Shana Jackson, Troya Hall, Angela Jennings, Jessica Austin, Jeremy Alsobrook, David Armstrong, Desmond Bell, Jefferson C. Beck, Mario Bailey, Marie Arnoult-Duffy, Pier Birong, Shantia Baldwin, NaSundra Burks, Tammy Benner, DeJuan A. Alexander, Christina McKinnie, Alexis Moore, Ibin Moote, Chinita Moore, Lashika Mack, Keona Merriweather, Ramon Smith, Marquist Taylor, Andre Nash, Sakinah Northcross, Miatta White, Natasha Nummally, Anthony Shaw, Barbara Lester, Quinterece Underwood, April Watson, Jason Gardener, Duke Rodda, Marquis Robinson, Elzey Rosebud, Adaryll, Celkite, Shaundra Glass, Kamesha Hervey, Kenya Jones, Michael McCaslin, Shanae Askew, Cecil Moore, III, Marvin Aubsby, Bettina Applewhite, Candace Clear, Jameelah Muhammad, Shelby William, Doug Powell, Sam Hedman, Ajada Bernard, Nina Addison, M.L. Addison, Tachina Alger, Richard Allen, Bria Nicole Rass, Corey Anderson, Lauanda Armstrong, Iquana K. Avant, Kimberly Bandy, Nikayl Bogu, Kapeshia Bouth, Shante Bronn, Rodney Bradley, LaKita Dwan Rooks, Khris Tunstall, Terrell Crutchen, April Gilbert, Patricia Jones, Caherine Jones, James Vally, Andrea Lane, Alicia Lattimore, Derek Richardson, Bruce Thomas III, Shironda Tempton, Ebony Laird, Torica Oliver, Shantel Taylor, Katoshia Broden, Michael Brewer, Mekesha L. Bonds, Rachel N.

Benford, Isaac Burch, Shauta Bradley, Kenon Brown, Natasha Bowles, Lauren Belski, Candace Baril, Jacqueline Berg, Jocelynn R. Butler, Peter Parker, and Janelle McCoy.

Ridgeway High School.—Carlesia Smith, Caystal Monique Coley, Kelly Abernathy, Maria McCraw, Allan Picket, John Caldwell, Wayne First, Mathew Jacker, Chris Buirsi, Chris Tatom, Tracy Baer, Lauren McNabb, Brittany Dicky, Kelley Duncan, Matt Lackey, Brad Eiseman, Brad Lackey, Ben Hom, Benjamin Yaffe, Geany Lipum, Tony Maullor, Michael Palin, Robert Watson, Ann Bomgarden, Banji Adebayo, Christie Brough, Rachel Turmen, Kathy Eupen, Jerome Fowell, Jacqueline McGee, Brian Bentsly, Drew Colwell, Clay Yaff, Tiricia Parvetts, Krystie Oliver, Bobie Logan, Yual Banks, Shunica Marshall, Victor Thomas, Alex Martin, Brandy Day, Deidre Puitchard, Seneca McPhee, Jennifer Bernard, Huntiture Day, Jennifer Sidney, Taureya Miller, Brad Jolly, Justin Smith, Jay Raymore, Krystall Lovell, Jarey Jones, Ryan Talin, Joey Palugi, B. Laslay, Summer Woodarer, Tinoynne Webster, Shareka Turner, Chaska Whits, David Tran, Blake Whitters, Ari Zelig, Preston Taylor, Edwin Williams, Richard Todd, Bryan Tayler, Jeffrey Teshman, Kim Abernathy, Jennifer Drake, Johanna Ochoia, Ashley Drane, Lincoln Richie, Daniel Coproe, Lawrence Beirte, Jason Portus, D. Rivers, L. Burkins, Allicia Richard, Tiffany Richard, Chasity Shipp, Lauren Pate, James Robinstein, Edward Reed, Elizabeth Shackelford, Phillip Shimerling, Maurice Owens Jr., Cris Atton, Lisa Shackelford, Temi Odusary, Emily Randolph, Jacind Samuels, James Morison, Steven James, Phillip Fiester, Valerie Baker, Allison Barden, Jennifer Benvenuto, Chase Anderson, Dana Buitenwert, Rachael Beakely, Gabriella Castiglione, Michael Armstrong, Matt Bryant, Justin Brown, Marc Bryant, Jason Belish, Carla Anderson, Clay Anderson, Katie Abel, Erin Earnheart, Brittany Franks, Gina Griffin, Latoya Gray, Ashley Hammon, Magie Grear, Lynley Geston, L. Edwards, Thomas Blanton, Lee Gurham, L. Brown, L. Thomas, Allison Schwartzberg, Chris Bloomfield, Jermany Weiser, Denise Kurmar, Ellen Larson, Monica Christan, Erin Hover, Jan M. Hutcher, Emily Houston, Danny Holmes, Naryi Kelishadi, Kris Katz, Brittny Hux, Allison Howell, Lisa Horn, Wes Kume, J. Jones, David Day II, Monica Elliot, Vanessa Watson, Katrina Hudson, Rachel Moore, Katie Grashot, Michelle Wilson, Lisa Matlei, Yae Wang, Tony Santucci, Rachal Rivers, Steven Presley, LaShaurdea Stauion, Michael Amstand, Edgin Wright, Sharon Conroy, Mandy Tutor, Bryan Taylor, Chris Pelkey, Todd Cohen, Stephen Aron, Courtney Mayes, Marlon Marray, Joy Pryor, Krystal Larry, T. McKurnney, Jeremy Johnson, Rodney Fitzgerald, Katie Weems, Jherri Webster, Geany Coberun, Eric Richie, A. Rogers, Danielle Russell, Josh Robbins, Marquette Porter, Sharon Fisher, and Landon Pithe.

Northside High School.—Ferdrick Davis, Jermaine Ousley, Jakaysha Ross, Jamika Edwards, Laqueitie Perry, R. Knight, Kyshon Otteridge, Steve Nelson, S. Wesley, James Burks, Audrey King, Shea Thomas, Kimberley Moris, Laticia Nelson, Alexis Dundle, Geoffrey Ballard, Allison Pattion, Jennifer Gladney, Monica Hasin, Stacey Boyle, C. Steniris, April Hunt, Jarvis Mull, Starueltta Gordon, Monique Bradberry, Comelia Bemmy, Sharonda Mason, Tiffany Bess, Shaunta Johnson, Tina Woods, Lasheka Hill, Shamcka Bradford, Carmelita Jackson, Destiny Abraham, L. Gordon, Ronnie Wright, Frenchiska Jones, Tiffany Christie, Joy Metealf, Erika Turneck, T. Butt, V. Aller, Marcus Abobrook, Kristy Dowell, J. Burton, Jashua Hampton, Tiffany Strong, Brandon Oliver, Cortney Polk, Darvin Oliver, Demitrius Jones, David Payne, Valerie Birth, Tiffany Brance, Dala Ahmed, Courtney Munnis, and Marshita Walks.

Mt. Pisgah Middle School.—Melissa Schiles, Steven Baroos, Etta Savage, Cris Watson, Fran Hill, Laquesha Stigger, Bret Howell, Jenie Hoppen, Ronnie Carney, Rosemarie Paoli, Paula Carlton, Justin Sachumbacker, Andrew Zorn, Amanda Lott, Alicia Barnett, Lory McAble, Whitney Greenway, Matt Breeden, Devinn Little, Amanda Patrick, Catherine Bryant, Heather Ivey, Trey Gray, Crystal Green, Jessica McGugan, Chris Greene, Jimmy Holliday, Neely Dickerson, Alec Johnson, Amber Jones, Sean Duncan, Maria Chu, Scott Thompson, Courtney Goddard, Miles Ferguson, Joseph Holmes, Rachel Smith, Rachel Birdsong, Anthony Triholson, Bryan Foller, Morgan Unfield, Justin Backer, Becca Giannini, Ashley Lowe, Paul Scott, Aimber Kages, Paul Earin, Jonathan Brewer, Patrick Woodyard, Candice McDowell, Katy Williams, Colby Harringtton, Katrena Jones, Kali Jones, Whitney Coween, Marie Bugnitz, Christi Ledford, Danielle Richards, Courtney Houston, Sara Garya, Jessica Holbert, Cameron Cathey, Daniel Tigger, Ashely Rainey, Mallorey Dahlin, Ashley Roler, Jackie Ncbert, Alexa Bray, Kara Dubree, Claire Little, Amanda Feeman, Jenny Louie, Kim Morstan, Clint Basinger, Cody Liles, Ali Brooks, Jennifer Tradwell, Tim Miller, Paul Starts, Daniel MeerRamper, Lakindal Smith, Stephanie Allen, Jan Ellis, Brittany Taylor, Kevin Vanchgriff, Samantha Lea, Nicki Robinson, H. Smith, Nathan Rapaus, David Harver, Anthony Berry, C. Freedman Jr., Jennifer Jones, Evan Ledonge, Elizabeth Hard, Aimen Abdi, Shane Armour, Ale Felix, Undsay Winiffth, Jennifer Barnes, Pierre Wherry, Brian Kim, Jonathan Cox, Junichi Snibata, Elizabeth Davidson, Ashli Goings, Aubrey Smith, Carli Swendner, Claire Lovic, Christie Commins, Brandon Budgett, April Chrestman, Kristen Clements, Brent Garrett, Chase Griffiths, Brian Knight, Haley Nelson, Courtney Seal, Billy Saunders, Jake Sluder, Erika Gross, Brad Harris, Josh Chuningham, Ashley Ferree, Emily Ray, Syacy Rodgers, Cynthia Clearwood, Sabrina Torres, Jennifer Boyle, Whitney Deaton, Paula Bennett, David Hines, Taylor Birmingham, Clay Pater, Gary Pittman, Jennifer Drabenwicz, Albany Edmiston, Junji Kamiya, Billy Fisher, Justin Hubbard, Kevin Tipton, Joey Mathews, Jennifer Corbin, Shawna Eveland, Brian Bushy, Brandon Clarck, Kelly Burcl, Kendall Coober, Melanie Tutor, Amber Haris, Olivia Wylie, Christi Mathis, Jck Lipsay, Amanda Belle, Ashley Jonas, Ryan Tucker, Walker Gabriel, Chris Lane, Taylor Clark, Jessica Hale, Christina Baker, Brittony Jones, Candie Russell, Mandy Barnett, Patrick Rowband, Trevor Beahm, Burbon Leffall III, Tracie Davis, Lisa French, Susan Buforh, Jessica Halford, Jonathan Doraper, Jessica Fason, Ryan Hamalton, Clay Hopkins, Emily Currie, Lee Johnson, Brittany Shaw, Alicia Williams, Suzanne Strong, Andrew Neal, Maureen Saunders, Amber Northcott, Britney Cabb, McKenna Frease, Matt Traas, Stephenie Ivie, LaQuita Payne, Talbot Kennedy, Angela Garza, Ryan Staggs, Melissa Williams, Jessica McMillion, Elizabeth Lewis, Tommy Wiabe, Jason Gelineau, Tyler Greene, Jon Scott, Kati Rutherford, Stacy Wright, Chris Brooks, Chrystopher Simpson, Kelley Parks, Rachel Wigginton, Ashley Lester, Thurston Hall, Christi Cook, Audra Mathis, Brandon Rushing, Valerie Hall, Griffin Morrisson, Laura Lambert, Melissa Rosloniec, Erika Kirksey, Mike Parkam, Drew Fryman, David Kim, Justin Cole, Brittany Sistrunk, Jennifer Slavin, Hilary Pepper, Blake Todd, Collin Stale, John Burnett, Mauory Mares, Gibraltar White, Jayme Jackson, Teresa Tucker, Sara Williams, Eric Knight, and Amanda Hutchens.

Briarcrest Christian School.—Brian Wagner, Lauren Wilkey, Elizabeth Smith, Josie Williams, Erica Wyatt, Corrie Stauffer, Laura Williams, Drew Abiz, Chris Moore, Jeremy Moore, Missy Patrick, Lauren Owens, Andy McIntyre, Kayce Morris, Charles Pemberton, Jonathon Phillips, Cannon Morris, Mike Moore, Emily Newson, Malak Moustafa, Nicole Morrison, Meg Malone, John Farley, Adrienne Miller, Brad Colonna, P.J. Redmond, Paige Ashburn, Josie Rote, Ryan Ringley, Morgan Jones, Sarah Copeland, Jenni Romanow, Ally Wutse, Elissa McCarty, Melody Mullins, Gavin Beasley, Kristin Murdock, Daniel Cares, Brian Watson, Lauren Yohanek, Karen Stimpson, Amber West, Alice Willett, Eva Five, Tricia Wiles, Elizabeth Straube, Andrea Welb, Wesley Eoff, Ashley Pulliam, Wiil Wright, Karen Stevenson, Mark Russell, Matt Gates, Christy Wescott, Kelly Doughtary, Lindsey Miles, Jessica Williams, Alison Howe, Blake Snyder, Rachel Jaddia, Noah Bishop, Julie Black, Beth Hamilton, Annie Yancey, Grethchen Strickland, Leslianne Stacey, Taryn Ellesworth, Jeff Gold, Eric Gleuu, John Henderson, Scott Grecham, Suzanne Harris, Nicci Harell, Paul Grimes, David Phillipps, Martha Walker, Megan Dufouty, John Duyer, Alicia Dean, Joy Robinson, Sarah Thompson, Courtney Worley, Lauren Massengill, Katie Worley, Erin Leport, Laura Reddick, Joseph Hill, Matthew Kiefer, Jonathon Burlison, Katie Long, Drew Joyner, Rhyne Putman, Olivia Clifford, Kathryn Anne Cogart, Kellie Edmundson, Betsy Comella, Jonathon Chu, Angii Earhart, Wesley Day, Christi Dawson, Robby Donaldson, Reid Garrett, Matthew Grear, Jeff Grimes, Doug Jora, Tim Hook, David Haren, Callie Kraus, Kevin Glenn, Lisa Harkin, Courtney James, Robert Hill, Brad Huluprik, Brad Rulerun, Paige Ashburn, Brandon Tom, Wesley Montague, Drew Johnson, Charles Reynolds, Stephanie Sutterfield, Brad Young, Charles Haig, Katherine Werr, Scottie Fleming, Molly Ince, Courtney Pierce, Nicholas Kieth, Brent Lyon, Jenny James, Dustin May, C. Boyle, Christine Smith, Omal Cates, Rachel Duffey, John McCommon, Callie Milan, Kristen Murdock, Casey Thornton, Ashely Eason, Elizabeth Whaley, Justin Wright, Lindsey Wildman, Rachel Walter, Elizabeth Snyder, Lindsey Wenner, Garett Vaughn, Megan Thielemer, and Allison York.

Central High School.—Tephane Rainey, John Rogers, John Sanders, Harold Robinson, William Richardson, Antionette Pritchard, Melanie Walker, Natasha Richardson, Erica Pilgram, Glenda Sims, Syaria Nathan, Damitra Scott, Berati Bub, Justyn Robinson, Erika Shannon, Patricia Kee, Charillai Wooten, Charla Webster, Jevita Taylor, Julius Stokes, Tracee Prewitt, Kamesha Reed, Erika Madlock, James Kendrick, Sydney Love, Robyn Trilliams, Sadrigiez Mallett, Tequilia Taylor, Jordan On, Nicole Merten, Crystall Russell, Jocelyn Washington, Evancee Wilson, Anthony Underwood, Antonio McCall, Tyrus William, Richard Trinkett, Derick Milan, Ashley Taylor, Erickia Vaughn, Devin Cruthcher, Bree Curry, Erika Vickqall, Elisha Chestar, Roger Clioves, Reico Collins, Tiffany Knight, Packer Pisnsay, Sharice Thompson, Shannon White, Michael Woods, Tera Wilson, Antonio Foster, Marcus Taylor, Tnya Robinson, Alisha Westbrook, Allisius Williams, Justin Evans, Julian Willis, Andrea Wheeler, Clem Wright, Lia White, Larita Webb, Carl Marley, Sarah Wrianduire, Michelle White, Erica Rogers, Jackline Robinson, Shernard Walton, Pamela Campbell, Marcus Newman, Phui Pich, Synetta Clayton, Lakisha Ramsey, Mareica Smith, Michelle Harris,

Nate Frazier, Jade Gior, Tamaria Bridgeforth, Tara Harris, Sashee Hawkins, Dayna Gibles, Sheila Barrison, Emorycarlos Gordon, Tacarra Hodges, Cassi Jordan, Michael Hodge, Latrice Stewart, Sharon Smith, Melissa Green, Ebonie Holmes, Kerri Jones, Alita Humt, Andrea Hardin, Derrick Granderson, Lakisha Murph, Liontyn Pryne, Charles Darner, Tyfany Nathan, Waywotta Mosley, Michael Owens, Marhesia Moody, Erica Humphrey, Jackqueline Newson, Chauncey Owens, Kristoph Dous, Marcus Johnson, Darnisha Bridgeforth, and Temper Phillips.

Frayser High School.—Asley Jack, Talitha Hamilton, Derrick Hollaway, Jeanette Fisher, Luvenia Keys, Erica Eason, Nicole Banks, Lakiesha Hunt, Erica Wells, Kim Ballentine, Donnie Mitchell, Jerry Durner, John Boall, Charlette Robertson, Chris Cullier, Jessica Cook, Terronce Crawford, Kerissa Clark, Yerinda McClinton, Stephanie King, Apee Hope, Alfred Davis, Frederick Jordan, Darron Malte, Samuel McConnell, Kimberly Townsend, Crystal Meeke, Tamera Thomas, Danielle Williams, Justin Walker, Adam Wade, Kendal Hall, Danisha Harbin, Marcus Swatt, Ricky Washington, Melissa Blue, Tandaneiha McFerren, Jackson Hutchinson, Lakeisha Spight, Mitchell Hard, John, Pomfret, Princeton Wilson, Kilan Londy, Yang Lin, Steven Crawford, George Cul, Dewete Dugger, Robert Fiak, Travis Butler, Courtney Woods, Jeremy Cook, Lasonya Curry, Laketa Byrd, Alexis Cooper, Risha Matting, Nadia Smith, Nikia Shields, Tara Long, Corey Washington, Sheddrick Ray, Melomise Felix, Ashley Hicks, Lakita Davis, Tamara Ward, Marjuita Walton, Rashad Robinson, Lashaquita Nix, Tieares Sims, Dynasty Peete, Persha Johnson, Tiffany Burton, Shanna Layrock, Lavonne Williamson, Shy Watson, Derrick Battle, Jaquiese Larry, Shakita Thomas, Dominique Casey, Senobia Rogers, Quincey Willborn, Lakeisha Brown, Tamika Milan, Alla Kyles, Malishan Stigger, Desiree Bullard, Amy Dobbins, Travis Thompson, T'sis Thomas, Camise Ddandridge, Denrell Walls, Venesia Humphrey, Carl Layhr, Quinton Ray, Tamieka Works, Contisa Mathews, Gabrielle Oliver, Cornelius Yancy, Cristen Young, Brenda Reyes, Laheyda Wakefield, Henry Foreman, Carlos Eddius, Lakesheya Nelson, Camille Adams, Sherrod Smith, Ashley Hill, Michael Sharp, Paul Cartem, Jarvis Smith, Trenton Flemmins, Lashell Abston, Tiffany Burks, Wanda Bailey, Tamika Ward, Lakesha Oneal, Renata Mosby, Byron Bell, Christina Williams, Marquette Walker, Kendra Collins, Monica Royal, Tiffany Smith, Alilcia Cleaves, Marcus Brans, Tamekia Mosby, Darrin Gandy, Michelle Green, Lakeisha Ware, Antonio Hibbler, Caurtesia Shawcoant, Marra Wallace, Carcheon Calloway, Tawanda Williams, Angel Hollowell, Barbara Gant, Elinor Cleaves, Kevin Birch, Jaweka Betts, Tania Combs, Chasity Allen, George Webster, Chearm Meggan, Jessica Young, Asia King, Anesha Holmes, Erving Lewis, Lakenshea Bell, Stacey Holbon, Katrina Becton, Dorothy Carter, Erin P. Evan, Trineka Brown, Audria Ardison, Ciena Bibbs, Catisa Proctor, Erika Bennett, Jarvis Taylor, Esqua Brown, Bodney Bolden, Ricardo Anthony, Mac Hasha, Mac Pinney, Michael Nabors, Latoria Jones, Alteena Edwards, Gloria Williams, Tiffany Hill, Shannon Jessey, Sheledal Hayworth, Hanley Young, Rodney Royers, Zippora Lawson, Erick Terry, Herbert Johnson, Lonniel Williams, Fredric Harriett, Renelde Andrews, Aquariees Anderson, Kendria Andrews, Courtney Mass, Erica Carlock, Pam Dickerson, Columbus Williams, Lionel Blockshire, Chris Evans, Latasha Ross, Tymissa Brooks, Monica Harrell, Nicole Chares, Wilbert Smith, Maurice Shields, Justin Smith, Hillary Nutz, Donald Schmith, Terri Johnson, Carnika Toliver, Sherica Elliot, Kyna Gray, Kelli Puckett, Menisha Moore, Crystal Thomas, Demetria Dotch, Mylenkia Willer, Margita Douglas, Leia Giray, Biannca Thomas, Duntinese Davis, Eric Porter, Dorian Ross, Shanikka Hayes, Sriez Phannarath, Jamaal Rufus, Dudie Cannon, Arcka Simmons, Kimberly Spight, Shanika Brown, Terrance Williams, Christopher Sain, Bridget Barr, April Jamison, Tameka Burns, Stephanie Scott, Charles Douglas, Travis Williams, and LaToya Johnson.

SAILORS OF USS ''REGISTER'' AND USS ''INDIANAPOLIS''

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Mr. REYES. Mr. Speaker, I am pleased to recognize 15–21, 1998, survivors of the USS *Register* and USS *Indianapolis* will be having their reunion in El Paso, Texas at the Howard Johnson Lodge.

The USS Indianapolis (CA–35) was commissioned at the Philadelphia Navy Yard on November 15, 1932. The ship served with honor from Pear Harbor through the last campaign of World War II, sinking in action two weeks before the end of the war. On July 30, 1945, while sailing from Guam to Leyte, the USS Indianapolis was torpedoed by Japanese submarine I–58. The ship capsized and sank in twelve minutes. Survivors were spotted by a patrol aircraft on August 2nd. All air and surface units capable for rescue operations were dispatched to the scene at once. The USS Register was among the several ships involved in the rescue. Upon completion of the day and night search on August 8, 316 men were rescued out of a crew of 1,199.

The USS Register (APD–92/DE233) served in the Pacific Theater of operation as an attack personnel destroyer during World War II. On May 20, 1945, the ship survived a hit by a Japanese Kamikaze plane off the island of Okinawa, sustaining casualties and heavy hull damages, after shooting down three enemy suicide planes. On August 3rd, the USS Register was among eight ships that rescued some survivors of the ill-fated USS Indianapolis

After distinguished service, the USS Register was decommissioned March 31, 1946 at Green Cove Springs, Florida on the Saint Johns River. In the Spring of 1966 it was struck from the Naval Reserve Fleet and subsequently transferred to the Republic of China Navy and renamed the Tai Shan.

We the surviving shipmates of the USS Register and the survivors of the USS Indianapolis value the memories of their service in the United States Navy and our shipmates who are no longer with us and are not forgotten for their distinguished service and eternal brotherhood. Rest in peace shipmates. On their behalf, we honor them and Paul James Register, for whom our ship was named for, who was killed in action while serving aboard the ill-fated USS Arizona, December 7, 1941 at Pearl Harbor, Hawaii.—Service members of the USS Register and Indianapolis

The sailors of the USS Register and Indianapolis served the United States of America with honor and distinction. These veterans of WWII contributed to end the war in the Pacific and the war as a whole. They deserve a page hi history, for their story is a reminder of all the servicemen and women who gave their lives to preserve the freedoms that we take for granted today.

TRIBUTE TO JACK SIZEMORE

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 1998

Ms. KAPTUR. Mr. Speaker, I rise today to recognize the lifetime of contributions that Mr. Jack Sizemore has made to our community and district. On this, the occasion of his retirement, I wish to thank this tireless advocate for the workers and families of our community for his ardent support of our district and Northwest Ohio. The position from which he is retiring, Director of Region 2–B of the United Auto Workers Union and member of the UAW International Executive Board, represents the pinnacle of a long and dedicated career.

Born and educated in Toledo, at Whitener High School. The University of Toledo, Mr. Sizemore went to work as a precision grinder in the same Dana Corporation plant that employed his father producing heavy-duty transmissions. He wasted no time becoming involved in the union, UAW Local 12, and won election as a steward in the Dana Unit one year after beginning his employment. Three years later, he was elected as a member of the unit's shop committee and a UAW Convention delegate.

When the UAW Dana National Negotiating Committee was founded in 1967, Mr. Sizemore was on board as a member. He participated in national bargaining with the committee until 1974. He was also Vice President of the UAW Dana Council and Chairperson of the Dana Unit Shop Committee during that same time. Before being elected as Director of UAW Region 2–B in 1986, he served as International Representative and Assistant Director. Throughout his career he has fought for the Herment of The standard of living for all our citizenry.

Mr. Sizemore's presence has not been limited to the labor community. He has given his time and energy in the education, sports and business circles of Toledo. He is a member of the University of Toledo Board of Trustees, the Private Industry council of Toledo, the Board of Trustees of the United Way and St. Vincent Hospital, to name a few. He is also active in the Democratic party, serving on the State Executive Committee and Democratic National Committee.

During all this service, he and his wife, Carol, have raised eight children and are enjoying the blessing of fifteen grandchildren. As he completes his tenure as dealership of the United Auto Workers, our entire community warmly congratulates him for his steady leadership and careful negotiating skills that have retained jobs, upgraded our way of life, and given strength to the cause of workers throughout our nation. Godspeed to Jack and Carol and their family in years hence

Daily Digest

HIGHLIGHTS

The House agreed to the Conference Report on S. 1150, Agricultural Research, Extension, and Education Reform Act of 1997—Clearing the Measure.

The House passed H.R. 3433, Ticket to Work and Self-Sufficiency Act.

House Committees ordered reported 7 sundry measures.

Senate

Chamber Action

Routine Proceedings, pages S5583–S5663

Measures Introduced: Five bills and six resolutions were introduced, as follows: S. 2130–2134, S.J. Res. 47–48, S. Con. Res. 101–102, and S. Res. 242–243. **Page S5634**

Measures Reported: Reports were made as follows:

S. 2132, making appropriations for the Department of Defense for fiscal year ending September 30, 1999. (S. Rept. No. 200)

S. 1301, to amend title 11, United States Code, to provide for consumer bankruptcy protection, with an amendment in the nature of a substitute. **Page S5634**

Measures Passed:

Commending UNLV Men's Golf Team: Senate agreed to S. Res. 243, to commend and congratulate the University of Nevada Las Vegas men's golf team on winning the team's first National Collegiate Athletic Association Championship. **Page S5662**

Recognizing Disabled American Veterans: Senate agreed to S. Con. Res. 102, recognizing disabled American veterans. **Pages S5662–63**

Universal Tobacco Settlement Act: Senate resumed consideration of S. 1415, to reform and restructure the processes by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors, and to redress the adverse health effects of tobacco use, with a modified committee amendment in the nature of a substitute (Amendment No. 2420), taking action on amendments proposed thereto, as follows: **Pages S5584–S5601, S5604–30**

Adopted:

Daschle (for Durbin) Amendment No. 2438 (to Amendment No. 2437, listed below), of a perfecting nature. (By 29 yeas to 66 nays, one responding present (Vote No. 149), Senate earlier failed to table the amendment.) **Pages S5591–S5601, S5622**

Pending:

Gregg/Leahy Amendment No. 2433 (to Amendment No. 2420), to modify the provisions relating to civil liability for tobacco manufacturers. **Page S5584**

Gregg/Leahy Amendment No. 2434 (to Amendment No. 2433), in the nature of a substitute. **Page S5584**

Gramm Motion to recommit the bill to the Committee on Finance with instructions to report back forthwith, with Amendment No. 2436, to modify the provisions relating to civil liability for tobacco manufacturers, and to eliminate the marriage penalty reflected in the standard deduction and to ensure the earned income credit takes into account the elimination of such penalty. **Page S5584**

Daschle (for Durbin) Amendment No. 2437 (to Amendment No. 2436), relating to reductions in underage tobacco usage. **Page S5584**

Lott (for Coverdell) Modified Amendment No. 2451 (to Amendment No. 2437), to stop illegal drugs from entering the United States, to provide additional resources to combat illegal drugs, and to establish disincentives for teenagers to use illegal drugs. **Pages S5622–30**

A motion was entered to close further debate on the modified committee amendment in the nature of a substitute (Amendment No. 2440) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur on Monday, June 11, 1998. **Page S5605**

Senate will resume consideration of the bill on Friday, June 5, 1998.

Nominations Received: Senate received the following nominations:

Yvette Kane, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

James M. Munley, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Thomas J. Whelan, of California, to be United States District Judge for the Southern District of California.

Edward L. Romero, of New Mexico, to serve concurrently and without additional compensation as Ambassador to Andorra. **Page S5663**

Messages From the President: **Pages S5631–32**

Messages From the House: **Page S5632**

Measures Referred: **Page S5632**

Communications: **Pages S5632–33**

Executive Reports of Committees: **Page S5634**

Statements on Introduced Bills: **Pages S5634–37**

Additional Cosponsors: **Pages S5637–38**

Amendments Submitted: **Pages S5641–52**

Notices of Hearings: **Pages S5652–53**

Authority for Committees: **Page S5653**

Additional Statements: **Pages S5653–61**

Record Votes: One record vote was taken today. (Total—149) **Page S5622**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:45 p.m., until 9:30 a.m., on Friday, June 5, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5663.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS

Committee on Appropriations: Committee ordered favorably reported the following measures:

An original bill (S. 2132) making appropriations for the Department of Defense for the fiscal year ending September 30, 1999;

An original bill making appropriations for energy and water development for the fiscal year ending September 30, 1999; and

An original bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 1999.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nominations of Hans Mark, of Texas, to be Director of Defense Research and Engineering, Mahlon Apgar IV, of Maryland, to be Assistant Secretary of the Army for Installations, Logistics and Environment, and Joseph W. Westphal, of Virginia, to be Assistant Secretary of the Army for Civil Works, all of the Department of Defense.

DOD INFORMATION SYSTEMS

Committee on Armed Services: Committee concluded hearings to examine the national security implications of the future threats to the Department of Defense information systems, including the Year 2000 computer compliance problems and the proposed sale of the electromagnetic spectrum that affects the operation of the communications and weapon systems of the Department of Defense, after receiving testimony from Senator Bennett; and John J. Hamre, Deputy Secretary, and Lt. Gen. Kenneth A. Minihan, USAF, Director, National Security Agency, both of the Department of Defense.

BOSNIA: DAYTON AGREEMENT

Committee on Armed Services: Committee concluded hearings on United States forces participating in NATO operations in Bosnia and to examine progress in achieving benchmarks in the civil implementation of the Dayton Agreement, after receiving testimony from Robert S. Gelbard, Special Representative to the President and Secretary of State for Bosnia and Kosovo; and Gen. Wesley K. Clark, USA, Supreme Allied Commander, Europe, Commander-in-Chief, U.S. European Command.

FHA

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing Opportunity and Community Development concluded oversight hearings to review the current status of the Federal Housing Administration, focusing on its role and mission, financial status, and reform efforts, after receiving testimony from Brian Chappelle, Mortgage Bankers Association of America, and Michael A. Quinn, Federal National Mortgage Association (Fannie Mae), both of Washington, D.C.; W. Roger Haughton, PMI Mortgage Insurance Company, San Francisco, California, on behalf of the Mortgage Insurance Companies of America; Charles J. Ruma, Davidson Phillips, Columbus, Ohio, on behalf of the National Association of Home Builders; Catherine B. Whatley, Jacksonville, Florida, on behalf of the National Association of Realtors; Robert R. McMillan, Long Island Housing Partnership, Inc., Hauppauge, New York; and

Liz Ryan, National Training and Information Center, Chicago, Illinois.

FEDERAL SPENDING ON INTERNATIONAL PROGRAMS

Committee on the Budget: International Affairs Task Force concluded hearings to examine United States Government resources supporting American foreign policy goals and interests that fall outside the international affairs budget category, after receiving testimony from Benjamin F. Nelson, Director, International Relations and Trade Issues, National Security and International Affairs Division, General Accounting Office; and Larry Nowels, Specialist in Foreign Affairs, Congressional Research Service, Library of Congress.

FCC

Committee on Commerce, Science, and Transportation: Subcommittee on Communications resumed oversight hearings on the Federal Communications Commission, focusing on activities of the Cable Services Bureau, receiving testimony from John E. Logan, Acting Chief, Cable Services Bureau, Federal Communications Commission.

Hearings were recessed subject to call.

AIRLINE ALLIANCES

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded hearings to examine the competitive implications of domestic and international alliances among airlines, after receiving testimony from Charles A. Hunnicutt, Assistant Secretary of Transportation for Aviation and International Affairs; John M. Nannes, Deputy Assistant Attorney General, Antitrust Division, Department of Justice; John H. Anderson, Jr., Director, Transportation Issues, Resources, Community, and Economic Development Division, General Accounting Office; Henry C. Joyner, American Airlines, Inc., Fort Worth, Texas; Scott Yohe, Delta Air Lines, Inc., and Hershel I. Kamen, Continental Airlines, Inc., both of Washington, D.C.; and John S. Strong, College of William and Mary, Williamsburg, Virginia.

CLIMATE CHANGE

Committee on Energy and Natural Resources: Committee concluded hearings to examine the Administration's proposal to reduce greenhouse gas emissions by establishing initiatives designed to increase energy efficiency, to comply with the Kyoto Protocol negotiated in December 1997 to address the international problem of global warming, after receiving testimony from Victor S. Rezendes, Director of Energy, Resources, and Science Issues, Resources, Community, and Economic Development Division, and David Marwick, Assistant Director, Environmental Protection Issues, both of the General Accounting Office; Dirk Forrister, Chairman, White House Climate Change Task Force; David M. Gardiner, Assistant Administrator for Policy, Environmental Protection Agency; Dan Reicher, Assistant Secretary of Energy for Energy Efficiency and Renewable Energy; and John Karl Scholz, Deputy Assistant Secretary of the Treasury for Tax Analysis.

PUBLIC LAND MANAGEMENT

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management resumed hearings on S. 1253, to provide to the Federal land management agencies the authority and capability to manage effectively the federal lands in accordance with the principles of multiple use and sustained yield, receiving testimony from Steven J. Appel, Washington Farm Bureau, Endicott, on behalf of the American Farm Bureau Federation; Margaret I. Johnson, Idaho Power Corp., Boise, on behalf of the Edison Electric Institute; Bruce Vincent, Libby, Montana, on behalf of the Alliance for America; and Bob Bierer, American Forest and Paper Association, Myra B. Hyde, on behalf of the National Cattlemen's Beef Association and the Public Lands Council, and David Finkenbinder, National Mining Association, all of Washington, D.C.

Hearings continue on Wednesday, June 17.

COMPETITION FOR FEDERAL COMMERCIAL ACTIVITIES

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, Restructuring, and the District of Columbia concluded oversight hearings to examine the current Office of Management and Budget Circular A–76 policy for establishing a competition for commercial activities within the Federal government, after receiving testimony from J. Christopher Mihm, Associate Director, Federal Management and Workforce Issues, General Government Division, General Accounting Office; G. Edward DeSeve, Acting Deputy Director for Management, Office of Management and Budget; John Berry, Assistant Secretary of the Interior for Policy, Management and Budget; and W. Scott Gould, Chief Financial Officer and Assistant Secretary of Commerce for Administration.

SMALL BUSINESS INNOVATION RESEARCH PROGRAM

Committee on Small Business: Committee held oversight hearings to review the status of the Small Business Innovation Research Program designed to increase private sector commercialization of technology, to increase small business participation in federal research and development, and to improve

the Federal government's dissemination of information concerning the program, and proposed legislation to improve the small business sector's involvement in assistive technology research and development, receiving testimony from Charles W. Wessner, Program Director, Board on Science, Technology, and Economic Policy, National Research Council, Susan D. Kladiva, Associate Director, Energy, Resources, and Science Issues, Resources, Community, and Economic Development Division, General Accounting Office; Robin Frank Risser, Picometrix, Inc., on behalf of the Small Business Technology Coalition, and Heidi N. Jacobus, Cybernet Systems Corporation, both of Ann Arbor, Michigan; Arthur P. Brigham, III, High Performance Materials Corp., Hermann, Missouri; and Chris W. Busch, Ronan, Montana.

Hearings were recessed subject to call.

NATIONAL SECURITY

Select Committee on Intelligence: Committee held closed hearings on the investigation of the impacts to United States national security from advanced satellite technology exports to China and Chinese efforts to influence U.S. policy, receiving testimony from officials of the intelligence community.

Hearings continue tomorrow.

House of Representatives

Chamber Action

Bills Introduced: 8 public bills, H.R. 3990–3997; and 3 resolutions, H.J. Res. 120–121 and H. Res. 456, were introduced. **Pages H4164–65**

Reports Filed: Reports were filed as follows:

H. Res. 457, providing for the consideration of the Senate amendments to H.R. 2709, to impose certain sanctions on foreign persons who transfer items contributing to Iran's efforts to acquire, develop, or produce ballistic missiles (H. Rept. 105–566); and

H. Res. 458, providing for the further consideration of H.R. 2183, to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, (H. Rept. 105–567). **Page H4164**

Guest Chaplain: The prayer was offered by the guest Chaplain, Dr. James D. Strauss of Lincoln, Illinois. **Page H4065**

Ticket to Work and Self-Sufficiency Act: The House passed H.R. 3433, to amend the Social Security Act to establish a ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide beneficiaries with disabilities meaningful opportunities to return to work and to extend Medicare coverage for such beneficiaries, and to amend the Internal Revenue Code of 1986 to provide a tax credit for impairment-related work expenses by a yea and nay vote of 410 yeas to 1 nay with 2 voting "present", Roll No. 197. The House completed general debate and agreed to H. Res. 450, the rule that provided for consideration of the bill on June 3. **Page H4078**

Constitutional Amendment Restoring Religious Freedom: The House failed to pass H.J. Res. 78, proposing an amendment to the Constitution of the United States restoring religious freedom by a recorded vote of 224 ayes to 203 noes (with two-thirds required for passage), Roll No. 201. **Pages H4078–H4112**

By a recorded vote of 203 ayes to 223 noes, Roll No. 200, rejected the Scott motion to recommit the joint resolution to the Committee on the Judiciary with instructions to report it back with an amendment in the nature of a substitute that proposes an amendment to the Constitution of the United States that states that "Congress shall make no laws respecting an establishment of religion, or prohibiting the free exercise thereof. **Pages H4110–11**

On demand for a division of the question rejected the Bishop amendment, Part 1, that sought to, strike language to secure the right to "acknowledge God" and insert the right to "freedom of religion;" (rejected by a yea and nay vote of 6 yeas to 419 nays, Roll No. 198) and **Pages H4101–09**

On demand for a division of the question rejected the Bishop amendment, Part 2, that sought to strike language dealing with the denial of "equal access to a benefit on account of religion" and insert "or otherwise compel or discriminate against religion." (rejected by a recorded vote of 23 ayes to 399 noes, Roll No. 199). **Pages H4101–10**

H. Res. 453, the rule that provided for consideration of the joint resolution was agreed to earlier by yea and nay vote of 248 yeas to 169 nays, Roll No. 196. **Pages H4069–77**

Tiananmen Square Ceremony: The House agreed to H. Con. Res. 285, expressing the sense of the

Congress that the President of the United States should reconsider his decision to be formally received in Tiananmen Square by the Government of the People's Republic of China by yea and nay vote of 305 yeas to 116 nays, Roll No. 202. **Pages H4114–23**

H. Res. 454, the rule that provided for consideration of the concurrent resolution was agreed to by a voice vote. **Pages H4112–14**

Agricultural Research: The House agreed to the conference report on S. 1150, to ensure that federally funded agricultural research, extension, and education address high-priority concerns with national or multistate significance, and to reform, extend, and eliminate certain agricultural research programs by a yea and nay vote of 364 yeas to 50 nays, Roll No. 204—clearing the measure for the President. **Pages H4123–34**

Earlier, a point of order was raised under Section 425 of the Congressional Budget Act of 1974, regarding unfunded intergovernmental mandates. Pursuant to Section 426 of the Congressional Budget Act, the House agreed to consider the conference report by a yea and nay vote of 324 yeas to 91 nays, Roll No. 203. **Pages H4123–27**

The conference report was considered pursuant to the unanimous consent order of June 3.

Order of Business—User Fee Bill: Agreed by unanimous consent that it be in order at any time to consider H.R. 3989, to provide for the enactment of user fees proposed by the President in his budget submission under section 1105(a) of title 31, United States Code, for fiscal year 1999, that the bill be considered as read for amendment; that the amendment placed at the desk, adding at the end of the bill Title IV, Tax Increases, be considered as adopted; and that the previous question be considered as ordered on the bill, as amended, to final passage without intervening motion, except, one hour of debate on the bill, as amended, equally divided and controlled by Representative Solomon of New York and the Minority Leader or his designee; and one motion to recommit with or without instructions. **Page H4134**

Budget Resolution: The House completed general debate on H. Con. Res. 284, revising the congressional budget for the United States Government for fiscal year 1998, establishing the congressional budget for the United States Government for fiscal year 1999, and setting forth appropriate budgetary levels for fiscal years 2000, 2001, 2002, and 2003. Further consideration will resume on Friday, June 5. **Pages H4144–63**

H. Res. 455, the rule that is providing for consideration of the concurrent resolution was agreed to by a yea and nay vote of 216 yeas to 197 nays, Roll No. 205. **Pages H4135–44**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H4165–66.

Quorum Calls—Votes: Seven yea and nay votes and three recorded votes developed during the proceedings of the House today and appear on pages H4077, H4078, H4108–09, H4109–10, H4111, H4112, H4122–23, H4126–27, H4133–34, and H4143–44. There were no quorum calls.

Adjournment: Met at 10:00 a.m. and adjourned at 1:33 a.m. on Friday, June 5.

Committee Meetings

FOREST SERVICE—OFF-BUDGET FUNDS

Committee on Agriculture: Held a hearing on Review of off-budget funds administered by the Forest Service. Testimony was heard from James J. Meissner, Associate Director, Energy, Resources, and Science Issues, Resources, Community, and Economic Development Division, GAO; Ron Stewart, Deputy Chief, Programs and Legislation, Forest Service, USDA; and public witnesses.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on National Security met in executive session and approved for full Committee action the Department of Defense appropriations for fiscal year 1999.

U.S. HOLOCAUST ASSETS COMMISSION ACT

Committee on Banking and Financial Services: Ordered reported amended H.R. 3662, U.S. Holocaust Assets Commission Act of 1998.

Prior to this action, the Committee held a hearing on H.R. 3662. Testimony was heard from Stuart Eizenstat, Under Secretary, Economics, Business and Agricultural Affairs, Department of State; and public witnesses.

ELECTRONIC COMMERCE

Committee on Commerce: Subcommittee on Finance and Hazardous Materials held a hearing on Electronic Commerce: New Methods for Making Electronic Purchases. Testimony was heard from Roger W. Ferguson, Jr., member, Board of Governors, Federal Reserve System; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Education and the Workforce: Ordered reported amended the following measures: H. Res. 401, expressing the sense of the House of Representatives that social promotion in America's schools should be ended and can be ended through the use of high-quality, proven programs and practices; H.

Res. 399, urging the Congress and the President to work to fully fund the Federal Government's obligation under the Individual with Disabilities Education Act; H.R. 3892, English Language Fluency Act; H. Res. 417, regarding the importance of fathers in the raising and development of their children; H.R. 3874, WIC Reauthorization Amendments of 1998; and H.R. 3254, IDEA Technical Amendments Act of 1998.

The Committee also approved Contract Agreements providing services to the Committee regarding its oversight investigation of the International Brotherhood of Teamsters election.

PEOPLE'S REPUBLIC OF CHINA—SALE OF BODY PARTS

Committee on International Relations: Committee on Government Reform and Oversight held a joint hearing on the Sale of Body Parts by the People's Republic of China. Testimony was heard from Representative Linda Smith; and public witnesses.

INDONESIA—U.S. POLICY OPTIONS

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on U.S. Policy Options Toward Indonesia: What We Can Expect; How We Can Help. Testimony was heard from Aurelia Brazael, Deputy Assistant Secretary, East Asia and the Pacific, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Courts and Intellectual Property approved for full Committee action amended H.R. 3891, Trademark Anticounterfeiting Act of 1998.

The Subcommittee also began consideration of H.R. 3789, Class Action Jurisdiction Act. of 1998.

IMMIGRATION AND NATIONALITY ACT AMENDMENTS

Committee on the Judiciary: Subcommittee on Immigration and Claims held a hearing on H.R. 225, to amend the Immigration and Nationality Act to permit certain aliens who are at least 55 years of age to obtain a 4-year nonimmigrant visitor's visa. Testimony was heard from Representative McCollum; Paul Virtue, General Counsel, Immigration and Naturalization Service, Department of Justice; and public witnesses.

DEPOT MAINTENANCE WORKLOAD COMPETITION

Committee on National Security: Held a hearing on Competition for Depot Maintenance Workload. Testimony was heard from the following officials of the Department of Defense: J.S. Gansler, Under Secretary, (Acquisition and Technology); F. Whitten Peters, Acting Secretary; and Darleen A. Druyun, Principle Deputy Assistant Secretary (Acquisition and Management), both with the Department of the Air Force.

MISCELLANEOUS MEASURES; OVERSIGHT—FISHING VESSELS U.S. OWNERSHIP

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans approved for full Committee action the following bills: H.R. 2291, to amend the Fish and Wildlife Improvement Act of 1978 to enable the Secretary of the Interior to more effectively utilize the proceeds of sales of certain items; H.R. 3460, to approve a governing international fishery agreement between the United States and the Republic of Latvia; and H.R. 3498, amended, Dungeness Crab Conservation and Management Act.

The Subcommittee also held an oversight hearing on United States Ownership of Fishing Vessels. Testimony was heard from Senator Stevens; David Evans, Deputy Director, National Marine Fisheries Service, NOAA, Department of Commerce; Rear Adm. Robert C. North, USCG., Assistant Commandant, Marine Safety and Environmental Protection, Department of Transportation; and public witnesses.

BIPARTISAN CAMPAIGN INTEGRITY ACT

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the amendments printed in the Rules Committee report accompanying H.R. 2183, Bipartisan Campaign Integrity Act, if offered by the Member designated in the report. The rule provides that the amendment shall be considered as read.

IRAN MISSILE PROLIFERATION SANCTIONS ACT

Committee on Rules: The Committee granted, by voice vote, a closed rule on H.R. 2709, Iran Missile Proliferation Sanctions Act of 1997, providing for a single motion offered by the chairman of the Committee on International Relations or his designee to concur in each of the Senate amendments. The rule provides that the Senate amendments and the motion shall be considered as read. The rule provides one hour of debate in the House equally divided between the chairman and ranking minority member of the Committee on International Relations.

OVERSIGHT—INTERNATIONAL STANDARDS

Committee on Science: Subcommittee on Technology concluded oversight hearings on International Standards Part II: The Impact of Standards on the Digital

Economy. Testimony was heard from public witnesses.

KYOTO PROTOCOL

Committee on Small Business: Held a hearing on the Kyoto Protocol: The Undermining of American Prosperity? Testimony was heard from Janet L. Yellen, Chair, Council of Economic Advisers; and public witnesses.

SHIP SCRAPPING ACTIVITIES

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing on Ship Scrapping Activities of the United States Government. Testimony was heard from Patricia Rivers, Chief, Environmental Restoration, Corps of Engineers, U.S. Army, Department of Defense; and public witnesses.

FEDERAL BUILDINGS SECURITY

Committee on Transportation and Infrastructure: Subcommittee on Public Buildings and Economic Development held a hearing on Security in Federal Buildings. Testimony was heard from the following officials of the GSA: Robert Peck, Commissioner; and Eugene Waszily, Deputy Inspector General, Audits; Bernard Ungar, Director, Government Business Operations Issues, GAO; and public witnesses.

WETLANDS RESTORATION AND IMPROVEMENT ACT

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment approved for full Committee action amended H.R. 1290, Wetlands Restoration and Improvement Act.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Health approved for full Committee action the following bills: H.R. 3980, Persian Gulf War Veterans' Health Care and Research Act of 1998; H.R. 3336, to name the Department of Veterans Affairs medical center in Gainesville, Florida, as the ''Malcolm Randall Department of Veterans Affairs Medical Center''; and H.R. 2775, to designate the Department of Veterans Affairs medical center in Aspinwall, Pennsylvania, as the ''H. John Heinz III Department of Veterans Affairs Medical Center.''

COMMITTEE MEETINGS FOR FRIDAY, JUNE 5, 1998

(Committee meetings are open unless otherwise indicated)

Senate

Select Committee on Intelligence, to continue closed hearings on the investigation of the impacts to United States national security from advanced satellite technology exports to China and Chinese efforts to influence U.S. policy, 9 a.m., SH–219.

House

Committee on Commerce, Subcommittee on Health and Environment, hearing on Electronic Commerce: The Promise of Better Healthcare Through Telemedicine, 9:30 a.m., 2123 Rayburn.

Subcommittee on Telecommunications, Trade, and Consumer Protection, hearing on H.R. 2281, WIPO Copyright Treaties Implementation Act, 10 a.m., 2322 Rayburn.

Committee on Education and the Workforce, Subcommittee on Early Childhood, Youth, and Families, hearing on Community Services Block Grant, 10 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, Subcommittee on Government Management, Information, and Technology, oversight hearing on the Implementation of the Debt Collection Improvement Act, 9:30 a.m., 2247 Rayburn.

Subcommittee on Human Resources, oversight hearing on HUD Contracting: Vulnerabilities and Proposed Solutions, 10 a.m., 2203 Rayburn.

Subcommittee on National Security, International Relations, and Criminal Justice, hearing on Cutting Edge Issues in Drug Testing and Drug Treatment, 10:30 a.m., 2154 Rayburn.

Committee on International Relations, to mark up the following measures: H. Con. Res. 270, acknowledging the positive role of Taiwan in the current Asian financial crisis and affirming the support of the American people for peace and stability on the Taiwan Strait and security for Taiwan's democracy; H. Res. 392, relating to the importance of Japanese-American relations and the urgent need for Japan to more effectively address its economic and financial problems and open its markets by eliminating informal barriers to trade and investment, thereby making a more effective contribution to leading the Asian region out of its current financial crisis, insuring against a global recession, and reinforcing regional stability and security; and H. Res. 404, commemorating 100 years of relations between the people of the United States and the people of the Philippines, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Crime, to mark up the following bills: H.R. 3745, Money Laundering Act of 1998; and H.R. 3898, Speed Trafficking Life in Prison Act of 1998, 9 a.m., 2237 Rayburn.

Joint Meetings

Joint Economic Committee, to hold hearings to examine the employment-unemployment situation for May, 9:30 a.m., 1334 Longworth Building.

Next Meeting of the SENATE

9:30 a.m., Friday, June 5

Senate Chamber

Program for Friday: After the recognition of three Senators for speeches and the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will resume consideration of S. 1415, Universal Tobacco Settlement Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, June 5

House Chamber

Program for Friday: Consideration of H.R. 3989, User Fee and Tax Increase Act of 1998 (subject to unanimous consent order);

Completed consideration of H. Con. Res. 284, Budget Resolution (modified closed rule); and

Consideration of Senate amendments to H.R. 2709, Iran Missile Proliferation Sanctions Act (closed rule, 1 hour of debate) of 1997.

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