

corporate and private donors are encouraged to provide assistance, including funds, educational material and equipment to NGOs in different regions of the world and to universities to establish or expand their disarmament and non-proliferation libraries with free and open public access to their resources. Member States should be encouraged to fund research institutes that focus on disarmament and non-proliferation and offer scholarships for advanced university students to carry out research on disarmament and non-proliferation and its pedagogy. The United Nations should make greater efforts to tap the financial resources of private enterprises in the fields of information and communications technology.

AMERICAN WILDLIFE
ENHANCEMENT ACT OF 2001

SPEECH OF
HON. C.L. "BUTCH" OTTER

OF IDAHO
IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2002

Mr. OTTER. Mr. Speaker, Early on the morning of November 15, 2002 the House of Representatives passed, by unanimous consent, S. 990, the American Wildlife Enhancement Act. This bill, which amends the Pittman-Robertson Wildlife Restoration Act, is purported to improve the provisions relating to wildlife conservation and restoration programs. Had I been present when the House considered this legislation, I would have opposed the bill. I am concerned that as written this bill could undermine private property rights and impact state water rights. I am concerned that no hearings were held in the House and we never had time to consider the full implications of the bill. I am hopeful the bill does not make it to the President's desk this year. If this legislation is introduced next Congress, I will work with my colleagues to ensure the protection of private property and water rights.

HOMELAND SECURITY ACT OF 2002

SPEECH OF
HON. BART STUPAK

OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2001

Mr. STUPAK. Mr. Speaker, I reluctantly voted for H.R. 5005, the Homeland Security Act of 2002.

I say reluctantly because I have very strong objections to certain provisions contained in the bill which favor "special interests."

In particular, I am opposed to provisions in the bill that would protect pharmaceutical firms and other corporations from lawsuits. Gut our efforts to crack down on companies that move abroad to escape U.S. taxes. Provide protection against lawsuits for companies that have provided passenger and baggage screening in airports. Give the new homeland security secretary broad authority to protect companies that sell anti-terrorism technologies.

These provisions were inserted without consulting any Democratic leaders, and put in the bill literally in the middle of the night!

Mr. Speaker, I have a long and well-known record of fighting against provisions such as these.

These provisions were not in the original bill we passed earlier this year and I cannot understand why the Republican Caucus felt it necessary to include them in the most significant reorganization of the federal government in fifty years!

These provisions harm the average American by curtailing their legal rights to seek justice from corporations. Haven't we seen the dangers of allowing big business to operate this way?

The Senate was right in drawing national attention to this sham.

I am hopeful the Republican leadership will live up to its promise to remove these provisions early next Congress, but I fear they are already backing off their promise to do so.

Mr. Speaker, we desperately need a Department of Homeland Security, and that is why I voted for the bill. However, we do not need more give aways for corporate special interests, and I urge my GOP colleagues to move with great speed to remove the provisions early next session.

CONFERENCE REPORT ON H.R. 333,
BANKRUPTCY ABUSE PREVENTION
AND CONSUMER PROTECTION
ACT OF 2002

SPEECH OF
HON. BETTY McCOLLUM

OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2001

Ms. McCOLLUM. Mr. Speaker, I rise today in opposition to the Conference Report for the "Bankruptcy Reform" bill, H.R. 333. This legislation will impose new restrictions to prevent working families facing financial misfortune from getting back on track. It also does nothing to stop the irresponsible and predatory practices of some businesses and credit card companies. I support efforts to prevent abuse of our bankruptcy system as a financial tool but this legislation goes too far in cutting off avenues to relief for working families who face unmanageable debt.

Central to this legislation is a new, inflexible "means test" that will be imposed on every individual filing for bankruptcy. While judges currently have the ability to determine the appropriate relief for consumers, this new "means test" will eliminate that flexibility and prevent all but the most impoverished families from filing for bankruptcy under Chapter 7. The implementation of this "means test" will also be a costly mandate on our bankruptcy court system, which is already operating on rudimentary funding.

I have listened to concerns of bankruptcy judges in my state of Minnesota who fundamentally oppose this legislation because of the disastrous effect it will have on working families facing financial crises. These judges echoed facts that are widely known—that the vast majority of individuals who file for bankruptcy are low- and moderate-income citizens facing crisis situations such as the loss of a job, medical emergencies or divorce. The actual number of individuals who try to "game the system" and escape debts by filing for bankruptcy is very low. According to one bankruptcy judge, abusive filings constitute only about 2–3 percent of all cases and bankruptcy courts are currently able to block about

95 percent of those "bad faith" filings by converting or dismissing certain cases.

This legislation would also have a negative impact on the availability of quality, affordable representation for families filing for bankruptcy. Provisions of this legislation would impose new liability standards on bankruptcy attorneys, making them responsible for the accuracy of all information given to them by their clients when filing a bankruptcy petition. Many attorneys will be apprehensive to continue representing clients in bankruptcy cases knowing that they may be sanctioned for inaccurate information. Bankruptcy lawyers in Minnesota have told me that this will severely decrease the number of attorneys willing to provide *pro bono* services, limiting the ability of low-income individuals to obtain quality legal representation.

I agree that something must be done to curb the number of personal bankruptcies that strain our banks, credit unions and responsible financial institutions. But we must be equitable in asking everyone—borrowers and lenders alike—to practice good financial planning. This unbalanced legislation unfairly targets consumers and allows irresponsible companies to continue extending credit to college students and others who are already deep in debt or have had a past history of bad credit. For the working families of Minnesota and the nation, I cannot support this legislation.

CONFERENCE REPORT ON S. 1214,
MARITIME TRANSPORTATION
SECURITY ACT OF 2002

SPEECH OF
HON. DON YOUNG

OF ALASKA
IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2002

Mr. YOUNG of Alaska. Mr. Speaker, I rise to speak about the Conference Report on S. 1214, which the House approved last week and is now ready for signature by the President. I would like to point out a particular concern that is addressed in Section 445 of the conference agreement. Section 445 addresses the current problem, and the potential for greater future problems, of local jurisdictions seeking to impose taxes and fees on vessels merely transiting or making innocent passage through navigable waters subject to the authority of the United States that are adjacent to the taxing community. We are seeing instances in which local communities are seeking to impose taxes or fees on vessels even where the vessel is not calling on, or landing, in the local community. These are cases where no passengers are disembarking, in the case of passenger vessels, or no cargo is being unloaded in the case of cargo vessels and where the vessels are not stopping for the purpose of receiving any other service offered by the port. In most instances, these types of taxes would not be allowed under the Commerce Clause of the United States Constitution. Unfortunately, without a statutory clarification, the only means to determine whether the burden is an impermissible burden under the Constitution is to pursue years of litigation.

Section 445 of the Conference Report addresses this problem by clarifying the sole circumstances when a local jurisdiction may impose a tax or fee on vessels. Local governments, and other non-Federal interests, may

impose taxes or fees only under an existing exception under the Water Resources Development Act or under extremely limited circumstances in which reasonable fees can be charged on a fair and equitable basis for the cost of service actually rendered to the vessel. The fees must also enhance the safety and efficiency of interstate and foreign commerce and represent at most a "small burden" on interstate and foreign commerce. Generally, taxes will not be allowed under this section. The sole exceptions are stated in Section 445.

Mr. President, I support Section 445 as an important correction of a silence in current law that should not be allowed to imperil legitimate commerce.

E-GOVERNMENT ACT OF 2001

SPEECH OF

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2002

Mr. HORN. Mr. Speaker, title V of H.R. 2458 incorporates the text of another bill that was recently reported out of the Government Reform Committee: H.R. 5212, the "Confidential Information Protection and Statistical Efficiency Act of 2002." I wish to thank the gentleman from Texas, Mr. TURNER, and the gentleman from Virginia, Mr. DAVIS, for including the Confidential Information Protection and Statistical Efficiency Act of 2002 in their bill.

On July 25, 2002, I introduced the Confidential Information Protection and Statistical Efficiency Act of 2002 on behalf of myself, as well as the gentleman from Ohio, Mr. SAWYER, and the gentlewoman from New York, Mrs. MALONEY. The Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations, which I chair, held a

hearing on the bill on September 17. All witnesses—representing the statistical agencies, the Administration and the private sector—testified in favor of the bill. On the same day, the subcommittee approved the bill by voice vote.

On October 9, the full Committee on Government Reform approved the bill by voice vote and ordered it favorably reported. I want to briefly summarize this important legislation. The committee report on H.R. 5215 explains the Confidential Information Protection and Statistical Efficiency Act of 2002 in much greater detail.

Enactment of the Confidential Information Protection and Statistical Efficiency Act of 2002 will greatly improve the efficiency and quality of Federal statistical activities. Right now, there is much duplication of effort among the Federal Government's three principal statistical agencies—the Bureau of the Census, the Bureau of Labor Statistics and the Bureau of Economic Analysis. Because of their inability to share data, they often collect the same data separately. This wastes taxpayer dollars and imposes unnecessary burdens on those who supply the data.

Furthermore, the inability of the agencies to compare the data they collect results in major disparities in the reports they issue. For example, during the last economic census in 1997, the Bureau of Labor Statistics reported payroll data in the information technology sector that was 13 percent higher than the data reported by the Census Bureau. In addition, there was a 14 percent disparity in the payroll data reported by these two agencies for the motor freight, transportation and warehousing industries.

This legislation will allow the Census Bureau, the Bureau of Economic Analysis and the Bureau of Labor Statistics to share business data they collect for statistical purposes. This data sharing will substantially enhance the accuracy of economic statistics by resolving serious reporting inconsistencies such as those that I just mentioned. It will also reduce

reporting burdens on the businesses that must now supply data separately to the individual agencies. I want to emphasize that the data sharing applies only to these three agencies, and it only applies to business data—not personal data.

Of equal importance, the bill ensures that the confidential data that citizens and businesses provide to federal agencies for statistical purposes are subject to uniform and rigorous statutory protections against unauthorized use. Currently, confidentiality protections vary among agencies and are often not based in law. The bill would provide uniformly high confidentiality standards that federal statistical agencies must follow. This part of the bill applies to all federal statistical agencies—not just the Census Bureau, Bureau of Labor Statistics and Bureau of Economic Analysis. Furthermore, it covers all data that all statistical agencies collect on a confidential basis—both business and personal data.

Finally, the bill includes language that will enhance the usefulness of statistical data for congressional decision-making. This language encourages the statistical agencies to provide the Congressional Budget Office with access to statistical data in order to help CBO analyze pension and health care financing issues. However, the bill does not expand CBO's current legal rights of access to statistical data. Thus, it does not permit disclosure of information to CBO in a manner of form that would constitute a violation of existing law.

Mr. Speaker, this worthy legislation has been years in the making. I sponsored a similar bill in 1999, but it encountered last minute concerns and was not enacted. The current bill resolves those concerns as well as all other issues that have been raised. The Administration strongly supports it, as do many individuals and organizations in industry and academic circles. I am delighted that the bill finally will be enacted this year.