GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill just passed.

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

There was no objection.

MOTION TO INSTRUCT CONFEREES ON H.R. 1501, JUVENILE JUSTICE REFORM ACT OF 1999

Ms. LOFGREN. Mr. Speaker, I offer a privileged motion.

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

The Clerk read as follows:

Ms. LOFGREN moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 1501, be instructed to insist that the committee of conference should have its first substantive meeting to offer amendments and motions within the next 2 weeks.

The SPEAKER pro tempore. The gentlewoman from California (Ms. LOFGREN) will be recognized for 30 minutes, and the gentleman from Arkansas (Mr. HUTCHINSON) will be recognized for 30 minutes.

The Chair recognizes the gentlewoman from California (Ms. LOFGREN).

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

Mr. Speaker, for 8 months the conference committee on the juvenile justice bill has done nothing, has not met. In fact, the last and the only meeting of the conference committee that has the opportunity to deal with the issue of gun safety was in August, and was not substantive.

Since then, we have seen shootings in day care centers and schools, we have seen 6-year-olds shoot 6-year-olds, we have seen firefighters shot as they try to do their jobs, and the congressional response has been simply nothing.

When the President calls congressional leaders to the Oval Office to get the conference started and no meeting is scheduled, something is wrong. A few days ago, the President called the chairman and the ranking members of the House and Senate Judiciary Committees to meetings at the White House to simply ask them to meet in an open and public conference meeting, and still no such meeting has been called.

We need to stop hiding behind closed-door negotiations. We cannot have a bill without a conference meeting, so we need to meet. Not having a meeting is the same as killing the bill. Time is running out, and the families of this Nation are waiting to see what we will do.

I am hopeful that we can come together on a bipartisan basis to support this motion to instruct, which simply says, get the job done. Sit down. Talk to each other. Have a meeting. I hope that such a meeting will produce a bill, will produce a law that we will all be able to support.

Recently I had the chance to read the statement of Robin Anderson, who bought the guns for Eric Harris and Dylan Klebold, the young men who killed those kids at Columbine High School.

What she says in her statement was that if there had been an instant check, if there had been a background check from the private gun dealers at the gun show where she bought the weapons that those boys used to kill all those kids, that she would not have purchased those guns. In fact, she says, ''I wish a law requiring background checks had been in effect at the time. I don't know if Eric and Dylan would have been able to get guns from another source, but I would not have helped them. It was too easy. I wish it had been more difficult. I wouldn't have helped them buy the guns if I had faced a background check.''

There has been a lot of unfortunate rhetoric in the last few days about the issue of gun safety and people questioning motives and the like. But I like the statement made by one of the Republican Members of this body at the White House earlier this morning. He said, what we want is we want to bury this as an issue. We do not want to bury any more kids. So please, let us support this motion to instruct.

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

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

Mr. Speaker, I am delighted to respond to the gentlewoman from California (Ms. LOFGREN) on this motion to instruct conferees.

First, I want to say that this is an important issue. No one treats this issue lightly, because we are dealing with the lives of individuals as well as dealing with constitutional liberties. So it is a very, very important subject that arouses the passions of people, as it should. It is something that we have to deal with and should deal with.

I believe that we do have a consensus that we want to make progress on this. But as the gentlewoman knows, when we make progress in this body, there are many ways to do that, particularly whenever we not only have to work with ourselves but we have to work with our colleagues at the other end of this Capitol in the United States Senate. So there are a lot of ways to make progress.

I will oppose the motion to instruct conferees because I generally oppose motions to instruct because these artificial time lines, these artificial constraints, are really not helpful in the negotiating process, in the coming together of the different points of view. I believe that can be done as the conference committee has already met, and the gentlewoman, and she well knows, they have met. She argues that that is not a substantive meeting, but they discussed, they articulated their different views on this particular bill. To me that is a very substantive meeting.

The way the legislative process works, then we go back and we start working. We put out ideas. The chairman, the gentleman from Illinois (Mr. HYDE), who is on the conference committee, has an idea that he has presented that is being examined. There is a lot of work that is going on on this very, very important issue.

Whenever there is some indication that there is a meeting of the minds, that there is some room on both sides to come together, I am confident that this conference will meet and that they will pass substantive legislation.

I would also point out that not only is this an artificial time line, but it directs our conferees. As the gentlewoman knows, the chairman of the conference, who has the right to call the conference together, is the chairman of the Committee on the Judiciary on the Senate side, Chairman HATCH. So it is he that must make the decision to call the conferees together.

When I talk about areas of agreement, as I talk to my constituents and as I hear from different people, I believe that we have an agreement that we ought to protect children. I believe that we ought to provide parents with tools with which they can protect firearms, and they do not expose those children. Parents need all the tools that they can have.

I believe this is an area that we can reach agreement on. I believe we can reach agreement that we ought to keep guns out of the hands of criminals.

Whenever we want to expand the background checks to gun shows, there is basically a debate between a 24-hour waiting period and a 72-hour waiting period. I believe that people of good faith can resolve these differences, but there are clear differences. There are substantive constitutional rights at stake, so people, being passionate about this, want to be able to work these things out, fighting for their principles. I hope that we can come together on this.

But a lot of work is being done between the Members, dialogues are going on, ideas are being discussed. I believe this is the way to get this job done, rather than having these artificial time lines and constraints that are imposed.

So I thank the gentlewoman for her comments and her suggestions and engaging in this debate. We have had discussions, and I would be happy to sit down with her at any time. But for the conferees, I think the motion to instruct is inappropriate, is not conducive to working this thing out and reaching common ground.

For that reason, I would ask my colleagues to oppose the motion to instruct.

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

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

Mr. Speaker, I would note that the speeches we gave to each other on August 5 have not been followed by action. The check has been in the mail for quite a long time.

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

Mrs. LOWEY. Mr. Speaker, I rise in strong support of the motion offered by the gentlewoman from California (Ms. LOFGREN). I am horrified that we have to stand here on the floor of this House of Representatives, the people's House, and battle to keep the debate on gun safety alive.

I cannot believe that some of my colleagues, who work so hard every day to represent the best interests of the American people, think that it is in this country's best interest for Congress to drag its feet in passing comprehensive, commonsense gun safety legislation.

Frankly, in a country that was founded on the ideals of democracy and freedom of speech, it seems downright undemocratic to me that we cannot even get this conference committee to meet. As I understand it, it has been promised since August 5.

Here we are with the anniversary of Columbine looming, with more of our Nation's children dying each day from gun violence, two high school students massacre their classmates, and we will not discuss closing the gun show loophole; a 6-year-old shoots his classmate dead, and we will not discuss mandatory gun child safety locks.

This is about saving lives. This is about keeping our streets, communities, schools, places of worship, safe. Gun violence does not discriminate between the inner city and the suburbs. It does not discriminate between young and old, rich and poor, black and white. The tragedy of gun death touches us all, and shame on us if we stop this debate before it can begin in earnest.

The American people have asked Congress to be leaders in reducing gun violence, and have shown that they are willing to back up our leadership. As long as we refuse to meet, refuse to negotiate and discuss, we are ignoring our responsibility as lawmakers.

I urge my colleagues, let this conference meet. I urge my colleagues to support this motion.

Mr. HUTCHINSON. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Speaker, I thank the gentleman from Arkansas for yielding time to me.

Mr. Speaker, unfortunately, what we are witnessing here today is the continued politicization by the Democrats and by this administration of issues that really ought to be removed from the political arena and looked at objectively in the best interests of the American people, with the laws and our Constitution in mind.

Unfortunately, though, Mr. Speaker, every time there is a tragedy in our community, folks on the other side, including those clamoring for this resolution today, do not look to those in the community who are responsible for enforcing our gun laws, nor, of course, would they even dare to think of looking to the administration to enforce existing gun laws, which this administration has shamefully refused to enforce in a number of areas, including those, Mr. Speaker, relating to the very crimes that give rise to these cries today for precipitous action on the part of the Committee on the Judiciary conferees.

Rather, though, Mr. Speaker, than look to continually politicizing an issue regarding the safety of our children and efforts to construct a framework within which we can protect our children, within the bounds of our Constitution and our laws, the other side simply clamors for politicization.

□ 1445

The motivation of the gentlewoman from California (Ms. LOFGREN) who purports to speak so purely of the interests of the children is suspect by a letter that she and her Democrat colleagues sent on, I think it was, March 2 signed by the gentleman from Missouri (Mr. GEPHARDT), minority leader, and the gentleman from Michigan (Mr. BONIOR) and other members of their leadership and those who favor gun control.

What they say really provides a window into their thinking, not the language of the resolution today. They are demanding that the House accede to the requirements in the Senate bill on youth violence and gun control, even though the House of Representatives on two, count them, Mr. Speaker, two occasions last summer clearly, clearly voted down those provisions in the Senate bill.

The gentlewoman from New York (Mrs. MCCARTHY) and the gentleman from Michigan (Mr. CONYERS) both proposed amendments to the House bill that essentially mirror those in the Senate. Now the folks on the other side purporting to speak so purely and innocently and to blast us on this side for trying to reflect the will of the House rather than their political agenda are trying to force us to accede to something that the House reflecting the will of the people by majority vote has twice refused to adopt.

Instead of clamoring to politicize this issue, I would urge, although I do not think that this offer will be taken up, I would urge those on the other side to simply try and work with us, remove their very stilted and very blindered focus on gun control and look as we did, Mr. Speaker, at the substance of the bills that passed the House earlier last year and which were the subject of considerable debate by dozens upon dozens of experts in the youth violence legislation working group, with an equal number of Republicans and Democrats appointed by the Speaker and the Minority Leader on which I and many on the other side were honored to have served.

That body heard from experts all across the geographic agenda, the professional agenda and the political agenda, looking at very real, very concrete ways that we can help within the bounds of federalism to solve the problems of youth violence in our communities. Many of those ideas are reflected, Mr. Speaker, in the bill that we did pass in the House.

Now, I do not think any of us on this side, and certainly speaking for myself, Mr. Speaker, shy away from the debate on gun control. The other side wants to bring up gun control. I say bring it up, let us debate it, and let us vote it down. We do it all the time when they try and infringe on the Second Amendment.

But I would implore the other side to stop holding important youth violence legislation hostage because they want it to be a political Christmas tree for gun control. Let us at least bring it to the floor without artificial mandates mandating the House already do something that it has twice rejected, and they know it would happen again. They are simply trying to make the issue political.

Let us, instead, Mr. Speaker, pool our efforts, focus on real solutions to real problems, bring those pieces of legislation to the floor on which we can agree and on which school administrators and parents are imploring us to do, not listen to the plaintive cries of those that are now convicted of crime facing criminal activity, instead of bringing the quotes in here of those who now, after the fact, after they have contributed to tragedy say, oh, please, if only there had been a law to have stopped me from violating the law, I certainly would not have violated the law. That is absolute nonsense.

Let us look at the real laws that are on the books, those that are not being enforced by the Clinton administration, and let us come up with some real solutions.

Work with us on the other side instead of against the efforts to come forward and come back to the floor with a conference report that they know will not be rejected as the current one would be that they are demanding that we take up on the floor.

There is an historic opportunity here, Mr. Speaker, to come up with some real solutions to real problems with youth violence in our communities that fit within the bounds of the Constitution, not outside of those bounds; and, yet, the other side refuses to work with us, simply demanding, they are demanding in this letter, Mr. Speaker, that we adopt a position that already has been voted down twice by the House.

I urge rejection of the Lofgren motion to instruct.

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

Mr. Speaker, I would just note that the motion before the body is only that

the conference committee should meet, and I hope that we can do that; and if we would meet, that we would be able to find common ground that would be of value to the safety of America's children.

Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, for nearly a year, we have seen the Republican leadership scheme with their special interest friends to kill meaningful gun safety reform. Behind closed doors, yes, they have threatened Members of this House, they have twisted arms, and they have used every back-room tactic in the book to make sure that common sense, moderate gun safety reform would never see the light of day. They would, in fact, thwart the will of the American people.

Just when one thought that tactics could not get any worse, the leader in the NRA said this week that the President is, and I quote him, ''willing to accept a certain level of killing to further his political agenda.'' Mr. Speaker, these are not the words and the comments of someone who is willing to work constructively to keep guns out of the hands of children and criminals. These are the views of a group that will do anything, say anything to make sure that even the most modest gun safety reforms are left for dead.

I call on the Republican leadership to help Democrats pass a bill that requires background checks at gun shows, child safety locks for all firearms, and a ban on high capacity ammunition clips. We have Democrats and Republicans in this body who are willing to do that. Let us vote for this motion to instruct.

Ms. LOFGREN. Mr. Speaker, may I ask how much time is remaining?

The SPEAKER pro tempore (Mr. LAHOOD). The gentlewoman from California (Ms. LOFGREN) has 23½ minutes remaining. The gentleman from Arkansas (Mr. HUTCHINSON) has 19 minutes remaining.

Ms. LOFGREN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. MCCARTHY), a leader in this country for gun safety measures.

Mrs. MCCARTHY of New York. Mr. Speaker, I stand in strong support on letting this motion go forward. We all know that things here in the House go extremely slow. But I happen to think that 8 months waiting so we can meet together and hash this out is too long. We have seen too many killings. We have seen too many killings in our schools, our churches. We have seen our firemen being shot.

I have to believe that the American people want us to do this. What upsets me is we know the American people want us to respond. Yet, we see the NRA coming out against us constantly, even to the point where they will put a flier out asking our Members to vote this down.

We had a meeting this morning in the White House, Republicans and Democrats. And I have to tell my colleagues one of the most interesting things that came out, in California, they have what we want to do as far as closing the gun show loophole. Do my colleagues know what, the gun shows are doing very, very well in California. No one has been denied their rights on buying guns. We have to remember the majority of people that go buy their guns get cleared extremely fast.

Let us sit together, let the American people hear our debates. This is not like we are rushing through it. Eight months is 8 months.

I have to tell my colleagues, Mother's Day of this year, the Million Mom March is going to be marching across this country because we want safety. We can handle all the other issues that work to reduce gun violence in this country, but there are more things we can do; and the bottom line is it is the easy access to guns that are killing our citizens. We can do something. The people of America are looking forward to us doing something.

It is bipartisan. Republicans and Democrats should be joining together on this. This is something good for the American people. After this morning and seeing my Republican colleagues working with us, and across this country, we do not ask registration of all those that are going to be in the Million Mom March. They are Republicans. They are Democrats. They are Independents. They are going to be sticking with us.

We are going to make a change in this country. We cannot wait any longer. Because each day, people are dying: our police officers, our firemen, our children, our loved ones. That is wrong. We have to make a difference. We have the moral obligation.

I ask all of my colleagues on the Republican and Democratic side to vote to let us sit down and talk. That is all we are doing. This has nothing to do with the Second Amendment. This has nothing to do with the Constitution. We are not even touching those laws. All we are trying to do is say we care about everyone in this country.

I as a victim and now I as a Congressperson have to say enough is enough. I cannot face any more victims that keep coming to my office and asking why we are not doing anything.

This should not be politics. We should not bring politics into this whatsoever. This is doing the right thing. If it was any other subject, it would have been passed more than 8 months ago.

One more month before Mother's Day, then my colleagues are going to see moms across this country making a difference.

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

Mr. Speaker, I just want to thank the gentlewoman from New York (Mrs. MCCARTHY) who just spoke and for the tone by which she presented the issue and the way she conducts herself on this issue of great importance. I know that she has personally been touched by this.

She indicated that this should not be a partisan issue. I agree with her completely. I think that whenever we can diminish the tone from a partisan standpoint, because there are people on both sides that take different positions on this issue, I would say that I still think it is a difficult issue. That is one of the reasons we are having a hard time getting together.

But the tone that the gentlewoman from New York represented is just what is needed to bring the sides together. I wanted to take this moment to thank her for what she had to say and the manner in which she had to say it.

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

Ms. LOFGREN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Missouri (Mr. GEPHARDT), the minority leader.

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

Mr. GEPHARDT. Mr. Speaker, I strongly support the motion that is before us today. The juvenile justice conference was supposed to hammer out a compromise bill. Instead, the conference seems to be in hibernation.

It is bad enough that the conference has not met since last August. What is even worse is that now Republican leaders have abandoned any effort to work out a bipartisan solution.

Republican leaders are now rapidly backtracking from efforts to move a bill out of conference that addresses the core issues behind the epidemic of violence that threatens our young people. Yesterday, the Majority Leader stated that he would support dismantling the juvenile justice bill to eliminate the Senate-passed gun safety provisions.

I think we have a simple choice to make. Do we back down and eviscerate the bipartisan compromise in the Senate, or do we move forward to protect the children of America? The choice should be clear to anyone who is fed up with violence in our schools and in our neighborhoods.

We must stand up for parents and the safety of their children by sitting down and reaching a bipartisan agreement to close the gun show loophole.

I had a policeman in Chicago who had been shot 13 times by a gang tell me that, when he goes to the high schools in Chicago and asks the students how many have a gun at home, everybody raises their hand. How many know where the gun is? Everybody raises their hand. How many have shot the gun? Everybody raises their hand.

He said that the gun show loophole is causing thousands of guns to flood into a city like Chicago. He said, look, gun safety measures will never stop crime, but it will help because, he said, the truth is our cities and our villages of this country are awash in guns. We do

not need that many. We should not have that many.

A juvenile justice bill that ignores the issue of gun safety is a hollow bill that is an insult to the victims of these horrible acts of violence. Today we must stand our ground and send a strong message to the conferees that they must return with a bill that represents bipartisan sentiment and contains real protections for our children.

□ 1500

Mr. HUTCHINSON. Mr. Speaker, I yield myself such time as I may consume, and I want to respond to the minority leader and the remarks that he made.

I think the best way to respond is to go through some of the facts. He indicated that we on this side have abandoned an effort to seek a bipartisan solution, and that is quite the contrary. The only way anything is going to happen is through a bipartisan solution. I know that the gentleman from Illinois (Mr. HYDE), on the House side, is submitting some proposals out there in seeking a bipartisan solution to this. So we very much desire that because that is the only way it is going to work.

Secondly, the minority leader, the gentleman from Missouri (Mr. GEPHARDT), indicated that we should accept the Senate-passed gun provisions. Well, I might remind the gentleman from Missouri that those same provisions were defeated in this body. So what he is asking is that our conferees reject the will of this House. And I think that the will of this House has to carry some weight in the conference committee.

If we go back as to what has happened, some very important things happened during the debate. First of all, in the House, and we debated this issue, at a vote of 395 to 27 we passed a juvenile Brady law, which prohibited juveniles convicted of an act of violent juvenile delinquency from possessing a firearm, a common sense gun restriction that is appropriate that people in this body supported in a bipartisan way, and it was passed. And then again we passed a ban on the juvenile possession of semiautomatic assault weapons. It passed by an overwhelming bipartisan vote. Child safety locks, which I supported, passed by a vote of 311 to 115. It passed on an amendment. The ban of importation of large capacity ammo clips passed the House by a voice vote.

So all of this we did when we engaged in the debate. As my colleagues on the other side of the aisle well know, when these amendments were attached to the substantive bill, it was defeated on a bipartisan basis because there was a perception that it went too far and that it was not acceptable. So the other side had some, as a matter of fact many, Democrats voting against it because they felt like it did not go far enough, and others that voted against it because it went too far. So it was defeated on bipartisan basis by this House.

This paints the difficulty in which we find ourselves. The best way to achieve a result is not to ignore the will of the House, but to factor it in, and to try to arrive at a consensus. The motion to instruct conferees is not the right way to get it done. We are putting out these proposals, we are continuing the dialogue, and we need the other side's help in reaching a consensus. We think we can achieve this in a bipartisan way.

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

Mr. HUTCHINSON. I yield to the gentleman from New York.

Mr. WEINER. Mr. Speaker, would the gentleman from Arkansas tell me at what point in all of that deliberation did the House express the notion that we should not even meet in conference; that we should not even discuss these items? There seemed to have been, I would agree with the gentleman, broad consensus.

Mr. HUTCHINSON. Reclaiming my time, Mr. Speaker, what I was reciting was the debate that occurred in this House, which showed how much we did accomplish together and how much was defeated that was good that was defeated together. That is the difficulty the conferees find themselves in.

This is not a simple issue that we can politicize. We have to debate policy. We have to debate policy. And that is what we are doing in a very substantive way and that is what we are going to continue to do. We ask the help of the other side.

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

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a member of the Committee on the Judiciary and a member of the conference committee.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman for yielding me this time and for her leadership on this particular legislation.

I believe, Mr. Speaker, that the American people can understand and decipher between rhetoric and sincerity. On one side we have children dying every day; on the other side we have a special interest group that intimidates, lobbies, and obstructs. On one side we have those in a bipartisan way who are committed to meeting; on the other side we have a conference committee that, at best, is limited in its sincerity and intent to do right.

I think it is certainly a crime to suggest that those of us who want real gun safety legislation would be those who are undermining laws that would prevent gun violence, or that we are undermining laws that would want to have us enforce gun laws against those who would be criminal. I think our records mutually, both Democrats and Republicans, are strong on enforcing criminal laws.

In fact, the Brady law has seen 500,000 criminals not get guns. I ask my colleagues on the other side of the aisle if they think the Brady law is wrong. I have legislation that holds adults responsible for guns in the hands of children that supports trigger locks that I will be filing. Do they want us to go piece by piece, or can we come and be a committee of one that will listen to the American people, that will listen to the mothers who are going to march?

I ask my good friend from Georgia, and I lower my tone and I ask it out of great interest and sincerity, would he get the National Rifle Association to repudiate its ugly comments that suggest that the President of the United States and the Vice President of the United States, holding the two highest offices and the respect of the American people, that suggest that they are, in fact, fueling the fires of violence for their own political interest.

I am outraged and saddened that we would have an organization that has such a dominant hand on the Members of this Congress that they cannot even wiggle themselves out to stand up for dying children who are dying every day.

I simply ask, NRA, will you admit to your error and will you draw back on those ugly words? Will you pull them down so that we can have a conference, Mr. Speaker, that lowers the tone and works in a bipartisan way so that we can save the lives of children, so we can pass gun safety legislation and be committed not to special interest, not Democrats, not Republicans, not independents but the will of the American people? I ask my colleagues on the other side and I ask the representatives of the National Rifle Association in this Congress, will they repudiate such ugly, ugly words?

I want real gun safety legislation, Mr. Speaker, and I want to do it in a bipartisan and forceful manner on behalf of our children.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would advise all Members to address their comments to the Chair.

Mr. HUTCHINSON. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Speaker, I again thank the gentleman from Arkansas for yielding me this time.

The previous speaker purports to, with all sincerity, indicate her willingness to work together in a bipartisan fashion. Yet more than any other speaker on this issue, she inflames the passions of politicization.

This is a matter that ought very much to be decided by all of us in this body, not by circulating letters drafted by the White House, not by taking intransigent positions as reflected in those letters, but by listening to our constituents. That is what we do. I presume that that is what she does. Until somebody tells me otherwise, I presume and will conclude that that is what the gentlewoman from Texas does.

One would simply wish that the gentlewoman would grant to us that same

courtesy, to believe that we also represent our constituents. And our constituents, many of us on this side, including mine in Georgia, tell us that they believe in strong enforcement of our gun laws, that they believe in responsibility in schools and parents, and that is where our focus ought to be. And I would urge the gentlewoman to join us in keeping the focus there, not on artificial gun control or on outside groups.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. WEINER), a new member of the Committee on the Judiciary.

Mr. WEINER. Mr. Speaker, I have a great deal of respect for my colleagues on the other side. The gentleman from Arkansas (Mr. HUTCHINSON) argued persuasively that there are some very difficult issues to resolve here. And I think the forum to resolve these issues is in a conference committee where I believe, and many of my colleagues believe, that these issues will be resolved favorably to our interest.

But I think that we have to be careful not to keep repeating things that are simply incorrect as an argument for not having the conference. The gentleman from Georgia repeats again and again this notion that is perpetrated by the NRA that enforcement is down. Simply not true. Unsubstantiated by the facts. Twenty-five percent increase in the Federal enforcement in the last year; a 7 percent reduction in violent crime in the last year alone.

And the final proof in the pudding, if my colleagues do not want to compare it just year to year, there are 22 percent more people in prison for gun offenses today than there were in 1992. That is the fact of the matter.

The National Rifle Association would like to repeat and repeat and repeat the big lie that these laws are not being enforced. They are being enforced more now than at any time in the last decade. So my colleagues can have many reasons to oppose the conference committee, but that ought not be one of them.

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. CONYERS), the ranking member of the House Committee on the Judiciary, and someone who has spent an enormous amount of time trying to forge an answer with the chairman of the committee.

Mr. CONYERS. Mr. Speaker, I want to commend the gentlewoman from California (Ms. LOFGREN) for the great work she is doing in bringing this motion to instruct, because this is the simplest level we can arrive at. I have never heard of a motion to instruct that had no substantive purpose whatsoever except to ask the conferees to meet. This must be a record of some sort.

And this is an absurd and morbid game that the National Rifle Association is playing, to accuse the President of being dishonest about gun safety legislation. Nobody wants it more than the President. We have met with him time and time again. We know that that is true.

The tired old tactics of delaying and distracting cannot hide one essential truth: we want an open and public debate of these issues. The President says have a conference. Matter of fact, there are more conservatives on the committee than there are liberals. So we will take whatever happens. But do not tell the American people that for 8 months we are not going to do anything whatsoever.

The NRA fears the debate. And that fact alone speaks volumes. When an organization is scared to take this debate out into the open, who is really lying? The NRA claimed at one point that they pioneered criminal background checks. Do not make me laugh. I was here. They fought the Brady bill tooth and nail. So who is really lying? They say they support gun show and background checks, but they offer bills that would exclude events where hundreds of guns are sold from any background checks.

And by the way, the biggest gun shows in America are in California, where they check very carefully the purchases that are done there. So we beg our colleagues to support the motion to instruct.

Mr. HUTCHINSON. Mr. Speaker, may I inquire on the balance of time?

The SPEAKER pro tempore. The gentleman from Arkansas (Mr. HUTCHINSON) has 14 minutes remaining, and the gentlewoman from California (Ms. LOFGREN) has 12 remaining.

Mr. HUTCHINSON. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, I voted for Brady, I voted to ban semiautomatics, and I am done voting.

I think it is time to start enforcing the laws. And I think it is time to start looking at political issues around here. I think we are playing a lot of football with guns.

On that juvenile crime bill I passed a little amendment that said, look, a teenager or kid that is involved with a gun that gets caught loses their driving privileges until they are 21. Where are we enforcing this law? Not this one, I hope, that becomes law.

Where is the aggressive record of this administration and even the past administration going after people that violate laws with the use of guns? I think we are throwing an awful lot on the NRA that need not be on the NRA. My God, when kids are building a bomb in the basement of a home, where is mom and dad? It is not the NRA's fault.

I do not want anybody's guns taken away. And I am telling the Democrats this: with the language that the Democrats have for these gun shows, there will be more illegal sales at gun shows than there will be legal sales if it was just left alone.

I do not want to argue the case, I say to the gentleman from Michigan (Mr. CONYERS).

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

Mr. TRAFICANT. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I say to the gentleman from Ohio that, as the one who made that amendment, I would like him to know that we have a modification of Lautenberg which allows 24-hour, 1-day, clearance for gun checks. And then for the 5 percent who cannot check in the 1-day, we have a 2-day period. Now does that take away anybody's rights?

□ 1515

Mr. TRAFICANT. Mr. Speaker, reclaiming my time, what if it was a 2-day sale, I say to the gentleman from Michigan (Mr. CONYERS), and it is a Saturday at 4 o'clock and that gun dealer wants to make a buck and just sells the gun anyway to Joe Blow.

Mr. Speaker, there are two sides of this issue, be careful, but the Clinton administration could be much more aggressive on crime and guns and that is the fact of it.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY), a distinguished member of the committee.

Ms. SCHAKOWSKY. Mr. Speaker, I know I am not alone in asking how long we have to wait and what is it going to take?

It is hard to believe that it is almost 1 year since the Columbine tragedy, and yet it appears that we have not learned a thing. Since Columbine, we have endured tragedies in Conyers, Georgia; my community of Rogers Park in Chicago, Illinois; Bloomington, Indiana; Atlanta, Georgia; Pelham, Alabama; Granada Hills, California; Ft. Worth, Texas; Honolulu, Hawaii; Seattle, Washington; Wilkinsburg, Pennsylvania; Memphis, Tennessee; Kayla Rollard in Mt. Morris Township in Michigan. Thirteen children, a Columbine's worth of children, every day are killed in the United States.

Communities are waiting. Parents are waiting. But most importantly, our children are waiting. Why can we not at least sit down and have this conference committee?

I rise to support this motion to instruct, and I urge my colleagues on both sides of the aisle to get to business. The American people are watching and they are waiting.

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

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES).

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, every day children, young people, adults and seniors come to these hallowed halls to look to Congress for leadership, to set the example, to show democracy in action, to have a real debate and discussion on juvenile justice, gun control, and gun safety.

When tragedy strikes, who else should they look to but Congress to make the right decisions, to make the decisions that will affect their lives?

To the woman from the 11th Congressional District of Ohio whose son was a schizophrenic who was a convicted felon who purchased a gun in a gun show and came home and shot her, tell her it is enough. It is not enough.

It is time today to go back to conference and come up with true gun safety and true gun control. That is what the people expect. It is not the will of Congress. It is the will of the people that we need to listen to and follow through on.

Mr. HUTCHINSON. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Speaker, I thank the gentleman from Arkansas (Mr. HUTCHINSON) for yielding me the time.

Let us step back from the shouting and the dire predictions for just a moment, Mr. Speaker, and focus on the facts, as we have been trying to do.

The record of this administration is not one that withstands scrutiny on gun prosecutions. Now, one might think if one asked the average citizen in America every time the President comes out and talks about so many hundreds of thousands of people who have been prohibited from purchasing or acquiring a firearm because of the Brady background check that if we were to ask that average citizen how many of those cases do they think the administration might have prosecuted, I doubt that there are many, outside of those of us on the Committee on the Judiciary who have inquired of the administration the answer to those particular questions, who would know that in 1996 there were zero, in 1997 there were zero, and in 1998 that shot up to one prosecution for under the Brady instant background check.

If this administration were serious about enforcing existing laws, those statistics, in light of the President's annual trumpeting of how many hundreds of thousands of people not authorized to possess firearms were stopped because of Brady, they would be far different.

The prosecution for the transfer of a handgun or ammunition to a juvenile, it dropped precipitously, not from the hundreds to the hundreds but from nine in 1996 to six in 1998.

With regard even, Mr. Speaker, to those individuals who were able to acquire firearms even though prohibited under Federal law from doing so, after the 3-day check there were in excess of 3,000, in other words, over 3,000 individuals prohibited from possessing a firearm who were able to acquire one after the 3-day check, this administration knows who they are. They could find them tomorrow, every one of those 3,000.

Yet, what has the administration done? Have they sent for prosecution 3,000? No. Two thousand? No. One thousand? No. Five hundred? No. They have sent less than 200 of those cases referred for prosecution.

This, Mr. Speaker, is why we are having such a problem with regard to enforcement of existing Federal gun laws. This administration is asleep at the switch. They are not enforcing them.

And again, although we may be saying this on deaf ears here today, we would implore our colleagues to work with us to try and understand why, in the face of a doubling over the last 8 years of this administration's budget for ATF and DoJ, these are the statistics, shameful statistics on prosecutions. Work with us to figure out why they are doing this and then solve the problem with us and not start blasting in political terms bringing up the NRA bogeyman out there. Work with us on real facts, on real policy, and let us get away from the politics.

I urge this motion to instruct to be defeated.

Ms. LOFGREN. Mr. Speaker, may I inquire what time remains?

The SPEAKER pro tempore. The gentlewoman from California (Ms. LOFGREN) has 10 minutes remaining, and the gentleman from Arkansas (Mr. HUTCHINSON) has 9 minutes remaining.

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. NADLER), a member of the Committee on the Judiciary.

Mr. NADLER. Mr. Speaker, in 1994, the NRA told us we should not pass the Brady bill because the real problem was with the gun shows.

We passed the Brady bill. In the last 6 years, 500,000 felons and mentally disturbed people were prevented by the Brady law from acquiring guns; and numerous lives, obviously, were thereby saved.

Now we are trying to deal with the gun shows, and we are told we cannot require a 72-hour wait. Ninety-five percent of the time they will not need a wait of more than one day. Five percent of the people who want to buy guns cannot be cleared within a day. And those 5 percent are 20 times more likely, it turns out, to be felons or mentally disturbed people who should not get the guns, but they are the ones who would get the guns because we are told we cannot have more than 24 hours.

Now, in this country we have 4½ percent of the world's population and 86 percent of the gun deaths in the entire world, 86 percent. This is absurd.

Now we are told that the administration is not enforcing the law. Well, I think it has enforced the law, but the administration has asked for a large increase in enforcement. And, fine, we should increase enforcement. But what kind of foolish argument is it that says, they are not punishing people enough, therefore, do not do any prevention?

These bills are designed to prevent gun deaths. Enforcement is designed to punish them. Let us do both. An argument that we should have more enforcement is not an argument against intelligent preventive legislation.

No one would say, prosecute the drunk drivers more and eliminate the airbags and the seatbelts. That does not make sense.

Finally, all this resolution asks, Mr. Speaker, is not that these bills be passed, not that our version be adopted, but simply that the conference committee meet. It has not met since August. If the conference does not meet, if this resolution is defeated, it will simply confirm once again that the Republican leadership is totally subservient to the National Rifle Association.

Mr. HUTCHINSON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. MARTINEZ).

Mr. MARTINEZ. Mr. Speaker, I thank the gentleman from Arkansas (Mr. HUTCHINSON) for yielding me the time.

Mr. Speaker, I have listened for years and years, I have been here for 18 years listening to this debate; and I have come to some conclusions over that period of time.

I can understand the anxiety on our side of the aisle to have a conference. And I also can understand the anxiousness of people who want to stop children from getting killed. But the fact of the matter is that I think we are going about it the wrong way.

We have all kinds of things in our society that kill people: knives, bombs, cars. And it is not really those inanimate objects that are responsible for that. It is the people who are in control of those inanimate objects. I think we are addressing this thing in the wrong way.

Certainly in schools, the school teachers, the principals and all the other people ought to recognize behavior that is not right and normal and recognize that children ought to be counseled or adults. Certainly in our society we can tell the ones that are running around with anger in their hearts and such anger that they might pick up a gun and shoot somebody. But there are millions of gun owners in this country who keep their guns safely who have never killed anybody with that gun, who use them either for target shooting, for Olympic shooting, for hunting legitimately. They do not use many round magazines. They cannot have more than three rounds in a magazine at any one time in a hunting field, anyway.

But the fact is that I think we ought to be concentrating more on the deviant behavior of people who will pick up a gun and shoot somebody or the person that gets behind the wheel of a car drunk and will kill somebody or the person that will pick up a knife and stab somebody or the person that will poison somebody.

My colleague from Ohio (Mr. TRAFICANT) talked about children building bombs in garages and the parents did not even know about it. I think we

ought to start looking at families and start to try to realize that we need to do more to bring family solidarity to where the parents know what the children are doing and how they are doing it and why they are doing it than concentrating on these other things which can be enforced every day anyway.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Kansas (Mr. MOORE).

Mr. MOORE. Mr. Speaker, the gentleman from Georgia (Mr. BARR) says that we should get with the real facts and recognize the real facts. I say to the gentleman and all those in this chamber, these are the real facts. A 6-year-old little girl is dead and that is a real fact, and she was shot dead by a 6-year-old little classmate who was holding an inanimate object, a gun.

This is a trigger lock. And had this trigger lock been in place, that 6-year-old little girl would still be alive because the gun could not have discharged.

In my district, in June of last year, a 6-year-old boy picked up a rifle leaning against the wall in his apartment when his mom went next door and shot his 4-year-old brother in the ear, fortunately not the head but the ear. That little boy would not have been injured and that gun could not have discharged had there been a trigger lock in place.

We need to start getting with the real facts and recognizing the realities in this country. I do not want to take anybody's gun away that is not a convicted felon, a mentally ill person, or a child without adult supervision. But, as a prosecutor for 12 years, I have seen firsthand gun violence.

I believe in the Second Amendment. I own a firearm myself. But adults who are going to exercise the right to own a firearm should do it responsibly.

Mr. HUTCHINSON. Mr. Speaker, I yield myself such time as I may consume. I want to respond to the gentleman from Kansas (Mr. MOORE) before he leaves the House chamber here.

In regard to that 6-year-old, what an extraordinary tragedy. But I think we have to talk about this in a rational, substantive way.

The fact is the biggest problem was the breakdown of that home, the fact that the mom was I believe in prison, the father was in prison, the mom was away, the gun was from an uncle, and the gun was found in a crack house. And I do not think in the circumstances of a crack house that someone is going to leave and say, oh, I forgot to put the trigger lock on.

Yes, I want my colleagues to know I support and I voted for safety locks to be sold with handguns, because we need to give parents the tools. But we cannot say to ourselves that this is going to solve the problems of violence. It would not have saved the 6-year-old.

What would have saved the 6-year-old is the strengthening of the home, the strengthening of our social service network, good welfare people who will help in that home environment. That is what would have saved that child.

And, yes, I am speaking as someone who supports the sale of safety locks with a handgun. But that will not carry over and mandate if they would follow it a crack dealer who has a handgun. And so, let us deal with this in a fair and substantive way.

I appreciate the gentleman for what he says. I believe that we can work together. We are so close on this. We want to do this. But we can carry out this battle in good faith. And I really hope that the conference will, as we work along the sides and discuss these things, that we will come to a closer agreement.

□ 1530

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

Mr. HUTCHINSON. I yield to the gentleman from Michigan for a question.

Mr. CONYERS. Mr. Speaker, I just wanted to thank the gentleman for agreeing on the importance of safety locks on handguns. The overriding debate here is whether or not we will ask the conference to resume its sitting.

Mr. HUTCHINSON. Mr. Speaker, reclaiming my time, that is right, and I will address that substantive point on this in just a moment.

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

Ms. LOFGREN. Mr. Speaker, I yield 1 minute across the aisle to the gentleman from San Diego, California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, this is an issue that does cross the aisle. I think that those of us that really believe strongly in the Second Amendment or the First Amendment or any of our given rights realize that reasonable restrictions on our freedoms are not a threat to our freedoms. They are one of the best foundations of guaranteeing our freedoms.

I want to thank my colleague, the gentleman from Arkansas (Mr. HUTCHINSON) for his tone of saying we can work together to address these issues. I would say to my Democratic colleagues, the President has identified in his State of the Union that we need more enforcement; we need to crack down on the people who are trying to purchase guns illegally. We need to do more. The President agrees with that. The Democrats should agree with it. The Republicans should agree with it.

When it comes to the trigger locks, I am going to introduce a bill next week that not only identifies trigger locks but also recognizes that gun owners who have done the responsible thing and locked up their guns should not be held liable for the abuses of criminals. I think that is something we can come together on. We are not talking about in this conference very extreme proposals. What is not extreme is for us to finally now come together and let us take action on this. Let us not delay it. Let us move it forward and then the Republican and the Democratic proposals can come together and make it an American proposal.

Ms. LOFGREN. Mr. Speaker, I am quite honored to yield 1 minute to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I rise in strong support of the Lofgren motion to recommit and commend the gentlewoman from California (Ms. LOFGREN) for her consistent leadership on this issue. It has been almost a year since the Columbine tragedy and still the conference committee has not yet held one substantive meeting. That is what this motion calls for. It calls for them to meet and review and act on gun safety measures.

How many children have to die before this Congress acts?

My colleagues have mentioned the death of one 6-year old by another 6-year old. How young must the victims be of gun violence before the House leadership acts? Will they finally call a meeting if a 5-year old kills a 5-year old or a 4-year old kills a 4-year old? When are they going to at least meet and discuss what people on both sides of the aisle have said they support, safety locks, child safety locks? If the child safety lock was on that gun, whether it was in the house or the crack house or the street, that child would be alive today.

The conference should meet. Pass the Lofgren amendment.

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

Mr. Speaker, I would like to ask the gentlewoman from New York (Mrs. MALONEY) a question. First of all, looking at the fact situation that we are speaking of, I will certainly concede that if there had been a trigger lock on the gun then the child would not have been able to pull the trigger.

Would the gentlewoman also concede, though, before that would have taken place that the crack dealer or whoever had the gun would have had to place the trigger lock on there?

Mrs. MALONEY of New York. Mr. Speaker, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentlewoman from New York.

Mrs. MALONEY of New York. Mr. Speaker, I will state that they would have, but the example of the rifle in the home, the degree of probability that a trigger lock would have been on that gun is if we had passed it into law. That would have been a provision of safety. We should take that step.

Mr. HUTCHINSON. Reclaiming my time, I appreciate the gentlewoman's honest answer, and I think that is exactly where we are. We want to be able to provide a tool, but we have to recognize in this debate as well that it takes responsible parents and responsible people to use a trigger lock. There is no way we can mandate people to use something. We can mandate it, but criminals are not going to use a trigger lock when they are going out and doing criminal activity. That is just the fact of it.

We have to keep these guns away from children. We have to give parents

the tools, and that is what we are trying to do.

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

Ms. LOFGREN. Mr. Speaker, how much time remains on each side, and do I have the right to close?

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Arkansas (Mr. HUTCHINSON) has 4 minutes and the gentlewoman from California (Ms. LOFGREN) has 5 minutes. The gentlewoman from California (Ms. LOFGREN) has the right to close.

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

Mr. Speaker, I would just make a couple of observations. No one law or measure will solve every problem. We know that. I think that we have heard a lot of discussion not only here today in these chambers but from individuals outside of this body critical of really very modest gun safety measures that if we do not have a 100 percent solution then we should just throw up our hands and do nothing.

That is not the way we operate in this country. Because there are some people who drive drunk and we do not effectuate an arrest and prosecution of every single person who has gotten behind the wheel drunk does not mean that we are going to say that it is okay to drive while drunk. Because the 408 children who died in accidental shootings last year in this country might not all have been saved because of a trigger lock is no excuse not to do what we can so that some of those children might have been saved.

I am hopeful that we can finally have a meeting of the conference committee on which I serve. When we met on August 5, we gave speeches to each other. I was there. I asked that we stay in that room and that we continue to work on the measure. At that point, my two teenagers were getting ready to start high school. Now my oldest daughter is getting ready to graduate from high school, and we have still done absolutely nothing.

We need to earn our paychecks. I travel 5,000 miles a week to come to this body to work, to hopefully serve the American people. I am coming here every week hoping that we can gain a law that will make some children safer, not just to rename post offices but to do something that actually will serve the American people.

Please, please, let us approve this motion to instruct conferees. Let us get to work.

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

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

Mr. Speaker, first of all, I think this has been a very healthy debate. I welcome the debate. I think it has been good and very instructive.

I do want to respond to a number of things that have been raised. First of all, the NRA has been used a number of times. In fact, I was debating a colleague from the other side of the aisle and he used that word in the debate maybe four times, NRA-controlled and so on.

We have to recognize, and I think people in an honest debate recognize, that on the pro-gun side or pro-gun control side would be Handgun, Inc. I do not think we ought to silence their trying to get information to the Members of this body; nor should someone who is concerned about the Second Amendment. I think people have a right to speak, but the fact is that we are individual Members of this body elected to represent our constituents and that is who we are trying to represent in this debate.

I know the folks on the other side of the aisle are trying to do the same thing.

The substantive issue that the gentleman from Michigan (Mr. CONYERS) raised is we are talking about a motion to instruct conferees, just wanting to get the conferees together.

Now, I would just make the case that the way the conferees have worked in my experience in this body is that they meet and then they go apart for a time and try to negotiate and come together on the issues.

The fact is, we just passed the conference report on AIR 21, the aviation trust fund. I would dare say that that conference committee met and then they went away and negotiated, and whenever they negotiated the bill back together, and it took awhile to do it, they went back in there and they said we have a deal and they voted on it.

That is exactly what is happening with our conferees. Now I understand that my colleagues might want to have them meet together more often but the fact is that they are not doing nothing. The fact is that the conferees met on one occasion, and secondly they are continuing to negotiate.

The gentleman from Michigan (Mr. CONYERS) did a great job really, in essence, in responding to the proposal of the gentleman from Illinois (Mr. HYDE). The gentleman from Illinois (Mr. HYDE) has a proposal that is out there on the table right now that we are real close to coming together on this conference committee, and I think that the discussion has even continued today in this House.

So it is, I think, an artificial time constraint, artificial time lines, instructing the conferees, whenever our Members really do not have the control over it and it is the chairman of the Senate side that really calls the meeting together. I think it would be ill-advised to pass this motion to instruct conferees. I think it has been a healthy debate and again I congratulate the gentlewoman from California (Ms. LOFGREN) for raising this issue, and I believe this debate should continue.

Once again, what we agree upon, and I should not say we all because some of the Democrats do not agree with what I am saying and some of my Republican colleagues do not agree with what I am saying, but the fact is we want to keep guns away from children. We want to keep guns out of the hands of criminals.

We passed a number of provisions in this body by amendment that accomplished that, the juvenile Brady law, the ban of juvenile possession of semiautomatic weapons; child safety locks, we passed in this body; a ban on importation of large capacity ammo clips, we passed. Then whenever it was attached to the main bill, again it was defeated by 190 Democrats voted against that, voted against each of those things that I just said. A provision that we could have had child safety locks was voted down by 190 Democrats.

Some Republicans joined in that because they did not believe it went far enough. I appreciate their point of view on that but the fact is, it is a difficult issue. Our conferees are struggling with that.

So I would ask my colleagues to oppose the motion to instruct conferees. I believe we need to continue the discussion and whenever we say we are not going to have the conferees forced to meet, I hope they do meet. I hope they meet, but I hope they meet because we have reached some common ground and we can move this issue forward.

Again I thank the gentlewoman from California (Ms. LOFGREN) for her courteousness today in this debate and I look forward to continuing it.

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

Mr. Speaker, I am sure that the gentleman from Arkansas (Mr. HUTCHINSON) spoke what he thought was accurate, but I do not believe it is, in fact, accurate. I understand from our staff on the Democratic side that there has been no discussions at all at a staff level since October. There has been discussion about all of these negotiations that are going on behind closed doors. No one has spoken to me, and I am a member of the committee. No one has spoken to the gentlewoman from New York (Mrs. MCCARTHY) and she is a member of the conference committee.

The gentleman from Michigan (Mr. CONYERS) has tried very mightily and in good faith, and I believe that the chairman of the committee, the gentleman from Illinois (Mr. HYDE) is also operating in good faith, trying to find a way for us to reach conclusion, but that is over. We are not getting anywhere.

It may be that we will not, in fact, be able to find common ground but I do know this: If we never talk to each other, if we never have a meeting, if we never share in public what we think, then we will never get to where the country needs us to be.

We were in the middle of the night last year when we ended up with the juvenile justice bill before us, and I thought it was ironic that the final bill that we had was actually a retreat from current law. It would have actually weakened the current state of the law and that is why I believe the NRA

urged a yes vote on that bill and handgun control, the other side of the coin, urged a no vote. That is why we had so many people who believe in sensible gun safety measures opposing that measure because it actually was a retreat from where we are today.

Since that time, we have had many tragedies. We have had a 6-year-old kill another 6-year-old. We have had a preschool assaulted by a maniac with a gun and shooting little children. We have had firefighters shot at. We have had many tragedies and it may be that the 21 individuals and Members of this House who did not understand the need for modest gun safety measures last year may have received a wake-up call.

□ 1545

It is possible that we can come together, but it is not going to be possible if we never try.

Mr. Speaker, we have had a lot of rhetoric and discussion about various interest groups. I have not mentioned the NRA, but I will include for the record their missive urging a ''no'' vote on the Lofgren motion to instruct, because they have inserted themselves into even such an innocuous motion to instruct such as this.

We are not saying where the conference committee has to end up in this motion to instruct, although I have made no secret of the fact I hope we can adopt measures. Just that we can try.

Mr. Speaker, I would urge adoption of the resolution.

Mr. Speaker, I include for the RECORD the missive from the NRA.

SUPPORT THE SECOND AMENDMENT—THE NATIONAL RIFLE ASSOCIATION URGES YOU TO VOTE ''NO'' ON THE LOFGREN MOTION TO INSTRUCT TODAY!

Rep. Lofgren's motion to instruct demands a date certain deadline for the Juvenile Justice Conference Committee to begin deliberations on H.R. 1501. Yet at the same time, Rep. LOFGREN is also demanding that the House Conferees accept nothing less than the Senate-passed version of H.R. 1501.

In a letter, of March 2nd, from Congressmen GEPHARDT and BONIOR, and signed by Rep. LOFGREN and other Members, to Senator ORRIN HATCH, they demand the following ''Such a conference report *MUST* include gun safety measures that are *AT LEAST* as strong as those passed by the Senate.''

How can Rep. LOFGREN expect the House conferees to agree to something that failed in the House twice already last June (McCarthy and Conyers amendments) and will fail again if brought up for a vote? Do they really want to help address the juvenile crime problem in this country or are they just politically posturing in an election year?

There is no reason to force a deadline other than to allow political grandstanding on issues that Members are already trying to resolve in good faith, the National Rifle Association urges you to vote ''no'' today on the Lofgren motion to instruct conferees on H.R. 1501.

Mr. LANTOS. Mr. Speaker, the American people are urgently waiting for the Congress to take meaningful action on gun safety control—and the American people are not patient on this issue, Mr. Speaker. The American people are not patient. Despite repeated requests from our Democratic colleagues in this body and repeated requests of the Democratic members of the conference committee on H.R. 1501, the Juvenile Justice legislation, we are still awaiting action by the Republican leadership and the Republican members of the conference.

I strongly support the motion to instruct conferees that is being offered by my distinguished colleague and fellow Californian, Ms. LOFGREN. Her motion instructs the conferees to hold its first substantive meeting within the next two weeks. As President Clinton has said: ''How many more people have to get killed before we do something?'' The Senate adopted gun safety measures that close loopholes on our gun laws. The American people are strongly supportive of the type of provisions that are under consideration in this legislation. Now is the time for the conference committee to bring legislation back to this House.

Mr. Speaker, it is time for the will of the American people to be respected in the Congress of the United States, and it is time for us to tell the reprehensible representatives of the National Rifle Association that the will of the American people will prevail over the narrow special interests of groups like the NRA. The appalling attack on President Clinton last Sunday by Wayne LaPierre, Vice President of the National Rifle Association, only indicates how desperate that organization is to stop any meaningful effort to control gun violence and to enact needed gun safety legislation.

Mr. Speaker, the San Francisco Chronicle published an excellent editorial today which puts this issue and the desperation of the National Rifle Association into context. I ask that the editorial from the Chronicle be placed in the RECORD, and I urge my colleagues to read it. Mr. Speaker, I also urge my colleagues to support this motion being considered by the House today.

[From the San Francisco Chronicle, March 15, 2000]

NATIONAL RIFLE ASSOCIATION TAKES DESPERATE NEW TACK

National Rifle Association Executive Vice President Wayne LaPierre has crossed over into absurdity in his efforts to stymie gun control legislation this year.

LaPierre's outrageous accusation that President Clinton is ''willing to accept a certain level of killing to further his political agenda'' can do nothing but backfire. Clinton can be accused of many things, but few would agree that he considers any number of fatalities acceptable.

LaPierre and his crony, NRA President Charlton Heston, appear to have decided on a take-no-prisoners strategy against gun control even when their statements sound ludicrous.

Thoughtful NRA members should be embarrassed by the tactics and may want to remember former President George Bush's action after the NRA sent out a fund-raising letter calling federal law enforcement officers ''jackbooted government thugs.'' Bush quit his NRA life membership in protest.

If it chose, the NRA could be a serious player at discussions on gun control legislation. The proposal that Clinton is trying to push through Congress this year would require background checks of prospective buyers at gun shows, mandate child safety locks on handguns, prohibit imports of large ammunition clips and punish negligent adults if children commit violent crimes because of easy access to guns.

But NRA arguments on the specifics are drowned out by its leadership's over-the-top rhetoric and knee-jerk opposition to any legislation that smacks of gun control. Contentions that the Clinton administration has not enforced current gun control laws, which may have some merit, also get lost because they appear to be a diversionary tactic to avoid talking about the details of proposed legislation.

The wave of school killings over the past few years stunned a nation into supporting more restrictions on obtaining guns. Last year, about a month after the Columbine killings, the Senate approved the first gun control measure since Republicans took over Congress in 1994. Agreement later fell apart, but the NRA is all too aware that Congress has been moving in a direction the gun organization detests.

Its latest tactics show a desperation and an apparent feeling that anything, no matter how outrageous, goes in an election year.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of the motion to instruct conferees on the Juvenile Justice legislation. This motion would instruct the conferees to meet within the next two weeks to have substantive meetings to offer the President a viable gun bill.

The American people have waited long enough for us to act on this legislation. We can no longer delay and wait for the next tragedy in order to take action.

Last week's tragedy in Memphis where 2 firefighters, 1 sheriff's deputy, and a woman died due to gun violence; underscores the country's need for responsible gun legislation.

It would seem that in almost the year since the Littleton shootings, we have done little to more forward on the Juvenile Justice Bill. If you recall, it took a considerable amount of time before this bill even got to the conference committee.

In the Crime Subcommittee, the original bill, H.R. 1501, was a bipartisan effort that was cosponsored by the entire subcommittee. This bill passed the day after the tragedy at Columbine.

However, after much partisan maneuvering, the bill never made it to the full Judiciary Committee. There were several delays and eventually, we left for the Memorial Day holiday without any action.

Through more partisan maneuvering in June, the bill bypassed the Committee and proceeded to the floor. The bipartisan bill that emphasized prevention and intervention as alternatives to punishment only, became a vehicle for a variety of issues—except for protecting children. This is a critical mistake.

Today, I support Senator DASCHLE's past statement that the Juvenile Justice Bill, which concerns access to guns and was adopted by both the Senate and the House, should move forward.

Furthermore, I support his believe that if the Juvenile Justice Bill does not go to conference; each Member of Congress should file independent bills until safe legislation is adopted.

I am taking the initiative by announcing, my legislation which would increase youth gun

safety. My bill, ''The Children Gun Safety and Adult Supervision Act,'' is a comprehensive gun safety proposal, but I still encourage the Conferees to first pass the current Juvenile Justice Bill so that affirmative action will finally be taken.

Through enhanced penalties for reckless supervising adults, gun safety education programs and limitations on the admittance of children into gun shows, my legislation seeks to prevent tragedies like the one that most recently occurred in Mount Morris Township, Michigan. This child shooting is the latest in a series of preventable shootings that occurred as a result of adults recklessly leaving firearms in the presence of children.

It is a shame that political maneuvering is still stalling even a non-binding resolution like Senator BOXER's that simply supports child gun safety legislation. Yet, I would like to say how delighted I was to hear of Senator DURBIN's amendment that would offer more funding for providing gun safety education.

In the past few weeks my office has received many calls and letters from constituents who believe that we support legislation that will take away their guns.

It is obvious that the propaganda machine of the National Rifle Association is working to change our focus from the issue of children and guns and gun ownership in general. Like many of my colleagues, I do not oppose responsible gun ownership.

However, like President Clinton, I am concerned about children and their access to guns. I am concerned that guns are not regulated in the same way that toys are regulated. I am concerned that we do not have safety standards for locking devices on guns. I am concerned that we do not prohibit children from attending gun shows unsupervised. I am concerned that we have not focused on the statistics on children and guns.

This motion to instruct urges the conferees to act immediately on the Juvenile Justice Bill. We cannot wait for another tragedy to occur. I urge my colleagues to support this motion.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from California (Ms. LOFGREN).

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

Ms. LOFGREN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 218, nays 205, not voting 11, as follows:

[Roll No. 50]

YEAS—218

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Camp
Campbell
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Edwards
Ehlers
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Kucinich
Kuykendall
LaFalce
Lantos
Larson
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Northup
Nussle
Oberstar
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Porter
Price (NC)
Quinn
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rogan
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stupak
Tancredo
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weller
Wexler
Weygand
Wilson
Wolf
Woolsey
Wu
Wynn

NAYS—205

Aderholt
Archer
Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Boucher
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Deal
DeLay
DeMint
Dickey
Doolittle
Dreier
Duncan
Emerson
English
Everett
Ewing
Fletcher
Fossella
Fowler
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
McCollum
McCrery
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Nethercutt
Ney
Norwood
Ortiz
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Rahall
Regula
Reynolds
Riley
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Vitter
Walsh
Wamp
Watkins
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wise
Young (AK)
Young (FL)

NOT VOTING—11

Boyd
Cook
Hinojosa
John
Klink
Mascara
Myrick
Rush
Stark
Tanner
Walden

□ 1600

Mr. COLLINS, Mrs. CUBIN, Mr. COX, and Mrs. CHENOWETH-HAGE changed their vote from ''yea'' to ''nay.''

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

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 396

Mr. DOOLEY of California. Mr. Speaker, I ask unanimous consent to remove my name as cosponsor of H. Res. 396.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2372, THE PRIVATE PROPERTY RIGHTS IMPLEMENTATION ACT OF 2000

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 106–525) on the resolution (H. Res. 44) providing for consideration of the bill (H.R. 2372) to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the United States Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law; to prevent Federal courts from abstaining from exercising Federal jurisdiction in actions where no