THE JOURNAL

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to clause 5 of rule I, the pending business is the question of agreeing to the Speaker's approval of the Journal.

The question is on agreeing to the Speaker's approval of the Journal.

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

Mr. MILLER of California. 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 363, nays 46, not voting 24, as follows:

[Roll No. 365]

YEAS—363

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
Boswell
Boyd
Brady
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Deal
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Flake
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
Herger
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
Lofgren
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pomeroy
Porter
Portman
Price (NC)
Quinn
Radanovich
Rahall
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Strickland
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Traficant
Turner
Upton
Velazquez
Vento
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey

NAYS—46

Abercrombie
Borski
Brown (CA)
Clay
Clyburn
DeFazio
Doggett
English
Ensign
Fazio
Filner
Fox
Gephardt
Gibbons
Gutknecht
Hefley
Hill
Hilleary
Hilliard
Hulshof
Johnson, E. B.
Kucinich
LoBiondo
Lowey
Maloney (NY)
McNulty
Miller (CA)
Moran (KS)
Oberstar
Pascrell
Pastor
Pickett
Pombo
Poshard
Ramstad
Sabo
Schaffer, Bob
Slaughter
Stenholm
Stupak
Taylor (MS)
Thompson
Visclosky
Waters
Weller
Wynn

NOT VOTING—24

Bono
Boucher
Buyer
Clayton
Davis (VA)
DeLay
Dicks
Foglietta
Furse
Gonzalez
Goodling
Harman
King (NY)
Lantos
McDade
Neumann
Pryce (OH)
Schiff
Stokes
Taylor (NC)
Towns
Yates
Young (AK)
Young (FL)

□ 2026

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

So the Journal was approved.

The result of the vote was announced as above recorded.

PERMISSION TO INSERT EXTRANEOUS MATERIAL ON H.R. 2264, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. OBEY. Mr. Speaker, I ask unanimous consent to insert extraneous material into the RECORD at the point immediately following my opening statement on H.R. 2264, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1998.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1984

Mr. GILMAN. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor of H.R. 1984.

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

There was no objection.

□ 2030

MOTION TO INSTRUCT CONFEREES ON H.R. 1119, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

Mr. TRAFICANT. Mr. Speaker, I offer a motion to instruct conferees on the bill, H.R. 1119, to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999, and for other purposes.

The SPEAKER pro tempore (Mr. LAHOOD). The Clerk will report the motion.

The Clerk read as follows:

Mr. TRAFICANT moves that the conferees on the part of the House on the bill, H.R. 1119 be instructed to insist upon the provisions of section 1032 of the House bill relating to the assignment of Department of Defense personnel to border patrol and control.

Mr. TRAFICANT. Mr. Speaker, I ask unanimous consent if there is a recorded vote requested that that request be deposed of tomorrow at the schedule of the leadership.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. TRAFICANT] is recognized for 30 minutes.

PARLIAMENTARY INQUIRY

Mr. REYES. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. REYES. Mr. Speaker, under the rules when there are two proponents of the motion which have been recognized, is one-third of the time allotted to a Member in opposition?

The SPEAKER pro tempore. Is the gentleman from South Carolina [Mr. SPENCE] opposed to the motion?

Mr. SPENCE. No, I am not, Mr. Speaker.

The SPEAKER pro tempore. Under the rule, the time will be divided 3 ways. The gentleman from Ohio [Mr. TRAFICANT], the gentleman from South Carolina [Mr. SPENCE], and the gentleman from Texas [Mr. REYES] each will control 20 minutes.

The Chair recognizes the gentleman from Ohio [Mr. TRAFICANT].

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

This passed the House by an overwhelming 2 to 1 margin. There has been debate of ethnic bias on my behalf. That has bothered me. There have been talks that they would just simply strip it out in conference. That has bothered me. I pose the question to the Congress of the United States, Congress and Federal Government, the White House said there will be no Cuban cigars and by God there are none in America. Why is it that 10-year-olds in every major city of America can get heroin and cocaine as easily as they can get aspirin?

On the issue of Mexicans and Mexican-Americans, that is a nonissue to me. The issue to me is if you are coming into this country illegally, you should not be. And we have a pitiful record in dealing with illegal immigration. I heard a lot of talk about a war on drugs. We have really gotten tough. We do not have a director of drug affairs. We have a drug czar. The drug czar, to show the power and the clout, is a retired general.

I want to submit to Congress, you have wide open borders. There are 6,800 Border Patrol. The White House admits that we need 25,000 to adequately handle the border. The Traficant amendment to the defense bill is rather calm and moderate. It does not mandate the use of troops. It simply authorizes them, and the administration in an emergency need must request them. And if they in fact are deployed there, they shall have no arrest powers, simply to detain for civil law enforcement to make those arrests.

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

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

Mr. Speaker, I voted in favor of this provision when it was offered as an amendment to H.R. 1119. We have since begun conference with the Senate on this legislation. Over the past several weeks, objections have been raised to this provision expanding the Secretary of Defense's authority to assign up to 10,000 DOD personnel to assist INS and the United States Customs Service on the U.S. border. Even though this provision is likely to remain a contentious issue in conference, I will continue to work with interested Members to support the House position as we do in all matters before the conference.

Mr. Speaker, I remain supportive of the role of the Department of Defense in reducing the flow of drugs into our country. In this bill, I commend the gentleman from Ohio for his work in bringing additional visibility to this serious and important problem.

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

Mr. REYES. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, this was a bad idea when it was first proposed, it was an idea that we really did not get a chance to fully debate. I think tonight I rise in opposition because we are all concerned about illegal entries into this country. We are all concerned about drug trafficking. We are all concerned about the attacks on our various neighborhoods. This is a bad idea from my personal experience because I spent 26½ years patrolling the border.

The gentleman from Ohio makes mention that we have got about 9,000 Border Patrol agents patrolling our borders. I should remind my colleagues that we have a plan that will increase the number of Border Patrol agents by 1,000 agents per year until 2001, at which time we will reevaluate the effectiveness of that increase.

I think tonight it is important that my colleagues realize that this proposal does not restrict the utilization of the military to our southern border. I think it is important that if you are one of my colleagues from Idaho, you should worry about this proposal. If you represent Minnesota, you should also worry. If you represent the State of New York, you should be concerned. If you are a Representative from the West Coast or from the coast of Florida, you should be concerned about what this kind of proposal might do to our neighborhoods.

It is important that we keep things in perspective and that we understand that the only rational, reasonable way that we are going to combat illegal immigration, drug trafficking, and all of the associated concerns that we have about our international borders is to hire additional professional bilingual agents.

It is very important that we keep in context the fact that on our southern border, while we may have a serious problem today, that problem may shift to the Canadian border tomorrow. That problem may manifest itself on the West Coast or the East Coast next year or 2 years from now. We are opening up a situation where Representatives from throughout this country that represent districts contiguous to international boundaries will be in a position to have to answer to the people that elect them why we are deploying soldiers to do a job that should be done by professional law enforcement officers.

We are also jeopardizing with this proposal the very soldiers that we are deploying to protect us under this type of solution. It is important that we recognize that there is a serious problem that needs a rational decision.

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

Mr. SPENCE. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. BILBRAY].

Mr. BILBRAY. Mr. Speaker, I rise in support of the resolution, a very moderate proposal, probably the most moderate proposal the gentleman from Ohio has ever presented while I have been on this floor. It does not say that we shall put troops at the border to secure our national frontiers like the Republic of Mexico has done. The Republic of Mexico has felt it is so important to fight the drug and the illegal activities along the border, they have placed their troops at the border.

No, this proposal, Mr. Speaker, does not say that. This proposal is so moderate that it only says that if the administration feels it is absolutely essential to protect the sovereignty of the United States, to enforce its laws, to basically be able to secure our borders, then under their discretion, under the President's discretion and his administration, then they may if they want to use it. The gentleman from Ohio is not mandating any operations at any borders or any ports. He is authorizing that the President in his good judgment, if it is needed in a crisis, will have a resource available to him that Congress has ignored for too long.

Mr. Speaker, let us ask the American people, is it so bad, is it so absurd to think that American troops that travel all around the world to defend the borders and the frontiers of many, many countries for decades, that are in foreign countries all over the globe today, is it so wrong to think that those same troops may, if the President thinks it is essential, have the right to defend the soil that they are born in and that the taxpayers of that soil are paying for their salaries? Is it so wrong to have American troops be authorized to defend their American soil?

Mr. Speaker, I give you that. The gentleman from Ohio is not only moderate and reasonable, I think he is intelligent beyond the level that this House has been willing to accept in the past. Common sense says this moderate proposal is not only our right as a House of Representatives, Mr. Speaker, it is our responsibility of the representatives of the people that we say we represent.

PARLIAMENTARY INQUIRY

Mr. TRAFICANT. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TRAFICANT. Who has the right to close this debate, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Ohio has the right to close.

Mr. TRAFICANT. Mr. Speaker, I have at this point reserved the balance of my time.

Mr. REYES. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas [Mr. RODRIGUEZ].

Mr. RODRIGUEZ. Mr. Speaker, let me first indicate, I think one of the

things that we need to look at is the whole issue of readiness. I am on the Committee on National Security. One of the things that we have been informed is that those 10,000 troops are going to cost us $650 million. I want my colleagues to think about that.

Second, as the gentleman rose and talked about what is so wrong about defending our country, we are there to defend our country.

□ 2045

But do we want troops there that might jeopardize our own citizens, as has already happened? That is what we are concerned about.

When I went up there during the last 30 days, I had an opportunity to travel through my district, and it goes all the way to the Rio Grande, and, yes, they are against drugs, by the way, and, yes, they are against immigration, illegal immigration, and there is a need for us to respond. But they have also indicated that they would prefer to have Border Patrol people handle that, individuals that are well-trained to be able to deal with that.

When we talk about drugs, we are going to need sophisticated individuals who will be able to handle and know the terrain, know the area. We run the risk of having incidents that would occur that happened to that young man, Mr. Hernandez, unfortunate incident where one American citizen got killed. We should not jeopardize that to occur, and we should do every effort to make sure that that does not happen.

I also want to inform my colleagues that both the Department of Justice has considered this very inappropriate and is not in support; the Department of Defense has indicated, and I would like to read some of the things that they have said. The general counsel of the Department of Defense warned in a letter to the Committee on National Security chairman, the gentleman from South Carolina [Mr. SPENCE], that the troops that work along the border are of minimal value to military readiness and detract from the training with war-fighting equipment for war-fighting missions. This lack of training would directly reduce unit readiness.

If we look at it in addition to the Department of Defense, they have indicated that this is not the right thing to do.

The INS has also indicated that they would prefer to handle this in a way that the Border Patrol is involved, and I want to ask my colleagues: Would you want to see troops in your own neighborhoods, in your own community, people that might not know the area? I would ask that you seriously consider that because I would think you would not want them in Ohio, in your own back yard.

Mr. Speaker, as a member of the National Security Committee, I opposed the amendment to authorize up to 10,000 additional troops on the border, and today I rise to oppose this motion to instruct conferees on the National Defense Authorization Act for Fiscal Year 1998. Our military is the world's best trained fighting force; they are not police officers and they are not border patrol agents. They are trained to fight, and we risk grave consequences by deploying them on American soil. Such a dramatic increase of troops on the border is a dangerous proposal that will put border residents in danger and reduce military readiness.

During the August break I travelled throughout my district in South Texas, including counties I represent along the U.S.-Mexico border. At every meeting, residents of the border region expressed overwhelming opposition to the proposal to increase the number of soldiers on the border. The residents expressed concerns that the soldiers are unfamiliar with the people and the area, are not trained to deal with the complexities of immigration along the border, and may not be bilingual. Border residents, just like everyone else, want to stop the influx of illegal drugs and believe in stopping the flow of undocumented immigrants. But the solution they support is more Border Patrol agents. The recently implemented Operation Rio Grande is a first step toward that goal.

Last May, an 18 year old boy was killed by a Marine assisting Border Patrol agents near Redford, Texas. This tragic incident highlights the complexities of placing soldiers on the border and the potential harm to border residents. It is no wonder that the Departments of Defense and Justice and the Immigration and Naturalization Service all oppose this proposal. The Border Patrol has nearly 7,000 agents patrolling our nation's borders and Congress has authorized an additional 1,000 agents every year until 2001. The San Antonio Express-News pointed out that the Redford incident may be isolated but warned against deploying soldiers into an area lawfully and peacefully used by private citizens.

Mr. Speaker, I serve on the House National Security Readiness Subcommittee and the Readiness Panel of the Defense Authorization Conference Committee. At a time when readiness concerns and the increased operation tempo of our military are at their highest we cannot afford to pull 10,000 men and women away from their posts to do the work of Border Patrol agents. The military can provide assistance in numerous ways without this unwarranted diversion of troops.

The General Counsel of the Department of Defense warned in a letter to National Security Committee Chairman Spence that the troops' work along the border are of minimal value to military readiness and detract from training with warfighting equipment for warfighting missions. This lack of training would directly reduce unit readiness levels and would extend the time required before these personnel could be deployed to support contingency operations. The General Counsel summed up his concerns be stating that the proposal would reduce the level of military preparedness and overall combat effectiveness of the Armed Forces.

The Department of Defense estimates that the placement of 10,000 soldiers on the border would cost in excess of $650 million per year. This enormous sum could be put to better use ensuring Border Patrol agents are properly trained and have the resources needed to enforce our Nation's laws and to protect themselves.

Mr. Speaker, I, and the tens of thousands of residents I represent along the border, urge my colleagues to vote against this motion to instruct conferees. The placement of up to 10,000 soldiers on our borders is a dangerous proposal that could have deadly consequences for border residents. We must remember who were are protecting.

Mr. SPENCE. Mr. Speaker, I yield 1½ minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

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

Mrs. ROUKEMA. Mr. Speaker, I just want to commend. I did not realize that the gentleman's amendment was coming up now, my colleague's, the gentleman from Ohio [Mr. TRAFICANT], but I want to commend him for this. I heard his presentation on the Jim Lehrer news broadcast about a week or two ago, and it was very coherent.

I do not believe what I am hearing here, that the same people that have been carrying on the program, whether it is Border Patrol or INS, are being looked to to save us from what has become a war zone on our borders. We are talking about war zones whether it is illegal immigration or, more directly, the drug war that is going on there. And I am telling my colleagues they have not done well for this country under the present circumstances with the present personnel.

The time is long passed for us to do this. It is common sense, and if there are problems with the rest of the military preparedness, then let us fix that. But I will tell my colleagues, someone asked the question, the previous speaker asked the question, do I want those people in my backyard or in New Jersey. I tell him I do not. I do not want my children or my grandchildren to be accosted, and to have to face the influx of drugs, the invasion. It is an invasion and it is a war as much as anything is a war. We can go to Somalia, we can go to Bosnia, we can go to the Ukraine; I am telling my colleagues we need them right here to protect our families and to do the right thing. We cannot. Obviously, the existing personnel have failed us dreadfully.

Mr. REYES. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. DAVIS].

Mr. DAVIS of Florida. Mr. Speaker, I rise in opposition to this well-intentioned but ill-advised amendment. My State, Florida, like Texas and many coastal States, faces challenges in controlling our border, but the answer lies in strengthening the Border Patrol to solve this problem.

As the sponsor of the amendment has alluded to, if we have 6,800 Border Patrol officers not taking care of the problem, let us increase the number of Border Patrol officers. There has been no evidence offered to suggest that these people, these men and women, are not qualified to do their jobs.

The answer does not lie in diverting up to 10,000 additional military troops to handle this function, and as the sponsor of the amendment has mentioned, the amendment would have the

effect of authorizing the Department of Defense to use these additional personnel in an emergency situation. If this is such a problem, these additional personnel should not be there just for emergencies, they should be there all the time. We should be strengthening the number of Border Patrol agents down there, not trying to have additional people down there who have not been trained to do the job and only using them in emergency situations.

The Department of Defense has estimated that the diversion of up to 10,000 troops could cost as much as $650 million. Let us use a more cost-effective approach. Let us beef up the Border Patrol.

Mr. SPENCE. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. DELLUMS], the ranking member on the committee.

Mr. DELLUMS. Mr. Speaker, I rise in opposition to the motion to instruct conferees on this matter, and in so doing I would like to first congratulate my distinguished colleague from Texas [Mr. REYES] for his very thoughtful response to the proposition that is before us.

I would now like to make four rather succinct points, Mr. Speaker.

First, in moments of significant problems and high emotion and extraordinary rhetoric, sometimes it is the burden of responsibility of leadership to try to focus on significant principles. I would assert, and assert aggressively here, that the beauty of this country, the beauty of this Nation, the beauty of the United States, Mr. Speaker, is that under the law in the United States law enforcement is left to the civilian Department of Justice and its agencies as it should be.

I would remind my colleagues that the United States military is precluded from becoming a quasi police force, and we were thoughtful about that, and we should be very, very circumspect when we consider the proposition of crossing that significant line.

Thirdly, Mr. Speaker, I would also remind my colleagues that countries in which the military police its citizens are countries lent to oppression by that military. We have all seen it replete through the pages and the annals of time and history.

Second important point: The U.S. military is already engaged to the tune of more than $800 million per year in assisting law enforcement into areas of drug interdiction and border security, mostly with high technology assets at their disposal. In this gentleman's opinion, there is no need for us to increase this level of support.

Thirdly, all of us, many of us on the floor of Congress have talked about the operational tempo that many believe is crippling the American military forces as we downsize. I would suggest that that operation tempo is already extraordinarily high. To have as many as 10,000 military personnel pulled away from their current assignments to assist with law enforcement matters would require a further stretching of personnel resources to cover their absence thereby expanding and increasing operational tempo and stressing the American military personnel.

Fourthly, if the Congress, and I have said to my distinguished colleague from Ohio, particularly where it is dealing with the question of drugs and the impact of drugs and the scourge of drugs in our community, that I agree with his ultimate goal. Where I am debating and stand in opposition to the gentleman is how he seeks to do it. If the Congress feels that the Immigration and Naturalization Service and the Customs Service are indeed understaffed, then the appropriate place to address these shortfalls are the Department of Justice and the Department of Treasury, not by further tasking the Department of Defense.

So, in conclusion, I would urge my colleagues to rethink this matter. This is a significant step. Posse comitatus is an important principle that we have embraced in this society, and that is to keep the military military and keep the issue of civilian policing civilian and not military. When we step across that line, we have made a significant step.

This is a moment of significance, drama, high emotion, very hot rhetoric, but it is important for us to come back to those themes and those principles that have made the United States what it is, and an important democracy and civilian control of the police function is a significant part of that principle.

Mr. TRAFICANT. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Speaker, could my friend from Ohio [Mr. TRAFICANT] tell me if he has requested additional personnel for INS, or is it that he feels that the INS is incapable of discharging its duty?

Mr. TRAFICANT. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Ohio.

Mr. TRAFICANT. I am not so sure. All I know is they are not successful.

Mr. CONYERS. That being the case, could I be of some assistance as a humble member of the Committee on the Judiciary to provide the gentleman with some insight as to their effectiveness or whether we can get additional personnel?

Mr. TRAFICANT. I am familiar with the debate and the additional appropriations, and I still believe they fall far short with the massive amount of narcotics and the number of illegal immigrants running across our border, and the INS has, in fact, allowed 80,000 criminals in because they allowed them to do their own fingerprints.

The SPEAKER pro tempore (Mr. LAHOOD). The time of the gentleman from Michigan [Mr. CONYERS] has expired.

Mr. CONYERS. Would the gentleman yield for an additional question?

Mr. TRAFICANT. The gentleman from Michigan is not for this. He should get time over here. I am going to reserve my time.

Mr. REYES. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. If I could continue my dialog with my friend from Ohio, Mr. Speaker, perhaps the Committee on the Judiciary might be of some assistance because I think it may be important based on the discussions going on here tonight; I mean, if INS is not doing the right thing, that is a matter that we who have oversight jurisdiction over them ought to be put on notice. If, on the other hand, the INS is ineffective because of the fact that they are overwhelmed by the nature of the task and they are short of personnel, then that, as the gentleman can appreciate, is another matter.

So I would ask him to indulge me in trying to provide some assistance for him on that matter.

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

Mr. CONYERS. I yield to the gentleman from Ohio.

Mr. TRAFICANT. Mr. Speaker, I can notify they passed an amendment to the Foreign Ops bill 2 years ago. It called for a study of the effectiveness of our Border Patrol programs and they are now under way.

Mr. REYES. Mr. Speaker, I yield 3½ minutes to the gentleman from Texas [Mr. ORTIZ].

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

Mr. ORTIZ. Mr. Speaker, I rise in opposition to my good friend, an exchair like me. Today, I think that his intentions are very, very good.

I was in the military as well, and I was trained as a military officer where I defended my country, whoever I was defending to kill the enemy, and as a military veteran and as a former law enforcement officer, I understand the unique perspective of those who strive to keep the peace on the border and the view of those in Congress who believe we should put resources we already have in a place that they are needed. And it is not that we do not need more people. If we feel that we need 10,000 more people on the border, let us get qualified people to do the job.

The missions are distinctively different. The military, as when I was in the military, are trained differently, as we are in law enforcement. For 50 years the United States spent millions of dollars and our energy on fighting the war against communism, and in 1989 we saw the Berlin Wall come down.

□ 2100

It would be a mistake of enormous proportions if we erected our own wall along our southern border in the form of the military. Mexico is our neighbor, friend, and economic partner. It would be a mistake to station troops who have been trained to kill the enemy on the international border.

We should also consider the damage to the readiness of the U.S. military when our soldiers get away from their mission. It would be a great mistake to do that.

We are not for illegal immigration. In fact, I believe in strengthening our border, but with people who are well trained, who are qualified to do just that. We do not want to put a Band-Aid on one problem, only to create a new one where we forfeit the civil rights process in the United States.

I think that, yes, we do need help. War zones are not only in south Texas. We find war zones right here in Washington, in many neighborhoods. This is the wrong approach.

My friend knows that I have worked with him on many, many other issues. As a result of the troops being stationed on the border, one young American citizen was killed.

When I talk to immigrants who come here from Mexico and other Central American countries and other countries around the world, they do not want to stay here. They would like to go back to their countries, but because of the economic problems that they have, they come to this great Nation. This is why I support GATT, this is why I support NAFTA, because this will take care of some of the problems they face.

Vote against this amendment.

Mr. SPENCE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas, Mr. SAM JOHNSON.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I hate to be against some of my colleagues from Texas, whom I really revere.

I will say, we have got a problem on the border, and drug traffic is taking over and our Nation's security is at risk. Homes and lands have been taken over by drug lords, Members know that. We have not done anything to help them. We have tried to put more agents down there, and we cannot seem to get it through the House and get more money to do it.

Are we to let that border go awry? I think America needs to protect its borders, and this motion will reinforce that.

Do you know what? The drugs have moved, the drug ops have moved, from Colombia to Mexico. We all are aware of that. Guess what? They target the United States as a drug target.

One of the cities that is really suffering is one that I happen to represent, Plano, TX. We had two guys come in from California the other day and they said they could not believe it. They sensed there was a drug problem, we know we have a drug problem, and guess what? It is all coming across the border.

I think the situation is dire enough where we would be irresponsible if we did not address it now.

We created the military to protect our Nation and its borders. We have troops all over the world, for crying out loud, theoretically protecting the interests of this Nation. Surely we can take action when the freedom and loss of it occurs right in our own backyard.

Mr. Speaker, I encourage the conferees to stand firm on this.

Mr. TRAFICANT. Mr. Speaker, I yield myself 1 minute.

The gentleman from Texas [Mr. ORTIZ] said the military is trained to kill. I want to advise the gentleman that our military is giving vaccinations, rabies vaccinations, to dogs in Haiti right now. They are building homes in Haiti. They are guarding the borders in Bosnia and the Middle East.

To the gentleman from Texas, it is a tragic killing of that young Mexican-American, but over 200 illegal immigrants have been killed at the border. Evidently there is not one bit of deterrence at our border. How many more illegal immigrants will be killed trying to cross the border if we do not mandate any troops? These arguments do not wash.

Now, for the cost of the $650 million, are our military troops paid now? Are we just creating a new code? Are they deployed now? Are they cashing their checks in Frankfort and Tokyo and going for dinner and lunch?

Mr. REYES. Mr. Speaker, I yield 1½ minutes to the gentleman from Arizona [Mr. PASTOR].

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

Mr. PASTOR. Mr. Speaker, on occasion, Members, when they take the floor, talk about the families they represent and what their position is. I have heard a lot about the Collins family from Georgia. So I thought I would share some of the feelings that the people have along the border.

I represent the border in Arizona, from Nogales to San Luis, and I have to say that supervisors, mayors, councilmen and average Americans who live on the border are also concerned about the traffic of drugs into this country, and they commend us for the additional resources we have given, not only in Customs, Border Patrol and other law enforcement; and they would like to see that continued.

They are also concerned about the traffic of undocumented people coming into this country, and they applaud this Congress for the additional Border Patrol agents and other resources we have given them.

But they are very scared about having military placed on the border in their communities. They understand that the military is not trained for law enforcement, and so they ask, please consider their wishes, please consider their concerns as we fight the entry of illegal drugs with law enforcement.

They also ask this Congress to look at the different programs that we need to implement, not only at the border, but throughout this country, that would stop, eradicate, the desire of American citizens for the intake of drugs.

Mr. Speaker, I would ask consideration in opposition to this amendment.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. BILBRAY].

Mr. TRAFICANT. Mr. Speaker, I yield 2 minutes to the gentleman from California.

The SPEAKER pro tempore [Mr. LAHOOD]. The gentleman from California [Mr. BILBRAY] is recognized for 3 minutes.

Mr. BILBRAY. Mr. Speaker, the gentleman from Texas asked the question, would we want troops in our neighborhoods? I live within sight of the border. I am probably the closest, maybe the gentleman from El Paso, a quarter mile from the border.

Let me assure Members as somebody who has seen the death and destruction, seen the assassinations by the drug cartels, and somebody who lives not only north of the border, but north of a military installation, I would much rather see my children tonight being defended by American troops than to be exposed to the drugs and the violent activity that is going on along the border.

But we are not talking about that, Mr. Speaker. We are talking about giving the President the option. What are Members so scared of? Is it that the argument is so logical, so rational, that they fear that we even discuss this rationale?

I would say to my colleague, there are troops at the border today, all along the border. Nobody stood up and protested the troops being placed at the border, and not one Member here protested the troops being at the border.

Those troops are the Republic of Mexico's troops, Mr. Speaker. The Republic of Mexico saw the conditions along the border were getting out of control and that they needed to take some action. They took appropriate action. They were not racist, they were not anti-American, they were prolaw enforcement, and the troops at the border in Mexico are appropriate for the crisis that Mexico has recognized.

We are not proposing that we put troops there today, but we do recognize and ask Members to recognize that the President may recognize in the future the need to have an extra reserve to address a crisis that is coming on faster than most of us in Washington want to admit.

Mr. Speaker, I call on Members again, quit finding excuses for doing the right thing. Quit saying we do not want to have a fence, we do not want to have borders, we do not want to have this or that. Just do the right thing, enforce the law, and let us have safe borders, good fences, but large gates. Let us encourage the legal activity, discourage and stop the illegal activity; and let us learn, even from our friends from the south, that sometimes appropriate action means taking strong, firm action.

Mr. REYES. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Speaker, I represent the largest populated Army installation in America, cochair the House Army Caucus, and in my opinion the Army does not need this job. The Army does not want this job, the Army cannot afford this job, and the Army should not have this job.

To give the military, the military, a major role in American domestic affairs, is a major change in long-standing national policy. To pass it under any circumstances, I think is wrong. To pass it without a hearing by the National Security Committee is absolutely irresponsible.

Mr. Speaker, there are two more serious problems caused by this amendment. First, it undermines our national security. The job of the U.S. Army is to train soldiers to fight battles and win wars. In the last several years, we have downsized the active duty Army from 18 divisions to 10 divisions. We could not even fight Desert Storm the same way today as we did just a few years ago.

Yet to take 10,000 Army soldiers out of training, out of combat training, and put them on the borders, along brush country in Texas and Arizona and California, is absolutely the same as downsizing the Army by 10,000 soldiers. Some may want to do that in this Chamber; I certainly do not.

The second problem is this: The average Army soldier spends 138 days away from his or her family. I met a young soldier in my district recently who missed the birth of his first two children because of deployments. I do not want that soldier to miss the birth of his third child because he is along the Texas-Mexican border, patrolling our own borders of America. I want that soldier either with his family or training to defend our national security interests across this world.

This may be good politics for some, but it is bad policy for the Army, and it is bad policy for America. I urge its defeat.

Mr. TRAFICANT. Mr. Speaker, it would be a tragedy to have the soldier miss the birth of his child, but how many people are speaking out for children being born addicted all over America?

And I want to agree 100 percent: The Army does not need this, the Army did not ask for this, the Army does not want it, the Army does not deserve it. But the Army does not govern. The American people want it, the American people need it, the American people deserve it, and the American people, by God, are the ones that we are sent here to represent.

This is a civilian government, and when the Army tells us what they want and what they need, then we should pack our bags and get out.

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

Mr. SPENCE. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. REYES. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas, Mr. Bonilla.

Mr. BONILLA. Mr. Speaker, there is no Member in this body who represents a larger portion of the Mexican border than I do. I have almost 800 miles of the Texas-Mexico border in my congressional district.

I oppose this motion, not because I am against enforcing our borders. In fact, we do have a war zone in some portions of my district with drugs and illegal aliens swarming across the river. But today's vote is not about having our military support the Border Patrol; they already do that. This is about having the military replace the Border Patrol along the Mexican border.

As I said, we do have a war zone, but this is a situation that could magnify in the future. Instead of having police officers doing their job where they should be, we could have tanks and troops stationed at every street corner of America when there is a crime problem, in Detroit, Philadelphia, Miami or New York, and we do not want that.

I oppose peacekeeping missions in Bosnia, Somalia, Haiti, and any other corner of the world, and I also oppose peacekeeping along the Mexican border. We do not need troops down there, we need to get together and support sending 10,000 new Border Patrol agents along the border to enforce our laws. That is how we can deal with this problem.

That is where the administration has dropped the ball in the last couple of years, because of political reasons sending more Border Patrol agents to other States that are more politically advantageous to him than the States of Texas, Arizona and New Mexico.

I ask my colleagues to support me in sending more Border Patrol agents and not deploying peacekeeping troops to the Mexican border.

□ 2115

Mr. REYES. Mr. Speaker, I yield 1 minute to my colleague, the gentleman from Texas [Mr. HINOJOSA].

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

Mr. HINOJOSA. Mr. Speaker, I stand here tonight to say to my colleagues that the Traficant motion is one I simply cannot support. I proudly represent the Texas border from Hidalgo/McAllen to San Antonio, born and raised there. Plain and simply, authorizing the Defense Department to deploy up to 10,000 U.S. troops to our international borders is a bad idea.

Why? An article in the August 25 issue of Time magazine, which I have in my hand, clearly answers this question. Allow me to quote:

> The danger of such military patrols is that they operate according to rules different from those of other law enforcement agencies. Moving stealthily in camouflage gear, soldiers are under general orders not to identify themselves, not to fire warning shots, and to respond to any perceived lethal threat under the military's rules of engagement, which simply means, roughly, shoot to kill.

Back on May 20 an 18-year-old goatherder named Ezequiel Hernandez, Jr., was in fact shot to death in the tiny west Texas border town of Redford when he was mistaken by a Marine corporal for one of the armed scouts who typically act as advance guards for drug smugglers.

I am certain most of the Members in this Chamber have heard of this tragic incident. One such death is one too many. Just say no to the Traficant motion.

Mr. REYES. Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from California [Mr. BECERRA].

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

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

Mr. Speaker, there is an old saying, those who do not study history are bound to repeat its mistakes. What has history taught us? We know that on May 20 of this year, an 18-year-old U.S. citizen, Ezequiel Hernandez, of Redford, TX, who was tending his goats was shot and killed by a Marine who was engaged in drug interdiction efforts along the borders. He was the first American to be killed on U.S. soil by American troops since the 1970 Kent State incident.

We know we already have 7,000 Border Patrol agents patrolling the borders, and we are going to have an additional 1,000 Border Patrol agents for the next 4 years added to the force. We know that Border Patrol agents are trained to deal with situations and problems along our border. Military personnel are not.

Ezequiel Hernandez, 3 months before he was shot, was tending his goats, as he always was. He shot again into the brush, because he thought there was something there trying to get to his goats. It happened to be Border Patrol agents. When he found out it was Border Patrol agents, he went and apologized to those agents. Had Border Patrol agents been patrolling the border on May 20 instead of military troops, Ezequiel would probably still be alive. His untimely death at the hands of U.S. Marines on our soil, American soil, is now part of our Nation's history. It is also a part of a Federal investigation into this incident.

From his death we should learn that when our borders are patrolled by heavily camouflaged military troops, unbeknownst to Ezequiel Hernandez, unbeknownst to the citizens of Redford, unbeknownst even to the local law authorities in those areas along the border, because the military cannot tell anyone that they are there, what will happen is that unsuspecting American citizens can and will die. If we put 10,000 troops on our southern border, we will have learned nothing from history, and tragically, we will be bound to repeat its mistakes.

This is not a proposal that is supported by the military. This is not a proposal supported by the residents in Texas along the border. It should not be a proposal supported by the Members of this House.

Mr. REYES. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we have had a variety of testimony in these chambers. Sometimes issues get clouded. Sometimes they get clouded in the emotion. Let us ask ourselves, who wants or who supports this proposal? It is not INS and it is not the Border Patrol. It is not the Attorney General. It is not the Department of Defense. It is not the Secretary of Treasury. It is not, certainly, the Hernandez family, who suffered that tragedy in Redford, TX. It is not our border communities, who do not want to live under martial law.

We have heard that there are two distinct and different missions. The military mission is combat. We do not want to see our military compromised by doing law enforcement type work that subsequently would jeopardize the security of this country and the security of our troops. The mission of law enforcement is to protect communities. They are trained for this kind of job. Let us keep this in the hands of law enforcement.

Mr. Speaker, let us not send troops throughout this country. Let us not invoke martial law in this country simply because Mexico and other countries choose to deploy troops along their borders.

We have to ask ourselves, is this proposal fair? Is this proposal fair to the Hernandez family? How fair is this proposal to our own military? How fair is it to the corporal that came that close to being tried for manslaughter?

Mr. Speaker, I urge my colleagues to vote against this proposal.

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

The SPEAKER pro tempore. The gentleman from Ohio [Mr. TRAFICANT] will close the debate on his motion to instruct conferees.

Mr. TRAFICANT. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to thank everyone for being involved. We did not have as many accusations this time. Maybe many people recognize the intentions are honorable. The distinguished former member of the Border Patrol, I have great respect for him, and I assume he has done a great job. They have elected him to Congress.

I took my time to meet with the delegation from Redford, TX. They came up to meet with me, and pleaded with me that I would pull my amendment from this bill. Several family members of the young man tragically killed were there. It was very, very unfortunate. We are all saddened.

Let me tell the Members what they asked me to do: To pull the amendment. When I asked them how they felt about the border, they said, absolutely no military troops. But let me tell the Members what they also said. I would like everyone to listen to it. They did not want any Border Patrol, either. They support open borders, no checkpoints. Let people come and go freely.

Let me tell the Members what they also said, without mentioning the name of a priest who helped to carry much of the conversation. He said the local Border Patrol spends more than 4 to 5 hours a day in coffee shops, doing nothing, and occasionally beating up, quote unquote, beating up on some poor illegal immigrant that they might catch.

Mr. Speaker, in a San Diego article June 1997, I will just read the first paragraph: ''Bullets again were fired from Mexico at 2 U.S. Border Patrol agents in separate incidents, bringing the number of shootings at agents in the past month to five.'' In the last 120 days, nine Border Patrol agents were shot and injured. They have not been killed. They have families.

The INS, they are an incompetent bunch. If everybody is afraid of that language, I will say it, because that is what I believe in my heart. I am an old sheriff. To expedite immigration, they allowed immigrants to submit their own fingerprints, and they had to admit, they may have allowed up to 180,000 felonists into America, and admitted they may not be able to find them.

We do not have 9,000 Border Patrol, we have 6,800. That is one pair of eyes for every 2 miles of border. If they are not compromised, and I am not going to make that charge, I do not have facts, but illegal immigrants are not driving border patrols. They do not have the money.

We now have the massive amount of narcotic buildup in Mexico that is transferred, as the gentleman said, from Colombia. As far as the local politicians that do not want this, we have a local politician just convicted of bringing in 2,200 pounds of cocaine, a sheriff down there in the county where the young man was slain.

For those who might understand narcotics, that is one metric ton, and one pound of heroin in Pakistan is $90. What does it cost in Chicago? There is no program, and I agree, the Army does not want it and the President does not want it; maybe not this President, but I do not want to hear any more about 10,000 troops.

I was advised in the amendment to set a limit, and I did. The Traficant amendment does not mandate one troop. They might send 100 specialists with sophisticated technology. They could set up teams to work with the Border Patrol. If it is fashioned and done right, these military agents and Border Patrol in teams would go out, and the Traficant amendment says there shall be no posse comitatus law violations. They cannot arrest, they can only detain.

What is wrong with us here? How many more Mexicans will die trying to cross this border? How many more? What is the deterrence? The INS? The Border Patrol? We have a drug czar that says we need 25,000 Border Patrol agents. Who is going to pay for them? How many more pensions, how much more health insurance?

Mr. Speaker, I did not see one Member stand up and say, look what we are doing to the military, giving rabies vaccinations in Haiti, our military; military building homes. And I do not think it is bad over there.

Mr. Speaker, I disagree with our immigration policy. I am not going to kid anybody. Here is what Congress passed. If you are in America illegally for 5 years, we made you a citizen. How dumb are we? Here is what I support, not making people citizens who jump the fence illegally, and sending a message to everybody around the world to jump the fence.

I am for apprehending them, finding them, and throwing them out. That is it. I do not care if they are black, I do not care if they are white, if they are Mexican, Italian. I do not care who they are, they are here illegally, they should not be here, by God. Our program does not work.

Second of all, what about the massive amount of narcotics in our cities? There are politicians now, powerful politicians, talking about legalizing narcotics. Why? Because we are desperate. We cannot do anything about it. Have we really tried? If there is a greater national security threat, other than China, right now, which Congress is also not looking at, I want someone to tell me what it is, other than narcotics. It is tearing apart the families of our communities. I have many Mexican-American families that called me and said, we agree with you, sheriff.

Mr. Speaker, I do not mandate it, I allow for it. If common sense would ever take over in our country, maybe there could be a utilization of this big military payroll to provide some national security for us. If we could guard the borders in the Middle East and Bosnia, by God, we can provide a national security program for America.

What do you want to build? Did you all stand up and oppose a 15-foot barbed wire chain link fence? I am not for building a wall. We have these troops getting a paycheck. They can come out of training, they could be assigned there. They could be rotated, if we develop that program. But it does not mandate it. But we have the technology and we can do aerial surveillance, we can do naval surveillance. I am going to tell the Members something, the Border Patrol cannot match up with the military power of the cartels.

Let me say one last thing. The drug czar, General McCaffrey, was threatened by one of the most powerful cartels in Mexico that threatened to kill him.

□ 2130

Now they are saying, well, it was just one group trying to gain advantage over another group and hoping that the other group will bring the Americans in to put pressure on the other drug cartel. Come on.

We do not need a drug czar. I am not so sure we need all of these Federal agencies. If it was up to me as an old sheriff, I would wrap all of these Federal agencies up under the FBI. One

agency. I think they are so miscoordinated, they do not work together. We do not even have a program, speaking as a sheriff. It is a joke.

As far as the Border Patrol is concerned, I believe they have been compromised. I am just going to tell it the way it is. I do not know that, but, by God, I do not trust it.

Mr. Speaker, I would say to the gentleman from Texas, I have followed many of his military leads and I want to make this statement. If my amendment were to come in here and mandated these troops and mandated this collision, I could understand the resistance. But I present an idea that can only be enacted if there is an opportunity to mold a reasonable defense security program. This is not military presence in America. This is military security at our border. That is a hell of a difference.

Mr. Speaker, just let me say this. I heard the talk about killing it in conference. My colleagues are not going to kill this amendment in conference. What they are going to kill is more children, more dying of overdose, more young people selling and running cocaine and heroin, more politicians on the border bringing in narcotics, more truckloads going to Chicago and New York. Truckloads. Truckloads.

The Traficant amendment allows that if this happens, they would assist with Customs to take a look at these trucks on the border, to go out in joint forces and maybe transport Border Patrol to key areas. And if my colleagues want to hire 25,000 Border Patrol, they do not have the money to do that. They are not going to do that. Know what? The border does not want it. They do not even want the Border Patrol. That is what the people from Redford, Texas, told me, Sheriff. They want open borders.

Mr. Speaker, let me close out with this. I would not have called for a vote and I would have not called for a motion to instruct conferees. There are big powerful people around here and they are going to lead the charge and knock out an idea, I guess, and they probably will. But, Mr. Chairman, I say to the majority party that they were elected together and they got tired of this. And I am a Democrat and that is why my Republican colleagues are in the majority, because some of the things that have been done over here that have been very foolish.

If the majority party does not allow for a reasonable national security program on narcotics and illegal immigration, then the American people made a mistake in giving them that charge.

Mr. Speaker, I say to the gentleman from South Carolina [Mr. SPENCE], ''Keep it in, Mr. Chairman.'' I want the gentleman to fight like a junkyard dog in the face of a hurricane in that conference for this amendment. And I made it so that it will not embarrass the gentleman and it will not hurt the gentleman. It does not clamp and ratchet them down.

For the young man from Texas, it was very unfortunate. And God almighty, maybe with proper training with the Traficant amendment, that would never happen. Did my colleagues ever think of that? That military troop was already down there. I didn't see you, my colleagues, bringing a point of order against it. He was put down there by George Bush. And they did not ask to be authorized. They placed them there.

Mr. Speaker, this sheriff is saying we have got a Border Patrol that does nothing, we have an INS that lets in 180,000 illegal criminals, we have a military getting a paycheck and cashing their checks and going to the theater in Tokyo and Frankfurt, and we have narcotics coming across the border in backpacks, truckloads of cocaine and heroin coming into this country, and kids strung out all over America, and Congress better start speaking up for those American kids.

Mr. Speaker, with that I ask that tomorrow we have an affirmative vote and this Congress and this majority party stand for the charges that are needed to protect our borders.

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

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Ohio [Mr. TRAFICANT].

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

Mr. REYES. Mr. Speaker, I demand a recorded vote.

The SPEAKER pro tempore. Pursuant to the previous order of the House and clause 5(b)(1)(c) of rule I, further proceedings on this motion are postponed until tomorrow.

EXPRESSING THE CONDOLENCES OF THE HOUSE ON THE DEATH OF DIANA, PRINCESS OF WALES

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the resolution (H. Res. 219) expressing the condolences of the House of Representatives on the tragic death of Diana, Princess of Wales, and ask for its immediate consideration in the House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 219

Whereas the House of Representatives has heard with great sadness of the death of Diana, Princess of Wales, in a tragic automobile accident;

Whereas Diana, Princess of Wales, touched the hearts of the British and American people with her unflagging humanitarian and charitable efforts, her grace, and her good humor;

Whereas Diana, Princess of Wales, was a leader in such causes as the struggles against HIV/AIDS, breast cancer, and homelessness, and in efforts on behalf of the innocent victims of antipersonnel land mines;

Whereas many of the more than 100 humanitarian and charitable causes championed by Diana, Princess of Wales, operated within the United States and involved matters important to the American people; and

Whereas the outpouring of sympathy by the American people has underscored the ties between the British and American peoples, who are at this moment united with people around the world in their sadness at the passing of Diana, Princess of Wales: Now, therefore, be it

Resolved, That the House of Representatives expresses its deep and heartfelt condolences to the British people and government and to the family, especially the children, of Diana, Princess of Wales, on their tragic loss.

SEC. 2. The Clerk of the House of Representatives shall transmit copies of this resolution to the Ambassador of the United Kingdom of Great Britain and Northern Ireland to the United States for transmittal to the British government and to the family of Diana, Princess of Wales.

Mr. GILMAN (during the reading). Mr. Speaker, I ask unanimous consent that the resolution 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 initial request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The gentleman from New York [Mr. GILMAN] is recognized for 1 hour.

Mr. GILMAN. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. CAPPS], pending which I yield myself such time as I may consume.

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

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of this resolution.

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

There was no objection.

Mr. GILMAN. Mr. Speaker, this has been a very sad week for the people of the British Isles, for the American people, and for all people around the world. Diana, Princess of Wales, a model of grace, humor and charity, was tragically taken from us so terribly prematurely.

As this resolution notes, Diana, Princess of Wales, was involved in a multitude of good works, both in Britain and throughout the world, and many of her works on behalf of worthy humanitarian causes were undertaken right here in the United States. Whether the cause was the struggle against HIV/AIDS, breast cancer, or homelessness,