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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. HEFLEY].

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 24, 1997.

I hereby designate the Honorable JOEL HEFLEY to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

Commissioner Robert A. Watson, national commander, the Salvation Army, Alexandria, VA, offered the following prayer:

Let us all pray. Sovereign Lord, You invite Your children to come to You in prayer, so we do so just now in gratitude and faith.

You are the Creator, Preserver, and Governor of all things. We acknowledge and worship You today as ''Wonderful, Counselor, the Mighty God, the Everlasting Father, the Prince of Peace.'' And when we address You as ''Our Father,'' we acknowledge that we are brothers and sisters. Help us to care for each other and for those around us.

We thank You for the gifts of mind and heart which the Members of this House bring to their awesome task. Grant them sensitivity to the needs of the people they represent and the moral courage to stand for that which is right, honorable, and just.

In Your holy name. Amen.

THE JOURNAL

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

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

Mr. DOGGETT. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

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

Mr. DOGGETT. 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. Pursuant to clause 5, rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Connecticut [Ms. DELAURO] come forward and lead the House in the Pledge of Allegiance.

Ms. DELAURO led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. McDevitt, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 111. An act to provide for the conveyance of a parcel of unused agricultural land in Dos Palos, California, to the Dos Palos Ag Boosters for use as a farm school.

MOTION TO ADJOURN

Mr. MILLER of California. Mr. Speaker, I have a preferential motion at the desk.

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

The Clerk read as follows:

Mr. MILLER of California moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from California [Mr. MILLER].

The question was taken; and the Speaker pro tempore announced that the noes 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 59, nays 342, not voting 32, as follows:

[Roll No. 426]

YEAS—59

Allen	Furse	Miller (CA)
Andrews	Gejdenson	Mink
Barrett (WI)	Gephardt	Murtha
Becerra	Goode	Obey
Berry	Harman	Olver
Blumenauer	Hoyer	Owens
Bonior	Jefferson	Pallone
Brown (OH)	Johnson (WI)	Pelosi
Conyers	Kaptur	Sawyer
Coyne	Kennelly	Scott
Davis (FL)	Kilpatrick	Slaughter
DeFazio	Kind (WI)	Spratt
Delahunt	Levin	Strickland
DeLauro	Lewis (GA)	Stupak
Deutsch	Lowey	Tierney
Doggett	Maloney (CT)	Turner
Farr	Martinez	Vento
Fattah	McDade	Waxman
Fazio	McDermott	Wexler
Filner	McNulty	

NAYS—342

Abercrombie	Ballenger	Bereuter
Ackerman	Barcia	Berman
Aderholt	Barr	Bilbray
Archer	Barrett (NE)	Bilirakis
Armey	Bartlett	Bishop
Bachus	Barton	Blagojevich
Baesler	Bass	Bliley
Baker	Bateman	Blunt
Baldacci	Bentsen	Boehlert

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Boehner
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Cubin
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Dellums
Dickey
Dicks
Dixon
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fawell
Flake
Foley
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hulshof
Hutchinson
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (NY)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Morella
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
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
Stabenow
Stark
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thompson
Thornberry
Thune
Thurman
Tiahrt
Towns
Traficant
Upton
Velazquez
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn

NOT VOTING—32

Bonilla
Bono
Burr
Crane
Crapo
Diaz-Balart
Dingell
Doyle
Foglietta
Forbes
Frank (MA)
Gonzalez
Graham
Granger
Gutierrez
Hastings (FL)
Hefner
Hostettler
Hunter
Hyde
McCrery
Moran (VA)
Riggs
Schiff
Schumer
Stokes
Thomas
Torres
Woolsey
Yates
Young (AK)
Young (FL)

☐ 1023

Mr. ARCHER and Mr. CUMMINGS changed their vote from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

THE JOURNAL

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

The question was taken; and on a division (demanded by Mr. DOGGETT) there were—yeas 157, nays 70.

RECORDED VOTE

Mr. FAZIO of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 324, noes 81, not voting 28, as follows:

[Roll No. 427]

AYES—324

Allen
Andrews
Archer
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Boyd
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Christensen
Clement
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cox
Coyne
Cramer
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLay
Dellums
Deutsch
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Everett
Ewing
Farr
Fattah
Fawell
Flake
Foley
Ford
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green
Greenwood
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hobson
Hoekstra
Holden
Horn
Houghton
Hutchinson
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCollum
McDade
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Nussle
Obey
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Petri
Pickering
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sanchez
Sanders
Sandlin
Saxton
Scarborough
Schaefer, Dan
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snyder
Solomon
Spence
Spratt
Stabenow
Stark
Stokes
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thornberry
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Velazquez
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Wicker
Wise
Woolsey
Wynn
Yates

NOES—81

Abercrombie
Ackerman
Aderholt
Barrett (WI)
Becerra
Bentsen
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Clay
Clayton
Clyburn
Costello
DeFazio
DeLauro
Doggett
English
Ensign
Evans
Fazio
Filner
Fox
Furse
Gephardt
Gibbons
Gillmor
Gordon
Gutierrez
Gutknecht
Hilleary
Hilliard
Hinchey
Hinojosa
Hooley
Hulshof
Johnson (WI)
Kennelly
Kilpatrick
Kingston
Kucinich
LaFalce
Lewis (GA)
LoBiondo
Maloney (NY)
Martinez
McCarthy (NY)
McDermott
McGovern
McIntosh
McNulty
Meek
Menendez
Miller (CA)
Norwood
Oberstar
Olver
Pickett
Pombo
Poshard
Ramstad
Sabo
Salmon
Sanford
Sawyer
Schaffer, Bob
Shimkus
Snowbarger
Souder
Stearns
Stenholm
Strickland
Stupak
Taylor (MS)
Thompson
Thune
Vento
Visclosky
Waters
Weller
Wolf

NOT VOTING—28

Armey	Frank (MA)	Peterson (PA)
Bonilla	Gonzalez	Riggs
Bonior	Hastings (FL)	Schiff
Chenoweth	Hefner	Schumer
Collins	Hostettler	Torres
Conyers	Hoyer	Whitfield
Crane	Hunter	Young (AK)
Diaz-Balart	Hyde	Young (FL)
Foglietta	McCrery	
Forbes	Moran (VA)	

□ 1043

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. LOWEY. Mr. Speaker, I missed rollcall 419 through 425 because of the birth of a beautiful new grandson, Daniel Henry Luttway. Had I been present, I would have been delighted to vote ''aye.''

The SPEAKER pro tempore (Mr. HEFLEY). Please receive the congratulations of the House.

PERSONAL EXPLANATION

Mrs. CHENOWETH. Mr. Speaker, earlier today I was unavoidably detained and missed rollcall vote 427. Had I been here, I would have voted ''yea.''

IN APPRECIATION OF COMMISSIONER ROBERT A. WATSON

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

Mr. JONES. Mr. Speaker, I would like to extend my appreciation to Commissioner Robert A. Watson for his words and wisdom as he opened the House of Representatives in prayer this morning.

Commissioner Watson was born in eastern North Carolina. He has made invaluable contributions to our society. He has led a lifetime of service to his community and to his fellow man throughout the world.

Commissioner Watson and his wife, Alice, have served together as officers in the Salvation Army for more than 40 years. Since November 1995, they have served as the organization's national leaders for the United States. The Watsons' selfless work in both the Salvation Army and many other charitable organizations has helped countless individuals worldwide.

Commissioner Watson is an outstanding American, an invaluable asset to our society, and a true man of God. I thank him for his words this morning, for his inspiration, and for all that he does to make our world a better place.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain fifteen 1-minutes on each side.

WE DO NOT NEED CAMPAIGN FINANCE REFORM

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is impossible for me to believe the hypocrisy coming from the White House on campaign finance reform and the way we have been treated on this floor. We just wasted 45 minutes.

Just days after Attorney General Janet Reno started a 30-day investigation into Clinton and GORE's fund-raising practices, he has the audacity to threaten to call Congress back into session if we adjourn without at least debating campaign finance reform.

I feel compelled to point out that we do not need campaign finance reform, we need elected officials who will follow the current law. If we enforce the laws, such as no foreign contributions, we would not need an independent counsel to tell us that President Clinton and Vice President GORE broke the law, plain and simple.

Mr. Speaker, the President should be using that phone in the White House to do his job, not line his pockets.

CAMPAIGN FINANCE REFORM

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

Mr. DOGGETT. Mr. Speaker, a meaningful reform of the way Federal campaigns are conducted has been obstructed by one Republican roadblock after another.

Yesterday, half of the route was cleared. It did take a letter from the President saying he would convene a special session to deal with this issue if necessary. It took the leadership of the minority leader to say that no committees would meet. And yet, the reform is proceeding in half this Capitol building in Washington. Outside the people's House, there is a giant ''yield right of way sign.'' It says ''yield right of way to the arrogance of a Republican leadership that will not schedule 1 minute of debate on this issue.'' It is a giant ''yield right of way sign'' to the special interests who keep dumping in more and more soft money to soften up this Republican leadership.

Well, today we are escalating the action for reform and demanding that this issue be considered not only in the Senate, but here in the House, so that there can be genuine bipartisan reform to address this arrogance.

PARLIAMENTARY INQUIRY

Mr. HINCHEY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HINCHEY. Mr. Speaker, since the majority party in this House has not scheduled an opportunity for the House to debate and vote upon campaign finance reform, my inquiry is, why are we recessing tonight between 3 and 6 p.m. and then coming back for votes which will run later on into the evening?

The SPEAKER pro tempore. The Chair cannot respond to that. That is not a parliamentary inquiry.

TAX PACKAGE REINFORCES COMMITMENT TO EDUCATION

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

Mr. NEUMANN. Mr. Speaker, back when I was growing up, my daddy taught me how to read a map; and the first thing he taught me is I had to know where I was before I could decide how I was going to get to where I was going to.

When we talk about campaign finance reform, I think the first thing we ought to do is make sure that the laws that are currently on the books are being enforced and understood by the people. So before we can figure out what needs to be changed, somebody ought to make sure that the laws that are already on the books are being enforced.

And in fact, that is what is going on right now. But the other side does not care to talk about that, because, of course, there have been some violations down the street on Pennsylvania Avenue as it comes to that.

So I think, just like my daddy taught me when I was growing up, we need to know where we are at first so that we should spend enough time making sure that those laws are being enforced.

I really rose this morning to reinforce how important education is to our side of the aisle and how it is reflected in the tax cut package. As a former math teacher and a father of three, two in college, and one in high school, I would just like to point out how the tax cut package reinforces our commitment to education. From the $500 per child education savings account opportunity for parents who want to save for their children growing up, they can put $500 a year per child into a savings account. That money accumulates tax free for their children when they need the education.

LORETTA SANCHEZ ELECTION

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

Mr. MENENDEZ. Mr. Speaker, 10 months ago the people of the 46th District of California spoke. They decided to elect the gentlewoman from California [Ms. SANCHEZ] as their Representative in Congress, an election certified by the Republican California Secretary of State.

Mr. Dornan and some Republicans do not like that. But in our system, they

are not the ones that get to make that decision. The only people who get to make that decision are the people of California's 46th District.

Questions are not enough to overturn the election. Allegations are not enough. Innuendo is not enough. Confusion is not enough. But for 10 months, that is all we have gotten. Several hundred thousand taxpayer dollars have been used for a witch hunt to go through INS records and question the legality of voters simply on the basis of having an Hispanic surname.

Should Hispanic-Americans assume that they will first be considered illegal voters until they can disprove it? Is the assumption that all Hispanic voters must have voted for the gentlewoman from California [Ms. SANCHEZ]?

The Los Angeles Times reported Tuesday that almost halfway to the next election there is, and I quote, ''no evidence that Sanchez benefited from fraudulent votes.'' The L.A. Times is right, what we have is not evidence, it is an assault on every Hispanic-American.

END RELIGIOUS PERSECUTION WORLDWIDE

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

Mr. PITTS. Mr. Speaker, I urge all Americans and, in particular, every Member of Congress to join in recognizing the International Day of Prayer this coming Sunday for those persecuted for their faith around the world.

Our country was founded on the principles of inalienable rights. Central among them was the right to choose and practice one's faith in God. Today, thousands around the globe still must flee their home countries because of severe persecution for practicing their beliefs.

Many international human rights agencies report that in the 1990's severe religious persecution continues at an intolerable rate. In China and Vietnam, pastors have frequently been arrested and beaten. In Mexico, believers have been murdered by mobs. In Egypt and Pakistan, young women have been raped and beaten. In China, churches have been bulldozed. In Saudi Arabia, Christians have been tortured. In the Sudan, children have been forced to convert to Islam in order to receive food rations. All this because of their faith in God.

We who live in freedom cannot be idle spectators to such widespread injustice. I urge all Members to join in the work to end religious persecution worldwide.

AMERICANS ARE SPENDING, SPENDING, SPENDING

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

Mr. TRAFICANT. Mr. Speaker, White House economists say the economy is breaking all records. The proof is Americans are spending, spending, spending.

Let us check out the records. Credit card debt is at a record high, $2 trillion. Individual bankruptcies are at a record high, record high; and they are up a record 27 percent again this year.

Evidently, God made weathermen to make White House economists look good, Mr. Speaker. The truth is, the reason America is spending, spending, spending is because Americans are borrowing, borrowing, and borrowing. The truth is, these White House economists are so dumb they could fall out of bed and miss the floor.

I accuse them all of inhaling over there, No. 1. And No. 2, they have become spastic over plastic in this economy. I yield back all the lost jobs that are good paying. I yield back all the record debt. And I yield back all the record bankruptcies.

KYOTO NEGOTIATIONS

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

Mr. KNOLLENBERG. Mr. Speaker, as the Kyoto negotiations on global warming draw near, millions of Americans' jobs are on the chopping block. The Clinton administration seems to be willing to sign on to an agreement that places the entire burden of reducing carbon emissions on the industrialized nations.

In fact, the current language of the treaty exempts 132 of the world's 166 nations. Why is that troubling? Because the nations exempt from this U.N. treaty currently produce 50 percent, one-half, of carbon emissions and will account for 75 percent of such emissions over the next century.

Therefore, this treaty would provide almost no benefit at all, but the economic impact on the United States would be devastating. Placing the entire burden on complying with this treaty on countries like the United States could turn the Third World into an enterprise zone and create a giant sucking sound of American jobs going overseas.

Mr. Speaker, during the Kyoto negotiations, the Clinton administration must protect American workers, demand fairness, and reject any treaty that places the entire burden of reducing carbon emissions on the United States and on the other industrialized nations. Anything less would be like giving jobs away.

AMERICAN PEOPLE DEMAND CAMPAIGN FINANCE REFORM

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

Mr. PALLONE. Mr. Speaker, I have been listening to my Republican colleagues this morning. It is amazing to me that they are still trying to obstruct campaign finance reform.

Clearly, the time has come today for the House Republican leadership to bring up campaign finance reform for a vote on the floor. We know the Senate is doing it. Mr. LOTT has said that he is going to bring it up. The President has sent a letter saying he will have a special session if necessary.

But so far there is only silence by the Speaker and the House Republican leadership on the issue. They suggest it is for the future and certainly not for this session of Congress, and this has to change because the American people are demanding reform.

There is simply too much money in the system. The average American does not feel that he or she matters anymore because wealthy individuals and corporations have all the influence.

Mr. Speaker, bring up campaign finance reform for a vote on the House floor. We can move on bipartisan reform legislation. The American people demand it, and we should move on it immediately.

SCHOLARSHIPS AND TAX-FREE EDUCATION ACCOUNTS FOR CHILDREN

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

Mr. ROGAN. Mr. Speaker, I was raised by a mom who was a single mom with four children on welfare and food stamps. And the only reason I have had the privilege of coming from that background and now serving in the Congress of the United States is because my mother loved her children enough to make sure that they got the best education possible.

It is absolutely hypocritical for people to believe that poor children's mothers do not care about them enough to get a good education for them. And nowhere is that more evident than here in the District of Columbia, where thousands of children are condemned to ill-performing schools. Their parents want the same chance for their children that my mother wanted for her children. We Republicans are trying to give that to them.

We have two proposals. First, opportunity scholarships for 2,000 of the poorest children in the city of the District of Columbia. The second would be a proposal that would allow parents tax-free education accounts.

Today I read in the Los Angeles Times that the Secretary of Education is calling this a fad and urging the President to veto this proposal. That is a terrible mistake. I urge the Secretary to reconsider. These people want good educations for their children, and we have an obligation to make sure they get them.

CAMPAIGN FINANCE REFORM

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

Ms. DELAURO. Mr. Speaker, since the very first day of this Congress, Democrats have been urging our Republican colleagues to take action on campaign finance reform. Democrats believe that we need to stop the flow of money into politics, and we have used every single procedure at our disposal to attempt to force a vote on this issue.

But despite his famous handshake with President Clinton 2 years ago, the gentleman from Georgia [Mr. GINGRICH] has thus far refused to act on the issue, refused to schedule a hearing, refused to schedule debate. He has refused to schedule a vote on campaign finance reform.

Mr. Speaker, Democrats believe and the American people believe that our political system is broken and that it needs fixing. The Republican leader of the other body finally caved in to Democratic pressure and has promised to vote on campaign finance reform.

Mr. Speaker, I ask, ''Where is our vote in the House of Representatives, in the people's House?''

□ 1100

OHIO ENERGY COMPANY SHOWS LEADERSHIP IN QUEST FOR CLEAN AIR

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

Mr. CHABOT. Mr. Speaker, I just want to take a moment to pay my compliments to a Cincinnati firm that is moving full speed ahead in an effort to bring cleaner air to southern Ohio and to the surrounding region. Cinergy Corp. announced yesterday that it will voluntarily reduce nitrogen oxide emissions from its plants by two-thirds from 1990 levels. The company will also conduct a demonstration of advanced technology at its plant in North Bend, OH, converting nitrogen oxide into harmless nitrogen gas and water. If successful, the technology could reduce nitrogen oxide emissions at the plant by 30 to 40 percent.

Mr. Speaker, Cinergy's leadership in the ongoing battle for a cleaner environment in the Ohio-Kentucky-Indiana region will hopefully encourage others in the energy-producing field to take similar positive steps on their own. I congratulate Cinergy, and I wish all of those involved in this critical environmental project the best of luck.

LET ELECTION IN 46TH DISTRICT OF CALIFORNIA STAND

(Ms. MCKINNEY asked and was given permission to address the House for 1 minute.)

Ms. MCKINNEY. Mr. Speaker, I know a little something about snatching victory from the jaws of defeat. All over this country, so-called folks in the know counted me out. And in the 46th District of California the same thing happened. Nobody gave LORETTA SANCHEZ a chance of beating the infamous Bob Dornan. But she won in an election fair and square. But stung by the fact that he lost to a woman, he has not given up the fight. One would think he would just declare his intention to run in the next election, but no, not this Bob Dornan. And no, not this Republican Party. They have conducted a well-organized witch-hunt that is insulting to America's values. They have targeted every Hispanic voter as if they did not have the right to vote. And the Republican leadership has sided with Dornan over the people of the 46th District. Could it be that they think that Hispanic voters do not count?

The Republicans would have us believe that they have changed, that they have mellowed. Unless they stop the race baiting now, they will prove themselves to be what we always suspected all along.

NATIONAL CONGRESSIONAL TEST

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

Mr. KINGSTON. Mr. Speaker, there is a lot of talk about national testing, so I designed one for Congress. Multiple choice. If a Federal official raises money from a taxpayer-funded office, he is:

A. Breaking the law.

B. OK if it is soft money.

C. OK if he does not remember doing it.

Number 2. A Buddhist temple is:

A. A place of worship.

B. A great spot for a fund-raiser.

C. I do not recall. I never went to one. I never heard of it. Anyway, it was not a fund-raiser.

True or false/Definitions. If you were subpoenaed by the Thompson committee, DNC stands for ''did not come.''

If you were a major TV network during the Thompson hearings, DNC stands for ''did not cover.''

If you are the Vice President, DNC stands for ''did not call.''

If you are a foreign national, DNC stands for ''did not contribute.''

Finally, Discussion Questions. What is the difference between ''Find Waldo'' and John Huang?

Answer: You can eventually find Waldo.

OPPOSE GORTON AMENDMENT IN INTEREST OF PUBLIC EDUCATION

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

Mr. BLAGOJEVICH. Mr. Speaker, Abraham Lincoln said that the most important commitment we as a people can make is to public education. Yet there are forces here in Congress who would undermine that commitment. Programs like the Safe and Drug-Free Schools Act, which provides local school districts with security guards, installs metal detectors and teaches children about the dangers of drugs and gangs are in jeopardy. If the Gorton amendment passes, not a single Federal dollar would be guaranteed to fund that program.

Mr. Speaker, college is not for everyone. The School To Work Program is designed to help students make the transition from high school to work. If the Gorton amendment passes, not a single Federal dollar would be guaranteed to help students make that transition.

More than ever, as we approach the 21st century, our children rely on computers to prepare them for the high-tech world. If the Gorton amendment passes, not a single Federal dollar would be there to help them have computers and technology in their classrooms.

We must not allow this to happen. Let us make our schools safe and drug-free, let us give our high school graduates employment options, and let us oppose the Gorton amendment and redouble our efforts to public education.

EDUCATION POLICY FROM A REPUBLICAN STANDPOINT

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

Mr. PAPPAS. Mr. Speaker, I was home in my district this past weekend and was introduced to someone by a friend. The person I met with told me something that I found very troubling. She told me, ''Hi, I'm a strong conservative and an enthusiastic supporter of the Republican Party, but I'm also very pro-education.''

''But?'' I said.

She said that she had to admit that she was very upset by all the things she had heard about us cutting education. Then I had to admit that I was very troubled to hear her say this.

Mr. Speaker, it is Republicans who believe that education is primarily a task that is best handled by local school boards and not by the Federal Government. It is Republicans who believe that parents should have the most control over their children's education, not bureaucrats in Washington, D.C. We must continue to stand up to the liberals who want to federalize education and bring Washington, D.C. into curriculum decisions that are best made by those in the local community, school boards, teachers, and parents.

CAMPAIGN FINANCE REFORM TRAILS HANDSHAKES

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

Mr. SNYDER. Mr. Speaker, in June 1995, the President and Speaker of the

House made a commitment to campaign finance reform in this country. Since that time, there have been approximately 85 bills introduced in this session of Congress showing great interest in that topic. What has happened since that time? How many hearings have we had? None. How many campaign finance reform bills have passed? None. Where does that leave the score right now, Mr. Speaker, at the end of the baseball season? It leaves the score currently handshakes one, campaign finance reform nothing.

The President has stated his commitment to campaign finance reform. The Republican leadership in this House needs to get on board and lead the American people, because currently, under current law, if we do not change it, you may make a legal donation to the party of your choice in this amount. I do not know what this number is, but I think it is big.

RELIGIOUS FREEDOM WEEK

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

Mr. ADERHOLT. Mr. Speaker, in September 1789, Congress proposed and sent to the States for ratification the 10 constitutional amendments known as the Bill of Rights. This morning I join my colleagues in celebrating Religious Freedom Week, designated as such by Congress and by Presidential proclamation in 1988 by President Ronald Reagan.

The first amendment guards Americans from persecution by protecting our right to expression, protecting our words, both secular and religious, whether spoken, written or sung. Freedom comes at a price, however. The gospel, the words of Jesus Christ, cost him his life. Those who signed the Declaration of Independence knew it could be their death sentence.

The freedoms we enjoy today as Americans are a precious gift of the generations who have gone before us. Religious Freedom Week is a great opportunity to express thanks for that gift and to celebrate the profound foresight that was given our Founding Fathers in protecting the free exercise of religion.

REPUBLICANS CAUGHT IN CONTRADICTION IN DISPUTED ELECTION

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

Mr. SERRANO. Mr. Speaker, once again we find the Republicans caught in a very big contradiction. On one hand they put out feelers to the Hispanic community saying, ''Come into the party, join us, we want to serve you, we want to help you.'' On the other hand they launch the unprecedented attack on LORETTA SANCHEZ and Hispanics throughout the Nation, somehow insisting that every Hispanic in the country, perhaps including myself, participated on election day in some fraud to get LORETTA elected.

It is time that Americans realize that this is their way of not dealing with the truth. Self-denial is a very pitiful state to be in, and that is what Republicans find themselves in. Americans do not like it. Hispanics like it even less. It is time that Republicans got it through their right-wing, reactionary minds that this is not going to work. It is not going to work. LORETTA won fair and square, and it is time to let her go on with this work in this House and stop harassing Hispanics throughout this country.

GET BACK TO BASICS IN EDUCATION

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

Mr. TIAHRT. Mr. Speaker, somewhere in the education debate, we have lost the reason we send our children to school. If we ask parents, they want their kids to capture the ability to learn, something their children can take with them into higher education or into the work environment so that they can pursue the American dream. But the parents' wishes are ignored. Instead the debate is about national education standards that measure how much paper teachers can produce and how much money we can spend, not how well our children are learning.

This Nation is blessed with many wonderful teachers, but they have been betrayed. In most school systems, less than half the money actually makes its way into the classroom. The teachers are diverted from scholastics to social engineering, and the paperwork demanded by the education bureaucracy steals teaching time. Education is about learning, discipline, respect for authority, and scholastics. Let us get back to the basics in education.

AGAINST H.R. 856, PUERTO RICO STATEHOOD BILL

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

Mr. GUTIERREZ. Mr. Speaker, I rise to oppose H.R. 856, the Puerto Rico statehood bill. Supporters want us to believe the goal of H.R. 856 is to give Puerto Ricans a fair opportunity to decide their future relationship with the United States. Sadly, the only goal of H.R. 856 is to bring statehood to Puerto Rico, despite the clear and consistent opposition of the majority of Puerto Ricans.

I want to be an enthusiastic supporter of a true process of self-determination. That is why I am adamantly opposed to any efforts to force statehood on Puerto Ricans. This flawed bill distorts the definition of ''commonwealth,'' the favored status of the plurality of the Puerto Rican people, threatening to deny U.S. citizenship to the children of Puerto Ricans if commonwealth is chosen. It threatens the Puerto Rican people with the loss of Federal benefits if they reject statehood. It denies Puerto Ricans on the mainland in the United States the right to participate in this vital process. It neglects our distinct Puerto Rican history as a people and a nation. It abandons the idea of democracy and embraces the imposition of the will of the few on the hopes and dreams of the many. I urge my colleagues to stand with the majority of the Puerto Rican people and oppose H.R. 856.

CENSUS SAMPLING

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

Mr. GIBBONS. Mr. Speaker, today this House will begin to address the year 2000 census and the adverse effect of sampling. Sampling is not about politics. It is about the Constitution. The Constitution clearly states that the actual enumeration shall be made within 3 years after the first meeting of Congress within every 10 years in such manner as Congress shall by law direct.

Further, title 13 of the U.S. Code authorizes sampling except for the determination of population for purposes of apportionment of Representatives in Congress shall be allowed. This exception was enacted because when determining congressional districts, guessing is just not good enough.

Nowhere in this country is the case against sampling any clearer than in my home State of Nevada. Nevada has only two Representatives in Congress, and it has nearly 2 million people. Nevada is the fastest growing State in the Nation. This sampling could greatly underestimate our State's growing population, costing Nevada residents their constitutional right of representation.

CALIFORNIA ELECTION AN ABUSE OF DISCRETION

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am not sure how Bob Dornan appreciates the precious right to vote, but Americans understand how precious it is to exercise our rights to vote in this Nation. I would ask on behalf of the American people, let Congresswoman LORETTA SANCHEZ do the job that she was duly elected to do. No proof, no truth, no justice; only abuse of Hispanic voters and horrible immigrant terrorizing, reminding me of the Republican poll watchers who went into the deep South and watched black voters and intimidated them from voting.

That is right, Mr. Speaker. The process of determining the election of Congresswoman LORETTA SANCHEZ is an abuse of discretion. No fraud has been

found, only a Republican runaway committee and a runaway Congress.

The voters of California's 46th Congressional District have spoken. These voters want you to stop harassing Hispanic surnames and Hispanic citizens and those who want to vote and those who will have justice and truth. Republicans, stop the abuse of Americans and our Hispanic citizens.

CALIFORNIA ELECTION AND EDUCATION

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

Mr. GRAHAM. Mr. Speaker, as to Mr. Dornan's case, I believe the procedures that the House has to review elections are being followed. It is a question of how many ineligible, illegal people voted. That is something we should take up, and I am confident that as a body we will do a good job of doing that when the time comes.

Education. A lot has been said about education. Apparently there is a great confrontation about the Nation. The President said he would veto the Labor-HHS bill if we do not agree to national testing. Mr. President, you just do that. If you want to federalize education, we will have a fight. It is a fight long overdue.

Your agenda has been since day one to take everything local and make it national. National testing is a $39 million farce, 90 to $100 million to implement the test in 1999. It is truly a local function being done in abundance. We need to stop testing children. We know the problems. We need to start educating children. If he wants to veto the bill and shut the Government down to federalize education, I think that is a debate that is long overdue, and I await that day.

□ 1115

BOB DORNAN'S TAXPAYER-FINANCED WITCH HUNT

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

Mr. BECERRA. Mr. Speaker, now almost 1 year and a half a million dollars later neutral observers are saying what everyone in this House has been saying for the longest of times. The people of the 46th Congressional District in California voted Bob Dornan out of office, and they voted the gentlewoman from California [Ms. SANCHEZ] in. Yet the Republican leadership continues to waste taxpayer dollars funding Bob Dornan's election witch hunt against the gentlewoman from California [Ms. SANCHEZ] and his customary tirades. Now we hear that the Republican leadership has a scheme to reject the vote of the people of the 46th Congressional District and to take away the job that the gentlewoman from California [Ms. SANCHEZ] earned from the voters. The leadership on the Republican side will allege that there were too many questionable votes in the 984-vote victory of the gentlewoman from California.

Who was the target of this so-called questionable voting campaign? Hispanics. Who was the target of the harassment in this investigation? Hispanic voters.

It is the people of America who vote people into office; it is the people of America who vote people out. It is not witch hunts that are paid for and financed by taxpayers at the expense of those people who vote and do so. Bob Dornan does not have the right to do this at taxpayer expense.

DEMOCRATS SHRED EVIDENCE, THEN ACT OUTRAGED ABOUT ''THE SYSTEM''

(Mrs. LINDA SMITH of Washington asked and was given permission to address the House for 1 minute.)

Mrs. LINDA SMITH of Washington. Mr. Speaker, sometimes we just have to sit back and admire the Democrats for their breathtaking audacity. Democrats have found themselves caught red-handed in more than one sense taking money from foreign sources. Let us make it very clear that is illegal. That is why the Democrat Party has already returned millions of dollars in contributions from foreign sources. Of course that is after they used the money to help the President get reelected.

So now they feel qualified to tell the American people how to do it and that they are the party that would be expert in raising money. Well, would that still be from foreign sources? Maybe they think that under a better system, a system that does not force them to break the law, it should be OK to raise money for political campaigns from Communist China, launder that money to conceal its source, shred evidence to conceal the criminal behavior and then act outraged about the system.

Or maybe they just want to change the subject.

FRESHMEN BIPARTISAN TASK FORCE ON FINANCE REFORM HAS PRODUCED A COMMON SENSE APPROACH

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

Mr. KIND. Mr. Speaker, we are now in day 83, 83 days after July 4, the day that the President asked this body to enact campaign finance reform.

I do not know what we are so concerned about, what we are so afraid of on this side of the congressional House. The Senate is starting to make some movement; I think it is time for us in the House of Representatives to do the same.

But I do not want to have a false debate or a false bill come before this floor. I do not want a bill that we are going to sit here and look at that contains a poison pill. A poison pill is something that is going to place one party at a distinct disadvantage of another party. That is why I am proud of the product that I and other Members of the freshman bipartisan task force on finance reform have produced and have introduced. It is a commonsense approach that gets rid of the biggest of the big money, a soft money ban, requires greater identification of groups trying to influence the outcome of elections, requiring greater disclosure of candidates and where the money sources are coming from, but we need to schedule this now: An honest debate, a bill that is receiving bipartisan support, something that us freshmen have produced together, working in a way that can receive support on both sides of the aisle.

The time to get to work is now.

WE DO NOT NEED NEW LAWS ON CHEATING

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

Mr. MCINNIS. Mr. Speaker, well, it is pretty clear somebody has been cheating out there. We do not need new laws, we already have laws against illegal campaign contributions. And let me remind those colleagues of mine who have been up here talking moment after moment about campaign cheating, look at the headlines on this morning's paper, and let me read it:

''Democratic National Committee Teamsters Traded Funds.''

It reminds me in high school when one of my classmates got caught cheating. The first thing he told the teacher was everybody was. ''Well, everybody is cheating.'' Well, not everybody was cheating; he was the only one in that classroom that was cheating. Then his next excuse to get out of trouble for cheating was, ''Well, you know you need to make new rules, Mr. Teacher. You need to make new rules about cheating. And therefore let me off the hook.''

Mr. Speaker, I will be one of the first to stand up and say we should not have cheating. That is exactly what the Democratic National Committee is doing. We have campaign laws in effect, we have an Attorney General that should investigate those, should appoint an independent investigator, and we have a Democratic National Committee that should step forward immediately and let the American public know the scenario and the scheme they have got going with the Teamsters.

CALLING ON THE SPEAKER TO SCHEDULE A VOTE ON CAMPAIGN FINANCE REFORM TODAY

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

Mr. LEWIS of Georgia. Mr. Speaker, the American people continue to wait for real campaign finance reform. The need for campaign finance reform is clear. Both parties raised millions and millions of dollars last year, twice as much as they raised just 4 years ago. The Senate is scheduling a vote on campaign finance reform; the President is waiting for a deal. Two years ago, just 2 years ago, the Speaker shook hands with the President on the promise of campaign finance reform. What happened to that promise? What happened to that vow? What happened to his word?

The American people deserve better, Mr. Speaker, than to be stonewalled, put down, put off and ignored. They deserve to be heard. They deserve to be respected. The Speaker is the only one in Washington standing in the way of campaign finance reform.

Mr. Speaker, it is time to end the delay. Schedule a vote on campaign finance reform today.

IF THEY CANNOT OBEY CURRENT LAW, WHY WOULD THEY OBEY FUTURE LAW?

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

Mr. WALSH. Mr. Speaker, listening to the other side get exercised about campaign finance reform would be hilarious if corruption of our political process were not such a serious matter. We can just see the White House now with their new slogan, ''We've got four more years so let's change the rules.'' Does the other side really think that the American people think it is OK to break the rules? Then carry on about how we need to change them? Does the other side really feel comfortable defending deliberate attempts to violate the law and then blame the existence of the law as the real problem? Does the other side really think the White House is above the law, that all the little people have to obey the law but they are exempt from having to do so?

No matter how many times the other side wants to change the subject by talking about campaign finance reform the truth will finally come out. If they cannot obey the current law, what makes anybody think they will obey future law?

MOTION TO ADJOURN

Mr. GEPHARDT. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Missouri [Mr. GEPHARDT].

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

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

The yeas and nays were ordered.

MOTION OFFERED BY MR. DOGGETT

Mr. DOGGETT. Mr. Speaker, I move to reconsider the ordering of the yeas and nays.

MOTION OFFERED BY MR. MCINNIS

Mr. MCINNIS. Mr. Speaker, I move to lay on the table the motion to reconsider.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado [Mr. MCINNIS] to lay on the table the motion to reconsider offered by the gentleman from Texas [Mr. DOGGETT].

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

Mr. DOGGETT. 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 SPEAKER pro tempore. This will be a 15-minute vote.

The vote was taken by electronic device, and there were—yeas 217, nays 197, not voting 19, as follows:

[Roll No. 428]

YEAS—217

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Blunt
Boehlert
Boehner
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NAYS—197

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frost
Furse
Gejdenson
Gephardt
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Yates

NOT VOTING—19

Bliley
Bonilla
DeGette
Fawell
Frank (MA)
Gonzalez
Hastings (FL)
Hoyer
Hunter
Largent
Livingston
Oxley
Porter
Riggs
Saxton
Schiff
Schumer
Torres
Wynn

□ 1145

Messrs. ROEMER, LIPINSKI, CLYBURN, CUMMINGS, and KENNEDY of Massachusetts, and Ms. EDDIE BERNICE JOHNSON of Texas and Ms. SLAUGHTER changed their vote from ''yea'' to ''nay.''

Messrs. HILL, COBLE, BOB SCHAFFER of Colorado, EVERETT, PICKERING, WATKINS and TAYLOR of North Carolina changed their vote from ''nay'' to ''yea.''

So the motion to table the motion to reconsider was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. CAMP). The question is on the motion to adjourn offered by the gentleman from Missouri [Mr. GEPHARDT] on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 124, nays 293, not voting 16, as follows:

[Roll No. 429]

YEAS—124

Ackerman
Allen
Andrews
Barrett (WI)
Becerra
Bentsen
Berry
Bonior
Borski
Brown (FL)
Brown (OH)
Cannon
Cardin
Clay
Clayton
Conyers
Costello
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dingell
Doggett
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Furse
Gejdenson
Gephardt
Greenwood
Gutierrez
Harman
Hefner
Hilleary
Hilliard
Hinchey
Hinojosa
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
LaFalce
Lampson
Levin
Lewis (GA)
Lipinski
Lowey
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (NY)
McDermott
McGovern
McNulty
Meehan
Meek
Menendez
Miller (CA)
Mink
Moakley
Nadler
Neal
Oberstar
Obey
Olver
Pallone
Payne
Pelosi
Pomeroy
Reyes
Rodriguez
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sawyer
Schumer
Scott
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Tauscher
Thompson
Tierney
Torres
Towns
Velazquez
Vento
Waters
Waxman
Wexler
Weygand
Woolsey
Yates

NAYS—293

Abercrombie
Aderholt
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Boyd
Brady
Brown (CA)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kildee
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lantos
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lofgren
Lucas
Luther
Manton
Manzullo
Mascara
McCarthy (MO)
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Sabo
Salmon
Sandlin
Sanford
Saxton
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stokes
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—16

Bonilla
Clement
Danner
Frank (MA)
Gilman
Gonzalez
Goodling
Hastings (FL)
Hunter
Hutchinson
Largent
McCollum
Riggs
Scarborough
Schiff
Wynn

□ 1203

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

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

REQUEST FOR PERMISSION TO SPEAK OUT OF ORDER

Mr. HINCHEY. Mr. Speaker, I ask unanimous consent to speak out of order for 1 minute in order to pose a question to the majority leader or his designee.

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

Mr. MCINNIS. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

CONFERENCE REPORT ON H.R. 2209, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1998

Mr. MCINNIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 238 and ask for its immediate consideration.

The SPEAKER pro tempore. The gentleman will suspend.

POINT OF ORDER

Mr. HINCHEY. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from New York [Mr. HINCHEY] will state his point of order.

Mr. HINCHEY. My point of order, Mr. Speaker, is that the House is currently being operated in a disorderly fashion.

Mr. MCINNIS. That is not a point of order.

Mr. HINCHEY. The propensity of the majority to schedule long hiatuses day after day in the middle of the proceedings in order that some Members may socialize betrays not just a lack of consideration——

Mr. MCINNIS. Regular order.

Mr. HINCHEY. Of the Members, but it betrays also a deep-seated——

Mr. MCINNIS. Mr. Speaker, regular order.

Mr. HINCHEY. The House is being operated in a disorderly manner.

Mr. MCINNIS. Regular order.

The SPEAKER pro tempore. The gentleman from New York has not stated a proper point of order.

The gentleman from Colorado [Mr. McInnis] is recognized.

Mr. MCINNIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 238 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 238

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2209) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1998, and for other purposes. All points of order against the conference report and against its consideration are waived.

The SPEAKER pro tempore. The gentleman from Colorado [Mr. MCINNIS] is recognized for 1 hour.

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

Mr. Speaker, House Resolution 238 is a straightforward resolution. The proposed bill waives all points of order against the conference report and against its consideration. This resolution was reported out of the Committee on Rules by a voice vote.

Mr. Speaker, this appropriation bill, which provides the funds for operations of the House, the Senate, and entities such as the Library of Congress, often serves as a lightning rod for partisan conflicts. However, during the course of the debate on House Resolution 238 I hope Members will keep in mind that we are debating a simple, plain vanilla, rule.

Mr. Speaker, I urge my colleagues to support this rule, and I reserve the balance of my time.

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

Mr. Speaker, as the gentleman from Colorado [Mr. MCINNIS] explained, this resolution is a rule waiving all points of order against the conference report to accompany H.R. 2209, a bill making appropriations for the legislative branch for fiscal year 1998.

The bill appropriates a total of $2.2 billion for the operations of Congress and other agencies in the legislative branch. This amount is a modest 2-percent higher than last year's appropriation.

Too often consideration of the legislative branch funding bill becomes an opportunity to criticize Congress. However, I want to take this opportunity to point out our achievements. Congress is the most responsive agency in the Federal Government. More than any other agency, we are the ones who can act immediately to solve problems and make changes.

As the Federal Government expanded over the past two decades, Congress kept down the increase in its spending. The men and women who make up the Members and staff of this institution are honorable, they are hard-working public servants dedicated to making the country a better place.

This year we approved a plan to balance the budget, and this is an achievement that will be a lasting contribution to future generations of Americans. So as we take up the bill to fund Congress, I want to emphasize that this is money well spent for the American people.

Mr. Speaker, the rule was approved by the Committee on Rules on a voice vote with no objections. I urge adoption of the rule.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, today, we are dealing with a rule on legislative appropriations for the House of Representatives. I rise to speak on this rule because I am also deeply concerned that while we are dealing with the funding of the formal operations of the Congress of the United States in terms of the nuts and bolts that keep this place going from year to year, I am deeply concerned that we are not addressing another problem of funding of the Congress of the United States. That is the manner in which Members of Congress fund their campaigns.

Somehow we are able to deal with those provisions of law that deal with the paper clips, the pencils, the paper, the notebooks, and everything else that goes into the Congress of the United States, but what we are not able to deal with is the issue of how we fund our campaigns, how Members of Congress get here and how Members of Congress stay here.

We now are witnessing across the entire Government of the United States, except for the House of Representatives, a commitment to debate and to propose campaign finance reform. The President of the United States has called for that. In fact, over 2 years ago, he shook hands with the Speaker of the House. Yesterday, he sent a letter to the Senate saying he would expect the Senate and would keep the Senate in session if a proper debate could not be had on campaign finance reform. Senator DASCHLE closed the Senate down yesterday, and finally Senator LOTT agreed that they would in fact schedule a full and open debate on campaign finance reform measures in the Senate.

Yet, we have had no response, in spite of bipartisan letters, in spite of calls from Members of the Republican Caucus, in spite of letters from the Democrats, in spite of a handshake with the President of the United States, an appeal by the President of the United States for campaign finance reform in a State of the Union Message, we have had no response except ''no'' from the Republican leadership of the House.

A far more serious question than the formal funding that this resolution makes in order in the legislative appropriations bill is the informal funding that goes on around here. We are now seeing the influence of soft money on the decisionmaking process within the Congress of the United States, how bills are scheduled, how amendments are scheduled, how bills are not scheduled and how amendments are not scheduled.

What we have learned in the hearings in the Senate is that soft money is about access; it is about access to committee chairmen, it is about access to the President of the United States, it is about access to the Vice President of the United States, it is about access to the leadership in the House and the Senate.

Letters go out on almost a monthly basis saying, if you give us $10,000 or $25,000, you can sit down with the chairman of your choice, the committee chairman of your choice of jurisdiction where you have legislation, you can have a private meeting, a private dinner, a private lunch.

That is unacceptable. That is unacceptable. That is the funding we should be discussing in the House of Representatives. But to date, unfortunately, in spite of all the public record that has been displayed, we are unable to address campaign finance reform.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would advise Members they should not refer to debate on actions or inactions of the other body.

Mr. HALL of Ohio. Mr. Speaker, I yield 3½ minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, the rule that we are considering at this time concerns legislative appropriations and the expenditure of $2.2 billion of taxpayer money. But the American people should not labor under the misassumption that that is the only money involved in the operation of this body. The $2.2 billion pays for the actual operations of all aspects of this body. But a considerable additional amount of money is involved in what brings each Member of this body here to spend the $2.2 billion. That is, the hundreds of a million dollars that are being spent in the campaigns that bring Members to this legislative branch where that $2.2 billion is involved.

□ 1215

This morning we have had a series of votes. We have had a series of objections. And undoubtedly, there are some Members of this body who view those as inconvenient, as troublesome. But I would emphasize that they are about very serious, substantive matters.

Unlike the other body, it is not possible under the rules of this House, under the rule that is being debated here this morning, for us to offer an amendment on campaign finance reform. Our hands are completely tied behind our backs in this House, unlike the other body, and our ability to come to this floor and say let us have a simple and direct ban on soft money which is being used to soften up the political leadership in this House, the corrupting influence of soft money, we cannot come forward and simply offer an amendment to this rule or to this bill to accomplish that objective. And, so, the only way to focus the attention of the American people on this issue is with the types of motions and objections that are being made, not out of any frivolity, indeed because they go to the heart of our democracy and the way that democracy is being corrupted by the soft money system.

We are in the course, given the total stonewall we have, even after the

President says he will call this Congress back into special session, even after half the road is cleared thanks to the leadership of the minority leader and the Senate committees are stopped, even after all that we are told no vote, no consideration even of Republican proposals to deal with this campaign finance issue.

All that we can do is go to the Speaker and say it is going to take him more time not to consider campaign finance reform than it would to consider campaign finance reform and let all of these proposals come forward. The freshmen Members, in a bipartisan basis, say ban soft money, do something about these problems. There are Members of the Republican side and of the Democratic side who have ideas to advance. But the Speaker's response is, we do not need less money in our campaigns. We need more, more campaign ads, more television ads.

This bill deals with one part of the legislative process. But anyone who watches this process knows that it is much more than the $2.2 billion; it is the influence peddling going on outside; it is the ''yield right of way'' sign yielding to the special interests that influence this operation.

Today we have a chance to begin to change that, and that is why we will have more motions and more votes and more action, because we cannot let this matter be delayed. This is our last chance to influence the cleanup of the 1998 elections.

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

Mr. Speaker, I find the comments somewhat interesting from the gentleman from Texas [Mr. DOGGETT] and from the gentleman from California [Mr. MILLER].

First of all, I note, with some interest, that both of the gentlemen have voted twice today to adjourn the House. I understand that there is a golf game or something recreational that is necessary. But let me ask them this. We have got work to do here. Today we have spent hours of time wasted on procedural motions to adjourn the House. What our side of the aisle is asking, and by the way, a good portion of your side of the aisle agrees with us, we need to go to work. We have got a lot of work to do. We have got a lot of budgetary issues to consider, and we ought to do it.

Here is a perfect example. Mr. Speaker, this rule was noncontroversial. This rule was passed by voice vote out of the Committee on Rules last night. This rule is supported by the gentleman from Ohio [Mr. HALL]. In fact, the gentleman from Ohio [Mr. HALL] has encouraged a vote for it. But instead, we are now going to convert.

They have invited me to participate in a debate regarding campaign finance reform, and I will accept that invitation, although somewhat limited. First of all, I would hope that the gentleman who brought this issue will also devote a good deal of time to the article in the headlines today, ''Democratic National Committee-Teamsters Traded Funds.''

There are laws against that kind of thing. We have laws in the books right now. Listening to what my colleagues say out there, they give the perception to the American people that there are not laws regarding campaign finance reform. There are lots of laws out there.

The fact is, in my opinion, that they have been broken. So instead of trying to divert from the fact that the laws have been broken by saying we need more laws, let us enforce the laws that we have got.

I would hope that my colleagues put their energy and resources into going to the Democratic National Committee today and say, ''Hey, fellas, even though I am a Democrat, even though I have a special interest in this party, I want us to lay out to the American people, let us be truthful, let us find out what we did with the Teamsters.''

Furthermore, I would suggest that maybe they take a foreign trip. We have got a break coming up. Help us find some of these witnesses like Charlie Trie or John Huang and some of these people that have conveniently disappeared out of our reach so we cannot find out what went on. Let us find out what went on, determine what we have to stop that, and what laws were broken. And then if we find a hole in the law or a way around the law, then let us do something about it.

I also want to point out an article which I read in Roll Call. I think it was yesterday's Roll Call. ''With support building in both Chambers for a complete ban on soft money, sources said that Democrats like FAZIO and Democratic Congressional Campaign Committee Chairman MARTIN FROST,'' your colleague from the State of Texas, ''have been working furiously behind the scenes to reach a compromise that would save the currently unlimited and unregulated contributions from extermination.''

Let us be serious about this. First of all, we have got work to do. Quit doing those motions to adjourn time after time. You know that every time, and I speak in a generic form, the people that support this motion, the people that make this motion to adjourn, the American people are out there, they do not vote to go home from work at 10 o'clock in the morning. We were wasting our time here on this House floor voting on a motion to adjourn.

By the way, on the first vote, only one Republican voted to go home at 10 o'clock in the morning. Every other Republican here said we ought to stay and work. But my colleagues from Texas and California voted to go home at 10 o'clock in the morning. And that was not good enough, the rest of the body said, no, we are not going to go home at 10 o'clock. We are going to work.

We have got work to complete in these Chambers What happens? Well, the clock gets close to 12 and apparently some of my colleagues feel we put in a complete workday, time to adjourn and go home or go to the golf course or down to the racquet club.

My colleagues, we have got business to do. Let us get on with our business, and let us focus on the subject at hand, which is a rule. If my colleagues want to debate the rest of the time we have this morning on this rule on campaign finance reform, I look forward to it.

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

Mr. MCINNIS. No, I will not yield. It seems to me, if I remember procedural order, I have the floor. Am I incorrect?

If my colleagues would like to proceed with the people's business, which is to get this rule out of the way and let us get to the bill, we have got a lot of work to do, then let us proceed. It is up to my colleagues.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. FROST].

Mr. FROST. Mr. Speaker, I thank the gentleman from Ohio [Mr. HALL] on the Committee on Rules for yielding me the time.

Since the gentleman from Colorado [Mr. MCINNIS] on the other side of the aisle mentioned my name, I did want to take this opportunity to make it very clear that I support the efforts to pass campaign finance reform this year.

There is a difference of opinion as to what the content of that legislation should be. There are legitimate, honest differences of opinion on what should be in the bill. But I fully support the efforts of the gentleman from California [Mr. MILLER] and others to force a vote on this legislation this year. There should be no misunderstanding about that.

To the extent that the other side does not want this vote, does not want to have a vote on this issue this year, they are not serving the interest of the American public. There are legitimate differences of opinion about how we should reform the process. There is no difference of opinion about the fact that we should reform the process.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I would just say that I appreciate that the gentleman from Colorado [Mr. MCINNIS] has raised the issue of procedural motions.

As the gentleman from Texas [Mr. DOGGETT] has pointed out, there is nothing else we can do. And he must understand what we have seen now throughout this entire session: If we do nothing, nothing will happen. Because the Republican leadership that controls the schedule, that controls the agenda has determined that we cannot have a debate on campaign finance reform.

So there is nothing left for us to do than to raise these procedural motions to try to raise the visibility in the public's mind and in the press as to what is going on on the Republican side. And that is the old four-corner stall in UCLA. They are hoping to play ''beat the clock,'' that if they can pretend like they are doing the people's business, this is not about the people's business, but if they were doing the people's business, we would be reforming the campaign finance system.

That locks the people out of the election, allows a special interest, this allows special money in and huge contributions to overwhelm people who try to participate in elections. That is why we have the majority leader in the Senate and Speaker of the House proposing a $50 billion tax rebate for the tobacco companies, because the tobacco companies were the biggest contributors to the party, and in the middle of the night they got what they wanted.

But the people did not want a $50 billion tax cut for tobacco companies. It is rather interesting when we forced them to vote in the light of day, it was unanimous. Only three people voted against it in the Senate, unanimous in the House. That is the difference between doing the people's business and doing the special interest business.

We will continue to call these votes because the gentleman from Georgia [Mr. GINGRICH] leaves us no alternatives. We apologize for the inconvenience. But what is at stake here is the democratic institution of which we serve and the democratic process of electing people, whether or not we will turn that over to the special interests in this country, as opposed to the people from the constituencies which we are elected. That is what the struggle is here. That is what the debate is about.

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

Mr. Speaker, I am enthralled by the energy level of the gentleman from California [Mr. MILLER]. I like that kind of enthusiasm, and I hope that the gentleman from California [Mr. MILLER], No. 1, puts that enthusiasm to doing the people's business and quit supporting these motions to adjourn.

We have got work to do. Put the golf game aside, forget the racquet club. They can do that on Saturday and Sunday. But more importantly, I hope the gentleman from California [Mr. MILLER] finds time this afternoon to go back to the office and pursue this headline ''Democratic National Committee-Teamsters Traded Funds.''

What is going on? I hope that we have that kind of vigor and that kind of strength when he talks on the floor about saying we need to get to the bottom of what has happened to the Teamsters. We need to get the people's work done in this House.

Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Speaker, I thank the gentleman from Colorado [Mr. MCINNIS] for yielding me the time.

Mr. Speaker, I was sitting in my office, and I wanted to kind of tell the people what I feel, whether they like it really or not. I think both sides are destroying this institution.

Your side ought to stop calling these votes, and our side ought to stop recessing between the hours of 6 and 9 so people can go to dinners downtown and then keep those of us who have families here in town locked in our rooms where we have to wait for people to come back.

Last night we recessed from 6 until 9, we did no business. And we stayed here until 10:30. Tonight we are not going to do any business and votes between the hours of 6 and 9. Those of us who have families, those of us who live here, the staff, these people out here, the staff, the guards, the restaurants, and everybody else, they stay here when we stay here.

Your side is destroying this institution, and our side is destroying this institution. Stop calling the votes. Stop calling the votes. Let me just tell the gentleman, I do not take money from the tobacco interests and I come from a tobacco State, And I am for abolishing soft money. And for this side, stop calling and recessing between the hours of 6 and 9. Let us work like regular people.

My closing comment is, and I hope they do not take the time from me, we are living a dysfunctional life in a dysfunctional institution, and dysfunctional things come out of living it. Both sides ought to stop what they are doing.

Mr. MCINNIS. Mr. Speaker, reclaiming my time, to the gentleman from Virginia [Mr. WOLF], let me just tell him, if I were the majority leader, we would work 24 hours a day. Every time they put up a motion to adjourn this House in the middle of the day or beginning of the day, and I used to be a majority leader in the State of Colorado, we will just work, we will just work around the clock. We have got business to do, and we ought to get it done.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume to respond to what my friend the gentleman from Virginia [Mr. WOLF] said.

The gentleman from Virginia [Mr. WOLF] is my best friend in the Congress of the United States. I, 100 percent, endorse what he had to say. I think that we have had enough conversation on issues relative to campaign finance at this particular time. I think it is time to pass the rule.

As I said before, this legislative branch funding is a very modest increase. I think that I have tried to point out the achievements of this Congress from the standpoint of some of the bills and some of the things that we have passed. I just want to say that there are tremendous people here in the Congress, both Republican and Democrat. I think that they are doing their best, people of good character. They work hard. And I think that sometimes we tear each other down to the point where it reflects upon us.

□ 1230

I am sick and tired of it, too, like the gentleman from Virginia [Mr. WOLF]. I want to see us start to stand up for what we are all about. We do good things here. We have good staffs. I would say 99 percent of the people here are people of good character. Yet if you were to ask the people in the country about us, the way we fight, squabble, and jump up and down sometimes, we do not do ourselves justice. I think it is time to get on and pass this rule and get over with the bill.

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

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume. I think that the gentleman from Ohio, who, by the way, in my opinion, is one of the most respected Members of the House, is certainly a professional, he is a gentleman, and his points are well taken. I should point out, though, contrary to what the gentleman from Virginia [Mr. WOLF] said, the gentleman from Virginia lives close to the Capitol. I live a long way from the Capitol. My district geographically is larger than the State of Florida. It takes me a long time to get there. It takes me a long time to get across there. I would rather work late hours at night so I can get back to my district.

I think in defense of the majority leader, the fact that last night we scheduled votes so we had a bunch of votes at 10 o'clock instead of votes between 8 and 10 o'clock in the evening was to accommodate Members and their families so that they can go out and have dinner and know that we will delay the votes; or not delay them from voting, the debate still continues, the House still has action, but we will move the votes to a period of time. So I think the criticism here, while I understand the frustration of what is going on, I must say that some of this scheduling is done for the convenience of Members so they can have dinner with their families.

Mr. Speaker, I yield 1 minute to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Colorado for yielding me this time. I listened with great interest to the debate. I do respect the gentleman from Ohio a great deal, the minority member who is managing his side's debate on this rule.

I have just one point to clear up with the gentleman from California. Rather than some sort of sports tactic involving basketball, sadly what we are seeing from some intense partisans on the other side is more of a football technique called the misdirection play,

where you try to draw attention away from misdeeds and causes of concern.

I believe it is especially important for us to go on record in this Congress as saying that everyone who runs for political office, including those in the executive branch, should obey existing law. There is the point from whence the problem stems, not any far-flung notion or vision of new campaign reform. And the question comes, sadly, as questions develop as relevant as today's headlines, what type of influences are out there? We should answer those questions with existing law.

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

First of all, Mr. Speaker, again I want to express that I consider it a privilege to work with the gentleman from Ohio [Mr. HALL] in these kind of things. Again I appreciate his comments.

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

The SPEAKER pro tempore (Mr. BEREUTER). The question is on ordering the previous question.

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

Mr. 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.

Pursuant to clause 5 of rule XV, the Chair will reduce to a minimum of 5 minutes the period of time for any electronic vote, if ordered, on the question of agreeing of the resolution.

The vote was taken by electronic device, and there were—yeas 237, nays 186, not voting 10, as follows:

[Roll No. 430]

YEAS—237

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bono
Boucher
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dingell
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Sabo
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NAYS—186

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Edwards
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Goode
Gordon
Green
Gutierrez
Hall (TX)
Harman
Hefner
Hilliard
Hinchey
Hinojosa
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E.B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Nadler
Neal
Oberstar
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—10

Bonilla
Dellums
Flake
Foglietta
Gonzalez
Hastings (FL)
Hunter
Kennelly
Redmond
Schiff

□ 1252

Mr. CLYBURN and Mr. SPRATT changed their vote from ''yea'' to ''nay.''

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. MILLER of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 408, noes 5, not voting 20, as follows:

[Roll No. 431]

AYES—408

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
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
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman

Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOES—5

Green
Largent
Meehan
Scarborough
Strickland

NOT VOTING—20

Berman
Bonilla
Boucher
Brown (CA)
Buyer
DeGette
Dellums
Flake
Foglietta
Gonzalez
Gutierrez
Hastings (FL)
Hoyer
Hunter
Kennelly
Redmond
Schiff
Skaggs
Smith (MI)
Watkins

□ 1301

Mr. BERRY changed his vote from ''no'' to ''aye.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SMITH of Michigan. Mr. Speaker, on rollcall No. 431. I was detained presiding over a Budget Committee meeting on Social Security. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. REDMOND. Mr. Speaker, on rollcall No. 430 and 431 I was not present. Had I been present, I would have voted "yes" for both votes.

Mr. WALSH. Mr. Speaker, pursuant to House Resolution 238, I call up the conference report on the bill (H.R. 2209) making appropriations for the legislative branch for the fiscal year ending September 30, 1998, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BEREUTER). Pursuant to House Resolution 238, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of September 18, 1997, at page H7580.)

The SPEAKER pro tempore. The gentleman from New York [Mr. WALSH] and the gentleman from New York [Mr. SERRANO] each will control 30 minutes.

The Chair recognizes the gentleman from New York [Mr. WALSH].

GENERAL LEAVE

Mr. WALSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and that I may include tabular and extraneous material on H.R. 2209.

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

There was no objection.

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

Mr. Speaker, it is a pleasure to present today the conference report on the fiscal year 1998 legislative branch appropriations bill, H.R. 2209. Before I proceed with my summary of the report, let me take a brief moment to thank my colleague, the gentleman from New York [Mr. SERRANO] for his help throughout this process. The gentleman is a friend and someone of the highest integrity. We would not be here today without his tremendous leadership and skill.

My counterpart in the other body, Senator BENNETT, was also very helpful as we worked to achieve this conference report. I consider him to be a person of the highest character.

Last, to the majority and minority staff members in both bodies, their work is deeply appreciated. I speak for every Member of the House in recognizing their contributions. Their hard work reflects the dedication of all the employees in the Congress. As I said on this floor several weeks ago, Members need to look around their work environment every day and recognize those who work with us in this legislative body. These are good people who serve with pride and deserve our respect.

Mr. Speaker, to summarize the conference agreement, the agreement appropriates $2.25 billion in the new budget authority to the Congress and the support agencies and offices of the legislative branch. This amount is approximately $146 million below the request of the President, which is a 6.1 percent reduction over what the President asked for.

The actual funding level for 1998 is about a 2-percent increase over 1997. This appropriation level is below the amount appropriated for legislative branch in 1994 and 1995, so we are still below 1994's level. So the downsizing program begun in the 104th Congress is still intact.

The highlights of the conference report: Operations of the Senate are $461 million, operations of the House are $708 million; joint items, including Capitol police, et cetera, joint committees, $12.7 million; Architect of the Capitol, $179 million. This includes the Botanic Garden and the library buildings. Library of Congress, $346 million, including Congressional Research Service; Congressional Budget Office, just under $25 million. Office of Compliance, $2.5 million; Government Printing Office is about $100 million, plus a transfer of $11 million from the Government Printing Office revolving fund. General Accounting Office, which received an increase this year, will be at about $347 million.

I will include a table showing details and a list of the highlights of the conference agreement. It may be of some interest to compare the conference agreement to the bill that passed the House on July 28.

As is customary, that bill did not contain funds for the operations of the Senate. The House bill, without the Senate, was $1.711 billion. For those same items, the conferees agreed to a level of $1.735 billion. The House came up about $24 million, the Senate came down about $37 million, so the House conferees did well.

The result is an increase of just about $13.7 million over the current year. That is an eight-tenths of 1 percent increase above 1997, well below even the modest rate of inflation in the economy. In addition, full-time equivalent positions have been reduced; in other words, we have reduced staff again by about 200 jobs.

The adjustment to House-passed items agreed to includes: In the conference the conferees added $8 million over the current level for the General

Accounting Office. This level will allow price level adjustments in travel, training, and begin a technology upgrade delayed the past 3 years. For the Architect, the roofing project at the library, an additional $1.5 million, adjustments to electricity and fuel costs at the Capitol powerplant, funds for the design of a new chiller system at the powerplant, funds for staff of the Conservatory and for the Library of Congress an additional $3.8 million to begin the $40 million replacement of the Library's bibliography records and a $1.25 million increase to begin a program to replace an additional 10,000 playback machines for blind and physically handicapped readers.

Mr. Speaker, the other item of concern to the conferees was the funding for the Joint Committee on Taxation. For Joint Committee on Taxation, the conferees agreed to fund an increase of 2.5 FTE's. In addition, the Senate agreed to remove from the bill the provision that requires operational adjustment in their workload. Instead report language was inserted in the joint explanatory statement that addresses the problem to direct the Joint Tax Committee to be more responsive to Members who are not in the committees of jurisdiction for taxation, House Committee on Ways and Means, Senate Committee on Finance.

Mr. Speaker, several legislative matters were agreed to in conference. Under the Capitol police, there is a provision providing authority for the Capitol Police Board to establish a unified pay and leave schedule for the police. For congressional printing, a longstanding provision carried in the House bill on availability of funds to pay printing costs has been retained.

There is language under the Library of Congress specifying the amount available for the integrated library system project, along with report language directing the Library to secure approval before obligating the funds.

Two administrative provisions were added under the Library. One establishes a revolving fund for reimbursable work at the Library. The other permits the investment of Library gift funds in the same manner as trust funds.

Under the Government Printing Office revolving fund, $1.5 million is made available for management audit. Under title III of the bill, all the provisions in the House-passed bill were retained. In addition, the conferees agreed to a provision relating to Senate restaurant employees and a provision which will allow cost of living allowances for senior level staff in the Office of the Architect.

Three House housekeeping provisions were also added at the request of Committee on House Oversight.

In summary, Mr. Speaker, the bill provides $2.2 billion for the funding for the legislative branch. It is 6 percent below the request of the President. FTE levels have been reduced by just over 200. The bill retains a smaller legislative branch as established by the policy set in the 104th Congress and provides stability to those operations that must support our legislative needs. I urge the adoption of the conference report.

Mr. Speaker, I include the following for the RECORD:

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 1998 (H.R. 2209)

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - CONGRESSIONAL OPERATIONS						
SENATE						
Expense Allowances						
Expense allowances:						
Vice President	10,000	10,000	.....	10,000	10,000	.....
President Pro Tempore of the Senate	10,000	10,000	.....	10,000	10,000	.....
Majority Leader of the Senate	10,000	10,000	.....	10,000	10,000	.....
Minority Leader of the Senate	10,000	10,000	.....	10,000	10,000	.....
Majority Whip of the Senate	5,000	5,000	.....	5,000	5,000	.....
Minority Whip of the Senate	5,000	5,000	.....	5,000	5,000	.....
Chairman of the Majority Conference Committee	3,000	3,000	.....	3,000	3,000	.....
Chairman of the Minority Conference Committee	3,000	3,000	.....	3,000	3,000	.....
Subtotal, expense allowances	56,000	56,000	.....	56,000	56,000	.....
Representation allowances for the Majority and Minority Leaders	30,000	30,000	.....	30,000	30,000	.....
Total, Expense allowances and representation	86,000	86,000	.....	86,000	86,000	.....
Salaries, Officers and Employees						
Office of the Vice President	1,513,000	1,612,000	.....	1,612,000	1,612,000	+99,000
Office of the President Pro Tempore	325,000	371,000	.....	371,000	371,000	+46,000
Offices of the Majority and Minority Leaders	2,195,000	2,388,000	.....	2,388,000	2,388,000	+193,000
Offices of the Majority and Minority Whips	1,156,000	1,221,000	.....	1,221,000	1,221,000	+65,000
Conference committees	1,992,000	2,122,000	.....	2,122,000	2,122,000	+130,000
Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority	384,000	409,000	.....	409,000	409,000	+25,000
Policy Committees	1,930,000	2,155,000	.....	2,155,000	2,155,000	+225,000
Office of the Chaplain	234,000	265,000	.....	260,000	260,000	+26,000
Office of the Secretary	12,714,000	13,431,000	.....	13,306,000	13,306,000	+592,000
Office of the Sergeant at Arms and Doorkeeper	34,037,000	35,126,000	.....	33,037,000	33,037,000	-1,000,000
Offices of the Secretaries for the Majority and Minority	1,135,000	1,215,000	.....	1,165,000	1,165,000	+30,000
Agency contributions and related expenses	17,000,000	19,208,000	.....	19,208,000	19,208,000	+2,208,000
Total, salaries, officers and employees	74,615,000	79,523,000	.....	77,254,000	77,254,000	+2,639,000
Office of the Legislative Counsel of the Senate						
Salaries and expenses	3,447,000	3,635,000	.....	3,605,000	3,605,000	+158,000
Office of Senate Legal Counsel						
Salaries and expenses	936,000	966,000	.....	966,000	966,000	+30,000
Expense Allowances of the Secretary of the Senate, Sergeant at Arms and Doorkeeper of the Senate, and Secretaries for the Majority and Minority of the Senate						
Expenses allowances	12,000	12,000	.....	12,000	12,000	.....
Contingent Expenses of the Senate						
Inquiries and investigations	69,561,000	75,300,000	.....	75,600,000	75,600,000	+6,039,000
Expenses of United States Senate Caucus on International Narcotics Control	305,000	.....	.....	370,000	370,000	+65,000
Secretary of the Senate	1,511,000	1,511,000	.....	1,511,000	1,511,000	.....
Sergeant at Arms and Doorkeeper of the Senate	65,931,000	78,163,000	.....	64,400,000	64,833,000	-1,098,000
Miscellaneous items	6,791,000	7,905,000	.....	7,905,000	7,905,000	+1,114,000
Senators' Official Personnel and Office Expense Account	208,000,000	231,736,000	.....	228,600,000	228,600,000	+20,600,000
Stationery (revolving fund)	13,000	13,000	.....	13,000	13,000	.....
Official Mail Costs						
Expenses	10,000,000	9,000,000	.....	300,000	300,000	-9,700,000
Total, contingent expenses of the Senate	362,112,000	403,628,000	.....	378,699,000	379,132,000	+17,020,000
Total, Senate	441,208,000	487,850,000	.....	460,622,000	461,055,000	+19,847,000

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 1998 (H.R. 2209) — continued

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
HOUSE OF REPRESENTATIVES						
Payments to Widows and Heirs of Deceased Members of Congress						
Gratuities, deceased Members	267,200	.....	.....	.....	.....	-267,200
Salaries and Expenses						
House Leadership Offices						
Office of the Speaker	1,535,000	1,625,000	1,590,000	1,590,000	1,590,000	+55,000
Office of the Majority Floor Leader	1,526,000	1,566,000	1,626,000	1,626,000	1,626,000	+100,000
Office of the Minority Floor Leader	1,534,000	1,574,000	1,652,000	1,652,000	1,652,000	+118,000
Office of the Majority Whip	957,000	983,000	1,024,000	1,024,000	1,024,000	+67,000
Office of the Minority Whip	949,000	975,000	998,000	998,000	998,000	+49,000
Speaker's Office for Legislative Floor Activities	376,000	378,000	397,000	397,000	397,000	+21,000
Republican Steering Committee	664,000	680,000	736,000	736,000	736,000	+72,000
Republican Conference	1,130,000	1,161,000	1,172,000	1,172,000	1,172,000	+42,000
Democratic Steering and Policy Committee	1,191,000	1,222,000	1,277,000	1,277,000	1,277,000	+86,000
Democratic Caucus	603,000	619,000	631,000	631,000	631,000	+28,000
Nine minority employees	1,127,000	1,133,000	1,190,000	1,190,000	1,190,000	+63,000
Subtotal, House Leadership Offices	11,592,000	11,916,000	12,293,000	12,293,000	12,293,000	+701,000
Members' Representational Allowances						
Expenses	363,313,000	405,450,000	379,789,000	379,789,000	379,789,000	+16,476,000
Committee Employees						
Standing Committees, Special and Select (except Appropriations)	80,222,000	90,310,000	86,268,000	86,268,000	86,268,000	+6,046,000
Committee on Appropriations (including studies and investigations)	17,580,000	18,276,000	18,276,000	18,276,000	18,276,000	+696,000
Subtotal, Committee employees	97,802,000	108,586,000	104,544,000	104,544,000	104,544,000	+6,742,000
Salaries, Officers and Employees						
Office of the Clerk	15,074,000	14,715,000	16,804,000	16,804,000	16,804,000	+1,730,000
Office of the Sergeant at Arms	3,638,000	3,598,000	3,564,000	3,564,000	3,564,000	-74,000
Office of the Chief Administrative Officer	55,209,000	59,688,000	50,727,000	50,727,000	50,727,000	-4,482,000
Office of Inspector General	3,954,000	4,344,000	3,808,000	3,808,000	3,808,000	-146,000
Office of the Chaplain	126,000	126,000	133,000	133,000	133,000	+7,000
Office of the Parliamentarian	1,036,000	1,129,000	1,101,000	1,101,000	1,101,000	+65,000
Office of the Parliamentarian	(786,000)	(861,000)	(852,000)	(852,000)	(852,000)	(+66,000)
Compilation of precedents of the House of Representatives	(250,000)	(268,000)	(249,000)	(249,000)	(249,000)	(-1,000)
Office of the Law Revision Counsel	1,767,000	1,881,000	1,821,000	1,821,000	1,821,000	+54,000
Office of the Legislative Counsel	4,687,000	4,824,000	4,827,000	4,827,000	4,827,000	+140,000
Corrections Calendar Office	.....	441,000	791,000	791,000	791,000	+791,000
Other authorized employees	768,000	1,024,000	780,000	780,000	780,000	+12,000
Former Speakers	(594,000)	(855,000)	(594,000)	(594,000)	(594,000)	.....
Technical Assistants, Office of the Attending Physician	(174,000)	(169,000)	(186,000)	(186,000)	(186,000)	(+12,000)
Subtotal, Salaries, Officers and Employees	86,259,000	91,770,000	84,356,000	84,356,000	84,356,000	-1,903,000
Allowances and Expenses						
Supplies, materials, administrative costs and Federal tort claims	2,374,000	2,977,000	2,225,000	2,225,000	2,225,000	-149,000
Official mail (committees, leadership, administrative and legislative offices)	1,000,000	1,000,000	500,000	500,000	500,000	-500,000
Document management system	.....	1,500,000	.....	.....	.....	.....
Reemployed annuitants reimbursements	71,000	71,000	.....	.....	.....	-71,000
Government contributions	120,779,000	128,451,000	124,390,000	124,390,000	124,390,000	+3,611,000
Miscellaneous items	641,000	662,000	641,000	641,000	641,000	.....
Subtotal, Allowances and expenses	124,865,000	134,661,000	127,756,000	127,756,000	127,756,000	+2,891,000
Total, salaries and expenses	683,831,000	752,383,000	708,738,000	708,738,000	708,738,000	+24,907,000
Total, House of Representatives	684,098,200	752,383,000	708,738,000	708,738,000	708,738,000	+24,639,800

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 1998 (H.R. 2209) — continued

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
JOINT ITEMS						
Joint Committee on Inaugural Ceremonies of 1997	950,000	.....	.....	.....	.....	-950,000
Joint Economic Committee	2,750,000	2,750,000	2,750,000	2,750,000	2,750,000	.....
Joint Committee on Printing	777,000	807,000	804,000	807,000	804,000	+27,000
Joint Committee on Taxation	5,470,000	6,126,000	5,907,000	5,724,000	5,815,500	+345,500
Office of the Attending Physician						
Medical supplies, equipment, expenses, and allowances	1,225,000	1,266,000	1,266,000	1,266,000	1,266,000	+41,000
Capitol Police Board						
Capitol Police						
Salaries:						
Sergeant at Arms of the House of Representatives	33,437,000	35,507,000	34,118,000	35,507,000	34,118,000	+681,000
Sergeant at Arms and Doorkeeper of the Senate	35,919,000	38,428,000	36,837,000	38,428,000	36,837,000	+918,000
Subtotal, salaries	69,356,000	73,935,000	70,955,000	73,935,000	70,955,000	+1,599,000
General expenses 1/	6,032,000	5,401,000	3,099,000	5,401,000	3,099,000	-2,933,000
Subtotal, Capitol Police	75,388,000	79,336,000	74,054,000	79,336,000	74,054,000	-1,334,000
Capitol Guide Service and Special Services Office	1,991,000	1,991,000	1,991,000	1,991,000	1,991,000	.....
Statements of Appropriations	30,000	30,000	30,000	30,000	30,000	.....
Total, Joint items	88,581,000	92,306,000	86,802,000	91,904,000	88,710,500	-1,870,500
OFFICE OF COMPLIANCE						
Salaries and expenses	2,609,000	2,600,000	2,479,000	2,600,000	2,479,000	-130,000
CONGRESSIONAL BUDGET OFFICE						
Salaries and expenses	24,532,000	24,995,000	24,797,000	24,995,000	24,797,000	+265,000
ARCHITECT OF THE CAPITOL						
Office of the Architect of the Capitol						
Salaries	8,454,000	.....	.....	.....	.....	-8,454,000
Travel (limitation on official travel expenses)	(20,000)	.....	.....	.....	.....	(-20,000)
Contingent expenses	100,000	.....	.....	.....	.....	-100,000
Subtotal, Office of the Architect of the Capitol	8,554,000	.....	.....	.....	.....	-8,554,000
Capitol Buildings and Grounds						
Capitol buildings, salaries and expenses 2/	23,505,000	42,064,000	36,827,000	39,554,000	36,977,000	+13,472,000
Capitol grounds	5,020,000	6,618,000	4,991,000	6,203,000	5,116,000	+96,000
Senate office buildings 3/	40,290,000	52,021,000	.....	50,922,000	52,021,000	+11,731,000
House office buildings	32,556,000	39,403,000	37,181,000	37,181,000	36,610,000	+4,054,000
Capitol Power Plant	34,749,000	37,771,000	36,032,000	37,645,000	37,932,000	+3,183,000
Offsetting collections	-4,000,000	-4,000,000	-4,000,000	-4,000,000	-4,000,000	.....
Net subtotal, Capitol Power Plant	30,749,000	33,771,000	32,032,000	33,645,000	33,932,000	+3,183,000
Subtotal, Capitol buildings and grounds	132,120,000	173,877,000	111,031,000	167,505,000	164,656,000	+32,536,000
Total, Architect of the Capitol	140,674,000	173,877,000	111,031,000	167,505,000	164,656,000	+23,982,000
LIBRARY OF CONGRESS						
Congressional Research Service						
Salaries and expenses	62,641,000	66,830,000	64,603,000	65,134,000	64,603,000	+1,962,000
GOVERNMENT PRINTING OFFICE						
Congressional printing and binding	81,669,000	84,025,000	70,652,000	82,269,000	70,652,000	-11,017,000
(Transfer from revolving fund)	.....	.....	(11,017,000)	.....	(11,017,000)	(+11,017,000)
Total, title I, Congressional Operations	1,526,012,200	1,684,886,000	1,069,102,000	1,603,767,000	1,583,690,500	+57,678,300

1/ FY 1997 enacted includes $3,250,000 provided in P.L. 104-208, Title V.

2/ FY 1997 enacted includes $250,000 provided in P.L. 104-208.

3/ FY 1997 enacted includes $650,000 provided in P.L. 104-208.

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 1998 (H.R. 2209) — continued

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE II - OTHER AGENCIES						
BOTANIC GARDEN						
Salaries and expenses 1/	36,402,000	11,662,000	1,771,000	3,228,000	3,016,000	-33,386,000
LIBRARY OF CONGRESS						
Salaries and expenses	216,007,000	232,058,000	223,507,000	229,904,000	227,016,000	+11,009,000
Authority to spend receipts	-7,869,000	-7,869,000	-7,869,000	-7,869,000	-7,869,000	.....
Net subtotal, Salaries and expenses	208,138,000	224,189,000	215,638,000	222,035,000	219,147,000	+11,009,000
Copyright Office, salaries and expenses	33,402,000	35,787,000	34,361,000	34,567,000	34,361,000	+959,000
Authority to spend receipts	-22,269,000	-22,507,000	-22,426,000	-22,426,000	-22,426,000	-157,000
Net subtotal, Copyright Office	11,133,000	13,280,000	11,935,000	12,141,000	11,935,000	+802,000
Books for the blind and physically handicapped, salaries and expenses	44,964,000	48,025,000	45,936,000	47,870,000	46,561,000	+1,597,000
Furniture and furnishings	4,882,000	4,882,000	4,178,000	4,178,000	4,178,000	-704,000
Total, Library of Congress (except CRS)	269,117,000	290,376,000	277,687,000	286,224,000	281,821,000	+12,704,000
ARCHITECT OF THE CAPITOL						
Library Buildings and Grounds						
Structural and mechanical care	9,753,000	15,755,000	10,073,000	14,699,000	11,573,000	+1,820,000
GOVERNMENT PRINTING OFFICE						
Office of Superintendent of Documents						
Salaries and expenses	29,077,000	30,477,000	29,264,000	29,077,000	29,077,000	.....
GENERAL ACCOUNTING OFFICE						
Salaries and expenses	338,425,000	368,828,000	330,924,000	354,155,000	346,903,000	+8,478,000
Offsetting collections	-5,905,000	-7,404,000	-7,404,000	-7,404,000	-7,404,000	-1,499,000
Total, General Accounting Office	332,520,000	361,424,000	323,520,000	346,751,000	339,499,000	+6,979,000
Total, title II, Other agencies	676,869,000	709,694,000	642,315,000	679,979,000	664,986,000	-11,883,000
Grand total	2,202,881,200	2,394,560,000	1,711,417,000	2,283,746,000	2,248,676,500	+45,795,300
TITLE I - CONGRESSIONAL OPERATIONS						
Senate	441,208,000	487,850,000	.....	460,622,000	461,055,000	+19,847,000
House of Representatives	684,098,200	752,383,000	708,738,000	708,738,000	708,738,000	+24,639,800
Joint Items	88,581,000	92,306,000	86,802,000	91,904,000	86,710,500	-1,870,500
Office of Compliance	2,609,000	2,600,000	2,479,000	2,600,000	2,479,000	-130,000
Congressional Budget Office	24,532,000	24,995,000	24,797,000	24,995,000	24,797,000	+265,000
Architect of the Capitol	140,674,000	173,877,000	111,031,000	167,505,000	164,656,000	+23,982,000
Library of Congress: Congressional Research Service	62,641,000	66,830,000	64,603,000	65,134,000	64,603,000	+1,962,000
Congressional printing and binding, Government Printing Office	81,669,000	84,025,000	70,652,000	82,269,000	70,652,000	-11,017,000
Total, title I, Congressional operations	1,526,012,200	1,684,866,000	1,069,102,000	1,603,767,000	1,583,690,500	+57,678,300
TITLE II - OTHER AGENCIES						
Botanic Garden	36,402,000	11,662,000	1,771,000	3,228,000	3,016,000	-33,386,000
Library of Congress (except CRS)	269,117,000	290,376,000	277,687,000	286,224,000	281,821,000	+12,704,000
Architect of the Capitol (Library buildings and grounds)	9,753,000	15,755,000	10,073,000	14,699,000	11,573,000	+1,820,000
Government Printing Office (except congressional printing and binding)	29,077,000	30,477,000	29,264,000	29,077,000	29,077,000	.....
General Accounting Office	332,520,000	361,424,000	323,520,000	346,751,000	339,499,000	+6,979,000
Total, title II, Other agencies	676,869,000	709,694,000	642,315,000	679,979,000	664,986,000	-11,883,000
Grand total	2,202,881,200	2,394,560,000	1,711,417,000	2,283,746,000	2,248,676,500	+45,795,300

1/ FY 1997 includes $33,500,000 provided in P.L. 105-18.

CONFERENCE AGREEMENT—FISCAL YEAR 1998 LEGISLATIVE APPROPRIATIONS, H.R. 2209

Total appropriation: $2.2 billion ($2,248,676,500); in addition, $158,189,000 will be available from receipts and reimbursements collected by the General Accounting Office and Library of Congress.

Appropriations compared to budget request: A reduction of $145.9 million ($145,883,500) under the amounts contained in the President's budget.

Compared to fiscal year 1997: An increase of $45,795,300 above the amount appropriated in fiscal year 1997.

Highlights:

Operations of the Senate: $461,055,000 plus $52 million for office building maintenance;

Operations of the House: $708,738,000 plus $36.6 million for office building maintenance;

Joint items (Joint committees, Capitol police, guide service, etc.): $12,656,500;

Architect of the Capitol: $127,224,000, including the Botanic Garden;

Library of Congress: $346,424,000, including the Congressional Research Service;

Congressional Budget Office: $24,797,000;

Office of Compliance: $2,479,000;

Government Printing Office: $99,729,000, plus a transfer of $11,017,000 from the GPO revolving fund; and

General Accounting Office: $346,903,000 total funds available, including $7,404,000 from offsetting collections.

Specific items:

The $24.6 million increase for House operations is primarily for staff COLA's, employee benefits, and other staff salary mandatory increases;

There is an additional $31.6 million for Senate operations and buildings;

Several capitol budget projects are funded in the Capitol buildings and grounds accounts under the Architect of the Capitol:

Dome repair: $1,500,000; various improvements in House and Senate chambers: $1,230,000; renovations to the canine facility: $200,000; physical security: $625,000; design of chiller plant: $1,000,000; additional fuel and electricity costs: $1,700,000; vertical roof replacement, Thomas Jefferson Building: $1,500,000; fire, safety, and telecommunication improvements; and grounds and buildings improvements for physically challenged staff and visitors: $6.6 million; and $550,000 for cooling the Botanic Garden and National Garden learning center.

For the General Accounting Office, the FY98 level is an increase of $8,478,000 over FY 1997 and achieves a stable resource base coming after the 25% reduction in FY 1996 and FY 1997:

Funding for 3450 FTE's, an increase of 137 jobs over the 3313 currently on board; and funds are provided for increased travel, training, technology upgrades, and incentive salary payments.

For the Library of Congress, the funding for current programs is maintained. In addition:

$5.6 million is provided for an integrated library system (ILS) to replace outmoded bibliographic systems, the initial stage of a multi-year $40 million project; an increase in the number of replacement playback machines from 48,000 to 55,000 for use by blind and physically handicapped readers; authorization for the cooperative acquisitions program which provides assistance to research and academic libraries throughout the U.S.; and authority to reinvest gift fund receipts.

For the Joint Tax Committee, $5,818,500 is provided, including funds for an additional 2.5 FTE's;

For the Government Printing Office, level funding is provided including authority to transfer from the revolving fund; and

A $1.5 million management audit of GPO will be conducted by the General Accounting Office.

FISCAL YEAR 1998 LEGISLATIVE APPROPRIATIONS, H.R. 2209—DIFFERENCES BETWEEN CONFERENCE AGREEMENT AND HOUSE ADOPTED BILL

On July 28, 1997, the House passed H.R. 2209, the fiscal year 1998 appropriations bill. The bill appropriated $1.7 billion ($1,711,417,000) for the salaries and expenses of the House of Representatives, various joint items (Capitol Police, Joint Committees, the Guide Service, etc.), Congressional Budget Office, Office of Compliance, Architect of the Capitol (excluding Senate office buildings), the Library of Congress, Government Printing Office, and General Accounting Office.

On July 29, 1997, the Senate passed H.R. 2209 after adding funds for Senate operations and amending the items contained in the House bill for other legislative agencies. That bill totaled $2.3 billion ($2,283,746,000).

On September 17, the committee of conference reported an agreement on H.R. 2209 which appropriates $2.2 billion ($2,248,676,500). In addition, $158 million in offsetting receipts and reimbursements are authorized.

DIFFERENCES BETWEEN HOUSE BILL AND CONFERENCE AGREEMENT

	House bill	Conference agreement	Difference
New items not contained in House bill due to traditional House-Senate comity:			
Senate and Senate office buildings		$513,076,000	+$513,076,000
Senate items in Capitol buildings and grounds		500,000	+500,000
Subtotal		513,576,000	+513,076,000
Comparable items contained in both House and Senate bills:			
House and House office buildings	$745,919,000	745,348,000	−571,000
Joint items	86,802,000	86,710,500	−91,500
Office of Compliance	2,479,000	2,479,000	
Congressional Budget Office	24,797,000	24,797,000	
Architect of the Capitol (excl. office buildings)	85,694,000	90,114,000	+4,420,000
Library of Congress (incl. CRS)	342,290,000	346,424,000	+4,134,000
Government Printing Office	99,916,000	99,729,000	−187,000
General Accounting Office	323,520,000	339,499,000	+15,979,000
Subtotal	$1,711,417,000	$1,735,100,500	[1] +23,683,500

[1] Plus 1.4 percent.

The conferees added funds to the House bill in three programs: The Architect of the Capitol, the Library of Congress, and the General Accounting Office.

Architect of the Capitol:

The conferees added $4.4 million above the House bill. Primarily, the increase was for high priority projects that cannot be delayed:

$775,000 for additional fuel costs at the power plant necessitated by the conversion of the 2 coal-fires burners to natural gas. The need for this conversion was identified after consideration of the House bill when the Architect was notified by local authorities that power plant emissions are exceeding legal standards;

$1,500,000 was added to finish the roofing replacement at the Thomas Jefferson Building. The additional funds will be used to augment the current work underway so that the vertical copper components of the roof are included in the job;

$1,000,000 was added for the design of the chiller replacements necessary at the east refrigeration plant. Replacement units are needed because the chlrofluorocarbon coolant is no longer available and will require an extensive replacement project; and

The balance of the increase, $1,145,000, includes several small projects and funds for the Conservatory staff who will be needed during the Conservatory renovation project.

Library of Congress:

The conferees added $4.1 million above the House bill, for two essential items:

$3.8 million was added for the integrated library system project, which will replace the currently outmoded bibliographic records. This project is ready for bid and the General Accounting Office is monitoring progress. Delaying this project will result in added costs to the $40 million now estimated, and will reduce or stretch out the savings and benefits expected; and

$625,000 was added to accelerate a replacement program for playback machines being used by blind and physically handicapped users of the Library's talking book collections.

General Accounting Office:

The conferees added $16 million to the House bill in order to stabilize the GAO program. GAO has been downsized by 25 percent in funding in two years and 33 percent in staff over a three year period. The conferees have provided an $8 million increase over 1997 ($16 million above the House bill) to cover the ''mandatory'' increase necessary for the COLA's and related employee benefits for the remaining 3,450 FTE's. There should be sufficient funds for additional training, travel (much of GAO's work is done in the field), technology upgrades, and incentive salary payments which have been curtailed for several years.

FISCAL YEAR 1998 LEGISLATIVE APPROPRIATIONS, H.R. 2209—DIFFERENCES BETWEEN CONFERENCE AGREEMENT AND ENACTED AMOUNTS FOR FISCAL YEAR 1997

On July 28, 1997, the House passed H.R. 2209, the FY 1998 appropriations bill. The bill appropriated $1.7 billion ($1,711,417,000) for the salaries and expenses of the House of Representatives, various joint items (Capitol police, joint committees, the guide service, etc.), Congressional Budget Office, Office of Compliance, Architect of the Capitol (excluding Senate office buildings), the Library of Congress, Government Printing Office, and General Accounting Office.

On July 29, 1997, the Senate passed H.R. 2209 after adding funds for Senate operations and amending the items contained in the House bill for other legislative agencies. That bill totaled $2.3 billion ($2,283,746,000).

On September 17, the committee of conference reported an agreement on H.R. 2209 which provides appropriates $2.2 billion ($2,248,676,500).

CHANGES BETWEEN HOUSE-CONSIDERED ITEMS IN THE FISCAL YEAR 1997 AMOUNTS AND FISCAL YEAR 1998 CONFERENCE AGREEMENT

	Enacted fiscal 1997	Conference agreement	Difference
New items not contained in House bill due to traditional House-Senate comity:			
Senate and Senate office buildings	$481,498,000	$513,076,000	$+31,578,000
Senate items within Capitol buildings and grounds	350,000	500,000	+150,000
Subtotal	481,848,000	513,576,000	+31,728,000
Comparable items contained in both House and Senate bills:			
House and House office buildings	716,654,200	745,348,000	+28,693,800
Joint items	88,581,000	86,710,500	−1,870,500
Office of Compliance	2,609,000	2,479,000	−130,000
Congressional Budget Office	24,532,000	24,797,000	+265,000
Architect of the Capitol	113,633,000	90,114,000	−23,519,000
Library of Congress (incl CRS)	331,758,000	346,424,000	+14,666,000
Government Printing Office	110,746,000	99,729,000	−11,017,000
General Accounting Office	332,520,000	339,499,000	+6,979,000
Subtotal	1,721,033,200	1,735,100,500	[1] +14,067,300

[1] Plus 0.8 percent.

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

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

Mr. Speaker, I rise in support of the conference report on H.R. 2209, the Legislative Branch Appropriations Act for 1998. This has not been an easy year for this bill, but the gentleman from New York, Chairman WALSH, has worked exceptionally hard to keep the bill moving and to forge a decent compromise in conference. He deserves great praise for his work, and I personally also wanted to thank the gentleman for the way he has treated me with dignity and respect and our staff.

Mr. Speaker, it is our responsibility on this subcommittee to provide the people's branch of our Government with the resources needed to carry out our legislative and oversight functions effectively, although some in this House do not seem to understand that. We must also consider the health and safety of all who work in and visit the Capitol complex and the physical integrity of this Capitol building and the other historic structures on our campus. Again, we sometimes run into the problem of some Members do not seem to care about that. There are necessary investments that still cannot be made within the spending limits of this bill. However, on balance the conferees have moved the bill in the right direction.

For the House alone, the conference report is about $25 million, or 3.6 percent, above fiscal year 1997, which is not an unreasonable increase.

□ 1315

Not counting Senate items, the conference report totals not quite $14 million, or less than 1 percent above fiscal year 1997. Levels in the conference report are modestly increased from the House bill for the Architect of the Capitol and the Library of Congress. The biggest difference between the House bill and the conference report is in GAO, which would receive the funding necessary to stabilize its staffing after 2 years of major downsizing.

I should also mention the Joint Committee on Taxation. Some have characterized House Democrats' efforts to reduce a requested increase of 12 staff positions, or 20 percent, for Joint Committee on Taxation for the year after the historic tax bill as partisan. Let me point out that Senators are, at least, as dissatisfied with JCT, and, at least, as insistent on reining it in as we are.

The concerns about the committee's role in making tax policy, its chief of staff, remember, acknowledged that tobacco lobbyists wrote the secret tobacco tax break that surfaced in the bill, and its responsiveness to Members are completely bipartisan. Indeed, the chairman of the Senate subcommittee was harshly critical of the Joint Committee on Taxation in conference. He was the author of bill language that would have cut the JCT increase to 1 staff position and required JCT to use that position to assist Members who are not on the Tax Committees.

In conference, the Senate gave in on this bill language, but pressed very hard for compromise report language found on page 26 of the conference report that puts joint tax on notice with the following: That both House and Senate Members expect timely and responsive assistance with revenue estimates, regardless of the committees they sit on; the conferees will monitor the committee's responsiveness, and, if improvements are not evident, the conferees may take statutory action next year.

So, we see the frustrations are real and held on both sides of the aisle and on both sides of the dome. The leadership of the Tax Committee should take note of this.

Mr. Speaker, in closing, I support this conference report and urge my colleagues to support it so we can get the bill enacted before the start of fiscal year 1998 next week.

Mr. ADERHOLT. Mr. Speaker, I rise today to speak out against an increase in pay for Members of Congress.

The Federal Government is still spending more than it takes in. Despite the fact that we have passed the historic balanced budget bill which will balance the budget by 2002, until that date, we are still adding to the national debt that we will pass onto the next generation of Americans. I believe to allow a pay raise for Members of Congress at this point in time is not the responsible thing to do.

Congress should not be increasing its pay while we have such a large national debt, especially when we are adding to that debt every day. This is one reason I am cosponsoring H.R. 632, the Balance the Budget First Act of 1997, introduced by Congressman JON CHRISTENSEN. This legislation not only repeals the automatic pay increase for Members of Congress, but it also expresses the sense of the Congress that pay of Members of Congress should not be increased until the Federal budget has been balanced.

I appreciate that under current law, the pay increase for Members of Congress is tied to the pay increase for the Federal Judiciary. That is why I am an original cosponsor of H.R. 2517, introduced by my colleague from Alabama, Congressman BOB RILEY. This legislation, like H.R. 632, would eliminate the automatic pay increase only for Members of Congress, not for Members of the Federal Judiciary.

I hope that we will have the good sense to listen to the American people and prevent this pay increase for Members of Congress.

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

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

The SPEAKER pro tempore (Mr. BEREUTER). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 309, nays 106, not voting 18, as follows:

[Roll No. 432]

YEAS—309

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Baldacci
Ballenger
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Berman
Bilbray
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chambliss
Christensen
Clay
Clayton
Collins
Combest
Cook
Cooksey
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Dellums
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Goodlatte
Gordon
Goss
Granger
Greenwood
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hefner
Herger
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Horn
Houghton
Hoyer
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
Lowey
Lucas
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Pascrell
Pastor
Paxon
Payne
Pelosi
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Redmond
Regula
Reyes
Riggs
Rivers
Rodriguez
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scott
Serrano
Sessions
Shaw
Shuster
Sisisky
Skaggs
Skeen
Smith (NJ)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Spence
Stokes
Sununu
Talent
Tanner
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Tierney
Torres
Towns
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—106

Barcia
Barr
Barrett (WI)
Barton
Becerra
Berry
Bilirakis
Blunt
Brady
Bryant
Bunning
Burr
Carson
Chabot
Chenoweth
Clement
Clyburn
Coburn
Condit
Conyers
Costello
Cox
Davis (IL)
DeFazio
Deutsch
Doggett
Ensign
Eshoo
Fox
Gejdenson
Gibbons
Goode
Goodling
Green
Gutierrez
Hall (TX)
Harman
Hastings (WA)
Hayworth
Hefley
Hill
Hilleary
Hooley
Hostettler
Hulshof
Hutchinson
Johnson, E. B.
Jones
Kind (WI)
Kucinich
Lampson
Largent
Lewis (KY)
LoBiondo
Lofgren
Luther
Maloney (CT)
McHale
Miller (CA)
Minge
Moran (KS)
Myrick
Neumann
Nussle
Paul
Pease
Poshard
Radanovich
Ramstad
Riley
Roemer
Roukema
Royce
Rush
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Shadegg
Shays
Sherman
Shimkus
Skelton
Slaughter
Smith (MI)
Smith, Linda
Souder
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Tauscher
Taylor (MS)
Thompson
Thurman
Traficant
Turner
Watkins
Watts (OK)
Weller

NOT VOTING—18

Armey
Bonilla
Coble
Emerson
Flake
Foglietta
Gonzalez
Graham
Hastings (FL)
Hunter
Inglis
Kasich
Parker
Peterson (MN)
Portman
Schiff
Smith (OR)
Spratt

□ 1341

Ms. SLAUGHTER, Mrs. MYRICK, Mrs. TAUSCHER, and Messrs. BRYANT, DAVIS of Illinois, RILEY, SKELTON, GIBBONS, and HILLEARY, Ms. EDDY BERNICE JOHNSON of Texas, Ms. ESHOO, and Messrs. COX of California, BARR of Georgia, LAMPSON, SMITH of Michigan, FOX of Pennsylvania, CLEMENT, and HAYWORTH changed their vote from ''yea'' to ''nay.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO ADJOURN

Mr. TIERNEY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion to adjourn offered by the gentleman from Massachusetts [Mr. TIERNEY].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 82, noes 325, not voting 26, as follows:

[Roll No. 433]

AYES—82

Ackerman
Allen
Andrews
Barrett (WI)
Bartlett
Becerra
Berry
Blumenauer
Bonior
Borski
Brown (OH)
Cardin
Clay
Clyburn
Conyers
Coyne
Davis (FL)
DeFazio
Delahunt
DeLauro
Deutsch
Doggett
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Furse
Gejdenson
Gephardt
Harman
Hefner
Hostettler
Jefferson
Johnson (WI)
Johnson, E. B.
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
Lampson
Levin
Lewis (GA)
Lowey
Maloney (NY)
McDermott
McGovern
McNulty
Meehan
Miller (CA)
Mink
Moakley
Myrick
Nadler
Neal
Obey
Olver
Pallone
Pascrell
Pelosi
Rodriguez
Sawyer
Scott
Slaughter
Stark
Strickland
Stupak
Tauscher
Thompson
Tierney
Torres
Towns
Visclosky
Waters
Waxman
Woolsey
Yates

NOES—325

Abercrombie
Aderholt
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barton
Bass
Bateman
Bentsen
Bereuter
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Dellums
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kildee
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade

McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sanchez
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
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
Stearns
Stenholm
Stokes
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Velazquez
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weller
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—26

Baesler
Berman
Bonilla
Burr
Buyer
Cooksey
Flake
Foglietta
Frost
Gekas
Gonzalez
Greenwood
Gutierrez
Hastings (FL)
Hunter
Hyde
Markey
Martinez
Roukema
Sabo
Sanders
Schiff
Taylor (NC)
Vento
Weldon (PA)
Wexler

□ 1402

Mr. THUNE and Ms. HOOLEY of Oregon changed their vote from ''aye'' to ''no.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 2267, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 239 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 239

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2267) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 or 6 of rule XXI are waived. Before consideration of any other amendment it shall be in order to consider the amendment numbered 1 in part 2 of the report of the Committee on Rules, if offered by the Member designated in the report, which may amend portions of the bill not yet read for amendment. The amendments printed in part 2 of the report of the Committee on Rules may be offered only by a Member designated in the report and, except for the amendment numbered 1, may be offered only at the appropriate point in the reading of the bill. The amendments in part 2 of the report of the Committee on Rules shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendment numbered 2 in part 2 of the report of the Committee on Rules are waived. Points of order against the amendments numbered 1 and 3 in part 2 of the report of the Committee on Rules for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from California [Mr. DREIER] is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very good friend, the gentleman from Dayton, OH [Mr. HALL], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DREIER asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. DREIER. Mr. Speaker, this rule makes in order H.R. 2267, the Departments of Commerce, Justice and State, and related agencies appropriations bill for fiscal year 1998 under an open rule. It waives all points of order against provisions of the bill as amended by this rule, containing unauthorized appropriations or constituting legislation in appropriations bills.

The rule self-executes the adoption of an amendment contained in the Committee on Rules report providing for judicial review of census sampling. It also makes in order three additional amendments contained in the report and provides the appropriate waivers. The rule also contains the standard procedures for priority recognition of amendments and the rolling of votes on amendments, as the reading clerk has outlined.

Mr. Speaker, this is a very reasonable rule that allows the House to work its will on a number of very contentious issues. It provides several options for dealing with the issue of reimbursing individuals paid by the Clerk of the House for legal expenses in conjunction with an unjustified Department of Justice prosecution.

It provides for the consideration of compromise language in the form of an amendment by the gentleman from Indiana [Mr. BURTON], the chairman of the Committee on Government Reform and Oversight, dealing with the Legal Services Corporation.

The rule also provides for a Mollohan-Shays alternative on funding for Census 2000 and the use of funds for activities related to sampling.

At the request of the minority, the Committee on Rules increased the debate time on that amendment from 30 minutes to 80 minutes.

Mr. Speaker, we have every right to be concerned about the Census Bureau's proposal to use statistical sampling to determine our Nation's population, especially since our U.S. Constitution very specifically states actual enumeration should take place. Statistical sampling is fraught with the potential for abuse.

One can only imagine how an administration policy which has actually led to the registration of noncitizens with criminal records to vote could also potentially lead to the abuse of statistical sampling.

I would like to commend the gentleman from Kentucky [Mr. ROGERS], the chairman, for his tremendous effort in putting together a bill that reflects our Nation's values and priorities. It provides additional funding for State and local law enforcement, juvenile crime control, State prison grants and drug enforcement, including efforts to stop drug trafficking across our borders.

The bill recognizes the ongoing financial burden that States bear for incarceration of illegal aliens. States such

as my State of California and others heavily impacted by illegal immigration will be able to finally get additional relief from those burdens.

The bill also contains very important funding for the National Endowment for Democracy, which has played a key role in the peaceful transitions to democracy in Poland, Chile, and South Africa. On a budget of just $30 million, Mr. Speaker, the National Endowment for Democracy works in over 90 countries helping democratic forces. Countries like China, Cuba, Burma, Iraq, the Sudan, Nigeria, and the Republics of the former Yugoslavia have benefited from programs of the National Endowment for Democracy.

In China, the International Republican Institute, an organization with which I am happy to be affiliated, has made tremendous strides in bringing real democratic reforms in village elections across that country. By educating over 500 million Chinese people in the principles of democracy, the International Republican Institute and the National Endowment for Democracy are creating the foundations for a more prosperous and democratic China.

Mr. Speaker, since history shows that nations living under freely elected democracies are not military aggressors, spending a few million dollars for democracy building today will save billions of dollars later in defense spending because there will be fewer threats to our national security or our interests.

The bill also reduces funding for the Department of Commerce while maintaining the necessary resources to monitor and enforce our trade agreements, preserve core scientific programs, and refocus the Department toward its basic functions of trade promotion and public safety.

Mr. Speaker, this rule does not attempt to hide the fact that there are a number of, as I said earlier, contentious issues in this bill, but it deals with those issues in a fair and balanced way that allows all sides to be heard, and ultimately the House will work its will.

□ 1415

So, Mr. Speaker, I urge my colleagues' support of both the rule and of the bill.

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

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

Mr. Speaker, I want to thank my colleague, the gentleman from California [Mr. DREIER] for yielding me the time. This is an open rule. It will allow full and fair debate on H.R. 2267, which is a bill that makes appropriations for the Department of Commerce, Justice, and State and related agencies.

Under the rule, germane amendments will be allowed under the 5-minute rule and the normal amending process in the House. All Members on both sides of the aisle will have the opportunity to offer amendments as long as those amendments do not violate House rules.

Also the rule itself executes an amendment by the gentleman from Illinois [Mr. HASTERT] substituting new language for a provision in the bill regarding statistical sampling in the 2000 census.

In addition, the rule waives points of order against three proposed floor amendments. One of these, to be offered by the gentleman from West Virginia [Mr. MOLLOHAN] and the gentleman from Connecticut [Mr. SHAYS], is a bipartisan effort to resolve a conflict over statistical sampling in the census. I appreciate the Committee on Rules making this amendment in order. Unless this amendment passes to change the bill's census provision, the administration will consider vetoing the bill.

Also, the rule also makes in order an amendment by the gentleman from Illinois [Mr. HYDE] concerning the payment of litigation expenses when a defendant prevails in Federal prosecution. The administration also here has threatened to veto the bill if this amendment is included because of the chilling effect it could have on Federal prosecutions.

I want to point out that the bill includes $2 million for Small Business Development Center defense economic transition initiatives. This assists small businesses that make the transition to a peaceful economy after the end of the cold war. And one of the centers is located in Kettering, OH, which is in my district. It has a very successful record of helping former employees of the Defense Electronics Supply Center of Kettering which was closed through the defense base closure process. It has also helped with transition of the Energy Department's Miamisburg Mound plant which shut down its nuclear weapons operation.

Mr. Speaker, the Committee on Rules reported this rule in a voice vote, and I would urge adoption of this open rule and of the bill.

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

Mr. DREIER. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska [Mr. BEREUTER], my very good friend from Lincoln, the chairman of the Subcommittee on International Economic Policy and Trade.

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

Mr. BEREUTER. Mr. Speaker, I do rise in support of the rule, and I thank the gentleman for yielding me this time, but I wanted to take this opportunity to speak about a subject that will be covered by the legislation which this rule makes in order, and that is the growing problem of alien smuggling facing Nebraska and other Midwestern States.

Mr. Speaker, Nebraska and Iowa are a major destination today for illegal aliens and alien smugglers due to extremely low unemployment rates, the number of meat packing plants and other labor-intensive industries, and the two major interstate highways which cross our two States, I–80 and I–29. The Immigration and Naturalization Service, the INS district office in Omaha which covers all of Nebraska and all of Iowa, has responded to 25 alien smuggling cases, and I say responded because there are many that they have not been able to respond to, and they have arrested 754 illegal aliens since October 1, 1996. As I said, they could not respond to some approximately 55 possible instances of alien smuggling involving 382 suspected illegal aliens in Nebraska and Iowa because the resources needed to respond were unavailable.

The INS Omaha district office has a staff of 19 special agents who handle all the enforcement responsibilities in the States of Iowa and Nebraska. The INS office in Denver has, on the other hand, 44 special agents, and the INS office in Kansas City has 32 special agents. While several of the larger districts in the INS central region have anti-smuggling units in place, the district covering Nebraska and Iowa does not.

September 3 to September 5 the INS district office responded to 2 cases of suspected alien smuggling, apprehending 2 groups, one containing 33 illegal aliens and one containing 18 illegal aliens. However, it did not respond to a third incident concerning 14 suspected illegal aliens. The reason given by the INS district office was to respond to groups of illegal aliens smaller than 15 is discretionary, given its limited capability, and on that day the Omaha office did not have the necessary staff available due to the fact that some of those personnel from the Omaha office were on assignment in Guatemala, El Salvador, and south Texas.

This is a prime example, I believe, of the limitations placed on this district office's enforcement duties because of limited resources. It is clear that the Omaha INS district office needs more personnel and specifically designating an antismuggling unit; this problem is not being addressed.

In closing, this statement is intended to provide additional information explaining the reason for a colloquy that will be conducted with the chairman of the appropriation subcommittee, the gentleman from Kentucky [Mr. ROGERS], by the gentlemen from Iowa, Nebraska. It is an important issue for my constituents and the States of Nebraska and Iowa, and it cannot be overlooked.

I thank the gentleman for yielding me this time.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I simply want to make certain that Members on both sides of the aisle understand that if they are interested in either party's position on the census question and on sampling, there is absolutely no reason

whatsoever to vote against this rule. The rule provides on a self-executing basis for the insertion of what will be considered the Republican preference on the issue. It also provides a straight opportunity for the gentleman from West Virginia [Mr. MOLLOHAN] to offer an amendment which would in essence allow sampling to go forward, as is the Democratic preference.

So, on either side of the aisle there is no reason to oppose this rule. Both sides have been accommodated fully.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to the gentleman from Sanibel, FL [Mr. GOSS], the chairman of the Subcommittee on Legislative and Budget Process and, of course, the chairman of the Permanent Select Committee on Intelligence.

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman from greater San Dimas, CA, and the surrounding metropolitan area, the gentleman from California [Mr. DREIER], the vice chairman of the Committee on Rules, for yielding time. I rise in support of this open rule. This continues a trend of fair and responsible rules to get us through this year's appropriation process in an orderly fashion despite perhaps what some might call some dilatory tactics now and then.

I would like to begin by congratulating the gentleman from Kentucky [Mr. ROGERS] and the gentleman from West Virginia [Mr. MOLLOHAN] for their work on this important package. It is not a perfect bill, as we all know, but given some very fiscal and political constraints that are real I think they have done an extraordinary job.

This appropriations bill, probably more than any other that we have, demonstrates the importance of making tough choices when we are spending our precious tax dollars. There are obviously many national priorities housed in the agencies and programs funded by this particular legislation. Fighting crime, winning the war on drugs, representing our interests overseas, securing our national borders are just prime among many others. There are also clearly some wasteful programs and agencies that come under the Commerce-Justice-State label that need to be trimmed back, perhaps phased out altogether, something we shall no doubt discuss through the debate under this open rule.

As a starting point for that discussion this bill does a good job of increasing our commitment in the highest priority areas while scaling back expenditures on what many consider lower priority items. For example, the bill provides $300 million for a new juvenile crime block grant that helps States attack a growing threat of crime in our communities. I think that will be well received. The incredible rise in crimes committed by young people is known everywhere. This trend has hit hard in my district, too, in southwest Florida. These dollars will enable local folks to develop local solutions, and they seem to work.

I am especially pleased that the bill provides a $100 million increase for the State criminal alien assistance program. By fully funding this program we have acknowledged the dilemma that States like Florida face every day in a big way, how to pay for the incarceration of criminal illegal aliens, and unfortunately we have too many in Florida. Securing our borders is a Federal responsibility. So when we fail to do that, live up to that responsibility, we need to face up to the consequences and provide the States with the necessary resources to do the job we could not do in Washington.

The bill also makes a strong case about our commitment to winning the war on drugs rather than just accepting stalemate. I am fully supportive of the $34 million allocation for a new Caribbean antidrug initiative as part of the overall increase in funding for drug enforcement.

Mr. Speaker, we know this bill is not perfect. The Economic Development Administration, a relic of what I would call the Great Society, remains intact despite mountains of testimony to its ineffectiveness, and to that end I support the gentleman from Colorado [Mr. HEFLEY] in his effort to scale back the EDA to the Senate-passed level.

But overall this is a good bill, it deserves our support, and as we have heard testimony from both sides of the aisle, there is no reason not to support the rule. So let us pass the rule and get on with the debate and finish this appropriations bill.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from West Virginia [Mr. MOLLOHAN].

Mr. MOLLOHAN. Mr. Speaker, I thank the gentleman from Ohio for yielding this time to me.

Mr. Speaker, I rise in support of the rule. I would like to take this opportunity to thank the distinguished chairman of the Committee on Rules, the gentleman from New York [Mr. SOLOMON], and the distinguished ranking member, the gentleman from Massachusetts [Mr. MOAKLEY], for their fair consideration of the issues and for this rule. I am pleased that the Committee on Rules recommended an open rule for consideration of this bill that allows all Members on both sides of the aisle the opportunity to debate these serious issues thoroughly.

Although this rule self-executes the Hastert amendment related to judicial review of the 2000 census, it also makes in order a substitute to be offered by myself and the gentleman from Connecticut [Mr. SHAYS]. While I am strongly opposed to the Hastert language, I appreciate the Rules Committee making the Mollohan-Shays amendment in order and providing for such a generous time for debate. Let me also thank my chairman, the gentleman from Kentucky [Mr. ROGERS] for supporting my request for the Committee on Rules. It is in keeping with his overall constructive approach to legislating.

I will not address the details of the sampling amendment at this time; however, I do want to let my colleagues know that both Chairman ROGERS and I worked diligently in good faith to try to reach an acceptable compromise on this issue. However, in the end we were unable to reach an agreement, and the Hastert language has at least two fatal flaws which have forced us to offer this substitute Mollohan-Shays amendment.

It is important to note that the President's senior advisers will recommend that he veto this bill if it is passed in its current form. The new fiscal year is almost upon us, Mr. Speaker, and it is time that we pass this bill and send it to the President for his signature. If the Mollohan-Shays amendment is not adopted, we jeopardize the future of all funding provided in this important measure.

The rule before us today also allows for a consideration of an additional amendment that I, along with the gentleman from Pennsylvania [Mr. FOX], intend to offer. It will increase funding for Legal Services by $109 million, and I urge my colleagues to support this amendment. It is very similar to the one that was proposed and adopted last year.

In conclusion, this is a fair rule which allows for an open debate on the merits of sampling on the floor, and other important issues, and I urge my colleagues to support the rule, Mr. Speaker.

Mr. GOSS. Mr. Speaker, we do not at this time have any additional speakers. I do not know what the status of the other side is.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida [Mrs. MEEK].

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Speaker, I stand to support the Mollohan-Shays amendment and the rule.

Today I think this is a good rule. It permits the Census Bureau to continue planning for use of sampling.

The census always fails, Mr. Speaker, to count some people, but the under count is always higher among blacks and minorities, and if my colleagues can look at these data here which show the last six censuses and the under count that occurred at that time, they will note here beginning in 1940 each census, in each census the under count for blacks was more than 3 percent larger than it was for the whites.

□ 1430

The difference between the black undercount and the white undercount, Mr. Speaker, was greater, as you can see, in the 1990 census, which is here. In the 1990 census, 4.4 percent among blacks, more than any other census since the beginning of the count of the census. The 1990 census failed to count 1.4 million African-Americans. It also failed to count 2.6 million. So I am here

to say to Members that this particular rule hopefully will support later on a greater accountability in our census. But the percentage of blacks that were not counted in 1990, 5.7 percent, was much larger than the percentage of whites not counted in 1990, which was 1.3 percent, as we can see from the chart. If we look here, those of us who can see the chart here, it was much greater in 1990.

Not counting, Mr. Speaker, African-Americans in the census did not originate recently; it originated with the Founders of the Constitution when they put in Article I, section 2 of the Constitution, way back in 1788.

To summarize, I am showing here that more blacks than non-blacks have been missed in the census. This rule is a good rule. It is a rule that understands that every American should be counted. The undercount has been significant. Let us be sure this time that we have an appropriate count.

Mr. HALL of Ohio. Mr. Speaker, I yield two minutes to the gentleman from Oregon [Mr. BLUMENAUER].

Mr. BLUMENAUER. Mr. Speaker, I am here today to express my support for the rule that will in fact permit us to have hopefully a rational discussion dealing with the year 2000 census. I am afraid that part of this discussion that we have been subjected to is a very clear example of the cold hand of partisan politics on something that needs to be enshrined, I think, in a very positive and constructive fashion.

The census is clearly designed to get an accurate count of the Nation's population. But according to the director of the census under President Bush, the current enumeration methods fall far short and simply ''cannot count everybody.''

Minorities and low income populations in cities are often underrepresented as a result, meaning that people who often need help the most are often not counted by their Government and are denied their fair share of government funding. It means billions in States like Texas and California.

Rather than wasting taxpayer money and pouring millions of dollars into a census effort trying to deal with a head count which ultimately will in fact fail, we propose a commonsense solution to save the taxpayers money and come up with a more accurate count.

Under the sampling plan, 90 percent of the population would still be counted using traditional methods. Sampling would only be used in those areas where the census response rate is dramatically lower than normal, and any adjustment would rely as much as possible on existing statistical information.

The scientific community is overwhelming in their endorsement of this approach. The Justice Department in the last three administrations, Reagan, Bush, and Clinton, has held that sampling is in fact constitutional. If we rely on old census methods, millions of Americans will be missed in the next census, tax dollars will continue to be wasted. Including census sampling in the next census will ensure we have the fairest, most accurate census in our Nation's history.

The irony is that the politicians, who when the chips are down spend hundreds of thousands of dollars based on sampling techniques, are not willing to allow this methodology to be used to guarantee an accurate and fair census. That is an outrage.

Mr. HALL of Ohio. Mr. Speaker, I yield one minute to the gentleman from North Carolina [Mr. WATT].

Mr. WATT of North Carolina. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of the rule because the rule allows this bill to be amended freely and this bill needs to be amended. It allows an amendment to increase funding for the Legal Services Corporation, which we need to do, and it allows an amendment to have a fair census, which we need to do.

We are going to hear arguments about which party benefits maybe from a revised census count, but this is not a partisan issue. It is really about fairness to every single citizen in the United States. And to the extent that we fail to count any one individual in our Nation, we do a disservice to our process.

We make it possible for some people to have greater representation than other people, and we should make sure that that does not happen.

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

Mr. Speaker, we continue to have no speakers from here, but I did want to point something out, that this is the debate on the rule, and we all agreed this was a very important subject, the question of how we do the census constitutionally and accurately. It matters to everybody in this country.

We had therefore almost tripled the amount of time at the request of the gentleman from the Commonwealth of Massachusetts [Mr. MOAKLEY], the distinguished ranking member of the Committee on Rules, my former chairman and good friend, and I thought we provided for ample debate.

I suggest we take this noncontroversial rule and support it and get it passed and then get to the orderly process.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I will be voting for the amendment offered by the ranking member of the subcommittee.

The effort to get a Supreme Court decision on the census before we take the census simply will not work. The American Constitution is very clear. For once I wish some of my colleagues paid more attention to the very clear writing of Justice Scalia. You cannot by statute constitute the U.S. Supreme Court as an advisory body to tell us in advance of what happens.

There is an amendment that says you cannot go forward with the census sampling until the Supreme Court has decided it, but the Supreme Court will disregard this. Have we not learned from what happened with the line-item veto? The requirement that there be an actual case or controversy and an aggrieved party is something that is strictly enforced by the U.S. Supreme Court.

Mr. Speaker, if Members want to ban sampling, they ought to offer that as a vote. I would not be for it. But no one should console themselves that we can vote to have the Supreme Court by our instruction take a case which constitutionally they will not take and then have solved the problem.

Mr. HALL of Ohio. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey [Mr. PASCRELL].

Mr. PASCRELL. Mr. Speaker, I thank the gentleman for yielding me time, and rise in support of the rule and the Mollohan-Shays amendment.

Mr. Speaker, we have never performed a census that did not contain an undercount. As long ago as George Washington, Thomas Jefferson lamented the inability to perform an accurate census. As a result, the Census Bureau has constantly reviewed the practices and worked with scientists to develop the most accurate census possible.

Years of work and years of scientific advancements have led this Census Bureau and the National Academy of Sciences to conclude that using sampling in addition to enumeration is the best possible option for an accurate census.

We spent in 1995 as a Nation $33 million to test the value of sampling. Where is the logic in appropriating $33 million to test the science of sampling, and then throw out the results afterwards? There is no logic. It is convoluted.

In my own City of Patterson, NJ, the census did a sampling and increased in 1995, because there were three cities involved, 8,000 the number of people there.

Think of how many people are undercounted throughout America. Think in those areas where there are overcounts as well. The experiment of 1995 proved quite clearly the value and necessity of sampling. We cannot count noses by simply counting noses.

Some have argued that sampling is unconstitutional. The counsels of three separate administrations have ruled to the contrary.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentlewoman from Hawaii [Mrs. MINK].

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of the rule, because it will allow this body to have an opportunity to listen to the debate on the Mollohan-Shays amendment, which will rectify the severe injustice contained in the bill itself. I speak of the question of the census and the necessity of making it possible for the undercount that occurred in the last census to be corrected.

It was a very serious, inaccurate count, and requires that this body pay attention to it and correct it. Ten percent of the count of the census was wrong. GAO estimates an error rate of 26 million, including people who were missed, counted twice, or in the wrong place.

Equally disturbing is the undercount of the number of racial and ethnic groups in the last census that were not counted. Hundreds of thousands of Asian-Pacific Americans were not counted in the census, an estimated rate of 2.3 percent; for Hispanics, a rate of 5 percent; and African-Americans, a rate of 4 percent.

Mr. Speaker, I urge that this rule be adopted and a serious debate on the Mollohan-Shays amendment occur.

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

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

Mr. Speaker, I am willing to say that the majority is prepared to stipulate that this is a good rule; in fact, a very good rule. The majority is prepared to stipulate that it is noncontroversial. The majority is prepared to stipulate that we could get on with the debate and we will, therefore, reserve the balance of our time.

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONTINUATION OF EMERGENCY WITH RESPECT TO UNITA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–134)

The SPEAKER pro tempore (Mr. LAHOOD) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the emergency declared with respect to the National Union for the Total Independence of Angola (''UNITA'') is to continue in effect beyond September 26, 1997, to the *Federal Register* for publication.

The circumstances that led to the declaration on September 26, 1993, of a national emergency have not been resolved. The actions and policies of UNITA pose a continuing unusual and extraordinary threat to the foreign policy of the United States. United Nations Security Council Resolution 864 (1993) continues to oblige all Member States to maintain sanctions. Discontinuation of the sanctions would have a prejudicial effect on the Angolan peace process. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure to UNITA to reduce its ability to pursue its aggressive policies of territorial acquisition.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 24, 1997.*

□ 1445

MOTION TO ADJOURN

Mr. MILLER of California. Mr. Speaker, I have a preferential motion at the desk.

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

The Clerk read as follows:

Mr. MILLER of California moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from California [Mr. MILLER].

The question was taken; and the Speaker pro tempore announced that the noes 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 66, nays 348, not voting 19, as follows:

[Roll No. 434]

YEAS—66

Allen
Andrews
Barrett (WI)
Becerra
Berry
Bonior
Borski
Brown (OH)
Cardin
Conyers
Coyne
Davis (FL)
DeFazio
Delahunt
DeLauro
Dellums
Deutsch
Doggett
Eshoo
Evans
Fazio
Filner
Ford
Frank (MA)
Furse
Gejdenson
Gephardt
Gutierrez
Harman
Hefner
Hinchey
Hostettler
Hoyer
Jefferson
Johnson (WI)
Johnson, E.B.
Kaptur
Kennelly
Kind (WI)
Lampson
Levin
Lewis (GA)
Lowey
Martinez
McDermott
McGovern
McNulty
Miller (CA)
Mink
Moakley
Neal
Obey
Olver
Pallone
Pelosi
Sawyer
Slaughter
Solomon
Strickland
Stupak
Tauscher
Tierney
Torres
Towns
Waxman
Woolsey

NAYS—348

Abercrombie
Ackerman
Aderholt
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Everett
Ewing
Farr
Fattah
Fawell
Flake
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Nussle
Oberstar
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin

Sanford	Smith, Linda	Turner
Saxton	Snowbarger	Upton
Schaefer, Dan	Snyder	Velazquez
Schaffer, Bob	Souder	Visclosky
Schumer	Spence	Walsh
Scott	Spratt	Wamp
Sensenbrenner	Stabenow	Waters
Serrano	Stark	Watkins
Sessions	Stearns	Watt (NC)
Shadegg	Stenholm	Watts (OK)
Shaw	Stump	Weldon (FL)
Shays	Sununu	Weller
Sherman	Talent	Wexler
Shimkus	Tanner	Weygand
Shuster	Tauzin	White
Sisisky	Taylor (MS)	Whitfield
Skaggs	Taylor (NC)	Wicker
Skeen	Thomas	Wise
Skelton	Thompson	Wolf
Smith (MI)	Thornberry	Wynn
Smith (NJ)	Thune	Yates
Smith (OR)	Thurman	Young (AK)
Smith (TX)	Tiahrt	Young (FL)
Smith, Adam	Traficant	

NOT VOTING—19

Berman	Hunter	Scarborough
Bonilla	Markey	Schiff
Collins	Nadler	Stokes
Cummings	Norwood	Vento
Foglietta	Rangel	Weldon (PA)
Gonzalez	Riggs	
Hastings (FL)	Roukema	

□ 1503

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

APPOINTMENT OF CONFEREES ON H.R. 2378, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1998

Mr. KOLBE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2378) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1998, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

GENERAL LEAVE

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the motion to instruct the conferees on H.R. 2378, and that I may include tabular and extraneous material.

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

There was no objection.

MOTION TO INSTRUCT CONFEREES OFFERED BY MR. HOYER

Mr. HOYER. Mr. Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. HOYER moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill, H.R. 2378, be instructed to insist on the House position providing $514,000 for the fourth year of operation of the Exploited Child Unit of the National Center for Missing and Exploited Children.

The SPEAKER pro tempore. The gentleman from Maryland [Mr. HOYER] is recognized for 30 minutes.

PARLIAMENTARY INQUIRY

Mrs. LINDA SMITH of Washington. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state it.

Mrs. LINDA SMITH of Washington. Mr. Speaker, I would ask, is the gentleman from Arizona [Mr. KOLBE] opposed to the motion?

Mr. KOLBE. Mr. Speaker, I am not opposed to the motion to instruct conferees.

Mrs. LINDA SMITH of Washington. Mr. Speaker, I say I am opposed to this motion not because of its content, but I am opposed because in the present form it is missing an addition I think is important to be before this House, the addition of language relating to a pay raise.

The SPEAKER pro tempore. The gentleman from Arizona [Mr. KOLBE] will be recognized for 20 minutes, the gentlewoman from Washington [Mrs. SMITH] will be recognized for 20 minutes, and the gentleman from Maryland [Mr. HOYER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Maryland [Mr. HOYER].

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

Mr. Speaker, I thank the Chair for that ruling. Mr. Speaker, on May 24, 1993, a 10-year-old little boy, Stanley Burdynski, Junior, was abducted in suburban Prince Georges County, just a few miles from where we stand. Four and one-half years later he is still missing. We must never forget little Stanley. I am sure that every one of the Members has a Stanley or a Mary in their district, a child who has been abducted by a demented criminal person in their districts and in mine.

What this motion to instruct says is that we need to make sure that the fourth year of the program directed at the operation of the Exploited Child Unit of the National Center for Missing and Exploited Children is fully funded.

Mr. Speaker, we need to do everything in our power to ensure the fact that we, to the greatest extent possible, can protect our children from exploitation, from being taken from their families, from their neighborhoods, from their playgrounds, from their schools, by those demented souls of which I spoke, subjecting those children to abuse and, yes, even to death. That is what we will vote on in this motion.

I would hope that the House would stand united and unanimous in its commitment to speaking out and acting out and putting our money where our mouth is in the fight against the abusers of children in America.

In 1996 I worked with other concerned Congress men and women to gain funding to create the Exploited Child Unit at the Center for Missing and Exploited Children in the Treasury-Postal bill. John Walsh of America's Most Wanted spoke out and came to Capitol Hill, and had a press conference on this very issue, and said he needed to have every one of us, as he was doing on television every week, committed to the fight against abusers of our children.

This unit creates a greater awareness and generates leaders for law enforcement to combat child sexual exploitation. There are many efforts underway at the Federal level to combat child sexual exploitation that I want to tell the Members about.

□ 1515

Under the leadership of the FBI, each of the seven major law enforcement agencies are coordinating efforts with the National Center to bring a priority approach to such child exploitation cases.

Through the 1994 crime bill, the Secret Service is working closely with the National Center, using unique forensic technology to track abductors. The Customs Service has established the International Pornography Investigation and Coordination Center. The U.S. Postal Service continues its aggressive efforts to crack down on child pornography. The FBI has also established a child abduction and serial killers unit.

Mr. Speaker, I hope that through these efforts we can create a new awareness throughout the land and make America's children safer and more secure. I urge my colleagues to support this very important effort to protect our children against exploitation, sexual abuse, and yes, even murder.

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

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

Mr. Speaker, I rise in support of the motion of the gentleman from Maryland [Mr. HOYER] to instruct conferees. I think he has outlined very well the importance of the National Center for Missing and Exploited Children. It is a very small part of our bill, it is a very small part of the funding, but it is a critical part.

A few months ago, during our hearing process, I went over to Virginia and visited this office. It breaks my heart when I see some of the posters that are on the wall, some of the letters that are there from families who have lost their child, who desperately want help in trying to find that child, and turn in sheer despair, with no other place to go to but to the National Center for Missing and Exploited Children.

Sometimes it is hard for us in Congress to take a lot of credit or a lot of pride in the things we do. But if there is anything we can take pride in, it is the fact that we have funded this National Center.

It is one, as the gentleman from Maryland [Mr. HOYER] pointed out, that had its beginnings with John

Walsh, whose son, Adam, was brutally kidnapped and murdered in Florida more than a decade ago. John Walsh started a private foundation. Due to the work of some other people, we came along a few years ago and we joined hands and created the National Center for Missing and Exploited Children.

We provide about $2 million to the Secret Service to assist in the investigations of missing children, mostly for fingerprinting, identification, handwriting analysis. The $514,000 that is the subject of this motion here is earmarked specifically for the exploitation unit which has been established.

We think it is absolutely critical that we deal not only with the children who are missing, but those who are being exploited by, as the gentleman from Maryland [Mr. HOYER] said, the demented souls who would use them, use children for pornography, who would abuse them mentally, who would abuse them physically.

That is what this Center for Exploitation deals with. We have never had a specific unit in the National Center dedicated to this before. We would earmark these funds in order to be sure that this is adequately funded and that we really can focus on this issue. That is really the subject of what we are debating here today.

I certainly hope that we will go to conference with a strong message urging our conferees to stand by our language on this so that we can go to the Senate and say ''This is something we strongly believe in.''

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

Mrs. LINDA SMITH of Washington. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I think it is very important that the first thing that we say is ''We like this amendment.'' It makes sense. It made sense when we passed it. The protection of exploited children is a national issue important to all Americans' hearts.

But confidence in this Congress to handle fairly all issues vital to citizens is clouded by previous procedures used to allow a salary increase for Members of Congress to go through just last week without a vote. We are just going to ask to oppose the motion in its present form, not the content. We just want to add something. We would like to add that we would like to take the Senate language, they already voted against a salary increase, so we would say that to slow down a couple of minutes on this floor, to add this salary increase motion to this other vital motion is not much to ask to restore the confidence in America in Congress, in what we are doing.

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

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

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

Mrs. LINDA SMITH of Washington. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona [Mr. HAYWORTH.]

Mr. HAYWORTH. Mr. Speaker, I thank the gentlewoman from Washington [Mrs. LINDA SMITH], for yielding me the time.

I would like to commend my colleagues on both sides of the aisle, the gentleman from Maryland [Mr. HOYER] and the gentleman from Arizona [Mr. KOLBE], for again bringing our attention to this vital issue.

Again, Mr. Speaker, it is important to reiterate that we agree on making sure that resources are there to make sure that we reach out to find those children who are missing, who are abducted.

But there is another question dealing with resource allocation, dealing with the finances of this country, which we must deal with in this very House, and it has to do with pay for Members who serve here in the Congress of the United States.

It is a vexing question and a unique question for those of us who sit in this Chamber who are charged, if you will, with the country's bank account, who have seen time and again overdrafts on that account, overdrafts that would not be countenanced for a single nanosecond outside the halls of Government. But because Government can make the rules, Government can engage in creative accounting.

Sadly, that has been the case all too often. Members here work hard. That is not the issue. But public service is a privilege rather than a career. Many Members of this institution have made financial sacrifices. That is something that at times is the price of freedom.

Another real world standard that seems to have left this debate is the notion of performance. In education, in business, in athletics, indeed in every endeavor in life, work or play, there is a performance criteria that must be accepted.

Speaking for myself and the people I represent in the Sixth District of Arizona, my constituents have made it crystal clear to me, and indeed I believe people from coast to coast and in Alaska and Hawaii as well, wanted those of us who serve in this Congress to work for fiscal accountability, to balance the budget, just as families around the kitchen table are forced to do. And at the very least, my colleagues, at the very least, Mr. Speaker, any increase in pay should be tied to performance.

I do not believe, in good conscience, that we who serve representing the citizens of the United States from a variety of walks of life, that we in good conscience can accept a cost of living adjustment or a pay hike, or whatever we want to call it, so long as we fail to balance the budget. That is the sole requirement I believe necessary for the American people to reward us, in their judgment, with a pay increase.

And indeed, Mr. Speaker, as we look from coast to coast and beyond to those who wear the uniforms of this Nation, who would put themselves in harm's way, we have read the accounts, we have heard the situation where some of those who defend America are forced to apply for food stamps to feed their families. How in good conscience can we rise even for a minimal cost of living adjustment when those needs still exist for those who would put their lives on the line?

Mr. Speaker, those who gathered at the structure we now call Independence Hall in Philadelphia, in drafting that remarkable document that declared our independence from England in the Declaration of Independence, in those final key lines, our Founders said, ''and to this we pledge our lives, our fortunes, and our sacred honor.''

I would suggest, Mr. Speaker, that we can do no less. Vote ''no'' on the previous question.

Mr. KOLBE. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I just want to give a little history. The gentleman from Arizona [Mr. HAYWORTH], my colleague and friend, spoke about performance and that we at this time should not receive any kind of a cost-of-living adjustment. I think it is worth the time for Members to understand where we have been legislatively with this.

It goes back before some of the Members who will speak on this were here. Because of the very great difficulty that we had with the issue of the pay raise, in 1989 this Congress passed a provision to permanent law, I want to underscore that, ''permanent law,'' which took it out of the hands of Congress so that we would not engage in the kind of demagogic debate that sometimes goes on in this body over this particular issue. And we said that there would be a committee that would survey private sector wage rates for the previous year and the Federal employees would get an increase, a cost-of-living adjustment equal to that and that those at the very top of the scale, Cabinet officers, SES judges, executive service judges, and Members of Congress would get a cost-of-living adjustment that was half a percent below that, so that Members of Congress get a cost-of-living adjustment half a percent below what all other Federal employees would get.

Subsequent to that, of course, this Congress has entered into a number of debates on the subject. Despite the fact that we took it out of our own hands, we have entered into this debate and we have denied ourselves even the cost-of-living adjustment that was going to all other Federal employees.

It was specifically in order to avoid this debate of having Congress vote on whether it was raising its own salaries or giving itself a cost-of-living adjustment that we created that provision, that we adopted that procedure. I think it is important for Members of this body to know that that is the procedure that this body adopted.

Mr. Speaker, I yield 4 minutes to the gentleman from Louisiana [Mr. LIVINGSTON].

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

Mr. LIVINGSTON. Mr. Speaker, how wonderful it is to hear the same old speeches about how rotten a job the Members of Congress have done for the American people.

In the last 20 years, I have seen a moderate economy expand exponentially and then collapse. We have gone through various recessions. I have seen moderate inflation go to rampant inflation, 14, 15 percent rates of inflation, interest rates go to 21 percent. I have seen the Soviet empire, collapse. I have seen policies implemented to bring interest rates down, bringing inflation down, bringing unemployment down.

American people today are probably as well off as they have been in a generation. Interest rates are at a generational low. Inflation rates are at a generational low. The United States is not at war, hot or cold. I think we are doing pretty well. For the first time in 30 years, we have reached a balanced budget agreement, only a month ago. For the first time in 16 years, we have passed legislation for a tax cut for the American people.

For the speaker that was here two times ago to come before the House floor and say that the American people have been ill-served by the U.S. Congress is a disservice to the performance of this body and the other body.

□ 1530

The U.S. Congress is performing well, in bipartisan fashion, with conservatives and liberals and Republicans and Democrats alike working together. And to condemn the work product and say that we are lesser than all employees of the United States who all want a pay raise, to say that we are lesser than all Federal employees who have not missed a beat, or lesser than anybody else who gets an automatic cost-of-living adjustment does a disservice to the work product of this body.

I do not like to see the work product of the U.S. Congress denigrated when I believe that the last 20 years that I have witnessed have been some of the most productive years of American legislative history. The Congress found of its own self that practices of the past were questionable and should be abolished. The honoraria was given up in 1989 under the agreement that the Congress would be subject to the cost-of-living adjustment for every single year, but at a half point less than Federal employees. That agreement held for 2 years. In 1992, the Congress gave itself the last cost-of-living adjustment.

I daresay inflation has not kept constant, but the Congress has not had a cost-of-living increase, the Congress has not had any pay increase, and for Members to get on the floor and demagog and say they do not deserve any pay increase is for them to say that the American people do not deserve to keep up with the cost of living or that Federal employees do not deserve a cost-of-living adjustment.

It is not politically wise for me to stand here and make this speech. I will be roundly chastised in my district and around the country. But I believe strongly that for Members to demagog and say we are not worth what every other American citizen is worth, for Members to say that if you are a millionaire, you are better off, or you do not have to worry about pay raises, you only have to face up to the votes, the tough votes, is for Members simply to say the U.S. Congress is not worth the people's attention and their investment, and I do not believe that.

I believe that we are a productive, good body, and I believe that this cost-of-living adjustment is worth it. I believe that anybody that does not want the cost-of-living adjustment can do one thing: Say he does not want it and donate it to charity. That is all you have got to do.

I just put my last kid through college. All I have got to do is pay the bills. I am not independently wealthy. For those of our Members that do not have to worry about college bills or paying any bills, I am proud of you, because that is America. America is doing better. But I believe in public service, and I believe in equal pay for equal work, and I believe that if you do not believe it, you are wrong.

Mrs. LINDA SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan [Ms. RIVERS].

Ms. RIVERS. Mr. Speaker, if there is any belief that our constituents cling to with stubborn resolve, it is that each of us have come here to either enrich ourselves financially or advance ourselves politically. Frankly, in the last few days we have done very little to acquit ourselves of any of these charges. We have a continuing refusal to bring campaign finance reform to the floor of the House despite the fact that the public is clamoring for such a debate and such change. We will soon debate a bill on the floor that carves out a whole new category of citizenship just for Members of Congress. And then we have the pay raise, a pay raise that was disguised in a bill by parliamentary sleight of hand. And last night when an attempt was made to make in order a revisitation of that pay raise, it was ruled out of order by the Committee on Rules and described in today's paper as frivolous. Whatever good will this body has built up over the past few months given our bipartisan budget decision and other proposals that the public supports, it is being eroded quickly.

Benjamin Disraeli, when he came into the government in Britain, said, ''I was told that the privileged and the people form two nations.'' That is interesting, because when I got involved in government in the United States, I was told just the opposite. But it appears that our actions of the last few days suggest there are, in fact, the privileged and the people. That needs to change. This is the people's House. Let us return to the people's business, and let us restore some of the people's trust in this institution. Defeat the previous question. Have the debate. Discuss the pay raise. Vote for it if you believe in it. Vote against it if you do not. But do not let the highest legislative body in this democracy shun public scrutiny.

Mr. HOYER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I have been listening to some of those who favor this motion by the gentlewoman which seeks to void the cost-of-living adjustment for Congress. I think that they are very far removed from the realities here. Our constituents, in my opinion, oppose efforts by Congress to carve out special treatment for themselves, for example, subsidizing activities here or perhaps special services that other Americans do not receive. But I think that they understand the concept of a COLA. It is an inflation factor. It is a cost-of-living adjustment. It is the same type of COLA or inflation factor that other Federal employees get, that members of the judiciary get, that Social Security recipients get, and many others get. In fact, it is a little less, a half percent even less than those.

I think that we are really not relaying, if you will, to the American people what is really going on here if we continue to talk about it as somehow something privileged or something very special. It is not. That is the difference. I know that when I talk to my constituents, if I told them that we were going to vote ourselves a 15,000 or 20,000 or $25,000 pay raise, they would say, that's outrageous. You don't deserve it. But when we tell them that we are just giving ourselves a COLA and we proceed in the fashion just like other Federal employees, just like Social Security, just like so many other Americans, I think they understand that. I think they understand that all of us have to make a living and that over the years, inflation and costs go up, and that we are justified in doing so.

I know that there has been some argument here about the way that we have gone about it. There is no question in my mind that the gentlewoman is perfectly justified in bringing up this motion today and having us vote on it and articulating what she is all about. But the basic philosophy behind the COLA makes sense. I think that if we settled with it, if we said, ''OK, we're going to have the COLA, and it's going to go on every year,'' we would get away from this whole idea of having to come to the floor and in some cases disguise what we are actually doing. It should be no different than other Federal employees. I understand why she is bringing up the motion, but I would urge that we defeat her motion.

Mr. KOLBE. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I voted against the bill that would have a pay increase. In our own conference when the veterans' COLA came up, I fought against my own Republican Party because they wanted to cut a veterans' COLA. Why? Veterans sign on a dotted line that if they serve the amount of time in the service of this country, and at the end of that time that is the contract they operated under, they would have a retirement; and that that retirement, should it lose money each year because of inflation, that was not the intent. I chastised my own party for that. We turned that around.

If you had a pay increase that gave you more money than just maintaining parity, it is a parity issue, does the dollar maintain the same value that you came with, then I think Members have got the right to chastise what we are doing here. But in an amendment that maintains parity, that is a half a percent below actual parity, then I do not think the Members have a complaint as far as a COLA, because most of us support a COLA for Social Security. We support it for our veterans. We support it for Federal employees, because it maintains the dollar value that those individuals have in their paycheck. It is not meant to get less and less and less with inflation, depending on what it is. That is the same reason most of us support indexing of capital gains, because it indexes the value of that dollar right along with inflation.

I think it is disingenuous, maybe with good intention, but disingenuous, to suggest that this was a pay increase. It is not. Because I will vote against a pay increase, a COLA that is more than just meeting parity. I think that is wrong. I think it is wrong, and most of us this day will not vote for a pay increase. I ask my colleagues to vote against the motion.

Mrs. LINDA SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. BRADY].

Mr. BRADY. Mr. Speaker, a lot of people in America have lost faith in the institution of Congress. It did not happen overnight. It has been building for many years. All they want us to do in honest, open debate is to listen to issues and do the right things for the right reasons.

Last week was not one of our brighter moments, because we did not do any of that. Rather than having an honest, open debate on a pay raise—and we respectfully disagree; I oppose it and some Members support it—rather than standing on the principle of honest, open government, we hid behind a procedure. That was a loss for Congress, and it was a loss for America. Last week we spent more time commemorating the life of Jimmy Stewart than we did debating a $28 billion bill and a pay raise for Congress. That is wrong. The issue is not the pay raise. It is how we are going about it and what we stand for.

We have Members that I have been very impressed with in my short 9 months here, and I do not deny their strong feelings for a pay raise. We are not going to get a straightforward, open vote on this. This is as close as we are going to get, but we are going to make every effort to at least tell the American public on this vote how we feel as a Congress about a pay raise.

And a final thought. I served in the Texas Legislature before coming to Congress. At one time we had a proposal to give the biggest tax increase in Texas history as a growing State, and we were told that it took courage and guts to vote for a tax increase, that the easy thing was to hold the line on the budget and to live within our means, but if we had courage and guts, we would vote for a tax increase. That was a silly argument then, and it is a silly argument to believe that it is difficult and courageous to vote yourself a pay raise. Ask any family in America, and that is an easy decision.

Mr. HOYER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Carolina [Mr. WATT].

Mr. WATT of North Carolina. Mr. Speaker, I rise in support of the motion to instruct offered by the gentleman from Maryland [Mr. HOYER] and in opposition to the motion of the gentlewoman to forgo the cost-of-living adjustment. I may be in a minority here among people who in 1992 took about a $25,000 cut when I was elected to the Congress of the United States. I had a successful law practice. I believe if I had been in the law practice for the 5 years that I have been here, I would probably have made by now $100,000 or $150,000 or $200,000 more than I have made as a Member of Congress. That to me is unimportant, because I signed on for this job with an expectation that we would maintain a level of parity in our salaries.

□ 1545

What is a lot more important than that to me is the judges who each year have contacted me and said, ''Please, give us our cost-of-living adjustment so that we don't continue to lose good qualified people from our judiciary.''

It is absolutely important in a democracy such as ours that we have qualified members of the judiciary, qualified members of the legislative branch, and qualified members of the executive branch.

I believe we have done a good job during the period that I have been in this body, and I encourage my colleagues to give up on this notion that we should browbeat ourselves and not maintain parity in our salaries.

Mr. KOLBE. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, let me just cover once again what this bill is and what it is not, what this motion is and what it is not.

The Treasury, Postal Service and general government appropriations bill that is before us does not have any provision dealing with Members' pay; it does not have any provision dealing with Federal employees' compensation or cost-of-living adjustments or Member's cost-of-living adjustments. There is, let me repeat, no provision in this bill dealing with compensation for Members or Federal employees. There is no provision dealing with this at all in our bill.

I think it is important that we keep that in mind because a lot of people have been saying that a vote on this bill has to do with a cost-of-living increase, a pay increase, increase in compensation for Members. It does not. And that is because this body and the other body, the Congress of the United States, decided in 1989 to take this issue out of our own hands and to make it that Members of Congress would get a cost-of-living adjustment and nothing else based on the increase in the ECI index, and that index with complicated formula which is different for Federal employees than Members of Congress because of the locality pay, but it is established that Members of Congress can never get beyond what a Federal employee gets in an increase in the cost-of-living adjustment.

That is the permanent law. That is the permanent law, and if Members of Congress do not like that, where are the bills to repeal that section? Why do we not have bills introduced? Why do we not get that debate on that issue? It is not an appropriation issue. There is no account in Treasury, this appropriation bill, for Members' salaries because Members are constitutional officers. There is no reason for us to vote on this bill and assume that we are in any way voting for an increase in Members' compensation.

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

Mrs. LINDA SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to point out that the Senate does have a provision to strike the pay raise, and that is all the gentleman from Indiana [Mr. MCINTOSH] wanted to say, that they have struck the pay raise.

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. NEUMANN].

Mr. NEUMANN. Mr. Speaker, I rise with somewhat mixed feelings on this whole issue, and I would like to start by joining the gentleman from Maryland in supporting what he is trying to do, and the protection of children is certainly very important to all of us, but I do think we need to add a provision that allows us a ''yes'' or ''no'' vote on the pay raise issue. And let me make it clear that I would oppose a pay raise at this point in time myself. Personally I am opposed to any elected body giving itself a pay raise, but that is not really why I am rising to speak on this particular issue.

What I am really opposed to is the way the bill was passed last week, brought up unexpectedly with virtually no notice and not giving the Members of this body the opportunity to have a ''yes'' or ''no'' vote on this very, very important issue. This type of action is what makes our constituents back home so angry, the idea that we are going to try and slide something through with people unaware. That is what makes the American people angry, and that is why I am rising to speak today.

I would like to speak specifically to some of my colleagues who believe the cost-of-living adjustment is acceptable. I understand where they are coming from, and I honestly believe there are many, many people in America that would concur that a cost-of-living adjustment is appropriate, and I would like to also align myself with comments of the gentleman from Louisiana [Mr. LIVINGSTON]. He is absolutely right. Good things have been done by this Congress. We are having the first balanced budget since 1969, the first tax cut in 16 years, and the responsibility for much of that credit should go to the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Ohio [Mr. KASICH] for bringing us to this point.

But to my colleagues that think the cost-of-living adjustment is acceptable and what their constituents would want them to vote for I simply say, ''Stand up, cast your vote, let your constituents know where you stand and why you stand there.'' There will be a lot of people in America who say it is acceptable in the view of our first balanced budget and taxes coming down and Medicare restored, that a cost-of-living adjustment is acceptable. All we are asking for is an up-or-down vote. Just give us a vote so that the American people do not think we are breaking their trust because, my colleagues, that is what this is all about.

Mrs. ROUKEMA. Mr. Speaker, will the gentleman yield?

Mr. NEUMANN. I yield to the gentlewoman from New Jersey.

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

Mrs. ROUKEMA. Mr. Speaker, I would like to associate myself with the gentleman's remarks. This is a question of accountability. I myself am for the COLA. But the point is we have to be accountable to the public on either side of the issue.

Mr. Speaker, I want to associate myself with the remarks of my colleague, Representative NEUMANN and to urge that we defeat the previous question and to oppose the procedure that allows Members to collect an automatic COLA and shields them from public accountability without an upfront vote.

When I took my seat in Congress in 1981, among the first pieces of legislation I introduced was a bill injecting a new degree of sunlight into the Members' compensation process. My legislation was straightforward:

Every increase in Member's salary or benefits or a favorable change in their tax treatment must withstand a recorded vote in this Chamber and the other body. Once approved, that pay raise or tax change could not take effect until after the next congressional election.

Our logic was simple. If Members' felt they deserved a pay raise, they should be willing to stand up and vote for it publicly. Furthermore, to allow their constituents to determine if their Member was deserving of that pay raise, that Member would have to stand for election before collecting the larger paycheck.

Mr. Speaker, the keystone here is accountability—something that has been completely lacking around here lately.

Like many of my colleagues, I was appalled at the ''fast track'' consideration of the Treasury-Postal appropriations bill last week. Despite all the protestations to the contrary, it is clear that the Treasury-Postal bill was rammed through this House in record time in an effort to avoid a vote on a pay raise amendment.

Is it any wonder that the American people are growing more cynical about Congress and the political process every day?

First come the headlines that we have slipped in to the tax bill a secret $50 billion tax break for big tobacco.

Now, we refuse to find a way to vote on an amendment that would prevent Members from collecting an automatic pay increase.

And here we are today. I urge my colleagues to defeat the previous question so that our colleague, LINDA SMITH, can offer a new motion to instruct the conferees to kill the pay increase. And I do not argue that we cannot justify a COLA—I think we can but not by hiding it and avoiding an upfront vote.

Mr. NEUMANN. Mr. Speaker, I will conclude my remarks by saying for goodness sakes, colleagues, just when we are starting to restore the trust of the American people in this institution by fulfilling our promises to reach a balanced budget, by bringing their taxes down for the first time in a generation, restoring Medicare for our senior citizens, we are just starting to restore the trust of the American people, let us not go and do something like this that they perceive to be a move behind closed doors and behind their back trying too slide something through. For goodness sakes, we are starting to restore that trust, let us have an up-or-down vote on this. If my colleagues believe a COLA is acceptable, vote ''yes,'' and if my colleagues think their constituents do not want a COLA, well then for goodness sakes vote ''no,'' but let us have the vote.

Mr. HOYER. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Florida [Mrs. MEEK].

Mrs. MEEK of Florida. Mr. Speaker, I rise to oppose any motion to delete the COLA for us as citizens and as workers in this government.

First of all, I resent the self-flagellation that I am hearing against Members of Congress and this institution which we so ably represent. I think I among others work as hard as anyone in this government, harder than some, so I am not ashamed to come to this podium today to say we deserve a cost-of-living increase. I give no excuses for having to ask this Congress to do this. If we are not ashamed of the work we do, then we should not be ashamed to stand up and say, yes, we believe, we do believe, in the cost-of-living.

Soap costs me as much as it does anyone else. I pay the same money for soap as the woman out there on Pennsylvania Avenue pays. I work just as hard as she does, and I say to this Congress we deserve to do this, and I just want to say to my colleagues, ''You need some pride in the institution which you represent. If you're not proud of it, then think of David McCullough's words as he spoke to us in the bipartisan retreat and we were finding, what he said, some type of pride in what we do, and the willingness to go forward to speak up for this wonderful institution which was brought to us by our Founding Fathers.''

And I quote Mr. McCullough and I do not have a lot of time, but he said it has been the will of heaven that we, the Members of Congress, should be thrown into existence in a period when the greatest philosophers and law givers of antiquity have wished to have lived. Right away we see he is saying it is the will of heaven, there are larger forces than we ourselves, and he is applying the moment against the standard of the past, and that is antiquity.

It is a very large degree, a lesson in propulsion, a period when a coincidence of circumstances without an example has afforded to 13 colonies at once, and he goes on and on, Mr. Speaker. What he is trying to say to us, that there should be pride in those of us who represent this institution.

I give no excuses for being a Member of Congress. I am proud of it, and I say that every Member of this Congress works hard enough for a cost-of-living increase. We deserve it.

Mr. KOLBE. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. KING].

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

Mr. Speaker, I rise today in opposition to the most intellectually vapid and vacuous arguments I have heard in opposition to the COLA. The fact is there is no logical argument to be made against the COLA other than those people who enjoy self-flagellation, who enjoy pandering and do not have the guts to stand up for what they believe in. If they do not have the pride to accept a COLA which was set in law then, quite frankly, I do not think they deserve to be in the House of Representatives.

What are they ashamed of? We are talking about an American economy which is stronger than any economy in the history of the world. We are talking about an American Government which right now is not at war. There is not one American soldier losing his life or her life anywhere in the world today, and yet we have people coming before the House and saying the American people are outraged at the Congress. The only reason the American people have a reason to be outraged at

the Congress is they listen to some of the ridiculous arguments that were made here today by people who want to pander, who want to appeal to the least common denominator and who want to tear down this institution.

I am proud to be a Member of Congress; I will be very proud to accept the COLA because I believe I earn my money. I also believe that the position of a Member of Congress deserves the increase, whether or not that person happens to be qualified or not qualified, and quite frankly listening to some people today, I can see why they do not want to take a pay raise, because they have a good self-analysis, and maybe they believe, as individuals, they do not deserve the pay raise.

But in spite of that I believe that the institution as itself, as an institution, deserves to have a COLA, deserves to keep in line with the American people and with the cost of living, because if my colleagues follow their logic, when would there have been a COLA; during the Depression? During World War II? During the Korean war? During Watergate? During the cold war? There would never have been a raise, and we would end up having what we are coming close to having today, a Congress of wackos and millionaires reaching a situation where working people, and I am talking about the gentleman from New York [Mr. ACKERMAN].

But in any event, very seriously, if we are to be proud of ourselves as an institution, if we are going to have enough self pride to stand up for what we believe in, let us have the guts to accept the COLA and not be pandering, not be yielding to the lowest common denominator.

So, Mr. Speaker, I rise in strongest opposition to the motion of the gentlewoman from Washington, and I ask my colleagues to show some guts, show some courage, stand up for what they believe in.

Mrs. LINDA SMITH of Washington. Mr. Speaker, I yield a minute and a half to the gentleman from South Carolina [Mr. SANFORD].

Mr. SANFORD. Mr. Speaker, I rise here acknowledging the fact that people work very hard in Congress, but what I think we have to remind ourselves is the fact that we are not veterans, some of us are, we are not farmers, we are not teachers, all of whom deserve a COLA, but what we are is the elected representative Government of the United States of America, and as such I think we have to in essence be held to a higher standard because what the American public expects of us is that we lead by example.

When Washington crossed the Delaware 200 years ago he did not say to the folks, ''You guys get in the boat, and I'll meet you on the other side.'' He got in the boat with them. And if my colleagues look at our budget, 73 percent of the cuts, the savings, whatever they want to call them, still come in the last 2 years of the budget, so there is much savings still expected from our American public, and as such I think we need to lead by example.

The second reason I rise in support of this amendment is for the simple reason of sunshine. The gentleman from Wisconsin [Mr. NEUMANN] already suggested this but just in terms of process I think it is very important, whether we think it is a good thing or think it is a bad thing, that we take an up-or-down vote.

Mr. HOYER. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California [Mr. FAZIO], who probably has taken more heat and shown more courage and more intellectual honesty on this issue than anybody in the House.

Mr. FAZIO of California. Mr. Speaker, I thank my good friend and colleague for those glowing remarks; I hope I live up to them. He certainly deserves a lot of credit for all the leadership he has provided on this issue.

Let me say that I want to speak more than anything else to the Members who have come here in the last 3 elections because I think they have overlooked a lot of history that this Congress struggled with throughout most of the 1980's and into this decade.

In 1989 a bipartisan task force was created and reported to this Congress a package of ethics reforms that I think are historic. Certainly that is what President Bush said when he signed them into law. They prohibited Members from accepting honoraria for speeches, a practice that was very prevalent here, and played into charges of special interest dominance; we severely restricted the ability of Members to receive outside income, in other words we could no longer put our name on the door of a law firm and draw down an income; we provided stricter financial reporting requirements which cover not only Members but all high-paid employees of this branch of government and others in the other two branches; we repealed the loophole that said we could take our campaign funds with us when we left Congress as income and live off them, and regrettably some had taken large sums with them; we restricted the ability to lobby in post-employment periods; and we also made a number of other changes that were fundamental and much acclaimed.

□ 1600

We took action to increase compensation, and, by the way, the gentlewoman from Washington was wrong in a press release she issued. It was not a midnight pay raise. It was debated and voted in the light of day, a majority of both parties supported it, and we were proud not only of our courage in dealing with the pay issue, but in our ability to reform ourselves in a way that was long overdue.

We dealt also with the conflict of interest that we all have. We are blamed if we vote ourselves a pay raise, and we are blamed if we create a mechanism which absolves us of that responsibility if it is a COLA and not a pay raise.

We took the employment cost index, which is the measure of private sector pay, and said in the year following, we would take whatever our constituents earned, reduce it by half a percent, and take that as a cost-of-living adjustment, not as a pay raise. In fact, a court in the District of Columbia, an appellate court, ruled that this COLA is not a pay raise. If it were a pay raise, like the increase we took in 1989 and 1990, we would have to vote on it by law. This reform required it. But we believe and polls confirm that a cost-of-living adjustment is acceptable to the American people. Otherwise, if we fail to take COLA's we will be back in the position of having to vote ourselves, periodically, a large pay raise—one we cannot defend to the public.

We wanted to avoid doing that, and yet at the same time compensate our judges, our executive officers, our top staff, yes, ourselves, by providing not what others were getting on average something less but making an attempt to keep pace with the cost of living. No more, no less.

It was, and I believe still is, the recommendation of a bipartisan, unanimous task force. Congress approved this as a way of avoiding the conflict of voting ourselves a pay raise.

Now, I realize that accountability is important. Credibility is also, just as it was then. I would urge every Member to either take the raise and be public about it as a cost-of-living adjustment, or not take it and be public about that, if that is what serves your personal needs or political interests. But do not come to the floor and prevent this mechanism which we agreed to in a bipartisan way from being implemented.

This is the key vote on whether or not Members have enough self-respect to adequately represent their constituents. I ask for an aye vote on the previous question and final passage.

Mrs. LINDA SMITH of Washington. Mr. Speaker, I wanted to make a point that actually the majority voted against the pay increase last week, 102 to 112, so they would not have passed it had they been the only people here.

Mr. Speaker, I yield 1½ minutes to the gentleman from Alabama [Mr. RILEY].

Mr. RILEY. Mr. Speaker, I am still trying to decide if I am a wacko or a millionaire. It is probably a wacko.

But as a businessman, for the last 32 years, the one thing that I do realize is if my company was $5 trillion in debt and still losing money, the last thing I would do is give management a pay raise. If we do that, we are sending the wrong message to this country.

That is why yesterday I introduced a bill that will for once and for all do away with COLA's. We do not need COLA's in this body. The people of this country want us to stand up like men and women, representing our own constituencies; they want us to stand up and vote on whether or not we should give that.

Is that too much to ask for the people of this country? My bill basically

does away with COLA's, and if we want a pay raise, let us come to the floor, let us ask for the pay raise, let us vote on it, vote it up or down, and then we can go home and be accountable to our people.

But without that, Mr. Speaker, I think we will continue to go through this every year, as we have for the last 3 or 4 years, and every year the same debate comes up. So let us once and for all do away with the COLA's. If we want a pay raise, let us be up front about it, let us bring it before this body, and let everyone vote on it, and vote it up or down.

Mr. HOYER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas [Mr. LAMPSON].

Mr. LAMPSON. Mr. Speaker, I rise to speak about the children, not the 27 pictures that I hold in my hand right now, whose pictures were printed in the Houston Chronicle on Sunday, all of whom were abducted and most of whom have been found, unfortunately, dead.

We have got to speak to the lives of the 114,500 children that the National Center for Missing and Exploited Children are trying to be the strong voice for and having them returned to their families. I think it is wrong for us to be playing politics with an issue as major as that of protecting our children. I find it very interesting that this is a day that we have so much interest on such a totally different issue.

We need to put our kids first, Mr. Speaker.

Mrs. LINDA SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. CHRISTENSEN].

Mr. CHRISTENSEN. Mr. Speaker, I would like to identify myself with the remarks of the previous speaker. I agree. And today's debate would not be needed if last week's event would not have occurred during the Treasury-Postal debate.

It was last week that we were supposed to be debating this type of motion and this issue. I walked onto the floor ready to talk about the issue, and whether you believe in the COLA or whether you disagree with the COLA, what we were talking about was a vote on the issue.

I was here, ready to talk about it. I stepped into the cloakroom and made a phone call, and by the time I came out, it had been slipped through and we voted on it, and it passed.

What we are talking about here is open, honest government. It is not about whether we deserve or do not deserve a COLA. What we are talking about is integrity in the institution. Like the gentleman from Wisconsin talked about earlier, whether you believe in it or do not believe in it, it is not right to be deceitful and deceiving the American people.

Mr. Speaker, I urge strong approval of this motion. Vote against the rule.

Mr. HOYER. Mr. Speaker, I yield myself 5 seconds to inform Members that the bill was on the floor for over three-quarters of an hour.

Mrs. LINDA SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Montana [Mr. HILL].

Mr. HILL. Mr. Speaker, there are two issues before us: One, do you favor or oppose an automatic pay raise; and the second is do you believe or do you not believe in accountability?

This first vote is are you willing to stand up for what you believe in? I have heard a lot of people talk about courage and principle here, and then tell everybody here that they want to cast a vote that is going to use procedure to avoid being counted for where they stand. Now, I do not think that is accountability and I do not think that is responsibility.

Mr. Speaker, I want to remind all Members in this Chamber, only by voting no on the previous question will we get the opportunity to give these people who profess courage the opportunity to actually cast a vote that they are claiming courage for.

Mrs. LINDA SMITH of Washington. Mr. Speaker, I yield 30 seconds to the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Speaker, I rise in support of the Smith amendment. I ask my colleagues to consider the senior citizens living on fixed incomes, the American working families trying to make ends meet while holding down two to three jobs, working 7 days a week, and consider our young people, hoping to achieve the American dream, while paying off thousands of dollars in school loans and car payments. I ask Members to vote against the cost-of-living adjustment.

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

Mr. Speaker, before I yield the balance of my time to the distinguished majority whip, let me respond to a comment made a moment earlier about this bill being slipped through. It was done in the middle of the afternoon. It had been on the whip notice for 2 weeks that it was coming up when we finished the interminable debate over Labor-HHS.

If in 48 minutes Members cannot find their way to the floor and offer an amendment, I do not know why. Maybe it says something. Maybe the cost of living adjustment is not justified under those circumstances. There was no attempt to be deceitful. There was no attempt to do anything that was not above board.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas [Mr. DELAY], the distinguished Majority Whip.

The SPEAKER pro tempore [Mr. LAHOOD]. The gentleman from Texas is recognized for 4½ minutes.

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

Mr. Speaker, I just want to say if this were a pay raise, as so many have portrayed it, I would oppose it, what we are talking about here today. This is not a pay raise; this is about an inflation adjustment. It is about upholding a law that was passed in 1989.

I know Members have deep feelings on this issue. I just disagree with them. What is really sad to me in the press reports, because many journalists have gotten it wrong and they got it wrong mainly because they were told wrong. I was on the floor the entire time this bill was debated last week, and there were Members who were against the COLA that were on the floor and did not offer an amendment, even though it was germane, and chose not to use the procedure by which they could as Members of the House effect what they want.

This bill does not even speak to inflation adjustment. No appropriation bills do. In fact, to the gentleman from Montana, if you want to use procedure, you have to use procedure in order to have an amendment to change the law of 1989.

So I just say that if Members want sunshine and they want a vote on the law of 1989, then learn the legislative process. Introduce a bill and repeal or amend the 1989 law that set up the pay process that we go through.

The 1989 law that we passed, as many have said, is a law that tried to deal with this terrible issue of making sure that Members of Congress have a standard of living by which they can raise their families and live decently while they serve. No outside income is allowed. We eliminated outside income, except in certain cases.

Now, millionaires that serve here and people with previous businesses are able to supplement their income when they find out that they cannot live on this salary. Well, I challenge them to live on this salary and then come down here and oppose a cost of living adjustment.

We eliminated honoraria, which was a terrible practice, and instituted a pay raise that brought us into parity with the kind of purchasing power that Members had back in the 1970's. We did not have this huge pay raise. We just came back to that purchasing power.

Mr. Speaker, do you know what the purchasing power of the pay for Members of Congress was in 1969 if you use 1997 dollars? It is $186,676 in today's money. Yet we raised pay to $133,600. Now, where is the pay raise in that? So if you are going to be on this floor and talk about pay raises, at least get it in perspective about what we are talking about.

We passed a constitutional amendment, the Madison amendment, that was ratified in 1992, that said no pay raise would go into effect until there is an intervening election. I think that is the kind of reform that we should have done.

Now, where we shot ourselves in the foot is constantly allowing procedure to be used in order to bring an amendment to the floor nongermane to the bills, so we could all stand up and beat

our chest and say ''I am going to refuse the cost of living adjustment.''

Mr. Speaker, I will tell you something: Members of this House have families.

□ 1615

They have two homes, in most cases. Some Members are living in their offices, because they cannot afford a second residence. The Members of this House are at the age when they have their children in college, and I have to tell my colleagues, and I am not making excuses or apologizing, it is difficult to raise a family and serve in Congress under these conditions, not to speak of the times that we spend away from our wives and children and the sacrifices they make to allow us to be here.

Well, I tell my colleagues, my wife, and my children sacrifice enough. They deserve a decent living, and I am going to give it to them, because I am going to vote for the previous question and vote for the motion to instruct.

Mrs. SMITH of Washington. Mr. Speaker, I yield the balance of my time to the gentleman from Indiana [Mr. MCINTOSH].

Mr. MCINTOSH. Mr. Speaker, first of all, let me point out that legislation has been introduced to end this automatic pay increase for Congress. In fact, one of my good friends, the gentleman from New York [Mr. SOLOMON], is a cosponsor of that, but for some reason, it has not been on the floor of this House for a vote. So to say that there are other ways to do this, I think, is somewhat disingenuous.

For the record, Members of Congress earn $133,000 each year. The COLA that we are talking about is a $3,000 pay increase that would go into effect next year, and my problem with this process is that there is too much unfinished business in this House for us to vote a pay increase for ourselves.

Many said it is merely a COLA, just like Social Security has a COLA. Well, Social Security still is not secure, because we are stealing from that trust fund to pay for the cost of Government.

They say it is just like the COLA in capital gains, but we failed to pass a COLA for capital gains. It was not indexed in our tax cut. They say it is just like the COLA for veterans, but we still have not made up the lost ground to our veterans from the Clinton cut in their COLA. So there is too much unfinished business in this Congress for us to be passing a pay raise.

Let me tell my colleagues exactly what will happen in a few minutes. We will be asked to vote on the previous question. I urge my colleagues to vote ''no.'' What that does is say we will not have a gag process; we will let a vote come forward on whether or not this Congress should have a pay increase, and then one can vote up or down as to whether we should agree to the Senate position, and the Senate position is that there should be no pay increase until we have finished our business.

I urge my friends and colleagues to think of this as a matter of unfinished business for this Congress, to do what is right, act correctly, and let us have a vote on this pay increase issue. Vote ''no'' on the previous question when it comes up in a few minutes.

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

Mr. Speaker, my colleagues, this is a vote about what we think of ourselves, what we think of this institution, and the trust and confidence we have in those who send us here; a vote on whether we believe that they believe we are worth what they pay us.

This issue is about staying even; not about raises, about staying even. Ask any of our Social Security recipients or our veterans when they get a cost-of-living adjustment if they got a raise, and they will say, my friend, you do not understand. My grocery costs went up, my prescription drugs went up, my oil heat bill went up. Yes, perhaps even my college tuition for my child went up. This is about staying even.

Let me reiterate what the gentleman from California [Mr. FAZIO] said. In 1989, the Members of this House, in a courageous and honest vote, said to their constituents, we are not going to take outside income. We will rely only on our salary, not on the payment of special interest gussied up to be honoraria for speeches. In 16 out of 28 years, or 18 out of 26 years, we said we were going to take no cost-of-living adjustment, and as a result, the pent-up needs of our families led us to invoke, from time to time, raises of very substantial proportions, as much as 27 percent.

Our constituents and our public were outraged, because they did not know that we had not gotten a raise the 6 previous years. They did not know that we were catching up. They thought that we were taking some outrageous pay. Can you blame them? Of course not.

So what the gentleman from California [Mr. FAZIO] and the Republican leadership proposed was a mechanism whereby we would not do that to ourselves, to this institution, or, very frankly, to add to the cynicism of our public, and that all we would take is a cost-of-living adjustment, which, as I reiterate, keeps us even with the increased costs that we are confronted with on an annual basis. That increased cost would be less by half a point than the private sector increase.

Now, my friends, let me say, so we do not feel badly about what I hope we are going to do, that since 1970, the CPI has increased by 292 percent. Military pay has increased by 320 percent. All private sector pay has increased by 264 percent. Manufacturing blue collar workers, I tell my friends, has increased by 281 percent. Federal retiree pensions increased by 291 percent, just about the CPI Federal civilian pay by 243 percent, and Members of Congress by 207 percent; I tell my friends, again, some 70 percent below manufacturing jobs.

Mr. Speaker and my colleagues, the gentleman from Arizona talked about our Founding Fathers who pledged their lives, their fortunes, and their sacred honor. Most of us in this body do not have fortunes to pledge, but if, as the chairman of the Committee on Appropriations said, we do not on a regular basis stay even, not a raise, stay even with the increased costs confronted by our families, then, of necessity, we will become a body of those who only have fortunes.

Our honor. I ask every one of my colleagues who has come up to me over the last 10 years and said, I hope you effect a pay raise, to vote for this, for if that is true, there will be about 375 of my colleagues who will vote ''yes'' on the previous question. Vote for exploited children's protection, vote ''yes'' on the previous question, vote ''yes'' on the amendment to instruct the Senate to protect exploited children.

Mr. BONILLA. Mr. Speaker, I strongly object to the motion being considered today and urge may colleagues to oppose it and vote no. Simply put, this congress has not had the opportunity to vote on stopping the automatic cost-of-living increase for Members of Congress. I believe that it is wrong to increase congressional pay at a time when we must make further cuts in Government spending to balance the budget. At the very least, the American people are entitled to a vote so that they know their Member of Congress' position on increasing their own salaries. I want to make it very clear that I would vote no if there was such a vote. Should we fail in our effort to stop the pay raise I will donate the entire amount to charity. I will only accept the salary I was elected to receive.

Mr. LAMPSON. Mr. Speaker, as we proceed in this debate, and as chairman of the Congressional Missing and Exploited Children's Caucus, I would like to remind my colleagues of the importance of the National Center for missing and Exploited Children. The National Center has helped locate 114,600 missing children. We should not play politics with its funding. Missing children and frightened families should be held sacred by this body.

Just last Sunday, the Houston Chronicle printed the pictures of 27 girls who have been abducted in the area in and around the Ninth Congressional District. Our most recent tragedies include 12-year-old Laura Smither of Friendswood. Laura was abducted while on her morning jog. Her body was found 2 weeks later. She had been murdered. And now we are searching for 17-year-old Jessica Cain of Tiki island. Jessica never came home after a party on August 19. Her truck was found with the engine running and her wallet still on the front seat. I have met the Smither and Cain families. I have searched through woods looking for their daughters. Most importantly, in becoming involved with this issue, I have come to know and respect the excellent work done by the National Center for Missing and Exploited Children on behalf of these children and their families.

We need to give our full support to the National Center for Missing and Exploited Children and give the issue our full attention and respect. I ask my colleagues to protect the funding for the National Center for Missing

and Exploited Children and to untie any provision affecting the National Center from the COLA. I oppose the COLA, but I am deeply saddened that Members of this body may have to cast a vote against the National Center to express their opposition to the COLA.

The SPEAKER pro tempore (Mr. LAHOOD). All time has expired.

The question is on ordering the previous question on the motion to instruct offered by the gentleman from Maryland [Mr. HOYER].

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

Mrs. LINDA SMITH of Washington. 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.

Pursuant to clause 5 of rule XV, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the motion to instruct.

The vote was taken by electronic device, and there were—yeas 229, nays 199, not voting 6, as follows:

[Roll No. 435]

YEAS—229

Ackerman
Archer
Armey
Bachus
Ballenger
Barr
Barton
Bateman
Becerra
Bentsen
Berman
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Coble
Collins
Condit
Conyers
Cox
Coyne
Crane
Crapo
Cummings
Cunningham
Davis (VA)
Deal
Delahunt
DeLay
Dellums
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
Eshoo
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foley
Fowler
Frank (MA)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gephardt
Gilchrest
Gilman
Gingrich
Goodlatte
Goss
Greenwood
Hall (OH)
Hansen
Harman
Hastert
Hastings (WA)
Hefley
Hefner
Hilliard
Hinchey
Hobson
Hoekstra
Horn
Houghton
Hoyer
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E.B.
Johnson, Sam
Kanjorski
Kennedy (MA)
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Latham
LaTourette
Lazio
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
Lowey
Maloney (NY)
Manton
Markey
Martinez
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McHugh
McKeon
McNulty
Meek
Menendez
Millender-McDonald
Miller (CA)
Miller (FL)
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Parker
Paxon
Payne
Pelosi
Pickering
Pickett
Pombo
Porter
Pryce (OH)
Quinn
Rahall
Rangel
Regula
Rogers
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Rush
Sabo
Sawyer
Saxton
Schaefer, Dan
Scott
Serrano
Shaw
Shuster
Sisisky
Skaggs
Skeen
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Spence
Spratt
Stark
Stokes
Stupak
Tanner
Tauzin
Taylor (NC)
Thomas
Thompson
Torres
Towns
Upton
Velazquez
Vento
Waters
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Wicker
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—199

Abercrombie
Aderholt
Allen
Andrews
Baesler
Baker
Baldacci
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bereuter
Berry
Blagojevich
Boswell
Boyd
Brady
Bryant
Bunning
Burr
Canady
Cannon
Capps
Carson
Chabot
Chambliss
Chenoweth
Christensen
Coburn
Combest
Cook
Cooksey
Costello
Cramer
Cubin
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Duncan
Emerson
English
Ensign
Etheridge
Evans
Everett
Forbes
Ford
Fox
Franks (NJ)
Gejdenson
Gekas
Gibbons
Gillmor
Goode
Goodling
Gordon
Graham
Granger
Green
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hayworth
Herger
Hill
Hilleary
Hinojosa
Holden
Hooley
Hostettler
Hulshof
Hutchinson
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)
Jones
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kucinich
Lampson
Largent
Leach
Lewis (KY)
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Manzullo
Mascara
McCarthy (MO)
McGovern
McHale
McInnis
McIntosh
McIntyre
McKinney
Meehan
Metcalf
Mica
Minge
Mink
Moran (KS)
Myrick
Nethercutt
Neumann
Northup
Norwood
Nussle
Pappas
Pascrell
Pastor
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pitts
Pomeroy
Portman
Poshard
Price (NC)
Radanovich
Ramstad
Redmond
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rothman
Roukema
Royce
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Scarborough
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shays
Sherman
Shimkus
Skelton
Slaughter
Smith (MI)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Souder
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Talent
Tauscher
Taylor (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Turner
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weller
Weygand
White
Whitfield
Wise

NOT VOTING—6

Bonilla
Foglietta
Gonzalez
Hastings (FL)
Hunter
Schiff

☐ 1643

Ms. CARSON and Messrs. ADAM SMITH of Washington, LUCAS of Oklahoma, MINGE, WHITFIELD, and SCHUMER changed their vote from ''yea'' to ''nay.''

Ms. PELOSI, Ms. WOOLSEY, and Mr. KANJORSKI changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

☐ 1645

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion to instruct offered by the gentleman from Maryland [Mr. HOYER].

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 412, noes 2, answered ''present'' 6, not voting 13, as follows:

[Roll No. 436]

AYES—412

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard

Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOES—2

Coburn
Shimkus

ANSWERED ''PRESENT''—6

Goode
Salmon
Scarborough
Shadegg
Smith, Linda
Souder

NOT VOTING—13

Bonilla
Foglietta
Gonzalez
Hastings (FL)
Hunter
Kaptur
McHale
Miller (CA)
Ney
Pastor
Schiff
Spence
Weldon (PA)

□ 1651

Mr. SALMON changed his vote from ''aye'' to ''present.''

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.

PERSONAL EXPLANATION

Mr. PASTOR. Mr. Speaker, on rollcall No. 436, I was in a meeting and the beeper did not work, and I missed the vote. Had I been present, I would have voted ''aye.''

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

For consideration of the House bill, and the Senate amendment, and modifications committed to conference: Messrs. KOLBE, WOLF, LIVINGSTON, HOYER, and OBEY.

As additional conferees solely for consideration of titles I through IV of the House bill, and titles I through IV of the Senate amendment, and modifications committed to conference: Mr. ISTOOK, Mrs. NORTHUP, and Mrs. MEEK of Florida.

There was no objection.

MOTION TO ADJOURN

Ms. ESHOO. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentlewoman from California [Ms. ESHOO].

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

RECORDED VOTE

Ms. ESHOO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 70, noes 342, not voting 21, as follows:

[Roll No. 437]

AYES—70

Andrews
Barrett (WI)
Becerra
Berry
Bonior
Borski
Brown (OH)
Capps
Cardin
Conyers
Coyne
Davis (FL)
DeFazio
Delahunt
DeLauro
Deutsch
Doggett
Eshoo
Evans
Farr
Fazio
Filner
Ford
Frank (MA)
Furse
Gejdenson
Gephardt
Harman
Hinchey
Hostettler
Hoyer
Jefferson
Kaptur
Kennelly
Kilpatrick
Kind (WI)
LaFalce
Largent
Lewis (GA)
Lowey
Maloney (NY)
Martinez
McDermott
McGovern
McNulty
Meehan
Meek
Miller (CA)
Mink
Moakley
Nadler
Oberstar
Obey
Olver
Pallone
Salmon
Sawyer
Scarborough
Shadegg
Slaughter
Souder
Strickland
Stupak
Tauscher
Tierney
Torres
Towns
Vento
Visclosky
Waxman

NOES—342

Abercrombie
Ackerman
Aderholt
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Dellums
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Everett
Ewing
Fattah
Flake
Foley
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sanchez
Sandlin
Sanford
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)

Taylor (NC)	Velazquez	Wexler
Thomas	Walsh	Weygand
Thompson	Wamp	White
Thornberry	Waters	Whitfield
Thune	Watkins	Wicker
Thurman	Watt (NC)	Wise
Tiahrt	Watts (OK)	Wolf
Traficant	Weldon (FL)	Wynn
Turner	Weldon (PA)	Young (FL)
Upton	Weller	

NOT VOTING—21

Allen	Forbes	Sabo
Bonilla	Gonzalez	Sanders
Bono	Hall (OH)	Schiff
Buyer	Hastings (FL)	Smith (MI)
Doolittle	Hunter	Woolsey
Fawell	McHale	Yates
Foglietta	Pelosi	Young (AK)

□ 1716

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT OF PROCEDURES FOR DEBATE TONIGHT ON H.R. 2267, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

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

Mr. ROGERS. Mr. Speaker, shortly we will be calling up the appropriations bill for the Commerce, Justice, and State Departments when we go into the Committee of the Whole. It is our intention, and we have conferred with the minority on this point, it is our intention to have general debate tonight, and debate the Hyde amendment to title 6, but postpone any vote on that matter until tomorrow. Then we would read through title I of the bill and debate any amendments thereto until 9 o'clock, or if we finish title I before 9 o'clock, stop at the conclusion of title I, roll any votes that may occur to title I until tomorrow, and then pass over any amendments in title I dealing with Legal Services Corporation until tomorrow. We would debate and vote LSC tomorrow.

That is our general intention, and I have conferred with my dear colleague, the gentleman from West Virginia [Mr. MOLLOHAN], the ranking member of the subcommittee, and if he would like to discuss it, I will yield to him at this time.

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

Mr. ROGERS. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Speaker, we have discussed this. I think it is a good way to proceed tonight, and I have no objection.

Mr. ROGERS. So, Mr. Speaker, Members would be advised that barring a motion to adjourn or some such very important matter there would be no further votes this evening.

Mr. MOLLOHAN. Mr. Speaker, if the gentleman would continue to yield, it is my understanding that after general debate the gentleman from Kentucky will be asking unanimous consent to pass over Legal Services?

Mr. ROGERS. That is correct, until tomorrow or later in the bill, to take it out of order.

Mr. MOLLOHAN. And we consider Mr. HYDE's amendment and not vote on it until tomorrow?

Mr. ROGERS. I am sorry; I did not hear the gentleman.

Mr. MOLLOHAN. We would consider Mr. HYDE's amendment tonight.

Mr. ROGERS. We would consider Mr. HYDE's amendment tonight but roll any vote on that until tomorrow.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore [Mr. LAHOOD]. Pursuant to House Resolution 239 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2267.

The Chair designates the gentleman from Washington [Mr. HASTINGS] as Chairman of the Committee of the Whole, and requests the gentleman from Nebraska [Mr. BARRETT] to assume the chair temporarily.

□ 1722

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2267) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, with Mr. BARRETT of Nebraska, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Kentucky [Mr. ROGERS] and the gentleman from West Virginia [Mr. MOLLOHAN] each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 2267, the Commerce, Justice, State, and Judiciary appropriations bill for fiscal year 1998, is the centerpiece of action by the Congress this year to: First, continue the war on crime and drugs; second, make our neighborhoods safer for families and children; third, bring our borders under control; and fourth, address skyrocketing rate of juvenile crime with an aggressive new initiative in this bill.

Mr. Chairman, the determination of this Nation to reduce crime is paying off. The Nation's crime rate today is lower than any time since 1985. In 1996 serious reported crime in the United States declined 3 percent, including an 11 percent decline in murder rates.

The Congress deserves substantial credit for beginning to turn the corner on crime after many years of effort. Over the past 2 fiscal years, this subcommittee and the Congress have increased funding for law enforcement programs by $4.5 billion, a 30 percent increase, and this year we redouble those efforts.

Overall, our bill provides $31.7 billion. That is an increase of $750 million or 3 percent over fiscal 1997 in discretionary spending, and another $750 million from the Violent Crime Reduction Trust Fund. But 90 percent of the increase in this bill is for law enforcement programs.

For the Department of Justice the bill provides $17.6 billion, an increase of $1.2 billion, 7 percent over current year, $339 million more than was requested by the administration for law enforcement. We provide an increase of $726 million for State and local law enforcement, $738 million more than the President asked of us.

We restore the Local Law Enforcement block grant at $523 million to provide direct funding to our communities for their most pressing needs. The President proposed to eliminate it. We disagreed.

This bill attacks the growing problem of juvenile crime, a crisis that must be addressed by the country. Twenty percent of those arrested for violent crime are less than 18 years of age, 70 percent higher than it was 10 years ago. Weapons offenses and homicides are two of the fastest growing crimes committed by juveniles.

This bill faces that issue straight on. We include a total of $538 million for new juvenile crime initiatives. We provide $300 million for new juvenile crime block grants, compared to $150 million requested by the White House to fund H.R. 3 that passed the House by a 2 to 1 margin. Another $238 million in the bill is for juvenile crime prevention programs, $64 million over last year, $7 million more than we were requested, and that funds H.R. 1818, the bipartisan bill that passed the House in July, an initiative again of the Congress.

For violence against women programs we provide $306 million. That is a $109 million increase over current spending, $57 million more than the President requested.

For the war on drugs we provide a $200 million increase, including a $134 million increase for the Drug Enforcement Administration; a $34 million initiative in the Caribbean, a main route into our Nation from South America of hard drugs; a $51 million increase for the Southwest border, the other big avenue for drugs coming into our country; and $46 million to combat heroin and the reemergence of methamphetamines as a scourge on our young people.

To control our borders that are still allowing 300,000 more illegal immigrants into the country each year, we provide a $272 million increase for the

Immigration and Naturalization Service. That includes a thousand new border patrol agents, which is twice what we were asked for by the White House.

We provide $25 million to restore integrity to the naturalization process, ending the fingerprint scam that has contributed to felons receiving the most precious grant that we have, citizenship in the United States. We require criminal record checks before they are granted citizenship, and we revoke citizenship wrongfully granted to criminals by the dozens of thousands just last year.

The bill also authorizes and directs the Attorney General to fire on the spot any INS employee who does not follow department policy on granting citizenship or who willfully deceives the Congress, as has occurred in the past year.

□ 1730

Six hundred million dollars goes to States for their costs in jailing illegal aliens, a $100 million increase over last year and over the President's request.

This bill, Mr. Chairman, does not let up in the war on crime, drugs, and illegal immigration, and we break new ground on juvenile crime and juvenile crime prevention.

For the balance of the bill, with very few exceptions, funding is provided at or below current levels. For the Commerce Department, the bill provides $4.1 billion, a $332 million increase, and that is related to the ramp-up for the decennial census in the year 2000.

On the 2000 census, Mr. Chairman, the issue is whether to spend more than $4 billion in the next three years for a census that abandons for the first time in our history an actual head count before we know whether or not such a procedure is constitutional and legal, or whether to do the most prudent and logical thing and get the courts to tell us beforehand whether or not sampling, if you will, is constitutional and legal.

The bill provides $382 million for the census. That is an increase of $298 million over current spending and $27 million more than we were asked, so there can be no question of our willingness to spend what it takes to conduct the census in the right way, in the way it has always been done, every 10 years in the history of this Nation.

The Administration wants us to abandon our history and take off on a new, untested, and many of us think, illegal, or unlawful, and unconstitutional process. The issue is what is required by our Constitution and the laws on the books. It is a legal question, and the bill assures there is a fair and impartial answer from the only body that can provide that, the Supreme Court.

The legislative branch and the executive branch of government differ on this point. They say it is legal; we say it is not. The third branch, the Judiciary, under our Constitution, is the only body that can deliberate that question and answer it.

Before billions of dollars of taxpayers' monies are put at risk for the first time in a sampling process that we think is unconstitutional, the Congress, the Administration, and, most importantly, the public deserve to have the dispute resolved beforehand, and that is what we do in the bill.

For the international programs in the bill, State Department operations, the United States Information Agency, the Arms Control and Disarmament Agency, for all practical purposes, the bill level funds them.

The only new initiative is $40 million to fund a 24 hour broadcasting operation to China through Radio Free Asia and Voice of America, an initiative proposed by the Speaker and endorsed by the President.

For international organizations and peacekeeping the bill provides $3 million less than in fiscal 1997. Within that reduced amount, we provide $100 million for United Nations arrearages, but only if an authorization bill passes the Congress and only if that authorization bill contains real and substantial reforms of the United Nations as a condition for release of the money. It has been this Subcommittee all these years that has been the driving force in pushing for reform of the United Nations, and it is beginning to work. Reforms first, and only then the first step toward payment of the arrearages.

For the Legal Services Corporation, the bill provides $141 million, which is half of the current level. We keep the restrictions on these funds to ensure that they are spent only to provide civil legal assistance to the poor, and adds a new one to give LSC more authority to sanction grantees that violate those important restrictions.

I want to thank my very able ranking minority member, the very able gentleman from West Virginia [Mr. MOLLOHAN], who has been a very helpful and wise helpmate in drafting of the bill. I want to thank our full committee chairman, the gentleman from Louisiana [Mr. LIVINGSTON], who has been especially helpful, as well as the ranking full committee minority member, the gentleman from Wisconsin [Mr. OBEY], for being very helpful, and, of course, all the members of our subcommittee who have been able and helpful workmates in preparing this bill. We appreciate their help and support, more than we can say.

Mr. Chairman, this bill will give the American people a stronger domestic defense against crime, while exercising restraint and insisting on reform in the balance of the bill. It is a bill that I commend highly to our colleagues, and urge their support.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, AND THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2267)

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses	75,773,000	79,959,000	76,199,000	+426,000	-3,760,000
Emergency appropriations	3,600,000			-3,600,000	
Total, salaries and expenses	79,373,000	79,959,000	76,199,000	-3,174,000	-3,760,000
Counterterrorism fund	9,450,000	29,450,000	20,000,000	+10,550,000	-9,450,000
Emergency appropriations	20,000,000			-20,000,000	
Total, Counterterrorism fund	29,450,000	29,450,000	20,000,000	-9,450,000	-9,450,000
Administrative review and appeals:					
Direct appropriation	62,000,000	70,007,000	66,700,000	+4,700,000	-3,307,000
Emergency appropriations	1,000,000			-1,000,000	
Crime trust fund	48,000,000	59,251,000	59,000,000	+11,000,000	-251,000
Total, Administrative review and appeals	111,000,000	129,258,000	125,700,000	+14,700,000	-3,558,000
Office of Inspector General	31,960,000	33,211,000	33,211,000	+1,251,000	
Total, General administration	251,783,000	271,878,000	255,110,000	+3,327,000	-16,768,000
Appropriations	(179,183,000)	(212,627,000)	(196,110,000)	(+16,927,000)	(-16,517,000)
Emergency appropriations	(24,600,000)			(-24,600,000)	
Crime trust fund	(48,000,000)	(59,251,000)	(59,000,000)	(+11,000,000)	(-251,000)
United States Parole Commission					
Salaries and expenses	4,845,000	4,799,000	4,799,000	-46,000	
Legal Activities					
General legal activities:					
Direct appropriation	420,793,000	466,557,000	445,000,000	+24,207,000	-21,557,000
Emergency appropriations	1,719,000			-1,719,000	
Crime trust fund	7,750,000	7,969,000	7,969,000	+219,000	
Total, General legal activities	430,262,000	474,526,000	452,969,000	+22,707,000	-21,557,000
Vaccine injury compensation trust fund	4,028,000	4,028,000	4,028,000		
Independent counsel (permanent, indefinite)	3,000,000	9,500,000	9,500,000	+6,500,000	
Antitrust Division	92,447,000	97,542,000	94,542,000	+2,095,000	-3,000,000
Offsetting fee collections - carryover	-16,000,000	-10,000,000	-10,000,000	+6,000,000	
Offsetting fee collections - current year	-58,905,000	-70,000,000	-70,000,000	-11,095,000	
Direct appropriation	17,542,000	17,542,000	14,542,000	-3,000,000	-3,000,000
United States Attorneys:					
Direct appropriation	923,340,000	1,018,617,000	973,000,000	+49,660,000	-45,617,000
Emergency appropriations	10,900,000			-10,900,000	
Crime trust fund	43,876,000	50,828,000	62,828,000	+18,952,000	+12,000,000
Total, United States Attorneys	978,116,000	1,069,445,000	1,035,828,000	+57,712,000	-33,617,000
United States Trustee System Fund	107,950,000	116,721,000	107,950,000		-8,771,000
Offsetting fee collections	-49,869,000	-116,721,000	-107,950,000	-58,081,000	+8,771,000
Direct appropriation	58,081,000			-58,081,000	
Foreign Claims Settlement Commission	953,000	1,226,000	1,226,000	+273,000	
United States Marshals Service:					
Direct appropriation	457,495,000	475,244,000	462,944,000	+5,449,000	-12,300,000
Crime trust fund	25,000,000	25,553,000	25,553,000	+553,000	
Total, United States Marshals Service	482,495,000	500,797,000	488,497,000	+6,002,000	-12,300,000
Federal Prisoner Detention	405,262,000	462,831,000	405,262,000		-57,569,000
Fees and expenses of witnesses	100,702,000	75,000,000	75,000,000	-25,702,000	
Community Relations Service	5,319,000	7,500,000	5,319,000		-2,181,000
Assets forfeiture fund	23,000,000	23,000,000	23,000,000		
Total, Legal activities	2,508,760,000	2,645,395,000	2,515,171,000	+6,411,000	-130,224,000
Appropriations	(2,419,515,000)	(2,561,045,000)	(2,418,821,000)	(-694,000)	(-142,224,000)
Emergency appropriations	(12,619,000)			(-12,619,000)	
Crime trust fund	(76,626,000)	(84,350,000)	(96,350,000)	(+19,724,000)	(+12,000,000)
Radiation Exposure Compensation					
Administrative expenses	2,000,000	2,000,000	2,000,000		
Advance appropriation		2,000,000	2,000,000	+2,000,000	
Payment to radiation exposure compensation trust fund	13,736,000	4,381,000	4,381,000	-9,355,000	
Advance appropriation		29,000,000	29,000,000	+29,000,000	
Total, Radiation Exposure Compensation	15,736,000	37,381,000	37,381,000	+21,645,000	
Interagency Law Enforcement					
Interagency crime and drug enforcement	359,430,000	294,967,000	294,967,000	-64,463,000	

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, AND THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2267)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Federal Bureau of Investigation					
Salaries and expenses	2,257,880,000	2,482,267,000	2,475,463,000	+217,583,000	-6,804,000
Anti-terrorism activities (emergency appropriations)	115,610,000			-115,610,000	
Counterintelligence and national security	147,081,000	147,081,000	147,081,000		
FBI Fingerprint identification	84,400,000	84,400,000	84,400,000		
Advance appropriation, FY 1999		47,800,000			-47,800,000
Health care fraud enforcement	-38,000,000			+38,000,000	
Subtotal	2,566,971,000	2,761,548,000	2,706,944,000	+139,973,000	-54,604,000
Crime trust fund	169,000,000	179,121,000	179,121,000	+10,121,000	
Telecommunications carrier compliance fund		50,000,000			-50,000,000
Defense function		50,000,000	50,000,000	+50,000,000	
Emergency appropriations	60,000,000			-60,000,000	
Construction	41,639,000	49,006,000	38,506,000	-3,133,000	-10,500,000
Total, Federal Bureau of Investigation	2,837,610,000	3,089,675,000	2,974,571,000	+136,961,000	-115,104,000
Appropriations	(2,493,000,000)	(2,862,754,000)	(2,795,450,000)	(+302,450,000)	(-67,304,000)
Advance appropriations		(47,800,000)			(-47,800,000)
Emergency appropriations	(175,610,000)			(-175,610,000)	
Crime trust fund	(169,000,000)	(179,121,000)	(179,121,000)	(+10,121,000)	
Drug Enforcement Administration					
Salaries and expenses	798,212,000	740,293,000	872,731,000	+74,519,000	+132,438,000
Diversion control fund	-52,824,000	-58,268,000	-58,268,000	-5,444,000	
Direct appropriation	745,388,000	682,025,000	814,463,000	+69,075,000	+132,438,000
Emergency appropriations	5,000,000			-5,000,000	
Crime trust fund	220,000,000	400,037,000	310,037,000	+90,037,000	-90,000,000
Construction	30,806,000	5,500,000	5,500,000	-25,306,000	
Total, Drug Enforcement Administration	1,001,194,000	1,087,562,000	1,130,000,000	+128,806,000	+42,438,000
Appropriations	(776,194,000)	(687,525,000)	(819,963,000)	(+43,769,000)	(+132,438,000)
Emergency appropriations	(5,000,000)			(-5,000,000)	
Crime trust fund	(220,000,000)	(400,037,000)	(310,037,000)	(+90,037,000)	(-90,000,000)
Immigration and Naturalization Service					
Salaries and expenses	1,590,159,000	1,651,463,000	1,609,441,000	+19,282,000	-42,022,000
Emergency appropriations	15,000,000			-15,000,000	
Immigration initiative (crime trust fund)	500,000,000	732,251,000	690,957,000	+190,957,000	-41,294,000
Subtotal, Direct and crime trust fund	(2,105,159,000)	(2,383,714,000)	(2,300,398,000)	(+195,239,000)	(-83,316,000)
Fee accounts:					
Immigration legalization fund	(1,893,000)	(1,259,000)	(1,259,000)	(-634,000)	
Immigration user fee	(388,664,000)	(419,296,000)	(419,296,000)	(+30,632,000)	
Land border inspection fund	(11,054,000)	(8,888,000)	(8,888,000)	(-2,166,000)	
Immigration examinations fund	(567,550,000)	(646,916,000)	(667,477,000)	(+99,927,000)	(+20,561,000)
Breached bond fund	(6,613,000)	(104,471,000)	(104,471,000)	(+97,858,000)	
Immigration enforcement fines		(13,800,000)	(13,800,000)	(+13,800,000)	
Subtotal, Fee accounts	(975,774,000)	(1,194,630,000)	(1,215,191,000)	(+239,417,000)	(+20,561,000)
Construction	8,841,000	73,831,000	70,959,000	+62,118,000	-2,872,000
Total, Immigration and Naturalization Service	(3,089,774,000)	(3,652,175,000)	(3,586,548,000)	(+496,774,000)	(-65,627,000)
Appropriations	(1,599,000,000)	(1,725,294,000)	(1,680,400,000)	(+81,400,000)	(-44,894,000)
Emergency appropriations	(15,000,000)			(-15,000,000)	
Crime trust fund	(500,000,000)	(732,251,000)	(690,957,000)	(+190,957,000)	(-41,294,000)
(Fee accounts)	(975,774,000)	(1,194,630,000)	(1,215,191,000)	(+239,417,000)	(+20,561,000)
Federal Prison System					
Salaries and expenses	2,858,316,000	3,015,642,000	2,959,642,000	+101,326,000	-56,000,000
Prior year carryover	-90,000,000	-50,000,000	-90,000,000		-40,000,000
Direct appropriation	2,768,316,000	2,965,642,000	2,869,642,000	+101,326,000	-96,000,000
Crime trust fund	25,224,000	26,135,000	26,135,000	+911,000	
Total, Salaries and expenses	2,793,540,000	2,991,777,000	2,895,777,000	+102,237,000	-96,000,000
Buildings and facilities	395,700,000	252,833,000	255,133,000	-140,567,000	+2,300,000
Federal Prison Industries, Incorporated (limitation on administrative expenses)	(3,042,000)	(3,930,000)	(3,490,000)	(+448,000)	(-440,000)
Total, Federal Prison System	3,189,240,000	3,244,610,000	3,150,910,000	-38,330,000	-93,700,000
Office of Justice Programs					
Justice assistance:					
Direct appropriation	101,429,000	166,665,000	162,500,000	+61,071,000	-4,165,000
Emergency appropriations	17,000,000			-17,000,000	
Total, Justice assistance	118,429,000	166,665,000	162,500,000	+44,071,000	-4,165,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, AND THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2267)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
State and local law enforcement assistance:					
Direct appropriations:					
Byrne grants (discretionary)	60,000,000		46,500,000	-13,500,000	+46,500,000
Byrne grants (formula)	301,000,000		491,500,000	+190,500,000	+491,500,000
Weed and seed fund (earmark)	(28,500,000)	(28,500,000)	40,000,000	+40,000,000	+40,000,000
Subtotal, Direct appropriations	361,000,000		578,000,000	+217,000,000	+578,000,000
Crime trust fund:					
Byrne grants (direct/formula)	199,000,000	580,000,000	13,500,000	-185,500,000	-566,500,000
Community oriented policing services	1,400,000,000	1,400,000,000	1,400,000,000		
Police corps	20,000,000	20,000,000	20,000,000		
Law enforcement scholarship program		20,000,000			-20,000,000
Police recruitment grants program		5,000,000			-5,000,000
Prosecutorial initiatives targeting crime and violent juveniles program		100,000,000			-100,000,000
Juvenile crime block grant			300,000,000	+300,000,000	+300,000,000
Local law enforcement block grant	523,000,000		523,000,000		+523,000,000
Boys and Girls clubs (earmark)	(20,000,000)		(20,000,000)		(+20,000,000)
Drug courts	30,000,000	75,000,000	30,000,000		-45,000,000
Upgrade criminal history records	50,000,000	45,000,000	45,000,000	-5,000,000	
State prison grants	670,000,000	710,500,000	722,500,000	+52,500,000	+12,000,000
State criminal alien assistance program	330,000,000	350,000,000	420,000,000	+90,000,000	+70,000,000
Violence Against Women grants	196,500,000	248,750,000	305,500,000	+109,000,000	+56,750,000
State prison drug treatment	30,000,000	63,000,000	63,000,000	+33,000,000	
State courts assistance		50,000,000			-50,000,000
Other crime control programs	7,650,000	30,605,000	14,650,000	+7,000,000	-15,955,000
Subtotal, Crime trust fund	3,456,150,000	3,697,855,000	3,857,150,000	+401,000,000	+159,295,000
Total, State and local law enforcement	3,817,150,000	3,697,855,000	4,435,150,000	+618,000,000	+737,295,000
Juvenile justice programs	174,500,000	230,422,000	237,922,000	+63,422,000	+7,500,000
Public safety officers benefits program:					
Death benefits	30,126,000	31,003,000	31,003,000	+877,000	
Disability benefits	2,200,000	2,264,000		-2,200,000	-2,264,000
Federal law enforcement education assistance		2,000,000	2,000,000	+2,000,000	
Total, Office of Justice Programs	4,142,405,000	4,130,209,000	4,868,575,000	+726,170,000	+738,366,000
Appropriations	(669,255,000)	(432,354,000)	(1,011,425,000)	(+342,170,000)	(+579,071,000)
Emergency appropriations	(17,000,000)			(-17,000,000)	
Crime trust fund	(3,456,150,000)	(3,697,855,000)	(3,857,150,000)	(+401,000,000)	(+159,295,000)
Total, title I, Department of Justice	16,425,003,000	17,264,021,000	17,602,841,000	+1,177,838,000	+338,820,000
Appropriations	(11,680,174,000)	(12,006,221,000)	(12,353,091,000)	(+672,917,000)	(+346,870,000)
Advance appropriations		(78,800,000)	(31,000,000)	(+31,000,000)	(-47,800,000)
Emergency appropriations	(249,829,000)			(-249,829,000)	
Crime trust fund	(4,495,000,000)	(5,179,000,000)	(5,218,750,000)	(+723,750,000)	(+39,750,000)
(Limitation on administrative expenses)	(3,042,000)	(3,930,000)	(3,490,000)	(+448,000)	(-440,000)
TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES					
TRADE AND INFRASTRUCTURE DEVELOPMENT					
Office of the United States Trade Representative					
Salaries and expenses	21,449,000	22,092,000	21,700,000	+251,000	-392,000
International Trade Commission					
Salaries and expenses	40,850,000	41,980,000	41,400,000	+550,000	-580,000
Total, Related agencies	62,299,000	64,072,000	63,100,000	+801,000	-972,000
DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration	270,000,000	271,636,000	279,500,000	+9,500,000	+7,864,000
Export Administration					
Operations and administration	36,000,000	43,126,000	41,000,000	+5,000,000	-2,126,000
Emergency appropriations	3,900,000			-3,900,000	
Total, Export Administration	39,900,000	43,126,000	41,000,000	+1,100,000	-2,126,000
Economic Development Administration					
Economic development assistance programs	328,500,000	319,000,000	340,000,000	+11,500,000	+21,000,000
Emergency appropriations	25,000,000			-25,000,000	
Emergency appropriations (1997 supplemental)	50,200,000			-50,200,000	
Subtotal	403,700,000	319,000,000	340,000,000	-63,700,000	+21,000,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, AND THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2267)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Salaries and expenses	20,036,000	24,028,000	21,000,000	+964,000	-3,028,000
Emergency appropriations (1997 supplemental)	2,000,000	.....	.....	-2,000,000	.....
Total, Economic Development Administration	425,736,000	343,028,000	361,000,000	-64,736,000	+17,972,000
Minority Business Development Agency					
Minority business development	28,000,000	27,811,000	25,000,000	-3,000,000	-2,811,000
Total, Trade and Infrastructure Development	825,935,000	749,673,000	769,600,000	-56,335,000	+19,927,000
ECONOMIC AND INFORMATION INFRASTRUCTURE					
Economic and Statistical Analysis					
Salaries and expenses	45,900,000	52,196,000	47,000,000	+1,100,000	-5,196,000
Bureau of the Census					
Salaries and expenses	135,000,000	138,056,000	136,499,000	+1,499,000	-1,557,000
Periodic censuses and programs	210,500,000	523,126,000	550,126,000	+339,626,000	+27,000,000
Total, Bureau of the Census	345,500,000	661,182,000	686,625,000	+341,125,000	+25,443,000
National Telecommunications and Information Administration					
Salaries and expenses	15,000,000	18,074,000	17,100,000	+2,100,000	-974,000
Public broadcasting facilities, planning and construction	15,250,000	.....	16,750,000	+1,500,000	+16,750,000
Information infrastructure grants	21,490,000	36,000,000	21,490,000	.....	-14,510,000
Total, National Telecommunications and Information Administration	51,740,000	54,074,000	55,340,000	+3,600,000	+1,266,000
Patent and Trademark Office					
Salaries and expenses	61,252,000	27,000,000	27,000,000	-34,252,000	.....
Fees collected	(601,723,000)	(629,320,000)	(664,000,000)	(+62,277,000)	(+34,680,000)
(Prior year carryover)	(30,000,000)	.....	(18,000,000)	(-12,000,000)	(+18,000,000)
Total, Patent and Trademark Office	(692,975,000)	(656,320,000)	(709,000,000)	(+16,025,000)	(+52,680,000)
Total, Economic and Information Infrastructure	504,392,000	794,452,000	815,965,000	+311,573,000	+21,513,000
SCIENCE AND TECHNOLOGY					
Technology Administration					
Salaries and expenses	9,500,000	9,230,000	8,500,000	-1,000,000	-730,000
National Institute of Standards and Technology					
Scientific and technical research and services	268,000,000	276,852,000	282,852,000	+14,852,000	+6,000,000
Industrial technology services	313,000,000	399,000,000	298,600,000	-14,400,000	-100,400,000
Construction of research facilities	.....	16,692,000	111,092,000	+111,092,000	+94,400,000
Total, National Institute of Standards and Technology	581,000,000	692,544,000	692,544,000	+111,544,000	.....
National Oceanic and Atmospheric Administration					
Operations, research and facilities	1,854,067,000	1,476,245,000	1,406,400,000	-447,667,000	-69,845,000
Offsetting collections - fees	-3,000,000	-3,000,000	-3,000,000	.....	.....
Direct appropriation	1,851,067,000	1,473,245,000	1,403,400,000	-447,667,000	-69,845,000
(By transfer from Promote and Develop Fund)	(66,000,000)	(62,381,000)	(62,381,000)	(-3,619,000)	.....
(By transfer from Damage assessment and restoration revolving fund, permanent)	6,000,000	5,000,000	5,000,000	-1,000,000	.....
(Damage assessment and restoration revolving fund)	-6,000,000	-5,000,000	-5,000,000	+1,000,000	.....
Total, Operations, research and facilities	1,851,067,000	1,473,245,000	1,403,400,000	-447,667,000	-69,845,000
Capital assets acquisition	.....	503,464,000	460,600,000	+460,600,000	-42,864,000
Advance appropriations, FY 1999 - 2010	.....	3,485,517,000	.....	.....	-3,485,517,000
Coastal zone management fund	(7,800,000)	(7,800,000)	(7,800,000)	.....	.....
Mandatory offset	(-7,800,000)	(-7,800,000)	(-7,800,000)	.....	.....
Construction	58,250,000	.....	.....	-58,250,000	.....
Emergency appropriations (1997 supplemental)	10,800,000	.....	.....	-10,800,000	.....
Fleet modernization, shipbuilding and conversion	8,000,000	.....	.....	-8,000,000	.....
Fishing vessel and gear damage fund	200,000	.....	.....	-200,000	.....
Fishermen's contingency fund	1,000,000	953,000	953,000	-47,000	.....
Foreign fishing observer fund	196,000	189,000	189,000	-7,000	.....
Fisheries finance program account	250,000	238,000	250,000	.....	+12,000
Total, National Oceanic and Atmospheric Administration	1,929,763,000	5,463,606,000	1,865,392,000	-64,371,000	-3,598,214,000
Total, Science and Technology	2,520,263,000	6,165,380,000	2,566,436,000	+46,173,000	-3,598,944,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, AND THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2267)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
General Administration					
Salaries and expenses	28,490,000	30,085,000	28,490,000	.....	-1,595,000
Office of Inspector General	20,140,000	21,677,000	20,140,000	.....	-1,537,000
Working capital fund (by transfer)	(3,000,000)	.....	.....	(-3,000,000)	.....
Total, General administration	48,630,000	51,762,000	48,630,000	.....	-3,132,000
National Institute of Standards and Technology					
Construction of research facilities (rescission)	-16,000,000	.....	.....	+16,000,000	.....
National Oceanic and Atmospheric Administration					
Operations, research and facilities (rescission)	-20,000,000	.....	-5,000,000	+15,000,000	-5,000,000
Total, Department of Commerce	3,800,921,000	7,697,195,000	4,132,531,000	+331,610,000	-3,564,664,000
Total, title II, Department of Commerce and related agencies	3,863,220,000	7,761,267,000	4,195,631,000	+332,411,000	-3,565,636,000
Appropriations	(3,807,320,000)	(4,275,750,000)	(4,200,631,000)	(+393,311,000)	(-75,119,000)
Rescissions	(-36,000,000)	.....	(-5,000,000)	(+31,000,000)	(-5,000,000)
Advance appropriations	.....	(3,485,517,000)	.....	.....	(-3,485,517,000)
Emergency appropriations	(91,900,000)	.....	.....	(-91,900,000)	.....
(By transfer)	(69,000,000)	(62,381,000)	(62,381,000)	(-6,619,000)	.....
TITLE III - THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	1,704,000	1,654,000	1,654,000	-50,000	.....
Other salaries and expenses	25,453,000	27,624,000	27,624,000	+2,171,000	.....
Total, Salaries and expenses	27,157,000	29,278,000	29,278,000	+2,121,000	.....
Care of the building and grounds	2,800,000	3,997,000	3,400,000	+600,000	-597,000
Total, Supreme Court of the United States	29,957,000	33,275,000	32,678,000	+2,721,000	-597,000
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	1,898,000	1,887,000	1,887,000	-11,000	.....
Other salaries and expenses	13,115,000	14,269,000	13,620,000	+505,000	-649,000
Total, Salaries and expenses	15,013,000	16,156,000	15,507,000	+494,000	-649,000
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,447,000	1,483,000	1,483,000	+36,000	.....
Other salaries and expenses	9,667,000	9,995,000	9,995,000	+328,000	.....
Total, Salaries and expenses	11,114,000	11,478,000	11,478,000	+364,000	.....
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	225,956,000	227,674,000	227,674,000	+1,718,000	.....
Other salaries and expenses	2,330,044,000	2,614,166,000	2,472,395,000	+142,351,000	-141,771,000
Emergency appropriations	10,000,000	.....	.....	-10,000,000	.....
Direct appropriation	2,566,000,000	2,841,840,000	2,700,069,000	+134,069,000	-141,771,000
Crime trust fund	30,000,000	50,000,000	40,000,000	+10,000,000	-10,000,000
Total, Salaries and expenses	2,596,000,000	2,891,840,000	2,740,069,000	+144,069,000	-151,771,000
Vaccine Injury Compensation Trust Fund	2,390,000	2,450,000	2,450,000	+60,000	.....
Defender services	308,000,000	329,529,000	329,529,000	+21,529,000	.....
Fees of jurors and commissioners	67,000,000	69,651,000	66,196,000	-804,000	-3,455,000
Court security	127,000,000	170,304,000	167,214,000	+40,214,000	-3,090,000
Total, Courts of Appeals, District Courts, and Other Judicial Services	3,100,390,000	3,463,774,000	3,305,458,000	+205,068,000	-158,316,000
Administrative Office of the United States Courts					
Salaries and expenses	49,450,000	54,108,000	52,000,000	+2,550,000	-2,108,000
Federal Judicial Center					
Salaries and expenses	17,495,000	18,425,000	17,495,000	.....	-930,000
Judicial Retirement Funds					
Payment to Judiciary Trust Funds	30,200,000	32,200,000	34,200,000	+4,000,000	+2,000,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, AND THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2267)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
United States Sentencing Commission					
Salaries and expenses	8,490,000	9,480,000	9,000,000	+510,000	-480,000
Total, title III, the Judiciary	3,262,109,000	3,638,896,000	3,477,816,000	+215,707,000	-161,080,000
Appropriations	(3,222,109,000)	(3,588,896,000)	(3,437,816,000)	(+215,707,000)	(-151,080,000)
Emergency appropriations	(10,000,000)	.....	.....	(-10,000,000)	.....
Crime trust fund	(30,000,000)	(50,000,000)	(40,000,000)	(+10,000,000)	(-10,000,000)
TITLE IV - DEPARTMENT OF STATE					
Administration of Foreign Affairs					
Diplomatic and consular programs	1,700,900,000	1,291,277,000	1,715,577,000	+14,677,000	+424,300,000
Registration fees	700,000	700,000	700,000	.....	.....
Emergency appropriations (security)	23,700,000	.....	.....	-23,700,000	.....
Security	.....	.....	23,700,000	+23,700,000	+23,700,000
Fee proposal	.....	595,000,000	.....	.....	-595,000,000
Total, Diplomatic and consular programs	1,725,300,000	1,886,977,000	1,739,977,000	+14,677,000	-147,000,000
Salaries and expenses	352,300,000	363,513,000	363,513,000	+11,213,000	.....
Capital investment fund	24,600,000	64,600,000	50,600,000	+26,000,000	-14,000,000
Office of Inspector General	27,495,000	28,300,000	28,300,000	+805,000	.....
Representation allowances	4,490,000	4,300,000	4,300,000	-190,000	.....
Protection of foreign missions and officials	8,332,000	7,900,000	7,900,000	-432,000	.....
Security and maintenance of United States missions	364,495,000	373,081,000	373,081,000	+8,586,000	.....
Emergency appropriations	24,825,000	.....	.....	-24,825,000	.....
Total, Security and maintenance of United States missions	389,320,000	373,081,000	373,081,000	-16,239,000	.....
Emergencies in the diplomatic and consular service	5,800,000	5,500,000	5,500,000	-300,000	.....
Repatriation Loans Program Account:					
Direct loans subsidy	593,000	593,000	593,000	.....	.....
Administrative expenses	663,000	607,000	607,000	-56,000	.....
Total, Repatriation loans program account	1,256,000	1,200,000	1,200,000	-56,000	.....
Payment to the American Institute in Taiwan	14,490,000	14,490,000	14,000,000	-490,000	-490,000
Payment to the Foreign Service Retirement and Disability Fund	126,491,000	129,935,000	129,935,000	+3,444,000	.....
Total, Administration of Foreign Affairs	2,679,874,000	2,879,796,000	2,718,306,000	+38,432,000	-161,490,000
International Organizations and Conferences					
Contributions to international organizations, current year assessment	892,000,000	969,000,000	924,952,000	+32,952,000	-44,048,000
Prior year assessment	.....	54,000,000	54,000,000	+54,000,000	.....
Subtotal	892,000,000	1,023,000,000	978,952,000	+86,952,000	-44,048,000
Contributions for international peacekeeping activities, current year	302,400,000	240,000,000	215,000,000	-87,400,000	-25,000,000
Prior year assessment	50,000,000	46,000,000	46,000,000	-4,000,000	.....
Subtotal	352,400,000	286,000,000	261,000,000	-91,400,000	-25,000,000
International conferences and contingencies	.....	4,941,000	1,500,000	+1,500,000	-3,441,000
Total, International Organizations and Conferences	1,244,400,000	1,313,941,000	1,241,452,000	-2,948,000	-72,489,000
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses	15,490,000	18,490,000	17,490,000	+2,000,000	-1,000,000
Construction	6,463,000	6,463,000	6,463,000	.....	.....
American sections, international commissions	5,490,000	5,660,000	5,490,000	.....	-170,000
International fisheries commissions	14,549,000	14,549,000	14,490,000	-59,000	-59,000
Total, International commissions	41,992,000	45,162,000	43,933,000	+1,941,000	-1,229,000
Other					
Payment to the Asia Foundation	8,000,000	8,000,000	8,000,000	.....	.....
Total, Department of State	3,974,266,000	4,246,899,000	4,011,691,000	+37,425,000	-235,208,000
RELATED AGENCIES					
Arms Control and Disarmament Agency					
Arms control and disarmament activities	41,500,000	46,200,000	41,500,000	.....	-4,700,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, AND THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2267)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
United States Information Agency					
International information programs	440,000,000	434,097,000	430,597,000	-9,403,000	-3,500,000
Emergency appropriations	1,375,000	.....	.....	-1,375,000	.....
Total, salaries and expenses	441,375,000	434,097,000	430,597,000	-10,778,000	-3,500,000
Technology fund	5,050,000	7,000,000	5,050,000	.....	-1,950,000
Educational and cultural exchange programs	185,000,000	197,731,000	193,731,000	+8,731,000	-4,000,000
Eisenhower Exchange Fellowship Program, trust fund	600,000	600,000	600,000	.....	.....
Israeli Arab scholarship program	400,000	400,000	400,000	.....	.....
International Broadcasting Operations	325,000,000	366,750,000	391,550,000	+66,550,000	+24,800,000
Broadcasting to Cuba (direct)	25,000,000	.....	.....	-25,000,000	.....
Radio construction	35,490,000	32,710,000	40,000,000	+4,510,000	+7,290,000
East-West Center	10,000,000	7,000,000	.....	-10,000,000	-7,000,000
North/South Center	1,495,000	1,500,000	.....	-1,495,000	-1,500,000
National Endowment for Democracy	30,000,000	30,000,000	30,000,000	.....	.....
Total, United States Information Agency	1,059,410,000	1,077,788,000	1,091,928,000	+32,518,000	+14,140,000
Total, related agencies	1,100,910,000	1,123,988,000	1,133,428,000	+32,518,000	+9,440,000
Total, title IV, Department of State	5,075,176,000	5,370,887,000	5,145,119,000	+69,943,000	-225,768,000
Appropriations	(5,025,276,000)	(5,370,887,000)	(5,145,119,000)	(+119,843,000)	(-225,768,000)
Emergency appropriations	(49,900,000)	.....	.....	(-49,900,000)	.....
TITLE V - RELATED AGENCIES					
DEPARTMENT OF TRANSPORTATION					
Maritime Administration					
Operating-differential subsidies (liquidation of contract authority)	(148,430,000)	(135,000,000)	(51,030,000)	(-97,400,000)	(-83,970,000)
Maritime Security Program	54,000,000	52,400,000	35,500,000	-18,500,000	-16,900,000
Operations and training	65,000,000	70,000,000	65,000,000	.....	-5,000,000
Maritime Guaranteed Loan Program Account:					
Guaranteed loans subsidy	37,450,000	35,000,000	35,000,000	-2,450,000	.....
Administrative expenses	3,450,000	4,000,000	3,450,000	.....	-550,000
Total, Maritime guaranteed loan program account	40,900,000	39,000,000	38,450,000	-2,450,000	-550,000
Total, Maritime Administration	159,900,000	161,400,000	138,950,000	-20,950,000	-22,450,000
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses	206,000	206,000	250,000	+44,000	+44,000
Commission on the Advancement of Federal Law Enforcement					
Salaries and expenses	2,000,000	.....	.....	-2,000,000	.....
Commission on Civil Rights					
Salaries and expenses	8,740,000	11,000,000	8,740,000	.....	-2,260,000
Commission on Immigration Reform					
Salaries and expenses	2,196,000	500,000	496,000	-1,700,000	-4,000
Commission on Security and Cooperation in Europe					
Salaries and expenses	1,090,000	1,090,000	1,090,000	.....	.....
Equal Employment Opportunity Commission					
Salaries and expenses	239,740,000	246,000,000	239,740,000	.....	-6,260,000
Federal Communications Commission					
Salaries and expenses	188,079,000	219,079,000	187,079,000	-1,000,000	-32,000,000
Offsetting fee collections - current year	-152,523,000	-162,523,000	-152,523,000	.....	+10,000,000
Direct appropriation	35,556,000	56,556,000	34,556,000	-1,000,000	-22,000,000
Federal Maritime Commission					
Salaries and expenses	14,000,000	14,300,000	13,500,000	-500,000	-800,000
Federal Trade Commission					
Salaries and expenses	101,930,000	108,000,000	105,000,000	+3,070,000	-3,000,000
Offsetting fee collections - carryover	-16,000,000	-10,000,000	-10,000,000	+6,000,000	.....
Offsetting fee collections - current year	-58,905,000	-70,000,000	-70,000,000	-11,095,000	.....
Direct appropriation	27,025,000	28,000,000	25,000,000	-2,025,000	-3,000,000
Gambling Impact Study Commission					
Salaries and expenses	4,000,000	.....	.....	-4,000,000	.....

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, AND THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2267)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Legal Services Corporation					
Payment to the Legal Services Corporation	283,000,000	340,000,000	141,000,000	-142,000,000	-199,000,000
Marine Mammal Commission					
Salaries and expenses	1,189,000	1,240,000	1,000,000	-189,000	-240,000
National Bankruptcy Review Commission					
Salaries and expenses	494,000			-494,000	
Ounce of Prevention Council					
Direct appropriation	500,000			-500,000	
Crime trust fund		9,000,000			-9,000,000
Securities and Exchange Commission					
Salaries and expenses	305,400,000	317,412,000	315,000,000	+9,600,000	-2,412,000
Offsetting fee collections	-222,622,000	-249,523,000	-249,523,000	-26,901,000	
Offsetting fee collections - carryover	-45,000,000	-32,000,000	-32,000,000	+13,000,000	
Direct appropriation	37,778,000	35,889,000	33,477,000	-4,301,000	-2,412,000
Small Business Administration					
Salaries and expenses	239,547,000	246,100,000	235,047,000	-4,500,000	-11,053,000
Offsetting fee collections	-4,500,000			+4,500,000	
Direct appropriation	235,047,000	246,100,000	235,047,000		-11,053,000
Office of Inspector General	9,000,000	10,600,000	9,490,000	+490,000	-1,110,000
Business Loans Program Account:					
Direct loans subsidy	1,691,000			-1,691,000	
Guaranteed loans subsidy	179,700,000	173,235,000	187,100,000	+7,400,000	+13,865,000
Micro loan guarantees	2,317,000			-2,317,000	
Administrative expenses	94,000,000	94,000,000	94,000,000		
Total, Business loans program account	277,708,000	267,235,000	281,100,000	+3,392,000	+13,865,000
Disaster loans program account	191,932,000	173,200,000	199,100,000	+7,168,000	+25,900,000
Emergency appropriations	135,000,000			-135,000,000	
Total, Disaster loans program account	326,932,000	173,200,000	199,100,000	-127,832,000	+25,900,000
Surety bond guarantees revolving fund	3,730,000	3,500,000	3,500,000	-230,000	
Total, Small Business Administration	852,417,000	700,635,000	728,237,000	-124,180,000	+27,602,000
State Justice Institute					
Salaries and expenses 1/	6,000,000	13,550,000	3,000,000	-3,000,000	-10,550,000
Total, title V, Related agencies	1,675,831,000	1,619,366,000	1,369,036,000	-306,795,000	-250,330,000
Appropriations	(1,540,831,000)	(1,610,366,000)	(1,369,036,000)	(-171,795,000)	(-241,330,000)
(Liquidation of contract authority)	(148,430,000)	(135,000,000)	(51,030,000)	(-97,400,000)	(-83,970,000)
TITLE VI - GENERAL PROVISIONS					
DEPARTMENT OF JUSTICE					
Congressional legal expenses (sec. 616)			1,000,000	+1,000,000	+1,000,000
GOVERNMENT-WIDE					
Defense function (by transfer)		(34,025,000)	(34,025,000)	(+34,025,000)	
International function (by transfer)		(47,089,000)	(47,089,000)	(+47,089,000)	
Domestic function (by transfer)		(31,845,000)	(31,845,000)	(+31,845,000)	
Total, title VI, general provisions			1,000,000	+1,000,000	+1,000,000
Appropriations			(1,000,000)	(+1,000,000)	(+1,000,000)
(By transfer)		(112,959,000)	(112,959,000)	(+112,959,000)	
TITLE VII - RESCISSIONS					
DEPARTMENT OF JUSTICE					
General Administration					
Working capital fund (rescission)	-36,400,000			+36,400,000	
Immigration and Naturalization Service					
Immigration Emergency fund (rescission)	-34,779,000			+34,779,000	
Total, title VII, Rescissions	-71,179,000			+71,179,000	

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, AND THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2267)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Grand total:					
New budget (obligational) authority	30,230,160,000	35,654,437,000	31,791,443,000	+1,561,283,000	-3,862,994,000
Appropriations	(25,275,710,000)	(26,852,120,000)	(26,506,693,000)	(+1,230,983,000)	(-345,427,000)
Advance appropriations	.....	(3,564,317,000)	(31,000,000)	(+31,000,000)	(-3,533,317,000)
Emergency appropriations	(536,629,000)	.....	.....	(-536,629,000)	.....
Rescissions	(-107,179,000)	.....	(-5,000,000)	(+102,179,000)	(-5,000,000)
Crime trust fund	(4,525,000,000)	(5,238,000,000)	(5,258,750,000)	(+733,750,000)	(+20,750,000)
(By transfer)	(69,000,000)	(175,340,000)	(175,340,000)	(+106,340,000)	.....
(Limitation on administrative expenses)	(3,042,000)	(3,930,000)	(3,490,000)	(+448,000)	(-440,000)
(Liquidation of contract authority)	(148,430,000)	(135,000,000)	(51,030,000)	(-97,400,000)	(-83,970,000)

1/ President's budget proposes $5,000,000 for State Justice Institute.

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

Mr. MOLLOHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from Kentucky [Mr. ROGERS], the distinguished chairman, for his kind remarks. I want to echo my remarks from the full committee markup regarding the fine job that our chairman has done on this bill. Chairman ROGERS characteristically has done an exemplary job with regard to this bill. He has worked diligently, he has taken excellent testimony from the agencies, from outside witnesses, and he has put together a document at the same time, including the concerns of the minority and certainly our input. We are very appreciative of that attitude and that way of proceeding and think it is very constructive and thank him for it.

I also want to commend at the beginning the fine work and hard work of some awfully good staff, Mr. Chairman. First of all, I want to note the excellent work that two members of my personal staff have done, Liz Whyte and Sally Gaines. I appreciate their tireless efforts throughout the fiscal year 1998 appropriations bill. It has been tremendous and the minority, we sometimes we work harder because we have less staff and they have done a tremendous job, both of my personal staff, and I am very appreciative.

Likewise, I am especially appreciative to the minority appropriations staff, Mark Murray, David Reich, and Pat Schlueter, for the excellent job they likewise have done in conjunction with the hard working committee staff, Jim Kulikowski, Therese McAuliffe, Jennifer Miller, Mike Ringler, and Jane Weisman. The committee is certainly well served by all these dedicated staff personnel.

Mr. Chairman, as the chairman has indicated in his remarks, much of which I associate myself with, there are a lot of things to like about this bill. Few will find fault with the robust funds that have been provided for the Department of Justice and law enforcement in general. Funds are provided in excess of those requested by the administration in many accounts.

Clearly law enforcement is an important priority of the Congress. It is an important priority of this administration, it is an important priority of the Nation, and the bill certainly rises to the occasion.

Members will be pleased to know that generous increases are provided over fiscal year 1997 spending levels for the FBI, for U.S. attorneys, for the U.S. Marshal Service, and for the Immigration and Naturalization Service. We have doubled the administration's requests for border patrol agents and provided more funds than requested by the President for the Drug Enforcement Administration.

Such funds will enable us to continue our important work in combating terrorism, illicit drug trafficking, and illegal immigration. Of particular note with regard to curbing the flow of illicit drugs into the United States, funds are provided for both a Southwest border initiative and a Caribbean initiative. In the area of State and local enforcement, I am pleased to report that full funding is provided for the COPS Program and the Byrne grant program. We see no debate on those issues on the floor this year.

Members of this committee will also be pleased to know the Violence Against Women's Act Program is funded above the President's request in this bill. I am happy to note that particular focus has been given to funding for juvenile justice delinquency prevention programs. We have provided a small increase above the President's request for juvenile crime prevention programs; $300 million has been provided for a new block grant program and funds for the local law enforcement block grant program are also included.

With respect to our international commitments, this bill represents the beginning of a bipartisan effort to eliminate our U.N. arrearages, and I am hopeful we will continue on this track in the future. I know there are some amendments addressing this issue. I hope that they are not seriously entertained by the Congress and that they are defeated.

Also, I want to mention that this bill provides increases over fiscal year 1997 for a number of State Department operating accounts.

Lastly, I feel that this bill in most instances deals fairly with the Commerce Department. The chairman has continued his commitment to such important programs as the public works grant program, PTFP, manufacturing extension partnership program, trade adjustment assistance, and the International Trade Administration.

Additionally, this bill provides more than the administration's request for the critical missions of the National Weather Service, being responsive to the concerns that were expressed during markup and during the summer and spring about the National Weather Service and its ability to perform its mission.

As pleased as I am with the funding levels, Mr. Chairman, for these programs that I have just mentioned, I want my colleagues to understand that this bill, like everything else, is not perfect. There are several issues which I would like to improve. I wanted to mention just a few of those that stand out.

First, although this bill provides more than the administration has requested for the 2000 census, I am deeply concerned with the restrictions placed on sampling, the most contentious issue in this bill, and restrictions on the Census Bureau in general.

The gentleman from Connecticut [Mr. SHAYS] and I plan to offer an amendment on this issue, which I hope my colleagues from both sides of the aisle will consider supporting. Sampling is the solution that the National Academy of Sciences has come up with to speak to the concerns expressed by many Members of this body after the 1990 census, when we were expressing doubts about the accuracy of the census. We asked experts to look at this issue and to recommend to the Congress how we could make the census more accurate, how we could count more people, how we could include more of the population in the process, and the answer was sampling.

Sampling is not new in the census process. It has been used for a number of the censuses, I am advised going back some 30 years, but the sophistication of the process and the extent of incorporating it into the census would be new, and the Census Bureau, regardless of what we do with sending it to the courts or sending it to the authorizers for legislative disposition of the issue of sampling, we need to be able to plan to incorporate sampling in the process.

Under the language in the bill, we cannot do that because of the delays inherent in the bill language. We would be so far into the process that the Census Bureau could not bring sampling into the census taking.

We need to fix that, and the Mollohan-Shays amendment does it. If the Mollohan-Shays amendment is not adopted, Mr. Chairman, the President will likely veto this bill.

This bill provides $185 million for the advanced technology program. While I am pleased that the chairman is providing some funding, it still is significantly below what was requested by the administration, and I hope we can increase that funding as time goes on.

Finally, Mr. Chairman, I regret that a 50 percent reduction was made to the funding for the Legal Services Corporation. As many know, the Legal Services Corporation is the only place many impoverished individuals in our Nation can turn to in times of legal need. The funding level provided in this bill will ensure that many, many of our most vulnerable citizens will not have legal representation in times of crisis. That is unacceptable in America.

I plan to offer an amendment later in the debate to restore $190 million in funding to this vital agency. We are going to destroy the language in the bill and replace it with the language in my amendment.

This will also be a bipartisan amendment, Mr. Chairman. The gentleman from Pennsylvania [Mr. FOX], who was a cosponsor of the amendment last year to restore funds to Legal Services, will also be the cosponsor on this bipartisan amendment.

This list is not exhaustive, but highlights a number of areas which I hope can improve the bill as it proceeds. I want to thank the chairman for his cooperation, leadership, good faith efforts, and responsiveness to our concerns.

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

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Mr. ROGERS. Mr. Chairman, I yield myself such time as I may consume to join the gentleman from West Virginia [Mr. MOLLOHAN], my ranking member, in also thanking staff on the subcommittee and our personal staffs for the excellent work that they have done in getting us to this point. Were it not for them, we would not be here, obviously.

Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. REGULA], one of the very able and hard-working members of this subcommittee, who also is chairman of one of the subcommittees of the Committee on Appropriations, the Subcommittee on Interior, and who also does a wonderful job there.

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

Mr. REGULA. Mr. Chairman, I thank the gentleman for yielding.

I will summarize. There are three important points I would like to make. First, this bill has an initiative to combat juvenile delinquency. This is a growing problem in our society, and we recognize it by increasing the appropriation for this program by 63 plus million dollars. How does it work? It works very well in terms of getting out and developing partnerships.

Recently the Attorney General of Ohio, Betty Montgomery, and myself participated in unveiling Ohio's OASIS project: Ohio's Accelerated School-based Intervention Solution. This is designed to establish a partnership among the State officials, the local officials, the schools, the private sector to deal with juvenile problems, and it focuses on early intervention, recognizing that the best medicine is preventive medicine, and if we can reach these young people early on, there is a good chance of helping them avoid trouble later down the road. This program is funded by the monies in this bill.

Secondly, there is money in this bill to promote U.S. exports abroad and to enforce U.S. trade laws at home. The Commerce Department's merchandizing export sales statistics from Canton-Massillon, which is part of my district, have increased 50 percent from 1993 to 1995. I think it indicates the importance of exports and ensures that these are done on a fair basis, that they are encouraged, and likewise, to prevent dumping into our own markets. Thus, it is important that we support the International Trade Administration. This bill contains an increase for the Commerce Department to ensure that the ITA will have adequate funds to ensure that trade laws are enforced correctly.

The last item is the ''made in USA'' label. Some thought that this could be reduced to 75 percent and still qualify on goods produced in the United States. I think that is wrong. If it is made in the USA, it should be made in the USA.

Mr. Chairman, I rise in support of the Fiscal Year 1997 Commerce, Justice, State and the Judiciary Appropriations Act. I would like to commend Chairman ROGERS and ranking member Mr. MOLLOHAN for balancing the many different functions and programs that are funded in this bill. You have worked hard, Mr. Chairman, to accommodate many diverse and competing interests in the bill.

One of the highlights of this bill is the initiative to combat juvenile delinquency. It is disturbing to note that since 1989, arrests of Ohio juveniles for violent crimes have risen 62 percent, and 20 percent of all violent crimes nationally are committed by youths under the age of 18.

But, there are many solutions being sought, and this bill contains a $63.4 million increase in funding for Juvenile Justice programs to fund many of these programs. The increased funding is directed not only toward law enforcement initiatives to punish violent juvenile offenders, but also toward quality intervention and prevention programs to help our youth from falling into the delinquency trap.

Earlier this month, I joined Ohio Attorney General Betty Montgomery in unveiling Project OASIS (Ohio Accelerated School-based Intervention Solution), an innovative new youth delinquency intervention and prevention program in Ohio. The program will provide intensive supervision for youth in grades 5–7 who are at-risk for increased delinquent behavior.

Project OASIS, which receives funding from the Justice Department's Office of Juvenile Justice and Delinquency, represents an effective solution crafted by a Federal, State and local partnership. I continue to strongly support this and other programs that provide specific solutions that work in a particular State or locality to help our youth stay on track and finish their educations.

Another issue of importance to north-east Ohio is the important work that the Commerce Department is doing to promote U.S. exports abroad and to enforce U.S. trade laws at home to ensure that U.S. companies have a level playing field in the global marketplace.

In recent statistics released by the Commerce Department, merchandise export sales from the Canton-Massillon area in my district have increased 50 percent from 1993 to 1995. We are further told by federal officials that, on average, jobs supported by exports pay 13 to 16 percent more than other U.S. jobs.

Therefore, I support the $9.5 million increase for the Commerce Department's International Trade Administration because expending exports, as well as protecting domestic companies against unfair foreign trade practices, are both crucial to creating and maintaining high wage jobs in the U.S.

Finally, I would like to highlight report language with respect to recent proposed changes to the ''Made in the USA'' label made by the Federal Trade Commission (FTC). These proposed new guidelines would allow the ''Made in the USA'' label to be used on products for which U.S. manufacturing costs are as low as 75 percent of the total manufacturing costs. The Committee report urges the FTC to retain the current standard for ''Made in the USA'' which requires that ''all or virtually all'' of the product must be made in America. U.S. consumers should not be misled and U.S. workmanship should not be undersold.

I urge my colleagues to support this important bill and I look forward to working with the Chairman when the bill reaches conference.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. SKAGGS], a very excellent member of the subcommittee.

Mr. SKAGGS. Mr. Chairman, I thank the gentleman for yielding me this time. I want to express my thanks to the gentleman from Kentucky [Mr. ROGERS], our chairman, and the gentleman from West Virginia [Mr. MOLLOHAN], and our excellent staff for their usual good work in putting this bill together. It really is an incredibly rich array of important funding for vital programs that this Government undertakes in behalf of all of our citizens. Many of them have already been mentioned: from law enforcement to crime prevention; border enforcement, immigration control and naturalization; the criminal and civil justice systems and our courts, all funded in this bill; important funding for the regulation of commerce, securities and communications; protection of intellectual property; the funding for research into the atmosphere and the oceans; cooperative efforts between government and private industry in cutting-edge technology through the ATP program; developing absolutely essential standards for commerce and industry through the National Institute for Standards and Technology; supporting this country's presence around the world in diplomacy and arms control and many other important international efforts; as the chairman pointed out, making major progress in resolving our U.N. funding arrearage issue; international trade, funding for the U.S. Trade Representatives, all vital services.

In addition to the good work in these areas, we do have some serious problems. We have to raise the funding for legal services if our goal of equal justice under law is to be a meaningful one. We have to deal with the census sampling matter if we are honest about our desire to have an accurate count of the people in this country, and not using this as a passive aggressive technique for avoiding adding Representatives in this House from certain areas that are undercounted. Finally, there are some needs to reinforce funding in some vital trade areas and research areas, where I look forward to working with the chairman of the subcommittee as the bill moves through the process.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. FORBES], a very hard-working member of our subcommittee.

[Mr. FORBES asked and was given permission to revise and extend his remarks.)

Mr. FORBES. Mr. Chairman, I grew up on the eastern end of Long Island around Montauk Point. It is a beautiful part of the world, and needless to say, I have spent many a day during my youth swimming and fishing and boating on the Atlantic and Long Island Sound. Like so many, I possess a great respect for our natural coastal heritage.

I want to commend and sincerely thank my chairman, the gentleman from Kentucky [Mr. ROGERS], and of course the ranking member, the gentleman from West Virginia [Mr. MOLLOHAN], and the subcommittee staffs on both sides of the aisle, and, of course, my colleagues for crafting what I believe is an equitable, bipartisan bill that among so many good public policy issues addresses some of the problems facing the coastal areas, like my own on Long Island.

Brown Tide is a micro-algae bloom that was first reported in the bays along Rhode Island in 1985, devastating our shellfish industry, a multimillion-dollar industry, and reducing the harvest from a high of 278,000 pounds back in 1984 to just 250 pounds in 1988.

This Brown Tide is a phenomenon that has gripped many coastal areas around the country, and like its related kin, the Red Tide that the gentleman from Florida [Mr. MILLER], my good friend, has been struggling to fight down in the Florida area, this phenomenon has created quite a lot of havoc. So I went to commend the subcommittee for its sensitivity in making sure that the Brown Tide and the Red Tide phenomena are dealt with in this legislation.

Billions of dollars in economic growth and thousands of jobs, much less the countless recreational opportunities, are being wasted as a result of overfishing, and this bill deals in a good way with that problem. I support the committee's recommendation of $108.5 million for the National Marine Fisheries Service Conservation Management and Operations Program. It is an increase of about $5 million over existing funding, and it will provide the National Marine Fisheries with the kind of tools that it needs to deal with this very serious problem of overfishing in our waters.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from California [Mr. DIXON], a distinguished member of the subcommittee.

Mr. DIXON. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in support of H.R. 2267. I would like to compliment the staff for their fine work, but, most important, the Members that serve on this committee. They are dedicated; they worked very hard to reach a consensus, and they deal with some problems that really confront America.

This bill is very important to California. The issue of incarceration of illegal aliens has been a major problem for the budgetary constraints of the State of California, and I am pleased that, on a bipartisan basis, we have increased that fund from $500 million to $600 million this year, and I thank my colleagues for that.

As the chairman indicated, the bill provides for an additional 1,000 Border Patrol people. If we are to get a handle on people that come across the border illegally, it is important to increase the personnel, and we have provided $125 million to do so. The COPS Program that has provided new employment for law enforcement officers in so many communities is funded at last year's level, but most importantly, the COPS technology program has earmarked $30 million for programs to fight the war against drugs and, in particular, the methamphetamine program. California is the capital of the manufacturing of methamphetamine, and I am pleased that myself and the gentleman from California [Mr. LEWIS] were able to encourage the committee to mark $18 million to fight that drug war.

While I support this bill, there are serious problems with the bill that I hope will be modified and rectified as we move along on the floor and in conference. One is the limitation on sampling. I recognize that the chairman of the committee has come a long way in his effort to try to accommodate everybody on this issue, but I would urge my colleagues to listen to the debate and adopt and support the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN] and the gentleman from Connecticut [Mr. SHAYS].

As the gentleman from Colorado [Mr. SKAGGS] points out, it is very important that poor people have access to the civil courts of our society. This bill contains a 50 percent cut below last year's level of funding for the Legal Services Corporation, and I would ask my colleagues to support the Mollohan-Fox amendment that will raise it at least to $258 million.

In all, I think this is a good job, but it is certainly proof that as we move along on the floor and in conference, that we can improve this bill, and I look forward to working with my colleagues.

Mr. Chairman, I rise today in support of H.R. 2267, the Commerce, Justice, State Appropriations Act for fiscal year 1998. I commend Chairman ROGERS and Ranking Member MOLLOHAN for their work in bringing what can be a difficult bill to the floor. I want to thank the chairman and his staff for their openness and willingness to consider the concerns of all the subcommittee members. While I support H.R. 2267 and many of the important spending priorities reflected in the bill, I have very serious concerns about several provisions of this legislation, which I hope will be addressed on the floor and in conference with the Senate.

The bill continues to bolster our control over the southwest border; increases funding to fight illegal drugs and crime; funds crime prevention programs; and begins to address the serious issue of U.S. arrears to international organizations.

Controlling our southwestern border is of paramount importance to this Nation, my State of California, and particularly Los Angeles County. H.R. 2267 provides $125 million for 1,000 new Border Patrol agents, continuing the expansion of a force that has increased by 85 percent between fiscal year 1993 through fiscal year 1997. I applaud the 20-percent increase over fiscal year 1997 funding of State criminal alien assistance—from $500 million to $600 million—to reimburse States and localities for the cost of incarcerating illegal aliens who commit criminal offenses. These costs impose an enormous burden on States and localities as a result of the Federal Government's inability to control the border.

Control of the border is crucial also to our fight to stem the tide of illegal drugs coming into the United States. The State Department estimates that in 1996, 50–70 percent of cocaine, up to 80 percent of foreign grown marijuana, and 20–30 percent of heroin entered the United States from Mexico, across our southwestern border.

In addition to controlling the importation of illegal drugs, this bill also addresses production within our borders. Methamphetamine is the fastest growing abused drug in the Nation. Emergency room admissions related to ''meth'' more than tripled between 1991 and 1994. Unfortunately, my State is so active in meth production that the DEA has listed California as a source country for the drug. H.R. 2267 earmarks $30 million in COPS grants to States to combat meth production, including $18.2 million to the California Bureau of Narcotics Enforcement to assist its work in shutting down clandestine meth labs.

We continue to fund the COPS Program, working toward the goal of putting 100,000 more police officers on the street by 2000. Already COPS grants have funded the hiring of 61,000 new officers, including over 3,000 new or redeployed officers in Los Angeles. We are seeing results from this and other anticrime efforts, with violent crime dropping 12.4 percent in 1995. Additionally, the subcommittee has recognized the need for increased flexibility in the application of grant money, providing $35 million for COPS technology grants to help law enforcement use officers more efficiently in investigating, responding to, and preventing crime.

It is important to reiterate that addressing the Nation's crime problem requires a two-pronged approach involving both tough law enforcement and programs to prevent crime. While criminals must face sure punishment for their crimes, we must also be proactive. Once a crime is committed—once a person has been a victim of a crime—we have lost half the battle. H.R. 2267 provides over $280 million to help prevent crime, including nearly $238 million for juvenile justice and delinquency prevention. I strongly support this funding to steer our young people away from involvement with crime.

I am pleased that H.R. 2267 adequately funds most State Department accounts and fully funds current year dues owed to international organizations. In the post-cold-war environment, U.S. diplomatic engagement is essential to world stability, economic growth, and democratization.

This bill also begins to address the payment of U.S. arrears to the United Nations and other international institutions. These arrears are eroding both our credibility in the world community and our ability to press for important U.N. reforms. H.R. 2267 contains $54 million for international organizations arrears and $46 million for international peacekeeping arrears. These payments are an essential step toward fulfilling our obligations to international organizations.

Notwithstanding my support today for moving H.R. 2267 forward, there are provisions of the bill I oppose and which I hope can be rectified. While the bill generously funds all law

enforcement agencies, the agency that enforces our civil rights laws—the EEOC—is flat funded. This bill generously funds the legal activities of the Justice Department, but severely underfunds the agency that guarantees access to legal representation for the poor—Legal Services Corporation funding has been cut from $283 million to $141 million. Finally, I believe that the provision related to the Census Bureau unnecessarily jeopardizes their ability to effectively administer Census 2000 by restricting its preparations.

The Equal Employment Opportunity Commission has been denied the small increase it requested. The EEOC is charged with enforcing our Nation's civil rights laws as they pertain to employment in both the private and public sectors. I share the committee's view that the agency's backlog is creating unacceptable delays in the resolution of discrimination cases. Although the agency under Chairman Gilbert Casellas has made significant progress in reducing its backlog, we need to ensure that these reductions were not one-time benefit. While I believe that the EEOC needs to more effectively track staff and resource usage, denying the agency a modest inflationary increase may only exacerbate the delay in resolution of these cases.

This bill provides only $141 million for Legal Services Corporation, just over 40 percent of its $340 million request for fiscal year 1998 and less than 50 percent of their $283 million fiscal year 1997 appropriation. These cuts seriously damage the ability of poor people to seek redress through the legal system.

In 1995 and 1996 the Congress placed restrictions on LSC's activities to address the concerns of members. LSC has also instituted reforms in its granting procedures that have resulted in more efficient delivery of its services. The agency is a model of efficient spending of scarce federal resources; its administrative costs represent a mere 3 percent of its appropriations. I urge my colleagues to adopt the Mollohan/Fox amendment, to increase Legal Services Corporation funding to $250 million.

Finally H.R. 2267's census provisions could seriously undermine preparation for the 2000 census. The bill, which allows the Census Bureau to spend only $100 million on census activities until an authorizing bill is enacted, may very well leave the Bureau unable to perform necessary activities such as dress rehearsals.

We know that the 1990 census had an undercount. We know that minorities, people in rural areas, and the homeless were disproportionately undercounted. We know that the sampling methods developed by the Bureau of the Census to get a more accurate count have the support of respected scientific organizations—including the National Academy of Sciences. I urge my colleagues to support the Mollohan-Shays amendment and not block efforts to obtain the most accurate count possible.

I urge my colleagues to support H.R. 2267 and look forward to continuing our work on problematic areas of this legislation.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. LATHAM], one of the new members of our subcommittee who has done a great amount of work in formulating this legislation.

Mr. LATHAM. Mr. Chairman, I thank the gentleman for yielding me this time and for the opportunity to speak. It has been a real privilege to be on this subcommittee under the chairman's leadership and to work in a bipartisan way to really address a lot of very, very critical problems that we have nationwide, but in particular for me in Iowa.

The gentleman from California [Mr. DIXON] mentioned methamphetamines, and to me, this is a horrible problem that is exploding in the Upper Midwest, and the work that we are doing in this bill will help us tremendously as far as enforcement, when we look at the tri-State drug task force we have in Sioux City and being able to beef up those efforts to deal with this problem that is going to be devastating to our young people and really change the whole fabric of society in our area. This is something that I am very proud that this bill addresses.

Also, the question of more INS agents in our part of the country. A lot of people do not think Iowa has much of a problem. Well, the fact of the matter is we have a dramatic increase of illegals brought in by the attraction of certain industries, and we have been able to in this bill, after the completion of this bill, will have 12 INS agents in the State of Iowa where previously we have had none, and it is a severe problem. We will have a colloquy later on talking about INS and the problems we have.

But this bill goes a long way toward addressing other concerns we have, obviously, with agriculture, as far as trade and small business; extremely important to us, and obviously, with the State Department, too, and our relationships around the world to be able to continue fair and equal trade is very important.

Just maybe a second about the census. I believe that we have to have an actual count, that that is what the Constitution says, and this bill certainly follows what is constitutionally mandated.

Mr. MOLLOHAN. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Ohio [Mr. SAWYER].

[Mr. SAWYER asked and was given permission to revise and extend his remarks.)

Mr. SAWYER. Mr. Chairman, there are a lot of people who are afraid of the political costs of an accurate census. I think most Americans are afraid of the costs overall of an inaccurate census. As a result, there has been a great deal of misinformation about what the plans are for 2000.

Let me just take a moment tonight to try to set the record straight. Some opponents of sampling have said the census will not even try to count everyone. That is simply not true. The Bureau will make an unprecedented effort to count more people than ever before in the history of the Nation directly. The Bureau will send four pieces of mail to every household; first a letter explaining the census, and then the form itself, and then the postcard reminding people to fill out the form, and finally a second form just in case the first one was missed, and that is just for starters.

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People can pick up census forms in hundreds of thousands of locations, post office, stores, libraries, churches, and they can turn in their responses by phone for the first time. This will be supplemented by a huge advertising campaign using television, radio, billboards and newspapers, outreach and promotion through schools and with community-based organizations. We will use people hired from within the community. For the first time, the Bureau is working with local governments to make sure the address lists are correct before the census starts.

The Bureau is in the process of contacting all 39,000 local governments in this country asking for their help. Then and only then, after this unprecedented effort to count everyone by mail, will the census start going door-to-door, seeking those who still have not responded.

But going door-to-door is not the most accurate way to count everybody. In fact, in 1990 the door-to-door effort resulted in a census that was wrong over 10 percent of the time. To count 35 percent of the country that did not mail back the census form 10 years ago, the Bureau had to hire over 400,000 people. Just the size of that work force alone guarantees that there will be some mistakes because of inexperience and lack of adequate training.

More importantly, door-to-door work asking questions is a difficult and sometimes dangerous job. The Bureau has been working on this since 1950. Morris Hanson and W. Edwards Demming did some experiments that showed that knocking on doors was less accurate than mail-out mail-back, and the GAO agreed. Its evaluations of 1990 found that the error rate for people counted by mail was less than 3 percent compared to a rate nearly 10 times that for people who counted the census going door-to-door.

To overcome these problems, the Bureau developed a plan to improve the basic mail count and to improve the count of those who do not mail back their forms. That is the first time the sampling and statistical methods that I just described come in.

The Bureau plans to conduct a sample to complete the count of nonresponding households in a process known as direct sampling. The process will allow the Bureau to make direct contact with 90 percent of the households in every census tract in every neighborhood across the country, an unprecedented level of direct counting.

The Bureau will then apply the characteristics to the remaining 10 percent of households based on information it has gathered on all the other households it has counted directly. In census tracts where the mail response was lower, the size of the sample will be higher.

After the field work is complete and 100 percent of households have been included in the census, then the Bureau will conduct a second super-survey 5 times larger than ever before, 750,000 households, covering targeted census blocks in all 50 States, in order to check its previous work. It will use its best enumerators, with a new set of independent address lists, to make a final check of undercounts and overcounts. The results of that very precise, very fine-grained second survey will then be applied block by block to demographically similar areas across the country.

It is this combination of methods, the old with the new, the outdated with the modern, the conventional with the more accurate, that stands the only chance to produce a better census in 2000. Without these methods, they can only fall back on prior procedures that in the past have failed to count everyone.

Mr. Speaker, without the new methods, the Census Bureau can only fall back on procedures that have in the past failed to count everybody and that have failed to make the count more accurate. If we effectively keep the Bureau from using these methods, by preventing the Bureau from testing them in the dress rehearsal next year and cutting off the funds for them for an indeterminate period into the future, we will be saying to every community across the country that we do not care if the census misses people, and that is not an outcome that I think most Americans can support.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. CALVERT].

Mr. CALVERT. Mr. Chairman, I rise for the purpose of engaging in a colloquy with the distinguished chairman of the Appropriations Subcommittee.

Mr. Chairman, this bill appropriates $70 million for NOAA's interannual and seasonal climate and global change research program, a $2 million increase over the current level, but at $4.9 million below the request. Concerns have been expressed that the committee's action did not include funding to continue the tropical ocean global atmosphere observing system known as TOGA. The TOGA observing system funds buoys across the equatorial Pacific to perform measurements that have proven invaluable to El Nino researchers. Scientists performing this research are concerned that the bill would prevent NOAA from continuing this critical program.

Can the chairman assure us that the $4.9 million funding is included in this bill for the TOGA array?

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

Mr. CALVERT. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I appreciate the gentleman raising this issue so that I can eliminate any confusion over the matter. There has been some confusion.

The bill provides $70 million for climate research and prediction activities. Of that amount, $4.9 million has been provided to continue the TOGA observation system, as well as a $2 million increase over the current funding level for additional climate research, including research into the El Nino phenomenon.

Mr. CALVERT. I thank the gentleman for clarifying this matter.

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

Mr. CALVERT. I yield to the gentleman from California.

Mr. BILBRAY. I thank the gentleman for yielding to me, Mr. Chairman.

I want to take this opportunity to thank Chairman ROGERS for clarifying the funding for this important program, TOGA, which not only predicted the El Nino but also predicted the massive floods that we saw last year in the Northwest.

I would also take this opportunity to thank you for including an increase of $2 million in your bill fro NOAA's climate research programs, including additional funds requested for the International Research Institute for Climate Prediction [IRI].

The IRI is cohosted by the Scripps Institute of Oceanography at U.C. San Diego, and the Lamont Doherty Earth Laboratory at Columbia University.

The IRI provides experimental forecasts on seasonal-to-long-term time scales of changing physical conditions, such as ocean temperature, to predict rainfall. It then assesses the regional impacts of these variations. This information is then used to support practical decisionmaking in critical sectors such as agriculture, emergency response, and public health and safety.

This funding increase will be used to improve regional forecasts, and to increase regional research and demonstration projects to explore impacts of these forecasts on specific areas. This information is increasingly important, as we are now learning with the onset of El Niño. However, the IRI does not focus on such applications here in the United States.

Mr. Chairman, I would like to work with you to explore how we might find additional support within the bill for the important research, separate from the IRI itself, which underlies the Climate Research Program. I recognize and appreciate the tight restrictions which you have had to work with in crafting your bill, and know the difficulties you face.

However, given the importance of this forward-looking research, and the benefits which our own Nation can derive as a result down the road, I believe it is important that we take every advantage of this opportunity to expand our understanding in this field.

As you are aware, Mr. Chairman, there are three specific functions within this program which would benefit from the additional funding which was originally requested by NOAA: Additional research to do seasonal-to-long-term forecasting for all of North America; beginning a regional applications process in the United States to make this forecasting useful to climate-sensitive regions, such as agricultural areas; and intensify the research effort into understanding long-term climate variability. Scientists now believe that long-term variability has as great an impact on North America as the El Niño.

As the chairman knows, I originally was prepared to offer an amendment, along with my colleague, the gentlelady from San José, to add $4.9 million to this bill for the purpose of ensuring that the TOGA Program would continue. Given the chairman's earlier clarifications of the TOGA Program, however, I would not seek to offer the amendment at this time.

But if the gentleman would be agreeable, I would like to work further with the chairman and our colleagues between now and the conference to ensure the stability of the underlying research base on this important topic.

Mr. ROGERS. I would be happy to work with the gentleman.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 30 seconds to the gentlewoman from California [Ms. LOFGREN].

Ms. LOFGREN. Mr. Chairman, I acknowledge the hard work of the gentlemen from California, Mr. BILBRAY and Mr. CALVERT. I do have concerns about the impact on other NOAA research. El Nino must be funded. I am eager to further understand the implications of what has been done here between now and tomorrow, in hopes that I can rise tomorrow in support of what has been outlined here.

I look forward to some further clarification from staff between now and tomorrow morning. I thank the gentleman.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 4 minutes to the gentlewoman from Florida [Mrs. MEEK].

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Speaker, I strongly support the Mollohan-Shays amendment to permit the Census Bureau to continue planning for the 2000 census. I would just like to remind the House that the history of this Nation shows that the census has always failed to count some people, but, of course, we want to be sure that there is no significant undercount this time. But the undercount is always higher for African-Americans than for any other group.

Mr. Chairman, I would ask Members to look at the data for the last six censuses, which we will see is being brought to our attention now. If Members will look at this particular chart, they will see that beginning in 1940, in each census the undercount has been more than 3 percent larger than it was for whites. The undercount for blacks or African-Americans has been always more than 3 percent larger than it was for whites.

If we look at these data all across, from 1940 up until now, there has been this very serious undercount, but it was greater in 1990 than any other time. It was like 4.4 percent higher among African-Americans at that time in 1990, here, if Members will note, than at any other time. The 1990 census

failed to count 1.4 million African-Americans.

I do not think anyone in this country wants an undercount. They want the very best. They want everyone counted. It appears that the only way that can be done is to do sampling. History has proven this undercount, so why should we go back to some of the same flaws that we had in the 1990 census?

It also failed in 1990 to count 2.6 million whites, but the percentage of blacks that was not counted in 1990 was 5.7 percent, more so than with whites. It was much larger than the percentage of whites not counted; 1.3 percent more were not counted during the 1990 census.

Not fully counting African-Americans in the census originated a long time ago with the Constitution. Article 1, section 2 of the Constitution that was ratified in 1788 provided African-Americans as three-fifths of a man. As a result, we were not counted correctly, even back then. But that was changed, so now we do have that corrected, the earlier misconception of the census.

But this is really a debate about political power. We do not want the undercount to happen again. This was repealed in 1868 by the 14th amendment. We must continue now to be sure that this old legacy that was brought to us a long time ago does not repeat itself.

Failing to count certain groups is not limited to blacks. I am appealing to the Congress, to the chairman and to the Members to be sure that the undercount we had in 1970, that we had in 1980, that we had in 1990, will not be repeated in the year 2000. We want everyone counted.

Mr. ROGERS. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. SMITH], the distinguished chairman of the Subcommittee on Immigration and Claims of the Committee on the Judiciary.

Mr. SMITH of Texas. Mr. Chairman, I thank the chairman of the subcommittee for yielding me this time.

Mr. Chairman, I rise in strong support of H.R. 2267, the 1998 Commerce-State-Judiciary appropriations bill. My colleague, the gentleman from Kentucky [Mr. ROGERS] and my colleague, the gentleman from West Virginia [Mr. MOLLOHAN] have worked hard to draft a fair bill, and I commend them for their efforts.

As chairman of the Subcommittee on Immigration and Claims, I would like to highlight just a few of the specific programs which this bill funds within the Immigration and Naturalization Service and which I strongly support.

First, the bill, for the second year, provides funding for 1,000 additional Border Patrol agents for fiscal year 1998 instead of the 500 requested by the President. These new Border Patrol agents are vital to efforts to stem the flow of illegal drugs, aliens, criminals, and terrorists into the United States.

The bill also recognizes that the Border Patrol is not the only key to apprehending and removing illegal and criminal aliens. Additional funds need to be applied to interior enforcement: more investigators and special agents to apprehend illegal and criminal aliens, additional funding for the alien removal process, the expansion of detention space to hold aliens waiting to be removed, and additional funding of the special criminal alien removal program designed to remove criminal aliens as soon as they are released from prison.

All of these functions need to be better executed by the INS. I share the hopes of the chairman of the Subcommittee on Commerce, Justice, State, and Judiciary that by providing the INS with these additional funds, as this bill does, there should no longer be any doubt that these programs are top priority matters to Congress and should also be top priority matters to the INS.

The bill also recognizes and responds to the serious problems within INS's naturalization program. The program, known as Citizenship U.S.A., gave citizenship to criminals and aliens who were in deportation proceedings. These results were clearly the result of bad procedures and insecure fingerprint checks.

H.R. 2267 eliminates non-law enforcement entities who formerly were able to take fingerprints. Businesses such as Pookies Parcel and Post and Juanita's Beauty Salon should not be in the business of taking fingerprints used to obtain the most valuable thing the United States could give, that of citizenship.

The bill also requires that criminal checks be completed before naturalization takes place, a procedure too often overlooked in the first years of Citizenship U.S.A. I support this requirement. I also hope that as the naturalization procedures are improved and electronic fingerprint checks are implemented, items which my colleague, the gentleman from Kentucky [Mr. ROGERS] has agreed to fund, that the waiting time for processing naturalization applications is significantly reduced.

Also, the bill funds the Justice Department's audit of past improprieties in Citizenship U.S.A. and its efforts to denaturalize criminal aliens and aliens already in deportation proceedings. I thank my colleagues on the Committee on Appropriations for their great efforts on funding the INS, and I ask my colleagues to support this bill.

Mr. ROGERS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

□ 1815

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SOLOMON) having assumed the chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2267), making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2266, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1998

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 105–267) on the resolution (H.Res. 242) waiving points of order against the conference report to accompany the bill (H.R. 2267) making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 901, AMERICAN LAND SOVEREIGNTY PROTECTION ACT

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 105–268) on the resolution (H.Res. 243) providing for consideration of the bill (H.R. 901) to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands, which was reported to the House Calendar and ordered to be printed.

GENERAL LEAVE

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 2267) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore (Mr. SOLOMON). Pursuant to House Resolution 239 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2267.

□ 1815

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House

on the State of the Union for the further consideration of the bill (H.R. 2267) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose earlier today, the gentleman from Kentucky [Mr. ROGERS] had 7 minutes remaining and the gentleman from West Virginia [Mr. MOLLOHAN] had 8½ minutes remaining.

The Chair recognizes the gentleman from West Virginia [Mr. MOLLOHAN].

Mr. MOLLOHAN. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would like to thank the distinguished gentleman from West Virginia [Mr. MOLLOHAN] for all of his hard work and the chairman of this committee as well.

Let me acknowledge the importance of the moneys that have been included in this particular bill for the juvenile prevention program or effort that was initially started by the Riggs-Scott amendment. Let me also acknowledge that we would like to see and hope to see Legal Services Corporation fully funded, and I will be looking to support the Fox-Mollohan amendment.

I also wanted to note that I look forward to working with both the gentleman from West Virginia [Mr. MOLLOHAN] and the gentleman from Kentucky [Mr. ROGERS] on the Senate version of this bill, which includes $500,000 for the establishment of a National Center for Study and Prevention of Juvenile Crime and Delinquency, located at Prairie View A&M University, located near Houston, TX.

We believe that prevention is worth a pound of cure, if you will, if that is the correct metaphor, or in other words, it is worth spending money for juvenile crime prevention. So I thank the gentlemen for considering this funding for Prairie View A&M and working with me to make sure that these funds are funded.

I listened to my colleague, the honorable gentlewoman from Florida [Mrs. MEEK] and I have to also comment on the census. I am really disturbed that an amendment by the gentleman from Illinois [Mr. HASTERT] will ban sampling and is included in this legislation.

Statistical sampling is a scientific methodology that will make the 2000 census more accurate. Over 4,000 people were missed in the last census, particularly those living in rural areas, children, and minorities.

Mr. Chairman, this is not a political question ''How many people will come to the United States Congress?'' This is a question of how many Americans will we be able to serve as we work in the climate of a balanced budget. How many do we know that are in need, that need scholarships, that need education? How should the Government do its business? By guessing? Or should it do it by accurate counting?

The Academy of Sciences, the American Statistical Association, the GAO, and the census director under the Bush administration have all recommended the use of statistical sampling to make the census more accurate.

I urge my colleagues to join me in signaling their concerns over this provision of H.R. 2267 by supporting the Mollohan-Shays amendment. This amendment strikes the language added late last night by the Committee on Rules and in its place adds language prohibiting use of any 1998 funds to make irretrievable plans or preparations for the use of sampling or any other statistical method in taking the census for purposes of congressional apportionment.

It is important to recognize that this amendment will also create a board of observers for a fair and accurate census charged with the function of observing and monitoring all aspects of the preparation and execution of census 2000 to determine whether the process had been manipulated in any way that biases the results in favor of any geographic region, population growth, or political party.

How fair can we get, Mr. Chairman? This is a fair amendment in the instance of having an oversight board. We are fair in the instance of treating the American people fairly by saying every single person deserves to be counted, the homeless person deserves to be counted, a child needs to be counted. How can we serve this country if we do not have the kind of results that sampling will bring about?

My colleagues, please vote to be able to have sampling in the year 2000.

Mr. Speaker, I rise today to share my thoughts and concerns regarding H.R. 2267, the Commerce-Justice-State appropriations bill.

Let me first raise my objections to the census provisions of this bill. Last night, the Rules Committee adopted a rule that automatically adopted into the text of this bill an amendment offered by Representative HASTERT that will ban sampling and make the Census Bureau's funding contingent on a full judicial review of its methods. My colleagues, statistical sampling is a scientific methodology that will make the 2000 census more accurate. Over 4 million people were missed in the last census, particularly those living in rural areas, children, and minorities. The Academy of Sciences, the American Statistical Association, the GAO, and the census director under the Bush administration have all recommended the use of statistical sampling to make the census more accurate.

I urge my colleagues to join me in signaling their concerns over this provision of H.R. 2267 by supporting the Mollohan-Shays amendment. This amendment strikes the language added late last night by the Rules Committee and in its place adds language prohibiting use of any 1998 funds to make irretrievable plans or preparations for the use of sampling or any other statistical method in taking the census for purposes of congressional apportionment. This same language is included in the Senate-passed version of the bill.

Additionally, the Mollohan-Shays amendment will create a board of observers for a fair and accurate census, charged with the function of observing and monitoring all aspects of the preparation and execution of census 2000 to determine whether the process has been manipulated in any way that biases the results in favor of any geographic region, population group, or political party. The Mollohan-Shays amendment provides a fair and reasonable resolution to the controversy surrounding the 2000 census.

Further, I must raise my strong objections to the provisions in H.R. 2267 which cut funding for the Legal Services Corporation in half, leaving only $141 million for the entire program. A cut of this magnitude would cripple the program and undermine the Federal commitment to ensure that all Americans, regardless of income, have access to the judicial system.

The third issue that I must raise with respect to H.R. 2267 is an amendment that I will offer requiring the Justice Department to contract with the National Research Council of the National Academy of Sciences to conduct a study of computer-based technologies and other approaches that could help to restrict the availability of child pornographic images through electronic media, including the Internet and on-line services. My amendment would also provide for the identification of illegal pornographic images with the goal of criminally prosecuting those purveyors of such photographic images to children.

The goal of this study is to understand the technological capabilities currently available for identifying digitized pornographic images stored on a computer, network, or other computer communication mediums by the use of software or other computer technologies.

While this amendment was not made in order by the Rules Committee, I hope that my colleagues will join with me in its support to eliminate the growing threat of pornographic images faced by our children today.

Finally, I hope to draw my colleagues' attention to funding for the establishment of a National Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University, located outside of Houston, TX. The Senate has included $500,000 for this center in its version of the bill.

The National Center would fill some very important functions: First, conducting academic programs, including continuing education and training for professionals in the juvenile justice field; second conducting policy research; and third, developing and assisting with community outreach programs focused on the prevention of juvenile violence, crime, drug use, and gang-related activities.

Studies show that prevention is far more cost-effective than incarceration in reducing the rates of juvenile crime.

A study by the Rand Corp., titled ''Diverting Children From a Life of Crime, Measuring Costs and Benefits,'' is the most recent comprehensive study done in this area. It is clear that juvenile crime and violence can be reduced and prevented, but doing so will require a long-term vigorous investment. The Rand study determined that early intervention programs can prevent as many as 250 crimes per $1 million spent. In contrast, the report said investing the same amount in prisons would prevent only 60 crimes a year.

Children hurting children on the streets of our Nation is costly for the moral fabric of our society and the burden on our government. Public safety is now becoming one of the most significant factors influencing the cost of State and local governments. We can begin to bring those costs down and make both shortterm and longterm positive differences in the lives of our young people by targeting the prevention of juvenile crime.

In Texas, the historically black colleagues and universities are forging ahead. The Juvenile Justice Center at Prairie View A&M University will become a State and national resource. It will perform a vital collaborative role by focusing on measures that target the prevention of juvenile violence, crime, delinquency, and disorder. The university will provide comprehensive teaching, research, and public service programs. There is no single answer to this problem, but this center will be a start to bridging the programs that work for the State of Texas and other States.

It is my understanding, through conversations that my staff have held with committee staff, that Chairman, ROGERS and ranking member MOLLOHAN agree that funding for the Juvenile Justice Center at Prairie View should be incorporated into the conference report. I would like very much to thank both the chairman and the ranking member for their support of this important Juvenile Justice Prevention Center.

Mr. ROGERS. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. MCCOLLUM], the very able and hard working chairman of the Subcommittee on Crime of the Committee on the Judiciary.

Mr. MCCOLLUM. Mr. Chairman, I thank the gentleman from Kentucky [Mr. ROGERS] for yielding me the time, and I want to take the opportunity to commend him on the bill that the gentleman has produced along with the gentleman from West Virginia [Mr. MOLLOHAN].

Overall, it is an excellent product. I particularly am concerned and happy with the portion of it that deals with the criminal justice system and specifically want to talk for a few minutes about the juvenile crime moneys that are in this bill.

For the very first time, there is a new program being created that is going on in concert with H.R. 3, that was passed by this body in May, to help repair the juvenile justice systems that are broken in this country in the very States.

This is a $300 million grant program which is in this bill that would go to the States to use as they see fit to work with their juvenile authorities and to spend what they need for more detention centers or for more prosecutors or judges or whatever they want to, prevention, whatever it might be that is involving the juvenile justice system itself.

What we have seen all too much in the last few years is that juveniles are committing a lot of the violent crime in this country. In fact, they are the highest, as a group, the highest percentage of violent crimes committed by juveniles. More murders by 18-year-olds, more rapes by 17-year-olds, and a lot of shocking numbers on the increase in violent crime in this group.

The experts have told us that the reason why a lot of this is occurring right now is because there are no consequences in most of the juvenile justice systems around the country. Kids will go and commit misdemeanor crimes, vandalism, going into the homes or stores or spray painting graffiti on a warehouse wall. And then because of an overworked juvenile justice system, in many, many jurisdictions, they do not get the kind of punishment that they should be getting for that, community service or whatever it may be. In fact, many times the police do not even take the kids in before the juvenile justice system because they know nothing is going to happen to them.

So repairing this broken system is very, very important. What we have proposed in the underlying law is that if you pass muster, if the State assures the Attorney General of the United States that they have done four things, then they can get this money to spend as they want to on their juvenile justice system.

Those four things are very simple: That they assure the Attorney General that if a juvenile is 15 years of age or older in that State and has committed a murder or a rape or an assault with a gun, that they will permit, not require, but permit the prosecutor to prosecute the juvenile as an adult; No. 2, and I think this is the most important thing, that the State has established a system of graduated sanctions and that it will punish juveniles for the very first delinquent act and for every one thereafter in a graduated sanction fashion to put consequences back into the system; that the State assures the Attorney General that it will have a recordkeeping system if the juvenile has committed a felony and it is the second offense the juvenile has committed so we can keep those records instead of destroying them and know if the juvenile is a really bad apple, as unfortunately many of them are; and that there is a system to assure the accountability of parents in terms of those orders the juvenile court may give to them to help supervise the child.

If that is the case, then, as I said, the $300 million could be spent on just about anything that anybody wants to, for more prosecutors, or whatever it is.

I am just exceedingly pleased with this bill and this provision in the bill, and I strongly support it. Again, I want to thank the chairman for his work and thank him for the opportunity to let me speak about it tonight.

Mr. MOLLOHAN. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Chairman, I rise to add my voice of support for the Mollohan-Shays amendment. I think it is very important for us to examine the question of the census and the count that we do to ensure the constitutional mandate of an accurate census count.

Why would we be involved in a debate about whether or not we count or want to count all Americans? Why would we be in a debate about whether or not we would use the best method to do that? I certainly do not understand why anybody would want to deny the most accurate count as mandated by the Constitution of the United States.

It is no question that this is constitutional, that we can use this statistical method that has been used in the past. The Department of Justice, under Presidents Carter, Bush, and Clinton, have all concluded and it has been confirmed by our court system, that we can use sampling as a way of ensuring an accurate count.

Why do we need to use sampling? Because 10 percent of the count was wrong in 1990, an error rate of 26 million people who were either missed, counted twice, or counted in the wrong place. So it is very important that we do not repeat what happened in 1990, but we use statistical sampling so that we can get that accurate count that is mandated.

Then it is a civil rights issue. The undercount is unfair to some groups because some groups are missed more than others. The African-Americans are 7 times as likely to be missed as whites, and it showed in the undercount in 1990, the highest ever recorded of people missed or miscounted. Equal representation is extremely important for African-Americans because it is a civil rights issue. If in fact we are undercounted, we are not counted, we will not be able to exercise our rights under the law.

Three separate panels that were convened by the National Academy of Sciences recommended the use of sampling to supplement their traditional counting. Some may have concluded that this is a political question, that there are those who believe that if we do an accurate count, we are going to get those people in the cities, those people in the rural communities that some would rather not have counted. I just cannot imagine anybody that

would conclude it is in the best interest of America to have anybody not counted.

We know that in the final analysis, if we are about the business of justice, freedom, and equality, if we are about the business of wanting equal representation for all of our people, if we truly want to do the job that the Constitution mandates, we will do everything that we can to ensure an accurate count. One can only do that with sampling.

The CHAIRMAN. The Chair will inform Members that the gentleman from Kentucky [Mr. ROGERS] has 4 minutes remaining and the right to close and that the gentleman from West Virginia [Mr. MOLLOHAN] has 2½ minutes remaining.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, I thank the gentleman from Kentucky [Mr. ROGERS] for yielding. I very much appreciate the Commerce, State, Justice appropriations bill. There are several things in there of special interest to me.

One is $5 million for the National Center for Missing and Exploited Children, which is truly critical funding for the Nation's primary resource for child protection.

Also, something else I was interested in is ''no frills'' prison language restricting Federal funds from being spent on prisoner amenities such as martial arts instruction, weight rooms, in-cell television, expensive electrical instruments.

I also appreciate the NOAA funding as it pertains to the Chesapeake Bay Restoration Program, which I think is vitally important for that area and some of the troubled water areas we have on the East Coast at the present time.

Finally, the manufacturing extension program, which is sort of a new program, but it is the program which has become I think a cost effective, Federal-State, public-private partnership that helps small and midsized American manufacturers to become modernized to compete in the demanding global marketplace.

These are just four different measures which this committee listened to and which I think can improve life in America. And I am very thankful to all the members of the committee who helped put this together.

□ 1830

Mr. MOLLOHAN. Mr. Chairman, I yield the balance of my time to the distinguished gentlewoman from New York [Mrs. MALONEY].

The CHAIRMAN. The gentlewoman from New York is recognized for 2½ minutes.

Mrs. MALONEY of New York. I thank the gentleman for yielding me this time. Mr. Chairman, I rise in strong support of the bipartisan Mollohan-Shays amendment. I rise to talk about and point out to this House what I think is the civil rights issue of the 1990's, the right to be counted in the census.

The majority leadership has expressed concern that the data obtained in the census might be manipulated. The Mollohan-Shays amendment addresses that concern by setting up a three-member panel which would ensure that the results are tamperproof.

The new language of the gentleman from Illinois [Mr. HASTERT] which was added last night, I must point out, is no solution. Allowing the Supreme Court to rule on Census 2000 may sound like a just resolution, after all, who can argue with the Supreme Court, but what might look like a fair compromise is really a wolf in sheep's clothing.

Even an expedited Court decision could take up to a year, and that is much too much time. When a year has passed and the Court rules, as courts have in the past, that statistical sampling is constitutional, it will be too late. When the Court was asked to make an expedited review on the line-item veto, it took 14 months. The flag burning expedited review took 10 months. An expedited review on the census would push preparations for the most fair and accurate count ever far past important deadlines.

My colleagues who oppose an accurate count know that a lengthy delay means certain death. A fair and accurate count is the cornerstone of our democracy. I urge my colleagues to support the bipartisan Mollohan-Shays amendment to ensure a fair and accurate census count for the year 2000.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for his consideration and also the gentleman from West Virginia [Mr. MOLLOHAN], the ranking member.

The fiscal year 1997 House report and conference report on Justice Department appropriations included language urging the Department of Justice within funds available for Byrne grants to give favorable consideration to funding for the community security program of the Local Initiative Support Corporation. As a result, Justice is now working with LISC to form partnerships in a number of communities in which local community-based organizations are willing to work with law enforcement officials to promote a more livable neighborhood. Using funds from private philanthropic organizations and corporations, LISC has had great success in promoting local community security efforts in New York and Seattle. There is great interest in this program in my State, and I am particularly pleased that LISC is working in Toledo, OH. It is my hope that Justice will once again be asked to give proposals from LISC favorable consideration.

Mr. ROGERS. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Kentucky.

Mr. ROGERS. I thank the gentlewoman for bringing this to the attention of the committee. I support community-based initiatives to crime prevention and urge the Department to give favorable consideration to continue funding this program.

Mr. BROWN of California. Mr. Chairman, I rise in opposition to the amendment.

Over the last 3 years, the ATP and other public-private partnerships have been at the center of partisan legislative debates over the proper role of Government in technology development—despite the fact that the vast majority of these programs were begun in the Reagan administration and strongly supported in the Bush administration. In the past few months, we have once again returned to a consensus on the Advanced Technology Program [ATP]. This bipartisan consensus was clear in May of this year when the House passed a noncontroversial 2-year authorization of the ATP program as part of H.R. 1274, the NIST Authorization Act. This amendment, unfortunately, threatens to shatter consensus once again.

There was bipartisan agreement on the authorization bill because of a number or reforms made to the ATP. Some of these reforms were initiated by the Science Committee in the authorization bill and others were initiated by Secretary Daley in response to congressional concerns.

These changes include: First, putting more emphasis on joint ventures and consortia—this has advantaged small- and medium-size single applicants and deemphasized awards to large companies. Already almost half of ATP awards have gone to small business; and more than 100 universities are involved in about 150 ATP projects. Second, increasing the cost-share ratio for large, Fortune 500, single applicant companies to 60 percent—ATP now has one of the highest cost-share ratios of any Government/industry program. Third, ensuring that ATP does not fund projects which can be wholly supported by private capital. Fourth, encouraging State participation in ATP awards—ATP joint ventures can now be led by States and State-sponsored nonprofit institutions. Fifth, building upon the Experimental Program to Stimulate Competitive Technology—EPSCoT will improve technology development and diffusion in the 18 States underrepresented in Federal R&D funding.

These changes preserve the fundamental mission of the program—providing funding for the breakthrough ideas whose commercialization horizon often fails to attract the attention of capital markets. These changes make ATP stronger and more viable by encouraging a greater diversity of partnerships. And I want to stress that ATP always has been and will continue to be a wholly merit-driven program based on peer-review.

In short, the House has already voted to support the authorizing committee in reforming and strengthening the ATP. No amendments to reduce ATP funding were offered during either the committee's or the House's consideration of the authorizing legislation. An appropriations bill is not the place to destroy this carefully crafted consensus.

I urge my colleagues to vote no on this amendment.

Mr. CAPPS. Mr. Chairman, I rise in support of this bill, which includes increased funding

for crucial initiatives like the COPS program, juvenile crime and prevention programs, and Violence Against Women Grants.

But I am disappointed that the bill does not fully fund the President's request for the Federal Bureau of Prisons. This issue is particularly important to me because of a horrible tragedy that occurred in my district earlier this year.

On April 3, 1997, Correction Officer Scott Williams, a decorated marine who served in Desert Storm, was brutally attacked and killed at the U.S. penitentiary in Lompoc, CA. His death has forever changed the lives of his wife, Kristy, their two very small children, Kaitlin and Kallee, and this small hardworking community.

Scott's tragic death is a constant reminder to his fellow officers of the terrible danger in which they work every day. This Congress must do all that it can to ensure that these brave men and women are given the resources they need to do their jobs safely.

I have been out to the Lompoc penitentiary numerous times and I have spoken with Warden Rardin and many of the correctional officers and staff. We should be doing more to support these hardworking men and women who are charged with keeping America's most dangerous criminals locked up and off our streets.

These heroic men and women work in some of the most dangerous working environments in the country. We must pay them a decent salary, provide that there is a sufficient number of officers on duty at all times, and give them the tools to do their jobs in a safe and humane manner. To do otherwise is irresponsible.

As our prison population continues to rise, adequate funding for the salaries, benefits, and protection of correctional officers has never been more important. Scott and his fellow officers protected us and continue to protect us day after day. It is now our turn to protect them. I will continue to support these dedicated men and women and I urge my colleagues to do the same.

Mr. SANDERS. Mr. Chairman, I rise today in support of a provision within the fiscal year 1998 Commerce, Justice, State, Judiciary appropriations bill which provides full funding for the Small Business Administration's Small Business Development Center [SBDC] Program.

Mr. Chairman, it is clear that in my State of Vermont, and all across the country, small businesses are creating the lion's share of new jobs. And we should be doing more to help those who are most ready to create and invest here at home in our national economy.

The SBDC Program is one example where a small Federal investment has paid for itself many times over. With limited Federal funds, SBDC's have been able to leverage additional non-Federal funds in support of their mission and to forge very strong partnerships with State and local government, education, and business leaders to provide a unique array of local counseling, training, and financial services that would not otherwise be attainable in the private sector to small businesses, especially those employing fewer than 25 employees and the self-employed.

Ultimately, SBDC's pay off in the form of job creation and new economic development. The SBDC Program also generates increased revenues from a broader base of income and sales tax returns from thousands of new or more profitable small businesses that are helped by SBDC's.

Mr. Chairman, the SBDC Program has been very successful in Vermont. In their 1996 annual survey of 1,400 clients, the Vermont SBDC revealed sales increases of almost $83 million, and the creation of 1,750 jobs for Vermont—1,350 full-time and 450 part-time, at average hourly rates of $9.85 and $6.95. Reviewing the results of the survey, the Vermont tax commissioner validated a conservative return of over $1.2 million directly into the State treasury in income and sales taxes. This equates to a 4-to-1 return on the Federal dollars.

Mr. Chairman, unfortunately earlier this year the President's budget proposed to cut funding for SBDC's by 24 percent—from $73.5 million to $57.5. This cut would have been particularly devastating for smaller States, such as Vermont, which barely have the resources to meet the current demand for services. I opposed this cut, and wrote a letter to Subcommittee Chairman HAROLD ROGERS, requesting that funding for the SBDC's be sustained at its current level, including a small adjustment for inflation. I am pleased to report that I was joined on my letter to the chairman by 94 Members of the House.

Mr. Chairman, I am especially pleased that the chairman and the subcommittee responded to this bipartisan effort by fully funding the SBDC Program for fiscal year 1998, including a $2-million increase for inflation. I urge all of my colleagues to support SBDC's by supporting this provision during floor consideration of the Commerce, Justice, State, Judiciary appropriations bill.

Mr. ETHERIDGE. Mr. Chairman, I rise in support of the Hoyer-Cardin-Etheridge amendment to H.R. 2267, the fiscal year 1998 Commerce, Justice, State Appropriations Act. This amendment will add $3 million to the National Ocean Service Account of the National Oceanic and Atmospheric Administration [NOAA] to respond effectively to Pfiesteria, and Pfiesteria-like conditions, along the Eastern Seaboard.

As you know, Pfiesteria is a single-celled organism which in certain stages, produces a toxin that kills fish and may have human health effects. In several cases now under investigations, individuals reported that they become ill after direct exposure to the organism's toxins. It was first linked to massive fish kills in North Carolina waters in 1988. In North Carolina alone, over a billion fish have been killed as a result of Pfiesteria. In light of recent findings, North Carolina has set up a toll-free hot line and organized a panel of experts to review how North Carolina should respond to future fish kills.

Chemical analysis is the key to other needed research that will answer more specific questions about health impacts. More funding is critically needed to augment the research that North Carolina has already begun on characterization and analysis of the Pfiesteria toxin. Presently, NOAA has the mechanisms in place to study and assess the causes and possible controls of Pfiesteria and Pfiesteria-like conditions.

Mr. Chairman, I urge my colleagues to support this amendment. It is a cost-effective measure, and it will enable NOAA to assist States from North Carolina to Delaware effected by this micro-organism.

Mr. ROGERS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that any amendment otherwise in order under clause 2(f) of rule XXI that affects a paragraph in title I, and the item Legal Services Corporation, be in order at a later point in the reading of the bill notwithstanding that the affected paragraph of title I may have been read.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Pursuant to the rule, the amendment printed in part 1 of House Report 105–264 is adopted and the bill, as amended, shall be considered as an original bill for further amendment under the 5-minute rule.

Before consideration of any other amendment, it shall be in order to consider amendment No. 1 printed in part 2 of the report, if offered by the Member designated in the report, which may amend portions of the bill not yet read for amendment. The amendments printed in part 2 of the report may be offered only by a Member designated in the report and, except for amendment No. 1, may be offered only at the appropriate point in the reading of the bill. Amendments in part 2 shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that has been printed in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

The Clerk read as follows:

H.R. 2267

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1998, and for other purposes, namely:

AMENDMENT OFFERED BY MR. HYDE

Mr. HYDE. Mr. Chairman, I offer an amendment made in order pursuant by the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 2, Amendment No. 1 offered by Mr. HYDE:

Page 116, strike line 16 and all that follows through line 2 on page 117 and insert the following:

SEC. 616. ATTORNEYS FEES AND OTHER COSTS IN CERTAIN CRIMINAL CASES.

During fiscal year 1997 and in any fiscal year thereafter, the court, in any criminal case pending on or after the date of the enactment of this Act, shall award, and the United States shall pay, to a prevailing party, other than the United States, a reasonable attorney's fee and other litigation costs, unless the court finds that the position of the United States was substantially justified or that other special circumstances make an award unjust. Such awards shall be granted pursuant to the procedures and limitations provided for an award under section 2421 of title 28, United States Code. Fees and other expenses awarded under this provision to a party shall be paid by the agency over which the party prevails from any funds made available to the agency by appropriation. No new appropriations shall be made as a result of this provision.

The CHAIRMAN. Pursuant to House Resolution 239, the gentleman from Illinois [Mr. HYDE] and a Member opposed will each control 15 minutes.

The Chair recognizes the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. HYDE. Mr. Chairman, one of the reasons for being proud to be an American, one of the reasons I ran for Congress, one of the reasons I studied law was to try and achieve justice for people. Justice is what is your due. It is not being cheated, it is not being defrauded, and it is certainly not being pushed around.

I have learned in a long life that people do get pushed around, and they can be pushed around by their government. I was very late coming to that decision, but I learned that people in government, exercising government power are human beings, like anybody else, and they are capable of error, they are capable of hubris, they are capable of overreaching, and yes, on very infrequent occasions they are capable of pushing people around. And so when something like that happens, it is doubly shocking because you have no place to turn. If the Government, your last resort, is your oppressor, you really have no place to turn.

I am one who is hopeful and optimistic about the Government. I am very proud of my government. I think on the whole it tries very hard to do justice for its citizens. But occasionally it lapses, as I say, because it is made up of human beings.

We have a law called the Equal Access to Justice Act, which provides in a civil case if the Government sues you, and you prevail, if the Government cannot prove substantial justification in bringing the suit, you are entitled to have attorney's fees and costs reimbursed. That is justice. I do not say the Government, when they bring a civil suit against anybody or everybody, has to always win to be justified in bringing the suit, but if the suit was not substantially justified, in other words, if it was an abuse of process, if it was frivolous, if it was malicious, then the victim, the defendant who has prevailed, is entitled to attorney's fees, very modest, $125 an hour. But that is the law, and it has been the law for 17 years. There are cases interpreting it, interpreting what substantial justification for the Government to bring the litigation is, and we have had 17 years of successful interpretation and reinforcement of that law.

Now, it occurred to me, if that is good for a civil suit, why not for a criminal suit? What if Uncle Sam sues you, charges you with a criminal violation, even gets an indictment and proceeds, but they are wrong. They are not just wrong, they are willfully wrong, they are frivolously wrong. They keep information from you that the law says they must disclose. They hide information. They do not disclose exculpatory information to which you are entitled. They suborn perjury. They can do anything. But they lose the litigation, the criminal suit, and they cannot prove substantial justification. In that circumstance, as in the Equal Access to Justice Act for civil litigation, you should be entitled to your attorney's fees reimbursed and the costs of litigation, again at the same modest rate. That, my friends, is justice.

If you were to take a piece of paper and sit down and say, what is the most unjust thing in all of the law, you would have to say when you are pursued by somebody, and you are ultimately vindicated, and you have to swallow what can be bankrupting costs. You mortgage your house, you mortgage your future, and you may have won the case, but you have really lost the war because you are bankrupt. So this simply says to Uncle Sam, look, if you are going to sue somebody, and civilly we have had that for 17 years, under my amendment criminally, and you cannot prove substantial justification after the case is over, and the verdict is not guilty, then the prosecution pays something toward the attorney's fees of the victim. That is justice. It may be rough justice, but it is substantial justice. That is what we are attempting to do.

Now, in the bill, the gentleman from Pennsylvania [Mr. MURTHA] having in mind the case of someone we all know who went through hell, if I may use the term, for many years of being accused and finally prevailed at enormous expense, one he will never get out from under, but that brought to mind these circumstances and what could we do about them. The gentleman from Pennsylvania [Mr. MURTHA] decided to put in the bill an amendment that said for a Congressman or a member of the Congressman's staff, if they are sued by the Government criminally and they prevail, the Government owes them attorney's fees.

I felt that was inappropriate. First of all, it is too narrow. It only covers Congressmen and congressional staff. If it is good enough for them, it ought to be good enough for any citizen. Second, it was too broad, because you only had to win your case to be entitled to attorney's fees. It would seem to me that is not enough. You need a higher threshold. What you need is to have a case that was not substantially justified, one that should not have been brought. That finding is made by the trial judge who has heard the case. The Government must prove substantial justification or you get attorney's fees. It seems to me this is just.

The Justice Department does not like it, of course. Who would like having to prove substantial justification? But if you are interested in justice, if you are the defendant and you have this panoply of lawyers and resources and FBI against you, and not only are they wrong, but they have been substantially unjustified, they have been frivolous, there is no justification substantially for bringing the suit, I am not asking for damages, I am not asking that the prosecutor go to jail or be held in contempt of court, although were I the judge, I would be interested in hearing those arguments if the Government's case was not substantially justified, but we are asking that you repair the wound, the economic wound, somewhat by awarding attorney's fees. This is my amendment.

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

□ 1845

Mr. SKAGGS. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, every Member of this body has enormous respect for the gentleman from Illinois and the chairman of the Committee on the Judiciary, but I must observe that this is an extraordinary matter of policy to attempt to bring up for the first time as an amendment to an appropriations bill and, I think, wholly out of the judicious character with which the gentleman typically manages the business of his committee. I believe it is correct that this has been subject to no hearings, no opportunity for representatives of the Justice Department or the criminal defense bar or anyone else to really explicate the implications, the consequences, the costs of a significant change in the way the United States of America would manage its criminal justice responsibilities. Whatever the underlying merits of finding some way to make whole persons that may be unjustly prosecuted by the Justice Department and the law enforcement agencies of the United States when rarely but occasionally that happens, to attempt in the context of a floor amendment on an appropriations bill to address this issue I think does enormous disservice to the kind of standards of careful and thoughtful and considered work that this House ought to be doing.

It is for that reason among other substantive reasons that the administration has in its statement of policy on this indicated that, were this amendment to be adopted and be part of the final forum of this Commerce-Justice-State appropriations bill when presented to the President, that he would veto the bill, and let me just read briefly from the administration's statement.

I quote:

Opposes the Hyde amendment that would require the United States to pay attorney fees and litigation costs to ''prevailing parties'' in Federal criminal cases unless the government can demonstrate the case was substantially justified. This provision would have a profound and harmful impact on the Federal criminal justice system.

And listen to this.

It would create a monetary incentive for criminal defense attorneys to generate additional litigation in cases in which prosecutors have in good faith brought sound charges, tying up the scarce time and resources that are vital to bringing criminals to justice.

Think, for instance, what this would mean in areas of the criminal law that are already particularly difficult matters for prosecutors to successfully bring to conviction: rape cases, child molestation cases, in which one runs into reluctant witnesses and all sorts of difficulty in evidentiary and proof matters, cases brought under the Violence Against Women Act in particular. Do we really want to set up a system in which we are giving incentive to successful criminal defendants who have prevailed against such prosecution to tie up the limited resources, and limited they are in the United States criminal justice system, tie up those resources with these kinds of cases?

I would stipulate that we need to address the question of injustice, as rare and occasional as it may be, that the distinguished chairman of the Committee on the Judiciary brings to the House underlying this amendment. But let us do it in the regular order, let us do it through the good offices of the gentleman's committee with an opportunity for interested parties to be heard, for the representatives of the Justice Department to make their case about the real consequences of this kind of very, very significant change in national policy. We cannot do justice to this in this setting this evening under these circumstances.

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my good friend, the gentleman from Colorado [Mr. SKAGGS], puts the best possible face on, in my judgment, a very untenable argument. He takes refuge in procedure, that this is the inappropriate vehicle to bring this forward. Injustice needs remedy and one seizes their opportunities when they come along. My amendment was just stated as a result of the gentleman from Pennsylvania [Mr. MURTHA] putting on this bill an amendment to reimburse attorney fees to Congressmen and their staffs if they prevail in a criminal suit, and I said no, that is too narrow, it only takes care of Congressmen and their staffs. It ought to protect anybody who is abused by a suit that is not substantially justified.

Say, I would hope this would take some time and resources from the Justice Department. They might think twice about bringing cases for which there is no substantial justification. If someone is a prosecutor and they are going to wrench somebody out of their job and their home and put them on trial as a criminal, there ought to be enough in the case that it is substantially justified.

To say one does not want them to waste their resources on cases that are not substantially justified, what about the resources of the citizen who has been put through the hoops? What is the remedy, if not this, for somebody who has been unjustly, maliciously, improperly, abusively tried by the Government, by the faceless bureaucrats who hire a law firm or get a U.S. attorney looking for a notch on his gun.

And I am for law enforcement; I am about as law and order as one can get around here, but I have seen abuses, and I know people who think because it is public power it is being wielded in the public interest. No, not necessarily. But when they transgress they ought to help pay the attorney fees to make the innocent defendant partly whole.

I remember the former Secretary of Labor, Ray Donovan, who was prosecuted and again and again and again and won every time, and when it was all over he said to himself, ''Where do I go to get back my reputation?'' Well, one cannot get that back, but, at least, if the Government tries to bankrupt someone because of attorney fees, they ought to pay that.

I am for law enforcement, I am for criminals going to jail, I am for the Justice Department prosecuting criminals, but not without substantial justification, and if my colleagues are against my amendment, they are saying let the Government do whatever it wants, and if they cannot prove substantial justification, tough luck.

I do not buy that.

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

Mr. SKAGGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, just quickly and in response to the gentleman's point, and then I will yield time to the gentlewoman from Michigan, I think the gentleman proves too much. Were the words ''malicious'' and ''abusive'' in his amendment, and maybe those are criteria that also ought to be introduced, it would be a different matter. Those were not standards that are in his amendment although they were certainly the standards invoked in his rhetoric. But it is exactly those kinds of questions about which we need a more deliberative examination of this proposed change than is admitted this evening.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Michigan [Ms. RIVERS].

Ms. RIVERS. Mr. Chairman, I rise in opposition to this particular amendment, and while I join the gentleman from Illinois in several of his endeavors, including his concerns about forfeitures in this country and the business of the IRS, and have been on his bills in both Congresses, I do not agree with him on this particular issue.

Section 616 of the bill before us creates a new class of citizenship exclusively for Members of Congress and their staffs by extending to them the rights to reimbursement of legal expenses when a Justice Department prosecution fails to convict them. This would be alone among all American citizens, only Members of Congress and their staffs.

Now my distinguished colleague, the gentleman from Illinois [Mr. HYDE], proposes to replace that language in 616 with an amendment to extend these privileges to any defendant who is successful in defending themselves in Federal court. The claim is that this amendment will produce greater equity.

Mr. HYDE. Mr. Chairman, would the gentlewoman yield? I will give her some time if she yields on that point.

Ms. RIVERS. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, I do not extend this protection to anybody who is successful in Federal court. They are successful and the Government cannot substantially justify. That is not a tough threshold, that is not a tough threshold under the Government to meet.

Ms. RIVERS. Mr. Chairman, I will speak to that threshold.

While the claim is that this amendment will produce greater equity by eliminating differences between the treatment of Members and ordinary citizens and greater efficacy within the Justice Department, I believe it will do neither. Frankly, I believe this new proposal, when distilled down, is nothing more than a variation on the protect Members theme that is already written into this bill. While the language of the gentleman from Illinois [Mr. HYDE] allows the court to deny reimbursement if it believes the prosecution's case is substantially justified, Members can and will claim that their prosecution was politically motivated.

The words of the gentleman from Illinois [Mr. HYDE] support the suspicion. He argued in his written testimony to the Committee on Rules that there is, quote, a legitimate fear that a prosecutor could become politically involved with the particular case, could feel so compelled to win that he forgets his duty is not to win but to ensure justice. But, Mr. Chairman, it is a rare defendant that could claim that his prosecution was politically motivated. Only Members and other public officials will travel the path that this amendment lays out.

Concerns that this bill is really about Members are heightened in that this proposal was not introduced in previous Congresses and only surfaced after the angry glare of public opinion focused on H.R. 2267 and its existing Member exemption language. But even if one can accept the arguments that this proposal is about protecting all Americans, it appears to be unnecessary.

Our judicial system already provides many protections to seal defendants from frivolous cases. The gentleman from Illinois [Mr. HYDE] speaks to the civil court system but not to the criminal court system. If a case has been prosecuted, a judge has already decided, most likely several times, that the prosecution's evidence was sufficient to warrant trial, and as the Justice Department points out in their letter to Mr. HYDE, in every Federal felony case a grand jury has already determined the adequacy of the prosecution's case.

Similarly, defendants are already protected by the greatest force of justice we have in this country, the U.S. Constitution. The fifth amendment requirement of probable cause provides abiding and unambiguous protection for criminal defendants. The proposal of the gentleman from Illinois [Mr. HYDE] offers nothing more in terms of deterring errant prosecution. It simply creates a forum for Members of Congress to argue that they have been unjustly targeted for political reasons.

Mr. Speaker, it is clear that this proposal is not only unnecessary, it is most likely harmful. Members must be mindful of the chilling effect legislation of this kind could have on Federal prosecutions. The gentleman from Illinois [Mr. HYDE] has argued that politics should not be a part of the prosecutorial calculus. Agreed, but should money, given that the money at issue here comes from the Justice Department, budget losses under this amendment would decrease the Justice Department's ability to pursue other prosecutions and weaken their resolve to pursue tough but sometimes very necessary cases.

Likewise, the potential of reimbursement creates a form of prosecutorial poker wherein wealthy defendants who can and do spend large amounts of money on dream team defense counsel can raise the stakes regarding their possible prosecution.

And last but not least, please consider the after-the-fact exercise required under this bill to determine justification for prosecution. As the Justice Department points out, justification may not be evident on the trial record. There may be evidence that was relied upon in good faith by the prosecution in coming to its decision to prosecute, but was later suppressed at trial; there may be disclosure or required disclosure and compromise of confidential sources or law enforcement techniques, particularly when the Justice Department is dealing with organized crime and conspiracy cases. Likewise, we could find situations where the Justice Department must compel testimony from children who have been victims of abuse or pornography because they did not originally testify, but the prosecution relied upon their information. Similarly, if we are dealing with espionage or national security, we could force disclosure of classified information or, worse yet, we could create a situation where Justice declines to prosecute for fear of having to reveal information of a classified nature, which in fact then gives those kinds of defendants a negotiating room that most defendants do not enjoy.

Clearly this is not the sort of proposal that we should pass after just 30 minutes of discussion. It would work a fundamental change in our legal system and, according to the Department of Justice, would pose a substantial obstacle to the accomplishment of their essential mission.

I would urge a ''no'' vote.

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, the judge makes the decision; the U.S. attorney does not, the jury does not. The judge who has heard the case has heard all the evidence. Then, after the trial is over and the verdict is in, the judge then listens to the Government and says, ''What was the substantial justification for bringing this suit?'' So the judge decides.

As for yielding secrets and classified information, that has been taken care of in the courts for many years. The judge can hear the evidence in camera by himself. Nothing needs to be publicly disclosed.

Probable cause is not the same as substantial justification. The cases recite that. There are ninth circuit cases, there are all sorts of litigation in the Equal Access for Justice Act, 17 years of that which say that, ''You may have probable cause, you may have an indictment, but you're not required as the prosecutor to produce exculpatory evidence, only evidence of guilt.''

□ 1900

So the two concepts are dissimilar. So that does not count.

The gentlelady said the Constitution will protect us all.

The Constitution protects you, but it will not pay your bills. That Constitution you carry in your pocket, the landlord will not take that and your lawyer will not take that. They want to get paid with cash. When the Government sues you and, by the way, you seem to have sympathy for everybody in this picture but the victim, who has been sued and the Government cannot substantially justify the lawsuit. I really wish you had some imagination and could imagine yourself getting arrested, getting indicted, what happens to your name, to your family, and the Government has a case it cannot substantially justify. They do not need to defend against malice or hardness of heart or anything like that, just substantial justification. They do not have to win.

The fact that I picked this time and we have not had hearings, that is just a dodge. This is about as simple a concept as there is. We have had it and we have been satisfied with it in civil litigation. I am simply applying the same situation to criminal litigation.

Ms. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentlewoman from Michigan.

Ms. RIVERS. Mr. Chairman, I just was responding to the gentleman's comment by I believe Mr. SKAGGS and I personally and wondered what information the gentleman had about whether we could or could not understand what it would be like to be a criminal defendant, whether we could or could not rely on any personal experience?

Mr. HYDE. Mr. Chairman, reclaiming my time, I do not know the gentlewoman's personal experience. Most people are not indicted by the U.S. attorney. But I can imagine, and I know people who have been, what a shattering experience it is.

Ms. RIVERS. Mr. Chairman, if the gentleman will continue to yield, what we know is most people are not indicted by a U.S. attorney. Of those that are and prosecuted, 87 percent are convicted. The question is why are we pursuing this particular bill and what indication there is——

Mr. HYDE. Mr. Chairman, there are 13 percent that were not, and if the litigation against them was not substantially justified, we are not talking about a lot of money to give them justice, are we?

Ms. RIVERS. Do we have any indication at this point how many of that 13 percent are substantially unjustified and whether or not there is actually a need for this kind of proposal? And would that not in fact come out in a hearing and help us all make better decisions?

Mr. HYDE. Mr. Chairman, reclaiming my time, let us pass this law and then we will have some experience and see how many cases are brought that they cannot prove substantial justification. To take the gentlewoman's version of things, every case is substantially justified. I am telling Members in the real world lives are ruined, people are bankrupted, and it is not just, and we have a chance to remedy it and we ought to.

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

Mr. SKAGGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I really am perplexed. The gentleman who offers this amendment obviously feels deeply and strongly about the wrong to be righted by this proposal, which is obviously legislative language. The gentleman chairs the committee of jurisdiction.

We are in the ninth month of this session of Congress. If the gentleman believes that this is such an important

matter, the question obviously arises why, with his control over the jurisdiction of this committee, there has not been legislation introduced, hearings held and a bill reported, so that we would not be put to this very awkward business of trying to figure out the real practical implications, legally, in terms of cost and every other way by a proposal brought first to the floor of the House.

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

Mr. SKAGGS. I yield to the gentleman from Illinois.

Mr. HYDE. The only reason it is here now, I saw the Murtha amendment, it was coming to the floor, and I thought we could do it better. That is all. I am trying to improve someone else's amendment to make it fairer, to make it not too broad, and to give a standard. That is why we are here.

That is not to say we will not deal with it in the Committee on the Judiciary, I am sure we will, but there may be no need to after it passes.

Mr. SKAGGS. Mr. Chairman, reclaiming my time, if the gentleman is sure he will, I think he makes the point. Let us not do this fast, maybe wrong, and with ill consideration in the context of an appropriations bill.

The gentleman has indicated that if we defeat his amendment, and presumably later on defeat the Murtha language, this will be a matter taken up, as it should be, by the committee with jurisdiction over this kind of legislation, not a quick and possibly wrong resolution of the matter on an appropriations bill.

Mr. Chairman, I urge my colleagues to vote no on this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. HYDE].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. SKAGGS. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 239, further proceedings on the amendment offered by the gentleman from Illinois [Mr. HYDE]) will be postponed.

The point of no quorum is considered withdrawn.

Mr. HULSHOF. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I had initially intended to offer an amendment that would have increased appropriations by $2 million for the victim and witness program at the Department of Justice. However, in discussions with the gentleman from Kentucky Chairman ROGERS, I have decided that a colloquy would be the best way to address my concerns.

Mr. Chairman, I appreciate the opportunity to discuss with the gentleman from Kentucky Chairman ROGERS the need to further address victims' rights, and I also want to commend the ranking minority member of the appropriations subcommittee for his commitment to offering valuable services such as victim coordinators, as well as a national notification system to those that have been the unfortunate victims of violent crime.

Mr. Chairman, the American criminal justice system has neglected victims for far too long. As part of its responsibility, U.S. Attorney offices from across the country have recently established victim and witness assistance programs to close the gap between prosecutors and victims.

I can tell you as a former prosecuting attorney in the State of Missouri, that as a result of increasing caseloads, prosecutors have been given the near impossible task of convicting the guilty, protecting the innocent, and providing much needed services to victims of crimes.

Coordinators help victims of domestic violence and child abuse, as well as telemarketing and securities fraud, which often targets seniors, and even victims such as those that suffered in the Oklahoma City bombing. Clearly, Mr. Chairman, more should be done to meet the needs of these incredibly sensitive cases.

Coordinators are an integral part in keeping victims at the center of the criminal justice system, rather than on the outside looking in. Victims deserve to be educated in the legal rights they have in the judicial system and deserve the emotional support that coordinators provide. As we here in Congress continue to crack down on criminals, the needs of victims should be equally elevated.

Additionally, victim and witness assistance programs will be implementing a national notification system that ensures victims are kept informed of case developments. It is imperative that victims of domestic violence, rape or child molestation be notified of a criminal's release back into society. It is my hope, Mr. Chairman, that the U.S. Attorneys' Offices across the country will be able to move quickly in providing this service to victims.

The victim and witness assistance program is important to ensure public confidence in our criminal justice system, to make sure that it continues to aggressively prosecute dangerous criminals, while at the same time servicing the rights of victims. It is my hope, with the gentleman from Kentucky Chairman ROGERS, that I can work with the gentleman on an agreement to increase by $2 million the appropriation for the victim and witness assistance program in joint House and Senate conference negotiations.

It is my belief, Mr. Chairman, that individuals who have been tragically victimized by criminals should not be victimized a second time by our criminal justice system.

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

Mr. HULSHOF. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I thank the gentleman for his statement, and for his concern for victims' rights. I realize the gentleman's commitment toward this cause and the background he brings to this body as a former prosecuting attorney from the State of Missouri as Attorney General.

I agree that every effort must be made to ensure that victims are not forgotten in the criminal justice system. The measures included in this year's appropriations bill send us in the right direction to meeting the needs of victims of serious violent crime. The subcommittee provided funds for 74 new victim coordinators and advocates and the development of a national notification system.

Mr. Chairman, I look forward to working with the gentleman during the conference deliberations on the bill to find additional monies for this very vital program.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $76,199,000, of which not to exceed $3,317,000 is for the Facilities Program 2000, to remain available until expended: *Provided,* That not to exceed 43 permanent positions and 44 full-time equivalent workyears and $7,860,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 1997: *Provided further,* That not to exceed 41 permanent positions and 48 full-time equivalent workyears and $4,660,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: *Provided further,* That the latter two aforementioned offices shall not be augmented by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis or any other type of formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Attorney General, $20,000,000, to remain available until expended, to reimburse any Department of Justice organization for (1) the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of any domestic or international terrorist incident, (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism, including payment of rewards in connection with these activities, and (3) the costs of conducting a terrorism threat assessment of Federal agencies and their facilities: *Provided,* That funds provided under this heading shall be available only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration related activities, $66,700,000.

VIOLENT CRIME REDUCTION PROGRAMS, ADMINISTRATIVE REVIEW AND APPEALS

For activities authorized by section 130005 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as

amended, $59,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $33,211,000; including not to exceed $10,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and for the acquisition, lease, maintenance, and operation of motor vehicles, without regard to the general purchase price limitation for the current fiscal year: *Provided*, That up to one-tenth of one percent of the Department of Justice's allocation from the Violent Crime Reduction Trust Fund grant programs may be transferred at the discretion of the Attorney General to this account for the audit or other review of such grant programs, as authorized by section 130005 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322).

AMENDMENT OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SOUDER:

Page 4, line 4, after the dollar amount, insert the following: ''(increased by $2,000,000)''.

Page 19, line 2, after the dollar amount, insert the following: ''(reduced by $3,000,000)''.

Mr. SOUDER. Mr. Chairman, I should say at the outset this amendment is cosponsored by the gentleman from Illinois [Mr. HASTERT], the chairman of the Subcommittee on National Security, International Affairs, and Criminal Justice of the Committee on Government Reform and Oversight with oversight over the INS.

Mr. Chairman, this amendment simply transfers the $3 million from the Immigration and Naturalization Service and increases the Inspector General's office at the Justice Department by $2 million to provide adequate resources for a thorough investigation of the abuses of the Citizenship USA program administered by the INS.

The Citizenship USA program was devised in 1995 to increase the speed and efficiency of the naturalization process. The problem is that speed was a priority and efficiency was forgotten. In 1996, the number of naturalizations tripled to 1.1 million, an upsurge well timed for the November election.

In the Subcommittee on National Security, International Affairs, and Criminal Justice of the Committee on Government Reform and Oversight, I chaired a number of hearings on the resulting chaos from this accelerated process. It was said at that time that the appropriations committee had increased the funding for this acceleration.

As I pointed out, the gentleman from Kentucky, Chairman ROGERS, and all of us in Congress certainly did not intend to not have background checks be done. The goal was to correctly bring people who were legal aliens into citizenship and welcome them in and accelerate that process. That was the reason the appropriations committee increased the funding, not to bring people in without the proper background checks.

What we heard in those hearings was we heard from people who said that they had bound bundles of tests that were taken in the same pencil, in the same handwriting, and yet were being applied as individuals as opposed to groups that they were actually done by.

We heard from Dallas, for example, that they had boxes of forms that never went through FBI background checks; boxes, literally thousands in some of these offices.

We heard about the mass swearing in ceremonies, where often the green cards were dumped into bins without checking off where they were coming from and then reappeared in the streets.

We heard career INS employees telling how they were told not to ask questions and follow-up questions when people did not even know what city they lived in. This type of thing was not what was intended by Congress.

The accelerated activity resulted in 180,000 applications being approved without proper screening, according to Justice Department figures, and, of those, 10,800 had felony arrests.

On April 18, 1997, the Justice Department released a report conducted by KPMG Peat Marwick Company that made clear that the Justice Department had failed to take adequate corrective action. The report stated that because of the persistent problems in checking fingerprints of citizen applicants against FBI criminal history records, ''we cannot provide assurances that INS is not continuing to incorrectly nationalize aliens without disqualifying conditions.''

On April 28, 1997, the Inspector General of the Justice Department announced a wide-ranging special investigation by his office into allegations of mismanagement, misconduct and illegality in the controversial INS program to speed up the citizenship process.

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Yet still Attorney General Reno refuses to appoint an independent counsel to provide an objective and complete investigation.

I know that the gentleman from Kentucky [Mr. ROGERS] the chairman of the subcommittee, has held hearings on this subject, as we have done on the Committee on Government Reform and Oversight, and I thank the chairman for his leadership on this important matter.

I ask for my colleagues' support for a complete and objective investigation of illegal activity by the inspector general in order to restore the integrity and dignity of the naturalization process. Naturalization is a critical symbol of the American democratic experiment and the continuing contribution that immigrants make. The time has come to eliminate this blemish on the immigration system and those, the majority of whom, the overwhelming majority of whom, who legally pursue their citizenship. We should not cheapen it.

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

Mr. SOUDER. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I understood that we were going to accept this amendment without debating it. In the process of accepting the amendment for the purposes of the bill being considered on the floor here today, I just want it understood that all of the characterizations that the gentleman has made are not agreed to in the process of our accepting the amendment.

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

Mr. SOUDER. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, the gentleman has made a very interesting point, and I am prepared to accept the amendment, because it gives additional oversight of the Immigration and Naturalization Service, an agency that I think is out of control.

I have to say this, if the gentleman will continue to yield. In this bill, in addition to the money that we hope is agreed to in the gentleman's amendment for additional oversight by the inspector general of the Department for INS, in the bill we make it illegal for the INS to waive the FBI criminal check before they grant citizenship to an individual.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. SOUDER] has expired.

(By unanimous consent, Mr. SOUDER was allowed to proceed for 3 additional minutes.)

Mr. SOUDER. Mr. Chairman, I would like to make it clear, I intend to make no additional statement.

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

Mr. SOUDER. I yield to the gentleman from Kentucky.

Mr. ROGERS. So we make it illegal for them to waive the criminal check by the FBI before they grant citizenship, as they did last year in at least 180,000 cases, and we have 10,000, at least, felons walking the streets of America today because the INS waived the policy against requiring criminal checks by the FBI before they grant citizenship. We make it law now in this bill, not just policy. It will be the law.

No. 2, in this bill we also authorize and direct the Attorney General to fire on the spot any INS employee who violates the law or policy of the Department in relation to the naturalization process. We will not tolerate the selling of American citizenship for votes or anything else in this country, and this bill makes that plain.

Mr. Chairman, I accept the gentleman's amendment.

Mr. WATT of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. SOUDER. I yield to the gentleman from North Carolina.

Mr. WATT of North Carolina. Mr. Chairman, I do not want to prolong this, but as the ranking member of the Subcommittee on Immigration and Claims on the Committee on the Judiciary, I just want to make it clear that Peat Marwick has just finished the report and issued it. There were only 300 presumptively ineligible persons found out of 1.3 million, so this notion that there is some massive impropriety going on is just incorrect.

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

Mr. SOUDER. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, INS at this very moment is processing 5,000 revocations of citizenship because they are criminals; 5,000, and they have just started counting. The gentleman is incorrect.

Mr. SOUDER. Mr. Chairman, I thank the gentleman for his leadership.

Mr. WATT of North Carolina. Mr. Chairman, I move to strike the requisite number of words, and I will not take the 5 minutes.

I think we are talking about two separate issues, and I am not taking issue with what the chairman says, but the gentleman from Indiana [Mr. SOUDER] in his comments made reference to a report from Peat Marwick. That report just out indicates only 300 out of 1.3 million people who were presumptively ineligible for citizenship, and that is a different issue than the issue the chairman is addressing.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. SOUDER].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized by law, $4,799,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses, necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia; $445,000,000, of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended: *Provided,* That of the funds available in this appropriation, not to exceed $17,525,000 shall remain available until expended for office automation systems for the legal divisions covered by this appropriation, and for the United States Attorneys, the Antitrust Division, and offices funded through ''Salaries and Expenses'', General Administration: *Provided further,* That of the total amount appropriated, not to exceed $1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses.

AMENDMENT OFFERED BY MR. ACKERMAN

Mr. ACKERMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ACKERMAN:

Page 5, line 9, insert ''(increased by $300,000)'' after ''$445,000,000''.

Mr. ACKERMAN. Mr. Chairman, many of our colleagues may already know the deeply troubling situation that exists in the United States with regard to the veterans of the Nazi war machine.

About 8 months ago I discovered that thousands of former soldiers from Hitler's elite Waffen-S.S. corps, now living all around the world, some of whom may have participated in crimes against humanity, have been receiving monthly pensions from the German Government. These fairly generous pensions called, ironically enough, war victims' pensions, are given to Nazi SS officers who sustained injuries during World War II.

However, my concern lies with the fact that neither the German Government nor any other government has ever bothered to cross-check the list of applicants and recipients with the international list of known Nazi war criminals. This is unacceptable, particularly since we have learned that at least 3,300 recipients of these Nazi pensions live right here in the United States.

The situation becomes ironically intolerable when we realize that according to the American Jewish Committee, which has done a tremendous job in working on this issue, that well over 15,000 Jewish survivors of the Holocaust, and probably at least as many non-Jewish survivors living in Eastern Europe and countries of the former Soviet Union, have never received any compensation from that government for the horrors they were forced to endure in Nazi ghettos and concentration camps.

These survivors have been dubbed the ''double victims,'' as they were first victimized by the Nazi nightmare and then again by the Communist governments that took over after the war. Perhaps we need to call them ''triple victims'' at this point since they are once again being victimized by a government who continuously refuses to offer them any compensation. Many of these survivors are also in desperate financial straits as well as in poor health.

Based on the information we received regarding the issue of pensions to former Nazi Waffen-SS officers, I wrote to German Chancellor Helmut Kohl requesting that he send us the list of those living in the United States so that the Office of Special Investigations in our State Department and in our Department of Justice could do the necessary cross-checking before the trail to Nazi war criminals grows cold.

To the credit of Chancellor Kohl and the German people, he quickly acceded to the request, and our Office of Special Investigations, OSI, under the superb leadership of its Director, Eli Rosenbaum, is currently poring over these lists.

Let me also stress that the work that they are doing now is extremely slow and a very tedious and laborious process. OSI continues to be undermanned and underresourced, and this additional major surprise project further strains those capabilities.

Therefore, this amendment would simply add $300,000 to the Justice Department appropriation for the specific purposes of investigating the names on the lists that the German Government has provided us. I think this is a prudent and reasonable amendment, and I have been informed by the Director of OSI that this additional appropriation would allow them to hire the needed attorneys and historians in order to complete this list project effectively and efficiently and in a timely manner.

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

Mr. ACKERMAN. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, the gentleman has worked very closely with us on his amendment. We believe this program has merit and is a good amendment, and we have no objection to it and support its adoption.

Mr. ACKERMAN. Mr. Chairman, I thank the chairman, the gentleman from Kentucky [Mr. ROGERS], for his cooperation and his decisive leadership in this matter, and I urge the adoption of this amendment in the House.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ACKERMAN].

The amendment was agreed to.

Mr. MILLER of California. Mr. Chairman, I move to strike the last word to enter into a colloquy with the gentleman from Kentucky [Mr. ROGERS], the chairman of the subcommittee.

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Chairman, I was going to offer an amendment, along with the gentlewoman from Hawaii [Mrs. MINK], the gentleman from South Carolina [Mr. SPRATT], and the gentlewoman from Connecticut [Ms. DELAURO] for the Office of the United States Attorney to augment this fund by $100,000 for additional resources for the Federal Victims' Assistance Program in the Commonwealth of the Marianas. However, I understand that the chairman of the subcommittee, the gentleman from Kentucky [Mr. ROGERS], is willing to engage us in a colloquy, and if I can do so, I would like to do that at this time, with the chairman's permission.

In lieu of offering that amendment, I understand that additional funds have already been provided in this bill that could accommodate the need for increased U.S. Attorneys' presence in the Commonwealth of the Northern Mariana Islands to address the increasing docket and strained resources for both the Federal district court and the Office of the U.S. Attorney located in Guam, which presently provides prosecution support to the CNMI.

The increased law enforcement of the Federal criminal statutes' victims protection and violations of the Occupational Health and Safety Act and the Fair Labor Standards Act will be furthered with additional U.S. attorney resources. This will also permit the increased cooperation between the Federal Government and the Commonwealth of the Northern Marianas in addressing any violation of workplace and housing laws.

What I would like to ask the chairman is will the chairman work to include the language in the statement of managers which directs the U.S. attorneys to provide an additional $100,000 in resources in Guam for the use of the Commonwealth of the Northern Marianas to address these issues?

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

Mr. MILLER of California. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, let me compliment the gentleman from California [Mr. MILLER] for raising these concerns regarding law enforcement needs in the Northern Mariana Islands. We will work during the conference to include language to address the issue in the statement of managers.

Mr. MILLER of California. Mr. Chairman, I thank the gentleman very much for his statement of support and his willingness to work with myself and the other Members, and I appreciate the gentleman agreeing to do this colloquy.

The reason we did this, I say to my colleagues, is I think that it is accurate to say that most Members of Congress, like most Americans, are unaware of the tens of thousands of workers who toil on American soil in the U.S. Commonwealth of the Northern Marianas Islands who are routinely subjected to gross violations of their human rights and other rights, while being provided few of the legal protections afforded the rest of us.

This widespread and intolerable abuse have been credibly documented by the U.S. Department of the Interior, the Justice Department, the Commerce Department, State, Labor; and news organizations, including the television program Inside Edition, Reader's Digest, the Honolulu Star Bulletin, the Pacific Daily News, the Dallas Morning News, the Washington Post, the Los Angeles Times; the report of the Committee on Resources Democratic staff, foreign consulates, church and human rights workers, and many others.

It is regrettable that until today, this Congress is one of the few places where we have been unable to gain even minimal discussion of these abuses. Inside Edition captured the horrific conditions in the Marianas on film and for this Nation to view. Now we in Congress must respond to the outrages that they have documented.

Indeed, instead of allocating the resources to providing greater protection for these exploited and abused workers, the Commonwealth of the Northern Marianas Government has spent millions of dollars lobbying this Congress to allow these current practices to continue. The victims of this abuse are afraid to complain because they are impoverished and laboring in a foreign country, our country. They are bound by contracts and labor agreements that stifle the most minimum of constitutional and human rights. They know that complaining about the underpayment of wages, forced prostitution, and employer rape carries with it the risk of retaliation or immediate deportation, or actions against their families in China.

□ 1930

Mr. Chairman, thousands of these women toil in the garment factories owned by the People's Republic of China, and they are forced to sign shadow contracts with the Chinese Government before they are allowed to work here that stipulate that they are forbidden from practicing religion while in the United States, and may not engage in free speech. This is simply unacceptable.

Here perhaps is the most shocking fact. The products that this exploited labor work force, the products that they work on, are admitted to our national markets duty-free, quota-free, and with the label sewn by these indentured workers that says, ''Made in the U.S.A.''

We can no longer accept this practice. Additional funds for the Attorney General's office in the Northern Marianas are desperately needed. I thank the chairman again for entering into this colloquy.

The CHAIRMAN. The time of the gentleman from California [Mr. MILLER] has expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 4 additional minutes.)

Mrs. MINK of Hawaii. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentlewoman from Hawaii.

Mrs. MINK of Hawaii. I thank the gentleman for yielding to me, Mr. Chairman.

I am really very, very excited about the idea that for the first time since my coming here to Congress in 1990, we have a chance to discuss this issue. Many of us have been really worried and concerned about it. We have done what we could in letter writing and contacting and exposing this whole issue before our constituents, before the people that have some power to do something about this. But this is really a very, very serious situation.

When we talk about the Northern Marianas, so many people think that this is a foreign country. Why should we care about what the conditions are that these people work under?

Let me remind this House that in 1975 we entered into a compact with the Northern Marianas, a covenant which gave the indigenous people of this territory U.S. citizenship status. They are American citizens. They should abide by the fundamental laws of this country, but they do not.

The reason they do not was there was a provision in the covenant which yielded to their demands at that time to say that they should not have to apply or enforce the immigration laws of this country nor the labor laws. They argued that the immigration laws and labor laws would be too cumbersome, too many regulations. It would encumber the ability of this small place to prosper and become self-sufficient. So the Congress gave in and the covenant, therefore, excluded these two very vital provisions which safeguard people entering into the United States.

The Northern Marianas is part of the United States. Those people there are U.S. citizens. What they do is they comb across the Asian continent and they find unwitting, unsuspecting victims to lure to the Northern Marianas with promises of great prosperity, with promises that they will earn money and be able to send it back to their families so they can have a better life; that they would come to an American territory and really enjoy the benefits of a democracy.

What do they find? They sign a contract which requires that they repay thousands of dollars if they cancel it. They come to the Northern Marianas. They are really enslaved in these terrible warehouses, tens of thousands of foreigners impacted into this place. They do not have the protection of minimum wage. Oftentimes they work with no salary at all.

They cannot complain because if they want to break their contract, they have no money to give back to these people who hired them. They have no money to buy an airplane ticket. The women who come to this place are terrorized. They are brutalized. They are made into prostitutes. Young children, 14- and 15-year-olds, females, are put into bondage. It is the most disgraceful thing happening on U.S. soil.

Forget the fact that it is the Commonwealth of the Northern Marianas; it is a U.S. territory. The people with whom we signed the contract were U.S. citizens. It is our responsibility to make sure that these individuals are protected.

All we are asking this Congress to do is to pay heed to the victims who are brought there, tens of thousands, most of them women. One of them that I know in my State has been brought to the State of Hawaii as a victim. She came to Hawaii at age 14 and is now 16, and she cannot obtain justice. She has no funds with which to exist. There is no victim protection for her whatsoever. She was abused and raped and put into prostitution.

Mr. Chairman, if Members had an opportunity to witness this themselves and to talk to the people that have endured this system, Members would understand the rage and the furor that I feel about what is happening there.

And the products, Mr. Chairman, as the gentleman in the well has said, they come to the United States with a ''Made in the U.S.A.'' label. That is heinous.

The CHAIRMAN. The time of the gentleman from California [Mr. MILLER] has expired.

Mr. MILLER of California. Mr. Chairman, I ask unanimous consent for 3 additional minutes.

Mr. ROGERS. Reserving the right to object, Mr. Chairman, we have a great number of items to take up. I want us to air this fully, but I would hope that we could conclude.

Mr. MILLER of California. If the gentleman will yield, I thank the gentleman. The only reason we would do that is just so it could be in sequence. We did not know if they could strike the 5 minutes.

Mr. ROGERS. I have already agreed to do what the gentleman wants.

Mr. MILLER of California. I understand.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Ms. DELAURO. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, I thank my colleague for giving us the opportunity to talk about these deplorable human rights abuses, as has been stated, right here on U.S. territory.

The report that was issued in July indicates that local government in the Northern Mariana Islands looks the other way as tens of thousands of low-paid and disenfranchised women, mostly from China and the Philippines, are forced to live and work in squalid, unsafe conditions. Guards, barbed wire have prevented them from escaping. The women suffer, the owners of the sweatshops prosper. Some, as my colleague the gentlewoman from Hawaii [Mrs. MINK] pointed out, have been forced into prostitution.

Whistle blowers are abused, troublemakers are sent back to their home countries, while the local government has turned a blind eye, leaving these women and young girls with little hope for protection. This kind of treatment is intolerable.

I happen to have a particular interest in this area because my mother was a garment worker. She worked in a sweatshop in New Haven, CT, as so many women did, where they worked for pennies. They worked in all conditions.

This is not the right thing to do. We made some changes here in the country. We tend to think that sweatshops do not exist any longer. In fact, they do, and right under our very eyes in territories under U.S. control.

I am pleased we have an opportunity to insert some funds here which will allow for there to be law enforcement efforts. This would allow U.S. Federal law officials to do the right thing. More important, it would help thousands of women regain their dignity and their honor.

We responded immediately this past summer to discovering illegal sweatshops in New York City. Americans do know what is right in this area. Forced labor, entrapment into prostitution, are wrong. When we discovered the conditions in New York City, Americans were outraged. We demanded change, and it occurred. We should do the same for the women who are trapped in the Northern Marianas sweatshops.

Mr. MILLER of California. I thank the chairman and ranking member for their attendance to this problem.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, as amended, not to exceed $4,028,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

VIOLENT CRIME REDUCTION PROGRAMS, GENERAL LEGAL ACTIVITIES

For the expeditious deportation of denied asylum applicants, as authorized by section 130005 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, $7,969,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $84,542,000: *Provided,* That notwithstanding any other provision of law, not to exceed $70,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further,* That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 1998, so as to result in a final fiscal year 1998 appropriation from the General Fund estimated at not more than $14,542,000: *Provided further,* That any fees received in excess of $70,000,000 in fiscal year 1998 shall remain available until expended, but shall not be available for obligation until October 1, 1998.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Office of the United States Attorneys, including intergovernmental and cooperative agreements, $973,000,000; of which not to exceed $2,500,000 shall be available until September 30, 1999, for (1) training personnel in debt collection, (2) locating debtors and their property, (3) paying the net costs of selling property, and (4) tracking debts owed to the United States Government: *Provided,* That of the total amount appropriated, not to exceed $8,000 shall be available for official reception and representation expenses: *Provided further,* That not to exceed $10,000,000 of those funds available for automated litigation support contracts shall remain available until expended: *Provided further,* That, in addition to reimbursable full-time equivalent workyears available to the Office of the United States Attorneys, not to exceed 9,010 positions and 9,116 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Attorneys: *Provided further,* That not to exceed $6,000,000 for office moves, expansions and renovations shall remain available until September 30, 1999: *Provided further,* That not to exceed $1,200,000 for the design, development and implementation of an information systems strategy for D.C. Superior Court shall remain available until expended.

VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES ATTORNEYS

For activities authorized by sections 40114, 130005, 190001(b), 190001(d), and 250005 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, and section 815 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132), $62,828,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized by 28 U.S.C. 589a(a), $107,950,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided,* That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further,* That, notwithstanding any other provision of law, $107,950,000 of offsetting collections derived from fees collected pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and remain available until expended: *Provided further,* That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 1998, so as to result in a final fiscal year 1998 appropriation from the Fund estimated at $0: *Provided further,* That any such fees collected in excess of $107,950,000 in fiscal year 1998 shall remain available until expended but shall not be available for obligation until October 1, 1998.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, $1,226,000.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service, including the acquisition, lease, maintenance, and operation of vehicles and aircraft, and the purchase of passenger motor vehicles for police-type use, without regard to the general purchase price limitation for the current fiscal year, $462,944,000, as authorized by 28 U.S.C. 561(i); of which not to exceed $6,000 shall be available for official reception and representation expenses; and of which not to exceed $4,000,000 for development, implementation, maintenance and support, and training for an automated prisoner information system, and not to exceed $2,200,000 to support the Justice Prisoner and Alien Transportation System shall remain available until expended: *Provided,* That, for fiscal year 1998 and thereafter, the service of maintaining and transporting State, local, or territorial prisoners shall be considered a specialized or technical service for purposes of 31 U.S.C. 6505, and any prisoners so transported shall be considered persons (transported for other than commercial purposes) whose presence is associated with the performance of a governmental function for purposes of 49 U.S.C. 40102.

VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES MARSHALS SERVICE

For activities authorized by section 190001(b) of the Violent Crime Control and

Law Enforcement Act of 1994 (Public Law 103–322), as amended, $25,553,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

FEDERAL PRISONER DETENTION

For expenses, related to United States prisoners in the custody of the United States Marshals Service as authorized in 18 U.S.C. 4013, but not including expenses otherwise provided for in appropriations available to the Attorney General, $405,262,000, as authorized by 28 U.S.C. 561(i), to remain available until expended.

FEES AND EXPENSES OF WITNESSES

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diems in lieu of subsistence, as authorized by law, including advances, $75,000,000, to remain available until expended; of which not to exceed $4,750,000 may be made available for planning, construction, renovations, maintenance, remodeling, and repair of buildings, and the purchase of equipment incident thereto, for protected witness safesites; of which not to exceed $1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed $4,000,000 may be made available for the purchase, installation and maintenance of a secure, automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, established by title X of the Civil Rights Act of 1964, $5,319,000 and, in addition, up to $2,000,000 of funds made available to the Department of Justice in this Act may be transferred by the Attorney General to this account: *Provided,* That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict prevention and resolution activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further,* That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(A)(ii), (B), (F), and (G), as amended, $23,000,000, to be derived from the Department of Justice Assets Forfeiture Fund.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses in accordance with the Radiation Exposure Compensation Act, $2,000,000. Further, for the foregoing purposes during fiscal year 1999, $2,000,000.

PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND

For payments to the Radiation Exposure Compensation Trust Fund, $4,381,000. Further, for the foregoing purposes during fiscal year 1999, $29,000,000.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $294,967,000, of which $50,000,000 shall remain available until expended: *Provided,* That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: *Provided further,* That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 3,094 passenger motor vehicles, of which 2,270 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance, and operation of aircraft; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General, $2,706,944,000; of which not to exceed $50,000,000 for automated data processing and telecommunications and technical investigative equipment and not to exceed $1,000,000 for undercover operations shall remain available until September 30, 1999; of which not less than $147,081,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security; of which not to exceed $98,400,000 shall remain available until expended; of which not to exceed $10,000,000 is authorized to be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations; and of which $1,500,000 shall be available to maintain an independent program office dedicated solely to the relocation of the Criminal Justice Information Services Division and the automation of fingerprint identification services: *Provided,* That not to exceed $45,000 shall be available for official reception and representation expenses: *Provided further,* That no funds in this Act may be used to provide ballistics imaging equipment to any State or local authority which has obtained similar equipment through a Federal grant or subsidy unless the State or local authority agrees to return that equipment or to repay that grant or subsidy to the Federal Government.

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended (''the 1994 Act''), and the Antiterrorism and Effective Death Penalty Act of 1996 (''the Antiterrorism Act''), $179,121,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which $102,127,000 shall be for activities authorized by section 190001(c) of the 1994 Act and section 811 of the Antiterrorism Act; $57,994,000 shall be for activities authorized by section 190001(b) of the 1994 Act; $4,000,000 shall be for training and investigative assistance authorized by section 210501 of the 1994 Act; $9,500,000 shall be for grants to States, as authorized by section 811(b) of the Antiterrorism Act; and $5,500,000 shall be for establishing DNA quality-assurance and proficiency-testing standards, establishing an index to facilitate law enforcement exchange of DNA identification information, and related activities authorized by section 210501 of the 1994 Act.

TELECOMMUNICATIONS CARRIER COMPLIANCE FUND

As authorized by section 110 of the Communications Assistance for Law Enforcement Act (47 U.S.C. 1009), $50,000,000 is appropriated for purposes of national security, without fiscal year limitation, to the Department of Justice Telecommunications Carrier Compliance Fund, for payments pursuant to section 401 of such Act (47 U.S.C. 1021).

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; $38,506,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; purchase of not to exceed 1,602 passenger motor vehicles, of which 1,410 will be for replacement only, for police-type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft; $814,463,000, of which not to exceed $1,800,000 for research and $15,000,000 for transfer to the Drug Diversion Control Fee Account for operating expenses shall remain available until expended, and of which not to exceed $4,000,000 for purchase of evidence and payments for information, not to exceed $10,000,000 for contracting for automated data processing and telecommunications equipment, and not to exceed $2,000,000 for laboratory equipment, $4,000,000 for technical equipment, and $2,000,000 for aircraft replacement retrofit and parts, shall remain available until September 30, 1999; and of which not to exceed $50,000 shall be available for official reception and representation expenses.

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by sections 180104 and 190001(b) of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, and section 814 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132), $310,037,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; $5,500,000, to remain available until expended.

Mr. ROGERS (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 18, line 10, be considered as read, printed in the RECORD, and open to amendment at any time.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Are there amendments to that portion of the bill through page 18, line 10?

PARLIAMENTARY INQUIRY

Mr. ROHRABACHER. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. ROHRABACHER. Mr. Chairman, is all the debate passed for the time period that will be available to discuss what the gentleman from California [Mr. MILLER] had been proposing?

The CHAIRMAN. Would the gentleman from California [Mr. ROHRABACHER] restate his point of inquiry?

Mr. ROHRABACHER. On the Miller amendment, is all time passed when anyone can debate the subject matter of the amendment offered by the gentleman from California [Mr. MILLER]?

The CHAIRMAN. There was no debate. The gentleman did not offer the amendment.

Mr. ROHRABACHER. At this point, before we move on to another subject, is it permissible for this gentleman to strike the last word?

The CHAIRMAN. It certainly is.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not take the entire 5 minutes. Let me just note, there is a philosophical difference between some of the people who have been expressing what I would consider the worst possible picture, painting the worst possible picture of the Northern Marianas Islands, and those of us who look at the Northern Marianas Islands and compare them to other such areas of the world and see a totally different picture.

Yes, if we painted a picture of the United States as a developing country 25 or let us say 50 to 75 years ago, people would say the United States is a horrible place as compared to the United States today. But the fact is that the United States as compared to other countries in the world 75 years ago was a pretty good place. The Northern Mariana Islands as compared to other areas of similar development, other islands, especially even island territories of the United States of America, is a pretty good place. They have had a great deal of reform, free enterprise reform, in the last 5 years that has totally turned around their economy.

I realize that there are people on the other side of the aisle who believe that government should regulate economic activity to improve the standard of living of the people of a given area. I do not think that works. What has happened in the Northern Marianas, when they were counting on handouts from the Federal Government, when they were counting on the United States government here in Washington, D.C. to provide them subsidies, the standard of living of everyone in those islands was going downhill.

Today, when they have developed a new strategy for the development of their little islands, the standard of living of their island people is going up. And of course, it is argued, my goodness, they have all of these guest workers who are working in terrible situations, they are getting less than the minimum wage in the United States, et cetera.

However, even those individuals, by and large the vast majority of those individuals, perhaps 90 percent of those individuals are living better than they would if they would not have jobs. That is why they came to the Northern Marianas.

My good friend, the gentleman from California [Mr. GEORGE MILLER], I do not know if he would prefer to have these people unemployed in the Philippines or unemployed in the various countries they come from, or if he would rather have them working and going back after 2 years with several thousand dollars in their pockets.

Mr. Chairman, I have as much objection as my good friend, the gentleman from California [Mr. MILLER] does to people who break their contracts with guest workers. That was a problem in the Northern Marianas. That is no longer a major problem, because the people and the government of the Northern Marianas have committed themselves to solving that problem, and preventing the poorest of the poor people who come in as guest workers from being exploited to the point that their contracts are not being honored.

I went there. I talked to many, many guest workers. I went to various factories. I talked also to the law enforcement agencies that are there, who said yes, there was a problem 5 years ago, but now we are forcing these employers to honor their contracts. Thus, these contract laborers are living better than they would if they were stuck in China or the Philippines.

I will tell the Members, the people of the Northern Marianas, their standard of living is going up, not down. That is compared to all these other island possessions of the United States which are relying on handouts from the American people, and those island economies are on the way down. So the Northern Marianas has found something successful.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

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

Mr. MILLER of California. Mr. Chairman, I appreciate the gentleman yielding. We do not want to belabor the point. The chairman wants to move on. Hopefully we will have other opportunities to debate this.

The gentleman mentioned people from the Philippines. Let me just say, what we are asking for is the same thing that the Philippine government has petitioned the Northern Marianas for these people, that they not be put into forced sex, young girls not be required to dance in bar clubs, and they not be put into prostitution, because that is going on today.

I appreciate what the gentleman is saying, except there is no independent validation of what the gentleman is saying with respect to the workers. Every independent group that has looked at this has found it to be just the opposite currently going on in the Northern Marianas.

Mr. ROHRABACHER. Mr. Chairman, no decent American or anyone else is going to turn the other way as young girls or any young person is exploited and a contract is not honored, or someone is being forced into a life style like the gentleman is suggesting.

But what I am saying here is the reason the Northern Marianas have been targeted, unlike New York City, which we have heard about just from our last speaker before I got up, is because the Northern Marianas, unlike other island possessions, are taking a free enterprise approach to development. It is increasing the standard of living of their people. Even the guest workers are better off than if they had no job at all.

The CHAIRMAN. The time of the gentleman from California [Mr. ROHRABACHER] has expired.

(On request of Mr. HALL of Texas, and by unanimous consent, Mr. ROHRABACHER was allowed to proceed for 2 additional minutes.)

Mr. HALL of Texas. Mr. Chairman, will the gentleman yield?

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

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Mr. HALL of Texas. Mr. Chairman, I do not always agree with the gentleman from California [Mr. MILLER] on issues, but I have high regard and high respect for him. We seem to be in agreement today that more resources and efforts have got to be committed to the law enforcement in the Commonwealth of Northern Mariana Islands.

It is my strong recommendation that additional funds be transferred to the appropriate category for use in adding an additional Assistant District Attorney. That is what they tell me they need. Going over there and staying 4 or 5 days does not make me an authority.

I did not find the things that have been related here. But I know the gentleman from California [Mr. MILLER] is an honorable man who knows how to detect these things. I hope he will go with the gentleman from Alaska [Mr. YOUNG] early next year.

As I understand, the committee of jurisdiction should be the Committee on Resources. It is my understanding that the gentleman from Alaska [Mr. YOUNG] is going to lead a delegation there in January. I strongly suggest that the gentleman from California

[Mr. MILLER], who is a member of that committee, join the chairman in that group.

Hopefully, he will be persuaded, as I was, that there are many, many more people that are much better off because of the fact that they get an opportunity to leave the poverty of the Philippines and part of China and part of other areas, come there and work 2 years, go back very wealthy. And they have long lines to do that. And, of course, it is not perfect.

If there are any of the things that the gentleman from California [Mr. MILLER] has related going on there, none of us on this floor condone it. We just need to get the hard, cold facts out on the floor.

Mr. ROHRABACHER. Mr. Chairman, not only do we not condone it, I would applaud the gentleman from California [Mr. MILLER] that we should, as a country, make sure that we take the steps necessary to stop that.

But to condemn, basically to throw the baby out with the bath water and say this is part and parcel of this free-enterprise revolution that they have going on in the Northern Marianas is just an inaccurate picturing of what is going on in the lives of most people in the Northern Marianas.

I met with a lot of the reformers there from the churches who have been active in trying to correct the problems that the gentleman from California [Mr. MILLER] brought up, and they admitted to me that in the last 5 years things have gotten dramatically better because the decent people of the Northern Marianas, who, after all, in any area are decent people, have made a commitment to make those changes.

Mr. BRADY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a brief colloquy with the distinguished gentleman from Kentucky [Mr. ROGERS], chairman of the House Appropriations Subcommittee on Commerce, Justice, State, and Judiciary.

First, I want to thank the chairman for his work in providing $600 million in total funding for the Senate Criminal Alien Assistance Program. This is $100 million more than the Fiscal Year 1997 level and the Fiscal Year 1998 level requested by the President and recently passed by the Senate.

When this bill goes to conference, I urge the gentleman from Kentucky [Mr. ROGERS] to fight for the House-passed level. As the chairman is aware, language was included in the 1997 Commerce, Justice, State appropriations bill that allowed California to use its Violent Offender Incarceration and its Truth-In-Sentencing incentive grant awards to offset the cost of incarcerating criminal aliens. Such language is again included in the House committee-passed fiscal year 1998 appropriations bill.

Mr. Chairman, I believe that Texas, the State with the second largest criminal alien incarceration population, and other States with significant numbers of incarcerated criminal aliens would greatly benefit if they were given similar latitude in the use of their VOI grant award funds.

In conference, I urge the gentleman from Kentucky [Mr. ROGERS], the chairman, to work for the House-passed level of $600 million. However, if during negotiations that level is reduced, would the chairman be willing to work with us to provide some additional flexibilities to States like ours with high criminal alien incarceration populations in the use of their VOI grant award funds?

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

Mr. BRADY. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I am very sympathetic to the needs of Texas and other States that have the highest criminal alien incarceration populations and believe that the additional $100 million the House provides for in the program will alleviate most of the problems that my colleagues are encountering.

I recognize the need for those affected States to have greater flexibility in using their staff reimbursements. If we are not able to provide them this additional funding, I will work with my colleague and others to find a solution.

Mr. BRADY. I thank the gentleman from Kentucky [Mr. ROGERS], the chairman, for his leadership and assistance.

The CHAIRMAN: Are there further amendments to the bill through page 18, line 10?

If not, the Clerk will read.

The Clerk read as follows:

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, including not to exceed $50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; purchase for police type use (not to exceed 2,904, of which 1,711 are for replacement only), without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; research related to immigration enforcement; and for the care and housing of Federal detainees held in the joint Immigration and Naturalization Service and United States Marshals Service's Buffalo Detention Facility; $1,609,441,000; of which not to exceed $400,000 for research shall remain available until expended; of which not to exceed $10,000,000 shall be available for costs associated with the training program for basic officer training, and $5,000,000 is for payments or advances arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to immigration; and of which not to exceed $5,000,000 is to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens: *Provided,* That none of the funds available to the Immigration and Naturalization Service shall be available to pay any employee overtime pay in an amount in excess of $30,000 during the calendar year beginning January 1, 1998: *Provided further,* That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further,* That not to exceed $5,000 shall be available for official reception and representation expenses: *Provided further,* That none of the funds provided in this or any other Act shall be used for the continued operation of the San Clemente and Temecula checkpoints unless the checkpoints are open and traffic is being checked on a continuous 24-hour basis: *Provided further,* That not to exceed 32 permanent positions and 32 full-time equivalent workyears and $3,101,000 shall be expended for the Office of Legislative Affairs and Public Affairs: *Provided further,* That the latter two aforementioned offices shall not be augmented by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis or any other type of formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis: *Provided further,* That, during fiscal year 1998 and each fiscal year thereafter, none of the funds appropriated or otherwise made available to the Immigration and Naturalization Service may be used to accept, process, or forward to the Federal Bureau of Investigation any FD–258 fingerprint card, for the purpose of conducting criminal background checks for any benefit under the Immigration and Nationality Act, which has been prepared by, or received from, any individual or entity other than an office of the Immigration and Naturalization Service or State or local law enforcement agency and beginning on March 1, 1998 and each fiscal year thereafter only an office of the Immigration and Naturalization Service may accept, process or forward FD–258 fingerprint cards to the Federal Bureau of Investigation for any of these applications which require an interview: *Provided further,* That, during fiscal year 1998 and each fiscal year thereafter, none of the funds appropriated or otherwise made available to the Immigration and Naturalization Service shall be used to complete adjudication of an application for naturalization unless the Immigration and Naturalization Service has received confirmation from the Federal Bureau of Investigation that a full criminal background check has been completed, except for those exempted by regulation as of January 1, 1997: *Provided further,* That the number of positions filled through non-career appointment at the Immigration and Naturalization Service, for which funding is provided in this Act or is otherwise made available to the Immigration and Naturalization Service, shall not exceed four permanent positions and four full-time equivalent workyears: *Provided further,* That notwithstanding any other provision of law, during fiscal year 1998, the Attorney General is authorized and directed to impose disciplinary action, including termination of employment, pursuant to policies and procedures applicable to employees of the Federal Bureau of Investigation, for any employee of the Immigration and Naturalization Service who violates policies and procedures set forth by the Department of Justice relative to the granting of citizenship or who willfully deceives the Congress or Department Leadership on any matter.

AMENDMENT OFFERED BY MR. WEYGAND

Mr. WEYGAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows

Amendment offered by Mr. WEYGAND:

Page 20, line 10, strike ''during fiscal year 1998'' and insert ''beginning June 1, 1998''.

Page 20, line 21, strike ''March'' and insert ''June''.

Mr. WEYGAND. Mr. Chairman, I would like to first of all begin by thanking the gentleman from West Virginia [Mr. MOLLOHAN], our ranking member, and the gentleman from Kentucky [Mr. ROGERS], chairman of the committee, for their indulgence and their assistance and their advice on this amendment.

After a lot of discussions, Mr. Chairman, I will eventually withdraw the amendment. But what I would like to talk about is the key part of my amendment deals with the transition with regard to designated fingerprinting services. Because of the concerns over quality and veracity of the prints being given to the INS for background checks at the FBI, this bill halts the ability of INS to accept prints from various outside sources after March 1 of next year.

In addition, though, the committee very aptly put into the bill $22.3 million to be spent on a new electronic fingerprinting system which will scan the fingerprints of applicants and electronically transfer them to the FBI for background check, a very welcome and needed addition to the INS and naturalization process, very important for a number of reasons. First of all, it would be more accurate. Secondly, it would be more speedy.

Our concern, though, Mr. Chairman was the transition between what is presently in place right now to the new system. Currently, the bill will mandate that INS will take over all of those services as of March 1. In the interim, there will be a 5-month transition in which State and local law enforcement agencies will be able to provide these fingerprints to the INS.

But it will eliminate from this point forward any opportunity for DFS's or designated fingerprinting services, which are nonprofit or for-profit agencies to provide this service. And as the chairman has aptly pointed out, and correctly so, there have been many problems with many of the for-profit and even not-for-profit DFS's.

We have had a problem with people being naturalized that should never have been naturalized. But, quite frankly, there have been some very good DFS's that are providing valuable service to the INS.

In my district in Rhode Island, the INS branch office in Providence has found no problems with the four facilities that provide these fingerprinting services. In my State there are nine local law enforcement agencies that assist these 4 facilities. The three that are most used are the International Institute, the Catholic Social Service, and a community-based organization called Progresso Latino. These have been providing very good and important services to our people in our district.

An example, International Institute, located in Providence, not only does it provide DFS services to the INS, it provides such things as classes in citizenship, English as a second language, job training programs to many people who came here in the United States not having any skills whatsoever, computer classes and translation classes. It is a community-based organization which provides services for those trying to assimilate into our country and to become active and fruitful participants in the United States.

Before being certified as DFS's, these services are required by regulation to undergo training and must adhere to the strictest requirements to maintain their status. Unfortunately, those that have been bad DFS's in all parts of this country have not been really overseen quickly enough and fervently enough by the INS.

That is unfortunate, because there are some very good DFS's and there are some very bad. Unfortunately, we are going to be throwing all of these DFS's out as of October 1. I have talked to the chairman and to the ranking member. I can fully understand their position. It is a very complex and difficult situation. But I would hope in the future we can look at valuable institutions like the International Institute as being a backup for the INS when in fact they need them.

Mr. Chairman, I will withdraw my amendment at this time and I would ask that I would join with my colleague, the gentleman from North Carolina [Mr. WATT] in an amendment that will provide some additional extension of the transition with regard to the fingerprinting services.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ROGERS. Mr. Chairman, I move to strike the last word. I will not take the full time. However, since the gentleman has brought up this subject, it requires me to say a couple of words about the problem at INS.

One of the problems at INS last year, when we discovered that INS had granted naturalization of citizenship to a million-three, which is four times the annual historic amount, we then discovered that they had waived the policy, the then policy of the department on requiring an FBI criminal check before a person becomes a citizen. We had always done that in every case.

Last year, for whatever reason, before the election the administration waived that, did not require it. Now we have discovered tens of thousands of people were naturalized who were felons, criminals, walking the streets of our country. We found out also that on those that they did require a background check, including a fingerprint, that INS had contracted out the fingerprinting process. So that one could go to any one of 3,000 different places to get fingerprints made, supposedly, which would then submit that fingerprint to the INS, the FBI for checking to see if someone did have a criminal record.

Now, who did they get to take the fingerprints? Let me just read my colleagues a couple of them here. This is in L.A. and these are the people, now bear in mind, that are submitting the proof as to whether or not one can become an American citizen with all the rights and privileges thereunto and appertaining.

They can go to Pookies' Parcel Post and get their fingerprints made. How about Harbour Liquors? How about Freeman's Hallmark Store. Or they could go to Fast Photo. I am not saying these are bad places. I am just saying I have got a question. New Land Travel and Tours. Fred's One Hour Photo. King Kong One Hour Photo. They can go to Sam's Electronics and get their fingerprints made to check it out to see if they were a criminal supposedly. They can go to Quick Sale Realty to get their fingerprints made. Or how about J.L. Investment and Traffic School, Mr. Chairman? Or they might go to Lindy's Mexican Products or even go to Lulu's Professional Services and get their fingerprints made. I will not comment any further on that.

However, Mr. Chairman, I think all of us can unanimously agree that the process of fingerprint taking for the purpose of becoming an American citizen has to be tightened up. And the bill does that. Our bill does away with places like Pookies' Parcel Post where we get our fingerprints made for American citizenship.

It is okay to go there for whatever one goes to Pookies' Parcel Post for, except for fingerprints for American citizenship. We abolish that practice. We make the INS do it in their shop or a law enforcement agency in due course in time. And we are giving them the money to get the fingerprint machine so this can be done in the proper way under proper supervision.

Number two, as I have said before, we make it a violation of the law anymore in waiving the criminal check. Anymore it becomes law, not just policy of the department in requiring a criminal check. It is not right for any agency of the United States Government to be authorized to grant American citizenship to someone who is a criminal, a felon, who has come to this country in violation of their laws, not to mention ours, and become an American citizen.

I commend the gentleman for his concern about the issue, and we will be dealing with it in a subsequent amendment that is coming up shortly.

AMENDMENT OFFERED BY MR. WATT OF NORTH CAROLINA

Mr. WATT of North Carolina. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WATT of North Carolina:

Page 20, line 21, strike ''March'' and insert ''June''.

□ 2000

Mr. WATT of North Carolina. Mr. Chairman, I want to start by thanking the chairman of the committee and the ranking member for their cooperation in getting to what I believe is an agreement on this amendment. It is my understanding that they are prepared to accept it.

Let me start by first of all agreeing with the chairman of the committee about what he just said. I do that because I sincerely do agree with him. What we need to put in context, however, is that Pookies' Parcel Post and Lulu's and Anita's are all private enterprises in this country. This is one of those times when this notion that we should privatize everything that the Federal Government is doing basically went awry. This program, the DFS program, has been in existence for 15 years. It was put in during the Reagan administration. And now what we have found is that there are certain things that private enterprise cannot do as well as the Federal Government.

So on that, I have to agree with the chairman of the committee. It probably never should have been done in the first place. This is too serious a proposition to give out to just anybody. Now, maybe there are some private enterprises out there who can do it, but we certainly should not have just done it carte blanche.

My amendment does not address that issue. It addresses another issue. Beginning March 1 of 1998, applicants for benefits which require an INS interview, such as naturalization, will be required to have their fingerprints taken at the INS. No other fingerprints will be accepted, not even those taken by State and local law enforcement agencies. The rationale for this change, as the chairman has amply indicated, is that the INS intends to implement a new system where fingerprints will be scanned electronically and transferred directly to the FBI for processing.

I support this change in the fingerprinting process. I believe the INS should use technology more effectively and believe the system proposed will be more efficient than current ones, and the current system is the DFS system, which the chairman has just talked about.

Because of the problems associated with DFS's, my amendment does not extend the DFS program; however, it would extend the March 1, 1998 deadline to give the INS adequate time to transition to an electronic fingerprinting system. What we would do is move that deadline from March 1 of 1998 back to June 1 of 1998.

The INS has not purchased all of the equipment yet. There is a concern that it will not be able to implement the new system fully before the March 1 deadline. If this deadline stays in place, and the INS does not shift to an electronic system, the net result would be a tremendous fingerprinting backlog, and that backlog would translate into a de facto moratorium on the naturalization process since no applications could be processed without fingerprints.

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

Mr. WATT of North Carolina. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, the gentleman's amendment would give INS until June 1, 1998 to transition to a fingerprinting system that would require most fingerprints be taken at INS offices, as we have discussed. I believe the amendment seeks to ensure an orderly transition, and I share that goal. We have met with INS about this as well. The INS will be ready to implement the new system on June 1. They will not be ready on March 1. In light of that, I am prepared to accept the amendment and would urge its adoption.

Mr. WATT of North Carolina. I thank the gentleman for accepting the amendment.

Mr. WEYGAND. Mr. Chairman, I move to strike the last word. I want to compliment the gentleman from North Carolina [Mr. WATT]. I think the amendment is really necessary. In light of what the chairman just said, the extension is really necessary for INS to make that transition. It also gives us 3 more months to evaluate how they are doing and, if necessary, even come back and look at that again. I wholeheartedly support it, and I join him in cosponsoring this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. WATT].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SCHUMER

Mr. SCHUMER. Mr. Chairman, I ask unanimous consent to offer an amendment that is on page 33 at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHUMER:

Page 33, line 20, strike ''$35,000,000'' and all that follows through the comma on line 21 and insert the following; ''$34,000,000 shall be used for a law enforcement technology program, ''$1,000,000 shall be used for police recruitment programs authorized under subtitle H of title III of the 1994 Act,''.

Mr. SCHUMER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHUMER. Mr. Chairman, I first want to thank the gentleman from Kentucky and the gentleman from West Virginia not only for helping put this amendment together, but allowing this unanimous-consent request. It is a simple and noncontroversial amendment. It would dedicate $1 million of unallocated balances from fiscal year 1997 for police recruitment grants authorized in the 1994 crime bill. The program was inspired by the efforts of St. Paul's Community Baptist Church in East New York. The purpose is to improve community policing by recruiting residents of inner-city neighborhoods to serve as police officers in their communities.

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

Mr. SCHUMER. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, the gentleman has consulted with us on this amendment. We have examined it, believe it is meritorious, and are prepared to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SCHUMER].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by sections 130002, 130005, 130006, 130007, and 190001(b) of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, and section 813 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132), $690,957,000, to remain available until expended, which will be derived from the Violent Crime Reduction Trust Fund.

CONSTRUCTION

For planning, construction, renovation, equipping, and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, $70,959,000, to remain available until expended.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 834, of which 599 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $2,869,642,000: *Provided,* That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: *Provided further,* That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the FPS, furnish health services to individuals committed to the custody of the FPS: *Provided further,* That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further,* That not to exceed $6,000 shall be available for official reception and representation expenses: *Provided further,* That not to exceed $90,000,000 for the activation of new facilities shall remain available until September 30, 1999: *Provided further,* That of the amounts provided for Contract Confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and

other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980, as amended, for the care and security in the United States of Cuban and Haitian entrants: *Provided further,* That notwithstanding section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d)), FPS may enter into contracts and other agreements with private entities for periods of not to exceed 3 years and 7 additional option years for the confinement of Federal prisoners.

VIOLENT CRIME REDUCTION PROGRAMS

For substance abuse treatment in Federal prisons as authorized by section 32001(e) of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, $26,135,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; leasing the Oklahoma City Airport Trust Facility; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account; $255,133,000, to remain available until expended, of which not to exceed $14,074,000 shall be available to construct areas for inmate work programs: *Provided,* That labor of United States prisoners may be used for work performed under this appropriation: *Provided further,* That not to exceed 10 percent of the funds appropriated to ''Buildings and Facilities'' in this Act or any other Act may be transferred to ''Salaries and Expenses'', Federal Prison System, upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in compliance with provisions set forth in section 605 of this Act: *Provided further,* That, of the total amount appropriated, not to exceed $2,300,000 shall be available for the renovation and construction of United States Marshals Service prisoner-holding facilities.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase of (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $3,490,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Missing Children's Assistance Act, as amended, including salaries and expenses in connection therewith, and with the Victims of Crime Act of 1984, as amended, and sections 819 and 821 of the Antiterrorism and Effective Death Penalty Act of 1996, $162,500,000, to remain available until expended, as authorized by section 1001 of title I of the Omnibus Crime Control and Safe Streets Act, as amended by Public Law 102–534 (106 Stat. 3524); of which $25,000,000 is for the National Sexual Offender Registry.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, for State and Local Narcotics Control and Justice Assistance Improvements, notwithstanding the provisions of section 511 of said Act, $538,000,000, to remain available until expended, as authorized by section 1001 of title I of said Act, as amended by Public Law 102–534 (106 Stat. 3524), of which $46,500,000 shall be available to carry out the provisions of chapter A of subpart 2 of part E of title I of said Act, for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs.

Mr. ROGERS (during the reading). Mr. Chairman, I ask unanimous consent that the text of the bill through page 27, line 16, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Are there amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

VIOLENT CRIME REDUCTION PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance (including amounts for administrative costs for management and administration, which amounts shall be transferred to and merged with the ''Justice Assistance'' account) authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968, as amended (''the 1968 Act''); and the Victims of Child Abuse Act of 1990, as amended (''the 1990 Act''); $2,437,150,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which $523,000,000 shall be for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995, except that for purposes of this Act, the Commonwealth of Puerto Rico shall be considered a ''unit of local government'' as well as a ''State'', for the purposes set forth in paragraphs (A), (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728 and for establishing crime prevention programs involving cooperation between community residents and law enforcement personnel in order to control, detect, or investigate crime or the prosecution of criminals: *Provided,* That no funds provided under this heading may be used as matching funds for any other Federal grant program: *Provided further,* That $20,000,000 of this amount shall be for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement: *Provided further,* That funds may also be used to defray the costs of indemnification insurance for law enforcement officers; of which $45,000,000 shall be for grants to upgrade criminal records, as authorized by section 106(b) of the Brady Handgun Violence Prevention Act of 1993, as amended, and section 4(b) of the National Child Protection Act of 1993; of which $13,500,000 shall be available as authorized by section 1001 of title I of the 1968 Act, to carry out the provisions of subpart 1, part E of title I of the 1968 Act notwithstanding section 511 of said Act, for the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs; of which $420,000,000 shall be for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act, as amended; of which $722,500,000 shall be for Violent Offender Incarceration and Truth in Sentencing Incentive Grants pursuant to subtitle A of title II of the 1994 Act, of which $180,000,000 shall be available for payments to States for incarceration of criminal aliens, and of which $25,000,000 shall be available for the Cooperative Agreement Program: *Provided further,* That funds made available for Violent Offender Incarceration and Truth in Sentencing Incentive Grants to the State of California may, at the discretion of the recipient, be used for payments for the incarceration of criminal aliens; of which $7,000,000 shall be for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1990 Act; of which $2,000,000 shall be for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1990 Act; of which $160,000,000 shall be for Grants to Combat Violence Against Women, to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(18) of the 1968 Act: *Provided further,* That, of these funds, $7,000,000 shall be provided to the National Institute of Justice for research and evaluation of violence against women and $853,000 shall be provided to the Office of the United States Attorney for the District of Columbia for domestic violence programs in D.C. Superior Court; of which $115,750,000 shall be for Grants to Encourage Arrest Policies to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(19) of the 1968 Act, including $56,750,000 which shall be used exclusively for the purpose of strengthening civil and criminal legal assistance programs for victims of domestic violence; of which $15,000,000 shall be for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants, as authorized by section 40295 of the 1994 Act; of which $2,000,000 shall be for training programs to assist probation and parole officers who work with released sex offenders, as authorized by section 40152(c) of the 1994 Act; of which $1,000,000 shall be for grants for televised testimony, as authorized by section 1001(a)(7) of the 1968 Act; of which $2,750,000 shall be for national stalker and domestic violence reduction, as authorized by section 40603 of the 1994 Act; of which $63,000,000 shall be for grants for residential substance abuse treatment for State prisoners, as authorized by section 1001(a)(17) of the 1968 Act; of which $10,000,000 shall be for grants to States and units of local government for projects to improve DNA analysis, as authorized by section 1001(a)(22) of the 1968 Act; of which $900,000 shall be for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(c) of the 1994 Act; of which $750,000 shall be for Motor Vehicle Theft Prevention Programs,

as authorized by section 220002(h) of the 1994 Act; of which $30,000,000 shall be for Drug Courts, as authorized by title V of the 1994 Act; of which $1,000,000 shall be for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act; of which $300,000,000 shall be for Juvenile Accountability Block Grants to become available only upon enactment of an authorization for this program; and of which $2,000,000 shall be for public awareness programs addressing marketing scams aimed at senior citizens, as authorized by section 250005(3) of the 1994 Act: *Provided further,* That funds made available in fiscal year 1998 under subpart 1 of part E of title I of the 1968 Act may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions and for drug testing initiatives: *Provided further,* That if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service.

AMENDMENT NO. 53 OFFERED BY MR. SCOTT

Mr. SCOTT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 53 offered by Mr. SCOTT:

Page 29, line 10, insert after the amount ''(reduced by $258,750,000)'' and insert as follows: page 28, line 17, after the amount insert ''(increased by $80,000,000)''; page 29, line 20, after the amount insert ''(increased by $13,000,000)'' and on line 22, after the amount insert ''(increased by $8,000,000)'' and on line 25 after the amount insert ''(increased by $40,000,000)''; page 31, line 1, after the amount insert ''(increased by $37,000,000)'' and on line 21 after the amount insert ''(increased by $76,750,000)'' and on line 13 after the amount insert ''(increase by $4,000,000)''.

Mr. SCOTT. Mr. Chairman, this amendment would transfer one half of the funds in the truth-in-sentencing prison grant program, approximately $250 million, to crime prevention, drug treatment and family resource service programs that are inadequately funded in the bill.

Mr. Chairman, the so-called truth-in-sentencing approach to crime reduction is actually half-truth-in-sentencing. The proponents will tell you that no one gets out early. That is the half truth. The whole truth is that no one is held longer either. When States adopt truth-in-sentencing schemes, the first thing they do is to reduce the length of the total sentence and then direct that the defendant serve all of the reduced sentence.

I am not aware of any State that has been able to afford to abolish parole without reducing the time served by the worst criminals. For example, Mr. Chairman, in a 10-year sentence with parole, the average defendant will serve about 3½ years. The lowest risk prisoners will get out as early as 2 years. But the worst criminals will serve all 10 years. With truth-in-sentencing, everyone will serve the exact same average 3½ years. The less dangerous will serve more time; the most dangerous will serve less time. If the State were to triple the average time served so that everyone serves 10 years and were able to triple their prison budget, the worst criminals would still serve exactly what they serve today, the 10 years, and the taxpayer will have been bilked of billions of dollars.

Mr. Chairman, furthermore the States are already spending tens of billions of dollars on prison construction. The Federal money, less than half a billion dollars, cannot possibly make any measurable difference either in the number of prison beds to be built or in the reduction in crime. But if that money is spent in prevention, we can make a difference.

This amendment assures that at least some of the money will be used to encourage States to adopt crime reduction approaches that actually will reduce crime. Of the approximately $250 million, $80 million would go to increasing funds for building and running boys' and girls' clubs in public housing and other sites for at-risk youth. Boys' and girls' clubs have been shown through study and research to be cost-effective ways of reducing crime for both at-risk youth when they are young and when they become adults.

Another $40 million would go to grants to combat violence against women. $13 million would go to court-appointed special advocates to help troubled youth in the criminal justice system, and $8 million for the child abuse training programs funded in the bill. All of those are aimed at child abuse reduction. It is well documented that reducing family violence and child abuse will reduce crime.

The amendment also provides $37 million for residential drug treatment for prisoners before they are released and approximately $75 million for drug courts. Both prison drug treatment and drug courts have been shown to significantly reduce crime. The drug court program has been studied and compared to other persons who are sent to jail, and a year after completion of either the drug court or the prison sentence, they have found that those completing the drug court program had an 11 percent recidivism rate, while those who were sent to prison had a 68-percent recidivism rate. Moreover, those completing the drug court program had a cost of about $1,000, while those completing prison were in prison at a cost of $15,000 to $30,000. These funds would therefore not only reduce crime, but also save money.

The amendment also adds $4 million to the fund which supports law enforcement families.

Mr. Chairman, we do not have a problem putting people in jail in this country. The United States trades places with Russia year to year as the world's greatest incarcerator. This year Russia is ahead with 690 prisoners per 100,000, and the United States is a close second at 600 per 100,000, whereas the international average is only about 100 prisoners per 100,000 population. In some of our inner-city communities, the incarceration rate actually exceeds 3,000 per 100,000. So it is not a question of putting too few people in jail, and this amendment does not suggest that we incarcerate any less than we already do. It just says that if you are going to spend new money, we ought to use the money to encourage States to adopt crime reduction strategies which have been actually shown to reduce crime.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. SCOTT] has expired.

(By unanimous consent, Mr. SCOTT was allowed to proceed for 1 additional minute.)

Mr. SCOTT. Mr. Chairman, the half billion dollars in truth-in-sentencing prison funding will not have a measurable effect in the crime rate because States are already spending tens of billions of dollars in prison construction, but this amendment will make the huge increases in proven crime prevention initiatives possible. I urge my colleagues to support this amendment to ensure that at least half of the money slated to be wasted on a few new prison beds will be redirected to productive use in actually reducing crime.

Mr. ROGERS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this would take $258,750,000 from the State prison grant, cutting in half the resources to build and expand much needed prison space. The gentleman's amendment is an attack on an important crime policy that has been passed by the Congress, the policy that requires persons who commit crimes be held accountable by serving prison time that fits the crime. The gentleman has offered amendments the last 2 years that would do nothing more than undo this policy. The point he is trying to make is that prisons do not work.

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But his attempts have failed because it is recognized that crime is reduced when violent criminals stay locked up and off the streets. We are seeing the fruits of that policy today as crime rates are dropping, as more criminals are locked up.

Before Congress passed the Violent Offender Truth In Sentencing law, violent offenders were serving only about 43 percent of their sentences. That means in 1994, murderers with an average sentence of 16 years were released after serving only 7½ years. Rapists sentenced to 9 years were released after just 5.

This program is the only source of funding to help the States build prisons. Last year 48 States received funding through this program. With this money States built prisons, jails, juvenile facilities, and developed tougher sentencing policies, policies that assure offenders serve at least 85 percent of the sentence they receive. They deserve the support of Congress to insure that adequate bed space is available to maintain those kinds of policies. An estimated 9,000 new prison beds will be

built with last year's prison funding, and we can expect 9,600 more offenders to be taken off the streets of our country as a result.

While the gentleman's amendment would increase funding for other important crime programs, this bill already provides substantial increases for the programs that he has mentioned. For example, we already provide a $109 million increase for Violence Against Women Act programs. That is $57 million more than the President asked us and a 44-percent increase over current year. We already more than double the State prison drug treatment program by fully funding the President's request of $63 million. He would also earmark an additional $80 million of funds from the local law enforcement block grant for Boys and Girls Clubs, which the bill already provides a $20 million boost for. This would take away much needed funds from the block grant for locally driven crime priorities such as law enforcement personnel, overtime, technology for our law enforcement people and equipment, safety measures around schools and drugs courts.

Mr. Chairman, crime is down across this country because we have provided a full arsenal of anticrime measures, more police with the tools and equipment they need, more prison space to make sure that criminals are held accountable for their crimes, and quality prevention programs designed to reduce risks. We cannot afford to lose the ground that we have gained against crime in the last few years.

Last year, Mr. Chairman, on this amendment or one similar to it, 326 Members, a majority of both parties, voted to support the State prison grant program and to defeat the gentleman's amendment which would have gutted the program. Three hundred twenty-six Members voted ''no'' on this amendment last year; I want to better that record at least by one.

I urge defeat of the gentleman's amendment.

Mr. MCCOLLUM. Mr. Chairman, I move to strike the last word.

I rise to oppose this amendment which I know that the gentleman from Virginia is offering in all good conscience. He and I served together on the Committee on the Judiciary for a long time, and I know his views and I know they are sincere. But as the chairman of this committee has said so eloquently, there is a lot of money in this bill already for prevention programs, the specific ones the gentleman wants to shift money from the prison truth in sentencing program to.

But overall in the entire system for delinquent and at-risk youth we have over $4 billion, that is with a B, $4 billion currently being spent, and even more would be appropriated through this appropriations cycle. There are over 120 individual programs for these delinquent and at risk youths in 13 different agencies of the Federal Government. I think that many of those programs probably could be consolidated, but I support many of them. I think they are very good and fine. But to take away over half the money or at least half the money in the truth in sentencing prison program to add to this $4 billion that we are already spending on prevention just does not make any sense.

The truth in sentencing grant program was established in 1995. It has worked well since that time. What it has done, and what came through the committee I serve on as chairman of the Subcommittee on Crime and member of the Committee on the Judiciary, what it is designed to do is to provide incentives to States to take the most violent repeat offenders and lock them up for at least 85 percent of their sentences.

As we began years ago talking about this, prisoners who committed these violent crimes were only serving about a third of their sentences, then we got up to about 40 percent. Now, thanks to the fact that we have these truth in sentencing grants, we will be giving money to States to build more prisons if they will, in turn, agree to incarcerate their violent prisoners or felons for at least 85 percent of their sentence. We now have half the States who have adopted this, and we have States on average throughout this country with violent prisoners serving at least 50 percent of their sentences.

Now we need to get that up more. We need to get more than 25 of the 50 States doing this. And if we put out the $500 million in this bill that is there today as an incentive to the States and say, ''Look,'' to those other 25 States, ''you can join with those 25 that have already adopted this policy and get money to build more prisons as you need it,'' I think more States will do that, and I think we will rise from half the States, 25 up to 30, 40, maybe all 50 States who adopt the rule that says that if one commits a violent felony, especially if they are a repeat violent felon, they are going to serve at least 85 percent of their sentence.

Now why is that important? It is important because, first of all, violent felons who go back out on the street again are the ones committing most other violent felonies. The crime rate in many of our States, especially the violent rate, is down, primarily because these violent felons that are the repeat ones are not getting back on the streets again to commit those crimes again, so they are being incapacitated.

And in addition to that, by having people serve pretty much their full sentences, by having really truth in sentencing across this Nation, we are sending a deterrent message. We are saying to the criminal population and the would-be criminals, ''You do the crime, you do the time.'' And it is a powerful message. Criminals do pay attention to such things, and in many cases they are deterred. But where they are not deterred, and of course many are not unfortunately, they are put away for long periods of time. They should be put away. They are really worst of the worst, should have the key thrown away, they should be locked in prison and just throw that key away. That is the objective.

Now again nobody is going to argue that we should not have some of these programs that the gentleman from Virginia wants to shift this money to. We already do have those programs. We should adequately fund those programs. But we should not do so at the expense of a program designed to protect the American public from the very worst violent criminals in this country, from those of the repeat violent felons. We need to have violent felons serving at least 85 percent of their sentences so that when some judge gives the sentence that says they are going to get 20 years, they are going to serve almost 20 years or very close to it, not out in a couple, 3 years as has been all too often the case. If somebody gets 40 years in prison, they ought to be serving pretty close to 40 years, 35 years or something like that. They should not be back out on the street again when they have served 8 or 10 years. The American justice system will not work until that happens.

So I urge the defeat of this amendment. We need to have the moneys going for the purposes they are intended in the underlying bill and the appropriations, the $500 million, to build more prisons for those States that are willing to adopt the rule of truth in sentencing that requires that those who commit these violate crimes serve at least 85 percent of their sentences and use other money to do the prevention programs.

Mr. WATT of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Virginia [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, I thank the gentleman for yielding.

I would just like to point out that one thing the proponents often leave out when they talk about 85 percent of the time is that the time given is less. For example, in Virginia we abolished parole and adopted the rhetoric of truth in sentencing. A 10-year sentence where some got out in a year and a half, some got out in 10 years, the average is 2½, we doubled the average time served to 5 years. But the most heinous criminals, those that could never make parole, were getting out in half the time they would have served. They will serve all 5 years, which is half the time they would have been able to serve if they had been, if the parole board had been able to deny the parole to the most dangerous, most heinous criminals. When one says 85 percent, one ought to say 85 percent of what, and the cost of getting up to half where the most dangerous criminals that get out in half the time, Virginia is in the process of spending $2 billion to do that. This amount of money that we are talking about nationally is less

than a billion dollars, much less than a billion dollars. Virginia alone spent $2 billion, and the most dangerous criminals will be getting out in half the time.

Mr. WATT of North Carolina. Mr. Chairman, reclaiming my time, I want to commend my colleague from Virginia [Mr. SCOTT] for bringing forward this amendment and rise in support of the amendment. There is no doubt that the popular political rhetoric and probably the vote, as the chairman of the committee has indicated, will be in favor of incarcerating more and more people.

The truth of the matter, however, is that every single study including studies by the Rand Corp., a very conservative group, indicate that they are just wrong in terms of what is effective in reducing crime. And we have studied those things, we have brought them to the attention of the chairman of the Subcommittee on Crime of the Committee on the Judiciary, and notwithstanding that we keep devoting more and more and more money to the construction of prisons and prison beds, when if we just took a step back and looked at what actually works to reduce the incidence of crime in this country and did not yield to the temptation to just do what is politically popular and politically expedient, we would find that what the gentleman from Virginia [Mr. SCOTT] is saying is absolutely correct and we should support the gentleman's amendment.

I will not belabor the point. I know where the body is going to go on this because it is a lot more popular to beat oneself on the chest and say one is being hard on crime, but we have a legislative responsibility here to try to do something that is effective, not just politically popular.

Mr. HUTCHINSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Scott amendment, and I want to recognize that my friend from Virginia is offering this amendment in good faith and certainly well-intended, but I disagree on the policy statement reflected in this amendment.

One of the problems that I see in our Federal anticrime efforts and law enforcement efforts in this country is a lack of commitment and a lack of consistency in our programs. If we reflect back in the drug war that we initiated in the 1980's, we had soaring drug rates, we put in massive and substantial Federal efforts in this, and yet we saw in 1992 those efforts starting to decline. We changed our programs. We were starting to make progress with teen experimentation with drugs, we started to make progress in other areas of our drug war, and yet we stopped the substantial effort and the interdiction and other programs, and this saw the trend go back up again.

We have to have consistency in our Federal programs, and now our Federal truth in sentencing law is working, it is building public confidence and acting as a deterrent, and this grant program to the States is working with them as well. It is not the time to retreat from this very important program. One-half the States, as already has been pointed out, are participating in this program, receiving funding, moving toward truth in sentencing laws.

□ 2030

Violent crime is down. We cannot chop one-half of the funds to this important program and expect it to be effective; $258 million to be cut off would render this program useless. It would be a shift in our Federal priorities and would send the wrong signal to the criminals.

Let me ask, why is Truth in Sentencing important? I believe it is important not simply because it perhaps increases punishment, but Truth in Sentencing is important because it restores public confidence in our criminal justice system. As someone said, when we create a system in which death does not mean death, life does not mean life, and a term of 10 years means 18 months with time off for good behavior, it is understandable that the public is cynical and mistrustful of that system. We are reversing that trend State by State with Truth in Sentencing laws.

So it is important to build public confidence.

Second, it is important as a deterrent. Criminals right now do not want to go to Federal court. If they have a preference, they would rather go to many State courts because they know there is more flexibility, they know the sentences do not mean what they say. So the tough sentencing guidelines do provide a deterrent effect.

In 1992, the Department of Justice reported that convicted violent offenders only served 60 percent. Only 60 percent of them are sentenced to prison. That has changed. Since 1993, the murder rate has dropped 23 percent, rape has decreased 12 percent, and robbery has decreased 21 percent. So there has been an effective deterrent toward violent crime. We must maintain down that path.

Let us not take a step in the wrong direction. Let us not retreat. Let us stick with the program that works. For this reason, I would urge my colleagues to oppose the Scott amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. SCOTT].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SCOTT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 239, further proceedings on the amendment offered by the gentleman from Virginia [Mr. SCOTT] will be postponed.

Are there further amendments to this section?

AMENDMENT NO. 55 OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer Amendment No. 55.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 55 offered by Ms. WATERS:

Page 29, line 10, after the dollar amount, insert ''(decreased by $30,000,000)''.

Page 31, line 12, after the dollar amount, insert ''(increased by $30,000,000)''.

Ms. WATERS. Mr. Chairman, I offer this amendment to change the funding of the Drug Courts Program from $30 to $60 million, a program which has already proven to be a tremendous success in reducing recidivism rates and encouraging rehabilitation for nonviolent first time drug offenders.

What are Drug Courts? What do they do? Drug Courts programs interview and assess selected nonviolent drug offenders and match qualified candidates with the appropriate level of treatment, whether it is in an outpatient or residential program or narcotics anonymous or alcoholics anonymous meetings. All participants undergo mandatory drug testing throughout their treatment.

Drug Court programs also coordinate the drug addiction programs with other rehabilitation programs, including vocational training and job placement services, so that a successful graduate of the program is prepared to contribute to society.

Successful Drug Court programs emphasize rehabilitation for one time, nonviolent drug offenders, and as a result reduce the need for new prison construction and the attendant costs.

The Drug Courts Program was funded at $30 million in fiscal year 1997. The President requested $75 million for the Drug Courts Program, an increase of $45 million. Unfortunately, the committee chose to fund the Drug Courts Program at last year's level of $30 million.

At the same time, the amount proposed for State prison grants is $517.5 million, which is $30 million more than provided in fiscal year 1997. This amendment would simply maintain the current funding to the State prison grant program at the same level as last year. The amendment would shift the proposed $30 million increase for the State prison grant program to the Drug Courts Program.

Preliminary data has shown that Drug Courts have saved the taxpayers money by spending less than $2,500 annually per offender. The Drug Courts Program saves the $20,000 to $50,000 annual cost of incarcerating drug using offenders. Successful Drug Court programs reduced the need to build more prison cells with the capital cost of up to $80,000 per sell.

Drug Courts have already been shown to work, even though they are relatively recent. The American University Drug Court Clearinghouse studied the effect of Drug Court programs and found over 70 percent of the 30,000 offenders placed in Drug Court programs in the past seven years either successfully completed or are currently enrolled in Drug Court programs. That

means 70 percent of all of those offenders are turning their lives around and contributing to society as productive citizens.

Society gains, nonviolent first time drug offenders contribute, and we target our focus of incarceration on the really serious violent habitual offenders. Drug Courts not only save taxpayer money on new prison construction, they free up jail space for these violent and habitual offenders. Drug Courts are an appropriate response to the crisis in our courts and judicial system where we have been pursuing a one-size-fits-all approach to the epidemic of drugs.

The American Bar Association Journal described Los Angeles's successful Drug Court Program, which handles defendants from my district in south-central Los Angeles. Drug Courts defendants in Los Angeles get 12 to 14 months of treatment, including drug tests five times a week for at least the first 6 months. A defendant must test clean for 6 straight months before graduation. Defendants who are expelled from the program must face their original charges, like any other defendant. But the success rate in Los Angeles is nearly 45 percent. In fact, of the court's 120 graduates since 1995, less than 10 percent have been rearrested on any felony charge. That is compared to a 70 percent recidivism rate for most drug offenders.

We need to use our dollars well. We have been overincarcerating those first time, nonviolent offenders that can be rehabilitated instead of targeting the drug kingpins who have been shipping drugs into our communities and using murder and corruption to protect their narco profits.

The Congressional Black Caucus has made the fight against drugs our No. 1 priority.

Mr. Chairman, we have had a lot of rhetoric about dealing with the problem of drugs in our society, a lot of public relation efforts, a lot of just say no. And when we have the opportunity to really do something about drugs, I wonder what we are thinking when, in fact, we do not do something like increase the funding for Drug Courts, who have shown, who have proven, that they can turn these drug traffickers around, these first time offenders around.

Mr. Chairman, I urge my colleagues to support this very common sense amendment and expand the very successful Drug Courts programs nationwide.

Mr. MCCOLLUM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to oppose the gentlewoman's amendment. I know that lots of people think the Drug Courts are wonderful, and in some communities they are, I am quite sure of that. The General Accounting Office, however, in a study within the last year, says that the validity and the usefulness of Drug Courts is not something they can make a conclusive statement, positively saying they are a benefit in every community. As a matter of fact, it is a very inconclusive report.

That is why historically I have personally opposed setting aside specific money for Drug Courts at the Federal level and saying here is a pot of money, if you establish a Drug Court, take it.

Instead, I much prefer the method we have done with most prevention programs now in the last couple of years and is the case in this bill, and that is to set aside a specific large sum of money, in this case $500 million, $1 billion was authorized, but $500 million has been appropriated the last couple of years and is in this bill, as block grants to the cities and the counties of this country to spend fighting crime as they see fit.

If a city wants to set up a Drug Court, they can use some of that $500 million and set up a Drug Court. If they prefer and do not believe that is the most effective thing for their community, they can buy a new police car. If they would rather have midnight basketball, they can choose to do that. It is the local community's choice how to spend the money. Maybe they need more police officers, they could even spend the money for that.

But to set aside even more money than this bill does, the bill sets aside $30 million in addition to the block grants, and any of the money in the block grants could be used for Drug Courts, it already sets aside $30 million separate and apart and in addition to that specifically for Drug Courts, to take more money and take it out of the Truth in Sentencing grant program for this purpose, is not a good public policy and not a good thing to do, in my judgment.

I would point out that Truth in Sentencing is already underfunded, and I commend the gentleman from Kentucky, I know all the problems he has in funding these programs, that he has increased it slightly, a little bit above $500 million this year, but the $30 million the gentlewoman points out is only a drop in the bucket, in the shortage we have in this program.

We had authorized $1 billion for Truth in Sentencing prison grants for the next several years. We have not been able to fund them but at half that rate. The little inching up that the gentleman from Kentucky and his colleagues on the appropriations subcommittee have been able to do is not adequate.

We need to be providing enough money in the Truth in Sentencing grants to the states that are willing to change their laws to get those other 25 states to change their laws, to make sure that those who commit repeat violent felonies serve at least 85 percent of their sentences, instead of the 50 percent or in some cases the third they do now, and to fund adequately those states that have already bought into the program, there are some 25 states that are already there, and as the gentleman from Arkansas pointed out a few minutes ago in discussing Truth in Sentencing grants, we need to be consistent. We need to continue to keep our promises and say look, to those 25 states, you knew you were going to get money when you changed your laws to go to this Truth in Sentencing concept, to up the length of time somebody who commits a felony has to serve to 85 percent of their sentence. Now we will give you some money. You have been expecting that to come along.

But we cannot afford to be pulling any away from them as we have more states come on line who are willing to buy into the program. We do not want to diminish the amount of money the states are getting who are already committing themselves and are building these new prisons. We want them to be able to finish building those prisons, the ones that are already committed, and be able to bring on line some more.

That is why the gentleman has very slightly plussed up the $500 million or so, and the gentlewoman would take away that little bit that he has added to the Truth in Sentencing grants and move it over to the Drug Courts area.

Again, I would say Drug Courts in some communities are fine, I see nothing wrong with them, although the reports are inconclusive about them. But I think that we ought to leave it at the present funding level for targeted Drug Courts, $30 million, and then any city or county in this country that wants to use some of their block grant moneys, $500 million spread out all over the country, lots of money going out to these communities, any of them that want to use them for Drug Courts, think that that is a better idea than spending their crime fighting money on something else, and it may well be, can do so.

Therefore, I urge the defeat of this amendment the gentlewoman offered.

Ms. WATERS. Mr. Chairman, will the gentleman yield?

Mr. MCCOLLUM. I yield to the gentlewoman from California.

Ms. WATERS. Mr. Chairman, would the gentleman agree that the information that is available about the Drug Courts show the success rate that I indicated in my presentation to the House?

Mr. MCCOLLUM. Mr. Chairman, reclaiming my time, I would say the gentlewoman's presentation was relying on studies that are not the GAO study I referred to, and they, as far as I know, are accurate to the degree they are there.

But the General Accounting Office, that reports to Congress when we request it, has reported the effectiveness of Drug Courts as inconclusive, they do not have enough data, do not have enough success stories.

I would submit to the gentlewoman, and I would give her the benefit of the doubt, and say this Member would like to believe and does believe Drug Courts generally are effective. But that does

not mean we should put more money specifically targeted to them. There is plenty of money available for them. If they are successful as I hope they are and the gentlewoman believes, then the block grant program will fully fund them.

Mr. ROGERS. Mr. Chairman, I move to strike the requisite number of words and rise in opposition to the amendment.

□ 2045

Mr. Chairman, I rise in opposition to this amendment which would reduce the State prison grant funding by $30 million. I have already stated the reason why we should not do that in the previous amendment.

The money would be used to increase funding for drug courts, which is another important crime program. I am here saying that I agree that drug courts work, and that is the reason why we have already included funding for them in the bill. The gentlewoman's amendment is not necessary.

In addition to the $30 million already provided in the bill for the drug court program specifically, the gentlewoman from California [Ms. WATERS] should be aware that local communities can also use funding from the local law enforcement block grant for that purpose. Last year, in fact, localities chose to use $15 million of that money for drug courts.

We include $523 million for the local law enforcement block grant, which the President's request would have eliminated. Localities with choose to use any amount of that money for drug courts, and I would encourage them to do that, because I agree with the gentlewoman that they are very effective.

At any rate, Mr. Chairman, I urge my colleagues to reject this amendment, because the prison grant program is absolutely working.

Ms. CHRISTIAN-GREEN. Mr. Chairman, I move to strike the requisite number of words. I rise to support the amendment submitted by my esteemed chairwoman, the gentlewoman from California [Ms. WATERS].

Mr. Chairman, we heard earlier about the $200 million increase in the funding for drug programs, but Mr. Chairman, almost all of that money is for interdiction. This amendment addresses the needs of thousands in our community who are ill with the disease of drug addiction. People, even when they seek help, are turned away, less than 30 percent being able to receive needed treatment, and who crowd our jails.

Mr. Chairman, drug courts have been proven to provide a deterrent to drug-related crime, and we know that up to 85 percent of all criminal defendants are arrested under the influence or charged with crimes committed to support their substance abuse illness. Drug courts allow us to coordinate rather than duplicate programs, thus increasing the effectiveness of the funds and the programs that are available. They reduce recidivism, which reduces the impact on our communities, the courts, and the criminal justice system, and drug courts are cost-effective.

Mr. Chairman, this is a very worthy amendment. The States will not need the additional $30 million for prisons if we put it into drug courts, but more importantly, Mr. Chairman, many who have nowhere to turn and who depend on us to provide the help and the treatment they need will be given the chance that they deserve for a better life.

Mr. Chairman, I urge my colleagues to support this amendment.

Ms. WATERS. Mr. Chairman, will the gentlewoman yield?

Ms. CHRISTIAN-GREEN. I yield to the gentlewoman from California.

Ms. WATERS. Mr. Chairman, is the gentlewoman aware of the arguments that have been made by some of our friends on the other side of the aisle who have said over and over again, we cannot stop the use of drugs through interdiction, that we must decrease the demand, and while that argument has been made, we find that there is not a willingness to do what it takes to decrease the demand.

These drug courts are proven to be successful, and I appreciate the fact that the gentlewoman who chairs this subcommittee agrees with me. If, in fact, they are successful; if, in fact, we have the documentation to prove that they are successful; if, in fact, we are decreasing demand, are we not through these drug courts doing what those on the other side of the aisle have indicated we must do? Is that not the gentlewoman's understanding about what they have been saying in terms of decreasing the demand?

Ms. CHRISTIAN-GREEN. Mr. Chairman, yes, I am aware. Also, it was pointed out in one of the studies that out of 30,000 convicted criminals who went into drug courts, 70 percent, they have a 70 percent success rate. Seventy percent of those people over a 7-year period have not returned to crime or to drugs. That is a figure that we cannot argue with. It works, and we should support this amendment.

Ms. WATERS. I thank the gentlewoman.

Mr. SCOTT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have heard about the need to get tough on crime and have people serve 85 percent of their time. They keep leaving out the fact that the time to be served is going to be less. As I indicated, in Virginia, a 10-year sentence where Charles Manson would have served all 10 years has been converted; where others may have gotten out early, Charles Manson would have served 10 years. Now, he will get out in half the time, but he will serve all 5 years.

Mr. Chairman, the cost of that, to have Charles Manson serve as much as half of his time, will cost Virginia about $2 billion. Even the supporters, after you have doubled the average time served, Charles Manson, of course, will serve less time, double the average time served, they only promise approximately 3 percent reduction in crime. I think arguments could poke holes in the 3 percent, but if we give them the benefit of the doubt, we are spending billions of dollars for virtually no measurable reduction in crime.

Mr. Chairman, there is a more cost-effective way of dealing with crime, and the drug court program is certainly one of those strategies. It uses the criminal justice system as a hammer to make sure the defendants are serious about drug rehabilitation. The money can be used not just for the court system, but also for services, because many courts have no local services to which they can refer the defendants. So the money can be used to establish meaningful rehabilitation.

Mr. Chairman, drug rehabilitation has been studied over and over again. The gentleman from Florida has indicated one study that he said was inconclusive, but the study in California showed that there was so much crime reduction and reduced health care expenses that the State saved $7 for every dollar they put into drug rehabilitation.

Mr. Chairman, we have a win/win possibility here. We cannot only reduce expenses, but also, we can reduce crime. We have to have the political courage to do it. I would hope that we would accept the amendment offered by the gentlewoman from California [Ms. WATERS].

Mr. WATT of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment to transfer funds to the drug courts.

The statistics indicate that 56 percent of the people in our Federal prisons are in there on direct drug charges for possession or sale or distribution. When we add to that 56 percent figure the people who are in there because they robbed somebody or broke into somebody's house or mugged somebody or stole something because they had a drug habit that they were trying to support, the figure goes up over 80 percent.

So, if we could get some effective way of dealing with that 56 percent who are in there for direct drug charges, if we could treat them, if we could deal with them more intensively; many of them are first-time users or sellers, first-time charged people. If we could attack that problem, we would attack the robberies, the break-ins, the muggings, the thefts that result because people are strung out on drugs.

Now, what is the most effective tool in our whole system for dealing with those charged with drug offenses, especially first-time, minor offenses? It is drug courts, because drug courts, in drug courts they go and they deal intensively with the problem that is causing people to be in the court in the

first place. That is why they have been shown to be effective.

Right in North Carolina, my home State, they have already determined that that is one of the most effective ways to deal with drug charges and to deal with the consequences that come thereafter from drug charges. They put these people on intensive probation. They try to deal with their home situation. They try to find them jobs. They try to keep them reporting over and over to the courts, and they try to provide some kind of treatment for the problem, rather than just putting them in jail, keeping them there for a while, putting them back out on the street; they go right back to the drug habit that they had, and then they are back for the second time. They go to jail again, serve some time, go back out on the street, still with the same habit, and then the next thing we know they are back in court for the third time.

There is no more effective program to deal with drug offenses, especially in the earlier cycles, the first-time offenses, second-time offenses, than drug courts, because they recognize the source of the problem. And if we are not going to take responsibility to get to the source of the problem, we are never going to deal with the problem of drugs in this country. We cannot deal with it. We cannot put enough people in jail to jail our way out of this problem. We cannot interdict enough at somebody else's borders to deal with our problems unless we attack the problem at the source, which is demand. We are not going to get to the source of the problem; we are not going to solve the problem; we are not going to improve the problem.

So, my colleagues, let us just try to do what makes sense. Sure, it makes political sense. It is politically expedient to put more money in prisons, but imprisoning a first-time drug user rather than dealing with them at the source of their problem in a drug court makes no sense. It is not cost-effective to do it that way.

I simply urge my colleagues to consider seriously the gentlewoman's amendment and support it.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California [Ms. WATERS].

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. WATERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 239, further proceedings on the amendment offered by the gentlewoman from California [Ms. WATERS] will be postponed.

Are there further amendments to the bill through page 32, line 6?

If not, the Clerk will read.

The Clerk read as follows:

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement ''Weed and Seed'' program activities, $40,000,000, which shall be obligated by July 1, 1998, for intergovernmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies engaged in the investigation and prosecution of violent crimes and drug offenses in ''Weed and Seed'' designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the ''Weed and Seed'' program strategy: *Provided,* That funds designated by Congress through language for other Department of Justice appropriation accounts for ''Weed and Seed'' program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: *Provided further,* That the Attorney General may direct the use of other Department of Justice funds and personnel in support of ''Weed and Seed'' program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

COMMUNITY ORIENTED POLICING SERVICES

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322 (''the 1994 Act'') (including administrative costs), $1,400,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, for Public Safety and Community Policing Grants pursuant to title I of the 1994 Act: *Provided,* That not to exceed 186 permanent positions and 186 full-time equivalent workyears and $20,553,000 shall be expended for program management and administration: *Provided further,* That of the unobligated balances available in this program, $100,000,000 shall be used for innovative community policing programs, of which $35,000,000 shall be used for a law enforcement technology program, $35,000,000 shall be used for policing initiatives in drug ''hot spots'', and $30,000,000 shall be used for policing initiatives to combat methamphetamine trafficking.

In addition, for programs of Police Corps education, training and service as set forth in sections 200101–200113 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), $20,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, including salaries and expenses in connection therewith to be transferred and merged with the appropriations for Justice Assistance, $225,922,000, to remain available until expended: *Provided,* That these funds shall be available for obligation and expenditure upon enactment of reauthorization legislation for the Juvenile Justice and Delinquency Prevention Act of 1974 (H.R. 1818 or comparable legislation).

In addition, for grants, contracts, cooperative agreements, and other assistance, $5,000,000 to remain available until expended, for developing, testing, and demonstrating programs designed to reduce drug use among juveniles.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended, $7,000,000, to remain available until expended, as authorized by section 214B of such Act.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

On Page 34, line 13 insert after $225,922,000 the following: ''(increased by $750,000)''.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me first acknowledge the Chairman, Mr. ROGERS, of this committee and the ranking member, Mr. MOLLOHAN, for their cooperative spirit in this very, very challenging problem.

I would like to read the following to my Colleagues that in 1996 the Federal Bureau of Investigation announced that it executed search warrants in 20 cities as part of an ongoing nationwide investigation into the use of computer on-line services and the Internet to lure minors into illicit sexual relationships and to distribute child pornography using computers.

This amendment would allow the Department of Justice to enter into a contract with the National Research Council of the National Academy of Sciences to conduct a study of computer-based technologies and other approaches that could help to restrict the availability to children of pornographic images through electronic media, including the Internet and on-line services.

Additionally, this amendment could provide for the identification of illegal pornographic images with the goal of criminally prosecuting those purveyors of such pornographic images to children.

The estimated cost of this study is $750,000. This amendment would increase funds in Sec. I, the Department of Justice part of H.R. 2267.

□ 2100

Mr. Chairman, as I yield to the gentleman, let me simply say that this also does not impact on my commitment to Internet and telecommunicating technologies, and it also gives the Justice Department or would give them the time to do this study.

Mr. ROGERS. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I think the gentlewoman has brought up a very, very salient point. Her amendment is well-deserved. I am prepared to accept it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for his kindness.

I simply want to acknowledge that as the Justice Department proceeds to do this study, I would encourage the chairman and the ranking member to be of further assistance. I do not think any Member would want to vote to have children have access to pornography. This legislation is for the children. Let us get pornography off the Internet.

Mr. Chairman, I am offering an amendment to add $750,000 to the juvenile justice programs to the Commerce, Justice, State appropriations bill before the House today because our law enforcement community needs our help in order to better protect our Nation's children. I cannot imagine any Member of this body will speak against this amendment and in support of the purveyors of pornography, but I would hope that this amendment can be considered by the full House on its own merits. For this reason, I am offering this amendment to prevent children from being subjected to pornography on the Internet to the Commerce, Justice, State appropriations bill.

This amendment would direct that the Department of Justice enter into a contract with the National Research Council of the National Academy of Sciences to conduct a study of computer-based technologies and other approaches that could help to restrict the availability to children of pornographic images through electronic media including the Internet and online services. Additionally, this amendment would provide for the identification of illegal pornographic images with the goal of criminally prosecuting those purveyors of such pornographic images to children. The goal of this study is to understand the technological capabilities currently available for identifying digitized pornographic images stored on a computer, network, or other computer communication mediums by the use of software or other computer technologies.

The funding for this amendment would come from funds otherwise appropriated therefore revenue neutral to the Department of Justice, which should not exceed $750,000. I would like to ask that you join me in support of this amendment to help eliminate the growing threat of pornographic images that our children who use the technology must face. We can act today to help all of our Nation's children have a safer future.

This amendment would address the capabilities of present-day, computer-based control technologies for controlling electronic transmission of pornographic images, and our ability to impose technological restrictions on access of these images by children. It will also address research needed to develop computer-based control technologies to the point of practical utility for controlling the electronic transmission of pornographic images. The research that is conducted as a result of this amendment would look at the inherent limitations of computer-based control technologies for controlling electronic transmission of pornographic images.

The estimated cost of $750,000, in funding for this amendment would come from already appropriated funds. I would like to ask my colleagues to join me in support of this amendment.

On December 1996, the Federal Bureau of Investigation announced that it executed search warrants in 20 cities as part of an ongoing nationwide investigation into the use of computer online services and the Internet to lure minors into illicit sexual relationships and to distribute child pornography using computers.

FBI Director Louis J. Freeh said, that the ''searches are a continuation of a highly successful investigation which has resulted in many convictions * * *. These cases have already revealed the ease and frequency with which criminals have used modern technology to cause grave harm to children.''

Director Freeh went on to say that ''The safety of children demands aggressive enforcement of the law.'' I say that the safety of children demands the aggressive research prescribed by this amendment to provide the aggressive enforcement of the law using the best methods available.

The work that the FBI is engaged in is commendable, but they could use additional resources that could be identified by the research authorized by this amendment. They currently are not using image identification to locate or block the access of children to the pornographic images.

We must and should act to direct through this amendment the work that the Department of Justice should be engaged to protect our Nation's children. Any delay can mean that countless lives could be lost or interrupted by the predators of children which have been known to use the Internet to lure their victims away from the safety of their families.

I ask that my colleagues allow the inclusion of this amendment in the Commerce, Justice, State appropriations because this issue should not and cannot wait.

PARLIAMENTARY INQUIRY

Ms. JACKSON-LEE of Texas. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentlewoman will state it.

Ms. JACKSON-LEE of Texas. I just want to be clear about the acceptance of the amendment, Mr. Chairman. Do we need to call for a vote?

The CHAIRMAN. The Chair will put the question.

Are there further remarks?

If not, the question is on the amendment offered by the gentlewoman from Texas [Ms. JACKSON-LEE].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments?

AMENDMENT NO. 35 OFFERED BY MR. COBURN

Mr. COBURN. Mr. Chairman, I offer amendment No. 35.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 35 offered by Mr. COBURN:

Page 34, line 13, after dollar amount, insert the following: ''(increased by $74,100,000)''.

Page 49, line 9, after the dollar amount, insert the following: ''(reduced by $74,100,000)''.

Mr. COBURN. Mr. Chairman, this amendment is fairly straightforward. It is controversial to those who are receiving a subsidy from the Federal Government. It is not controversial in any other way.

The purpose of this amendment is to further fund juvenile justice block grants. It is to make an additional impact for the youth in our country. There are very alarming statistics that we need to deal with in terms of our young people. We have heard some of those tonight. But one of the things that the statistics do bear out is that the intervention programs that we have across the board are underfunded.

The statistics also bear out that the intervention programs we have are being successful. The FBI estimates that juvenile violent crimes will double by the year 2010. More than 260,000 juvenile arrests will be made. The growth in juvenile homicides and homicides involving juvenile offenders has surpassed that among adults. It is a very important concept. The number of juveniles has now exceeded the number of homicides that have been charged on adults.

Between 1982 and 1992 juvenile arrests have increased 117 percent, which is another statistic reflecting the growing rise in juvenile crime.

Why we should do this. More statistics. Juvenile arrests for aggravated assault, a 129-percent increase; juvenile arrests for murder, a 145-percent increase; juvenile arrests for forcible rape, predicted to increase 66 percent. We have good solutions for these problems. The juvenile justice block grant system has many programs that are not funded adequately.

Where do we get the money from? We take the money to support the juvenile justice block grant, $74 million, from the Advanced Technology Program, a program that has had some good, a program that today has $444 million in the pipeline that is not spent, money that has not been spent, and we are going to send another $200 million-plus down that pipeline.

Mr. Chairman, that may not be a good enough reason to oppose it. Then there is a reason to oppose it based on the people who have been getting the grants. International Business Machines, known as Big Blue, has received $111,279,000; General Motors, $82,134,000; General Electric, $75 million; Ford, $66 million; Sun Microsystems, $50 million, whose chief executive officer says they do not want this program. They do not believe that this is a program for established corporations.

Mr. Chairman, why is it important? Because those very corporations that I just listed, here are their earnings last year in net profit. International Business Machines earned $5.4 billion. Why should we give them $50 million to do research when we cannot take care of the youth in our country?

General Motors earned $4.9 billion net profit. Why should we give them $50 million to do research when they will do the research with their own profits? Why should we give money to General Electric, who earned $7.3 billion last year, and we cannot take care of the juvenile justice programs and problems in our country?

Mr. Chairman, this is a contrast about choices. It is a choice about whether the wealthiest corporations we are going to subsidize for R&D, or we are going to take care of the disadvantaged youth we just got through hearing about, where we do not have enough money for the drug court programs, where we do not have enough money for the Challenge programs?

Finally, I want to stop and discuss for a minute one of the programs that works, one of the programs that has been highly successful throughout this country called the Challenge program.

The Challenge Program, there is one of them in Oklahoma. What it has done is taken young adults, juveniles, who have been in trouble with the law and have given them an opportunity to be self-sufficient, to win.

That program has been trimmed. That program has been cut. We are now raising money at the local levels to support Thunderbird Academy in Pryor, OK, an academy that has had an impact now in over 500 young people's lives, who would be in prison but now are paying taxes, are supporting our infrastructure, are actually participating as viable members of our society.

We have a choice to make. We are going to hear, this is a good program, that many things came about through this program. I do not deny that, that some positive research and benefits came. But when we have corporations like Ford Motor, who made $4.4 billion this last year, getting $1 million from the taxpayer to fund their research, or research they would not otherwise fund, we have to ask ourselves a question, are our youth worth it? Are we going to put corporate profits ahead of our youth? I do not think this body wants to do that.

Ms. STABENOW. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first I would commend the subcommittee chair and the ranking member for the good work in putting together this budget bill, and for the fact that in this budget we have an increase in juvenile crime and prevention dollars of nearly three times what has been in the fiscal year 1997 bill, and $157 million more than the President's request.

I would commend my colleagues for understanding what the maker of the amendment has eloquently talked about in terms of our juvenile justice needs. I would join with the gentleman in expressing a desire to have these dollars go for the intended purpose that he has spoken about.

But I would rise to oppose his amendment, because this really is a false choice that he has presented to us. We do have additional important dollars for juvenile justice in this bill, which I support and would continue to support. But we also have the opportunity as a country to move ahead and be competitive with other countries in creating jobs for the future through technology.

Unfortunately, there has been a tremendous amount of misinformation about the Advanced Technology Program. Just in the short term since I have been here as a Member in January, I know that this was also debated last session and voted down, and that there was a tremendous amount of misinformation at that time.

This program, which has been extremely successful in Michigan, is about partnering, and the Federal Government coming together with industries, like the automobile industry in Michigan, to form a partnership between large automobile companies, in our case, small business, our universities, and the Federal Government to look at systems change.

The dollars that have come in to us have gone to the universities. It is not characterized accurately to say that we are talking about a million dollars going to corporations that would otherwise be provided in research by the corporation. These are long-term, higher-risk kinds of projects that involve the importance of industries working together.

In a project report that was just put together regarding the Two Millimeter program in Michigan, and we have hot off the press a very important report about this, they indicate that there are numerous problems with a particular business trying to do this on their own; in this case, our automobile industry coming together to provide more quality in order to be able to compete internationally.

They indicate that the problem addressed by the Two Millimeter project is a systems problem requiring a high level of coordination among a number of quite different organizations. The problem at issue could not be solved by these individual organizations acting alone.

Forming large, complex research joint ventures to address a systems problem is a daunting effort. The ATP provided the impetus for companies to overcome coordination barriers. People that normally compete, GM versus Chrysler, all of our companies that normally are competing against each other, come together with the Federal Government serving as a neutral ground to allow them to organize, to look at long-term higher risk research that will allow us to create jobs.

This is about creating jobs. I would like to share with the Members some portions of a letter that IBM has submitted in opposition to information that was and continues to be shared regarding IBM. I will read just a portion of it. This was written to the maker of the amendment.

''Your Dear Colleague letter of September 18, 1997, about the ATP is inaccurate. It misrepresents IBM's participation in the ATP and seriously mischaracterizes the program.

''Your assertion that IBM has received $111,279,738 in R&D grants is wrong,'' is wrong. ''Since 1992 IBM has participated in seven ATP projects, of which two were IBM projects and five were joint ventures.''

They go on to explain that in the joint ventures, they have been one of over 40 organizations working together with dollars going to universities to create partnerships.

They indicate that ATP enables organizations to share costs, risks, and technology expertise in precompetitive R&D, not what the corporations would be doing in the short term, but the precompetitive high-risk research & development that looks long-term at creating jobs.

By pooling resources, it allows projects to be pursued that otherwise would not happen. Partnership programs like ATP help bridge the gap between the lab bench and the marketplace, and help spawn new innovations in industries.

The CHAIRMAN. The time of the gentlewoman from Michigan [Ms. STABENOW] has expired.

(By unanimous consent, Ms. STABENOW was allowed to proceed for 2 additional minutes.)

Ms. STABENOW. Mr. Chairman, if I might just summarize, we are competing as a country with other countries today. In those other countries, they are operating as a team: business, labor, universities, researchers, government, all together, focusing on long-term developments, and technologies so they can compete against America.

If we are not as wise as developing opportunities for teams to come together, we will lose the competitive race for new jobs. ATP is a very small program authorized by the Committee on Science at continuation levels that allows us to continue the ability to compete in a global marketplace.

It is not about corporate subsidies. It is about the ability for government and universities, researchers, and businesses, to work together to do those kinds of things that will allow us to continue to be innovative as a country. It is a very important investment in jobs.

INTERNATIONAL BUSINESS MACHINES CORPORATION,
Washington, DC, September 23, 1997.

Hon. TOM A. COBURN,
Cannon House Office Building, U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE COBURN: Your Dear Colleague letter of September 18, 1997 about the Advanced Technology Program (ATP) is inaccurate. It misrepresents IBM's participation in the ATP and seriously mischaracterizes the program.

Your assertion that IBM has received $111,279,738 in R&D grants is wrong. Since 1992, IBM has participated in seven ATP projects, of which two were IBM projects and five were joint ventures. Government funding totaled less than $4 million over three years in the single company projects. As the ATP requires, this was matched by IBM's own investment. In the joint venture projects, IBM was only one of over 40 organizations, including large and small companies and universities, which participated. Government investment in those projects was approximately $40 million over five years. Again, the federal funding was matched by the project participants.

The ATP enables organizations to share costs, risks, and technology expertise in precompetitive R&D. By pooling resources, it allows projects to be pursued that otherwise would lie dormant. Partnership programs like ATP help bridge the gap between the lab bench and the marketplace and help spawn new innovations and industries. ATP works through rigorous, open competition. It is accessible to all businesses. All costs are at least matched by the participants. Further, ATP provides a ready mechanism for large and small companies to work together. Many small businesses are suppliers to large companies. Cooperative research programs like ATP strengthen them measurably. Smaller companies frequently state that they want to work with larger ones. Through these relationships, they gain access to

skills, technology, funding, and potential customers available in no other way.

In today's world, having the best technology or the best research is not sufficient for a country or company. Success depends upon speed—the time it takes to start new technological solutions. ATP partnerships create connections and enable faster technology introduction. The United States cannot ignore the international context of technology research and development. The nation cannot stand still while foreign infrastructures develop and improve.

I respectfully request that you reconsider your position and your justification for eliminating the Advanced Technology Program and that you share these facts with your colleagues.

Sincerely,

CHRISTOPHER G. CAINE.

Mrs. MORELLA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I strongly oppose the amendment offered by the gentleman from Oklahoma [Mr. COBURN] to the Commerce-Justice-State appropriations bill. It would transfer $74 million from the $185 million provided in the bill for the National Institute of Standards and Technology's Advanced Technology Program in fiscal year 1998 to the Department of Justice's juvenile justice and delinquency prevention program.

□ 2115

While we all support programs to reduce juvenile crimes, and I am on record as supporting them, H.R. 2267 already includes $538 million for juvenile crime prevention, almost three times the amount appropriated last year. I commend the chairman of the committee for so doing.

This amendment, of course, that has been offered is not an effort to fund juvenile justice, but merely simply an attempt to kill the advance technology program. The appropriations bill already mirrors the House-passed authorization for ATP, H.R. 1274, the NIST authorization bill, which came from my Subcommittee on Technology of the Committee on Science, and it passed the House on April 24 of this year.

That bill funded ATP at $185 million in fiscal year 1998, and that level is identical to the funding level in this appropriation bill. So it has been authorized and appropriated. The appropriated and authorized level for ATP already represents a cut to ATP of $40 million from the fiscal year 1997 appropriated level of $225 million. The total is $90 million below the administration's request for fiscal year 1998 and the administration requested $275 million.

So significant cuts have already been made and funding ATP at $10 million in fiscal year 1998 would amount to the U.S. Government turning its back on its obligations. The problem is that ATP funds long-term, 5-year research grants. The funding for the remaining years of these 5-year grants is termed a ''mortgage.''

According to the administration, ATP is likely to have mortgages totaling well over $100 million in fiscal year 1998. And while these mortgages are not liabilities for the Federal Government, they do represent commitments made by NIST to these research projects.

Terminating ATP would break NIST's commitments to its existing ATP partners. It would be like giving a 4-year scholarship to a student and then terminating it without cause after his or her freshman year.

The House-passed authorization for NIST already reforms ATP. The bill includes language to reform the grant process by requiring that grants can only go to projects that cannot proceed in a timely manner without Federal assistance.

The bill also increases the match requirements for ATP grant recipients to 60 percent for joint ventures and non-small business single applicants. Finally, the bill reduces ATP spending to $150 million in fiscal year 1999. And through these reforms, the House is moving ATP in the right direction.

So with the reforms, the obligations, the fact that we are stressing partnerships, we are talking about public-private partnerships that are so critically important, that is what this bill does. It has been very well-crafted. So with the passage of H.R. 1274, the House took strong positive steps to reform ATP. I really do not think we should reverse this course now.

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

Mrs. MORELLA. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, is it not true that in the report language coming out of the committee of the gentlewoman from Maryland [Mrs. MORELLA] that, in fact, what was said was ''In an era of scarce Federal research and development dollars, funding ATP is simply a low priority''? That's No. 1.

No. 2, what was also said is that ''ATP can function for 2 years without receiving 1 additional dollar from the Federal Government.''

So why do we not just take this year and not fund the $74 million and give it to juvenile justice? It is not going to have an impact in terms of funding because the money is not in the pipeline. Why not do that?

Mrs. MORELLA. Mr. Chairman, reclaiming my time, because we have made commitments. We have companies working with the Federal Government in conjunction with each other. We have reformed the ATP Program. We have reduced the ATP. It is a program that needs to continue beyond that.

The chairman of the committee has already given us a significant increase to juvenile justice programs. So I think this public-private partnership needs to continue. We are monitoring it so very, very closely.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, while I too would be the first person to admit that juvenile justice programs should be given the priority in this Congress, we have in fact in this bill made them a priority. If the purpose of the gentleman from Oklahoma [Mr. COBURN] is to ensure that this program is funded robustly, let me assure him that the committee did it for him.

In fact, the bill before us today provides $237.9 million for this line item, an increase of $55 million over the funds provided in fiscal year 1997 and $7.5 million above the administration's budget request for fiscal year 1998. Let me repeat. We have funded juvenile justice delinquency programs very robustly.

On the one hand, we funded juvenile justice very robustly. We appreciate the interest of the gentleman from Oklahoma [Mr. COBURN] in juvenile justice programs. But taking it from the ATP Program, if my colleague does want to increase juvenile justice, is not the right place to take it.

I would like to summarize my reasons for supporting this important ATP initiative. ATP is paramount to our Nation's global competitiveness. We are entering an era where global competitiveness is the way we really are going to compete in the world. Funding this program does nothing more than put us on a level playing field with our major competitors.

Right now, Mr. Chairman, the United States ranks 28th, 28th behind all of our major global competitors in the percentage of government R&D invested in civilian technologies. While we sit here debating an amendment that would cripple the ATP Program, across the oceans, our competitors, Japan, England, Germany, Australia, and Portugal, are investing heavily in similar initiatives.

Japan is spending about $9 billion a year on precompetitive technology development, and the European Community is funding advanced technology research to the tune of $5.5 billion annually.

Second, ATP funds precompetitive, generic technology developments which would not otherwise be undertaken by private industry. The ATP is not corporate welfare and it is not about picking winners and losers. The ATP is also not about product development. It is about funding the research and development efforts behind high-risk technologies.

While the Government provides a catalyst, industry conceives, manages, and executes ATP projects. ATP funds risky, precompetitive technologies that have the potential for a big payoff for our Nation's economy as we compete with those competitors that are investing so very heavily in similar programs.

Third, ATP was conceived as a bipartisan initiative. Although the ATP Program has become a political issue over the last several years, it did not start out that way. It did not start out that way. It had bipartisan beginnings.

ATP was started under President Reagan's administration and was authorized by former Republican Congressman Don Ritter.

In fact, D. Allan Bromly, President Bush's science advisor, had the following to say about the ATP Program: ''In the Bush administration, we made a start toward more effective use of our technology strengths as, for example, in the successful advanced technology program.''

It is important to note that while the Clinton administration feels strongly about the merits of the ATP, the issues and concerns raised by my Republican colleagues have not fallen on deaf ears. In fact, in response to Republican concerns, the Commerce Department recently completed an extensive review of the ATP Program.

To allow for broad public input, the Technology Administration solicited public comment over a period of 30 days. The Commerce Department received 80 responses to this notice predominantly from individual firms and professional trade associations. Based on this review, Secretary Daley has decided to make several important changes to the operation and policies of ATP, changes that will result in a stronger, more viable program.

For example, he plans to shift the priorities of the program by putting more emphasis on joint ventures and small- and medium-sized single applicants and less emphasis on individual applications filed by large companies.

Additionally, the Secretary plans to increase the cost-share requirement for large, single-applicant companies, I think addressing legitimate concerns that have come from the other side.

It is a strong program. It is getting stronger. I urge my colleagues in this competitive international environment not to support the amendment of the gentleman.

The CHAIRMAN. The time of the gentleman from West Virginia [Mr. MOLLOHAN] has expired.

(On request of Mr. COBURN, and by unanimous consent, Mr. MOLLOHAN was allowed to proceed for 1 additional minute.)

Mr. MOLLOHAN. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. COBURN].

Mr. COBURN. Mr. Chairman, I want to ask a couple questions.

It is true that new moneys for the ATP Program are for new grants, not for grants in the pipeline; is that correct?

Mr. MOLLOHAN. Mr. Chairman, reclaiming my time, there is money here for new grants.

Mr. COBURN. Mr. Chairman, if the gentleman would yield further, it is for new grants. So any of the programs that are presently funded by ATP and are forward funded in such a manner will not be affected whatsoever by any decrease in the amount of ATP funds through this appropriation; is that true?

Mr. MOLLOHAN. Mr. Chairman, reclaiming my time, if that would be true, what is the point of the gentleman?

Mr. COBURN. Mr. Chairman, if the gentleman would continue to yield, the point is that we have a larger problem with juvenile justice and children and adolescents in this country where we are not addressing it. No matter what we have increased it, we have programs out there that are not going to be funded, like the Challenge Program.

Mr. MOLLOHAN. Mr. Chairman, reclaiming my time, that is obviously the question in debate here, ''Where is our priority? Do we want to eliminate a program that is extremely important for our competiveness position as we move forward with this internationalization of our global economy, or not, and do we believe that this program contributes to that?''

I do. On a bipartisan basis, administrations have. And I hope that the body's majority does.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent to proceed for 1 minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The gentleman from Kentucky is recognized for 1 minute.

Mr. ROGERS. Mr. Chairman, we have one other amendment that is pending that is going to take some time. We are under a time constraint as it is, and we are on the verge of that time constraint.

Can we conclude debate on this fairly soon? I think we all know how we are going to vote anyway. Can we conclude this right away, Mr. Chairman?

The CHAIRMAN. The Chair would hope that the gentleman's words will be taken by Members on the floor.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise because I am on both the Committee on the Judiciary and Committee on Science, and I appreciate the leadership of the gentleman on this issue of juvenile prevention or juvenile crime prevention. We have worked on it for a very long period of time and very long hours.

I would have wished and encouraged the gentleman to have supported and been with the gentleman from Virginia [Mr. SCOTT], who was here on the floor earlier who had a similar piece of legislation, an amendment that would have answered the question that the gentleman is now raising about the concern of juvenile crime prevention. But let me acknowledge that his concern is important but his juxtaposing is not the correct way to do it.

As a member of the Committee on Science, let me say to my colleagues that since the inception of the ATP Program, 47 percent of all awarded projects have been led by small companies, particularly these ATP projects usually associated with universities.

In addition, even though the gentleman has mentioned that we would have ongoing money or money for present projects, we would have no money for future projects.

The reason why it is important that I rise and discuss this is because just a few minutes ago, I rose and received the support of the chairman and passed an amendment that dealt with technology. That was where the Justice Department could enter into $750,000 contract for 24-month period with the National Research Council of the National Academy of Sciences to conduct a study of computer-based technologies and other approaches that could help restrict the availability to children of pornographic images through electronic media, including Internet and on-line services, as well as identification of illegal pornographic images with the goal of prosecution.

I would never want that to be thought and conceived as being against an ATP Program that promotes the workings of those research entities to provide jobs for individuals moving into the 21st century.

□ 2130

Although the gentleman's intent is of high level and of great sense of commitment to the concerns dealing with juvenile crime, we already are moving in that direction. I applaud the leadership for increasing the amount in the bill. I would hope we would get more dollars, but I certainly think this is the wrong way.

Mr. Chairman, I rise to speak in opposition to the Coburn amendment which would transfer $74 million from the National Institute of Standards and Technology's Advanced Technology Program in fiscal year 1998 to the Department of Justice's Juvenile Justice and Delinquency Prevention Program.

Currently, legislation provides $225.9 million for juvenile justice programs. However this obligation of funds is dependent upon enactment of authorization legislation. At this point the fate of the reauthorization bills is uncertain.

Technology fuels the rapid growth in our Nation's economy. Every dollar invested through the Advanced Technology Program is returned through jobs, business expansion, and economic growth.

The Advanced Technology Program is not corporate welfare for large companies. The Advanced Technology Program is a competitive, peer reviewed, cost-shared program potentially high-payoff enabling technologies that otherwise would not be pursued because of technical risks and other obstacles that discourage private investment.

In the city of Houston, SI Diamond Technology, Inc., Applied Training Resources, Stress Engineering Services, Inc., and Genometrix, Inc. are a few of the firms which have been assisted by this important program.

Currently, there are 2,200 proposals submitted by industry with over 700 of which 280 projects were funded. Less than 4 percent of the proposals receive Advance Technology Program funds.

The Advance Technology Program has committed $970 million and industry has put up more than $1 billion in cost sharing.

Nearly half—46 percent—of the projects are led by small business who have also received

about half the Advanced Technology Program funding.

There are more than 100 universities involved in 157 Advanced Technology Program projects.

The Advanced Technology Program is an efficient and effective way to assist technology's transition to the marketplace.

I urge my colleagues to vote against this amendment.

Mr. BROWN of California. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from California.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I will just point out that this program was created in the 1988 trade bill. It was title X, as I recall, the contribution of the Committee on Science, and this program had been studied in the Committee on Science for several years before that as a way of approaching the decreasing competitiveness of American industry in world trade. I hope that the gentleman will keep that in mind.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. COBURN].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. COBURN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 239, further proceedings on the amendment offered by the gentleman from Oklahoma [Mr. COBURN] will be postponed.

The Clerk will read.

The Clerk read as follows:

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, as authorized by section 6093 of Public Law 100–690 (102 Stat. 4339–4340); and $2,000,000 for the Federal Law Enforcement Education Assistance Program, as authorized by section 1212 of said Act.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $45,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses in accordance with distributions, procedures, and regulations established by the Attorney General.

SEC. 102. Authorities contained in the Department of Justice Appropriation Authorization Act, Fiscal Year 1980 (Public Law 96–132, 93 Stat. 1040 (1979)), as amended, shall remain in effect until the termination date of this Act or until the effective date of a Department of Justice Appropriation Authorization Act, whichever is earlier.

SEC. 103. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

AMENDMENT NO. 32 OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 32 offered by Ms. NORTON: In title I, under the heading ''General Provisions—Department of Justice'', strike section 103.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes, and that the time be equally divided between the gentlewoman from the District of Columbia [Ms. NORTON] and the gentleman from Illinois [Mr. HYDE].

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, I offer this amendment to offer the option of abortion to those that may be at once most in need of it and least likely to have access to this choice. I offer this amendment for the damned and the desperate.

In the United States 60 percent of pregnancies are unintended. Imagine what that figure is for women in prison. I ask for an exception to the ban on Federal funds in order that those funds be available for women in prison because they do not even have the option of other poor women. They cannot borrow, they cannot use State or Federal funds as some women who live in such localities can. They are in Federal custody. It would be barbaric to force such women to bear children against their will behind bars.

The number of women in Federal prisons has grown astronomically. There was 75 percent growth in the last decade. The annual growth rate is considerably greater than for State prisons. There is twice the growth rate for these women as for men. The rate of infection for HIV and AIDS exceeds the rate of infection for men in prison. Five percent of these women enter prison pregnant.

Who are these women? We have the figures for women in State prisons. They are roughly comparable to Federal figures. Forty percent have been sexually abused. Half committed the offense under the influence of alcohol or drugs. More than half used drugs the month before committing the offense. Forty percent use drugs daily. Fifty-eight percent use alcohol, 20 percent every day.

Who are the children of these inmates? They are five times as likely to be imprisoned as other children. Half of the children in the juvenile justice system have a parent in prison. The racial implications are awesome. Blacks, regardless of sex, are six times more likely to go to prison than whites. Black women have nearly the same chance as white men of going to prison.

Why Federal funds? Federal funds, because Federal funds must pay for everything for these women, for their food, for their shelter, for their clothes. So if there is to be a choice, and here the choice is most necessary, it can only come from Federal funds.

Providing an exception here is akin to the exception we provide for rape. There is no other way. These are women who, if they desire, and only if they desire, an abortion, should be most granted that desire, given their particular history.

Moreover, there has been experience in 1993, when this body lifted the restrictions on abortions for women in prison, the Bureau of Prisons handled the matter with great sensitivity, no complaints about it. There was medical, religious and social counseling. There was written documentation that that counseling had taken place. Employees who had a moral or religious objection had that objection recognized.

I recognize that there is an objection of many to abortion. We have recognized some exceptions, very rare, to our admonition against abortion. Surely if there are to be exceptions, this should be one.

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

Mr. HYDE. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. I thank the gentleman for yielding me this time.

Mr. Chairman, I first of all want to thank the gentleman from Kentucky [Mr. ROGERS] for again renewing current law to prohibit taxpayer funding for abortion on demand in Federal prisons. And so I rise in very strong opposition to the Norton amendment which would strip this prolife provision out of the bill and thus authorize public funding for abortion on demand.

It is worth noting that in 1995, the House considered this issue and voted 281–146 to defeat the Norton amendment, and I urge a ''no'' vote again today.

Mr. Chairman, it is about time that we face the fact that abortion is violence against children. It is hard enough that this child abuse is legal and that each and every day boys and girls are slaughtered by the abortionists, but do not force us to pay for it. Abortion methods are violent acts. It is violence against children. Abortion methods are not designed to heal, but to kill. Abortion treats pregnancy like a disease to be vanquished and turns babies into objects, expendable, throwaways, so much junk.

It has been pointed out that many women are incarcerated because of drug offenses. The logic of that argument is that the children of these women are somehow better off dead. All I can say is that is a very cynical view. Since when is being a victim of drug abuse a capital offense? Should children be brutally killed for the crimes of their parents or because they might have been injured by those crimes? Of course not.

Mr. Chairman, in our culture, abortionists sport white coats and a paper-thin facade of respectability, but the gut-wrenching reality is that abortionists dismember and poison babies for profit. They inject highly concentrated salt water and other poisons into the baby that lead to a very slow and painful death for those children. Abortionists routinely dismember children. They cut off their heads. They cut off their arms and legs. That is the reality. People can smirk and smile and think that that is not what happens, but that is what happens in an abortion.

A few days ago, Dr. Nathanson showed a film of a suction abortion. He is a former abortionist who did thousands of them. He showed this film, a laparoscopy caught on videotape, a baby being dismembered literally limb by limb. That is the ugly reality that so often is sanitized by the rhetoric of choice. Abortion, Mr. Chairman, is violence against children.

A few days ago, the world noted, Mr. Chairman, and many of us mourned, the passing of a woman of very deep compassion and love, Mother Teresa. I think many also remember that at the 1994 National Prayer Breakfast, Mother Teresa addressed thousands of people who were assembled, including President Bill Clinton and Vice President GORE. Few could listen to Mother Teresa and not be moved to believe that in this small, frail, humble woman there stood a very powerful messenger to directly speak to a President and Nation that had lost its moral compass.

Mother Teresa said, and I quote, ''Please don't kill the child. I want the child,'' she went on to say. ''We are fighting abortion with adoption, by care of the mother and adoption of the baby.'' Mother Teresa further stated, and I quote, ''The greatest destroyer of peace today is abortion, because it is a war against the child, a direct killing of an innocent child.'' She then urged all Americans and diplomats who were assembled to more fully understand the linkage of abortion with other forms of violence. She said, and I quote, ''Any country that accepts abortion is not teaching people to love, but to use violence to get what they want. This is why the greatest destroyer of peace and love is abortion.''

Mr. Chairman, the children of incarcerated women are of no less value than any other children. No child anywhere at any time, including unborn kids, is a throwaway. Being unwanted does not make you less human. It does not allow others to turn you into an object that could be killed with poison shots or by dismemberment of your body. The children of the incarcerated women are precious, and they deserve our love and respect; again, not dismemberment and poison shots. I urge Members of this body to vote ''no'' for taxpayer funding for abortion, to vote ''no'' on the Norton amendment.

Ms. NORTON. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Chairman, I think it is about time that we stop the use of inflammatory language around this very personal issue. I think it is time that we talk about this issue at least in ways that we can respect everybody that is involved. I think it is time that we talk about what real violence is. Real violence is a woman who has to do time in the Federal prison who comes in drug-addicted, HIV-infected, pregnant, the 6 percent of them who come in that way and who say, I don't believe I have the right to force the kind of violence on this child that I am confronted with for this child. I believe it is time that these women have some choice.

We talk about how much we love these children, but what happens to them? What happens to these children that are born unwanted, to HIV-infected women, to drug-infected women? What happens to these children? We do not know what happens to them. They go out somewhere, into maybe foster care. These are the children that are doomed to poverty, doomed to the inability to have a decent life. And so that is not our choice. It is the choice of the woman who finds herself in this unfortunate predicament. I would ask for support for the Norton amendment and I would not be influenced by the kind of language that does not really speak to the issue but simply inflames on this issue.

Ms. NORTON. Mr. Chairman, I yield 2 minutes to the gentlewoman from the Virgin Islands [Ms. CHRISTIAN-GREEN].

□ 2145

Ms. CHRISTIAN-GREEN. Mr. Chairman, I rise in support of this amendment.

Mr. Chairman, this is a part of a much larger problem, that of increasing numbers of women in prison and their need for medical and other care. All too often these women are ignored. But beyond that, Mr. Chairman, I think about the plight of the women I visited within our correctional facility at home a few months ago, and I remember my good friend and classmate Angela. I recall her incarceration and the many visits I made to her to make sure that her many medical needs were met. What about the increasing number of women in our prisons who do not have a doctor for a friend?

It is primarily for this reason why I find the language of this bill before us today banning the use of Federal funds for abortion services for women in prison so troubling. Many female prisoners, as has been said, enter prison suffering from a myriad of physical and psychological ailments, and many are pregnant before they enter prison.

I know, Mr. Chairman, that the issue of abortion is one that has deep religious and philosophical implications, and it also deeply divides many Americans. Notwithstanding the complexity of this issue, the fact remains that abortion is still a legal health care option for women in this country and has been for over 20 years now.

I urge my colleagues to vote ''yes'' on this amendment. Women in prison deserve to have access to needed health care services, and they deserve to have choice.

Ms. NORTON. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Maryland [Mrs. MORELLA].

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

Mrs. MORELLA. Mr. Chairman, I rise in favor of the amendment offered by the gentlewoman from the District of Columbia, a Member with great compassion for these poor women who are so often the victims of domestic violence, incest, and other problems, who need our help.

Ms. NORTON. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman from the District of Columbia for her outstanding work on behalf of the District of Columbia.

I want to say that we love children, we love life. It is tragic that we have to look to this tragedy of life when we find women in prison who have unfortunately been in desperate situations, and we have to realize that 6 percent of them come in pregnant when they enter prison, abused and certainly suffering from physical or sexual abuse. Almost half of these women in the Federal penitentiary system are under the influence of drugs or alcohol. They have limited prenatal care, isolation from family and friends, and the great tragedy of having this infant, if to term, to be lost to them forever, but, more importantly, incapable of taking care of them.

Abortion is legal. The right to life and the right to choice are things that are not mutually exclusive. We want to give life again to these women who have been battered and abused. It is unfair to deny them the simple medical procedure that would allow them as well the rights of any woman who is in this United States of America. They are poor; they must not be abandoned.

Mr. HYDE. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Illinois has 5 minutes remaining.

Mr. HYDE. Mr. Chairman, I yield 30 seconds to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, just to respond briefly to the gentlewoman from California, she talked about being doomed to poverty, and of course we all need to fight against poverty and do whatever we can. But it seems to me that when we doom an unborn child to a horrific killing of chemical poisoning or dismemberment of that child, no matter how that is sanitized by the pro-abortion crowd, that is

a very, very sleazy, terrible thing; and that is not inflammatory, that is the truth. Read some of the text books and the descriptions given by the abortionists themselves. That is just a simple fact of what happens.

Let us not hide from the reality and the truth of what abortion is.

Mr. HYDE. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman is recognized for 4½ minutes.

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

Mr. HYDE. Mr. Chairman, some years ago there was a great defense lawyer who worked out of Chicago. His name was Charles Darrow, and he was known as attorney for the dammed because he represented people who committed serious crimes, capital crimes, Loeb and Leopold, and he was very successful in helping them escape the penalties of the law. If I were practicing law and I could pick my clients, I would choose to represent the unborn child of a woman who is in prison. I cannot think of a more humiliating, more humble circumstance, more powerless, more unwanted, more unthought about, more inconvenient than a poor tiny little child.

We did not hear much about the child. We heard about the women, and God knows the woman is suffering and has had the cards dealt to her from the bottom of the deck, and needs and deserves and must have our compassion, but for God's sake, 10 seconds for the little tiny child made in the image and likeness for God.

Forgive me, but I believe that little child is precious, has an immortal soul, has a destiny, and give that little child a chance. Love that little child. There ought not to be a deficit of compassion and of love, not a failure of imagination. Think about that little tiny powerless human life that cannot vote, cannot rise up in the streets, cannot escape, depends on the care and the concern of those around.

Now all this amendment does is strike the part of the bill that says no Federal money to pay for abortions for people who are incarcerated in prison. That is all. It does not deny an abortion. God help us, if the woman wants to exterminate her unborn child, fine, the law does not forbid her, and the prison will escort her to private premises; and if it is a question of money, let Planned Parenthood, which gets millions of dollars, pay for the extermination, the killing, not of that little clump of cells, not of the products of conception, but that tiny little living, breathing infant that, given a chance at life, might well be a human being who could save our country or compose music or just be a decent citizen.

Do not be so pessimistic. There are places that will take these children within walking distance of this building. Saint Coletta's. There are care and counseling centers all over this country. Birthright, they will take that little child.

Mother Theresa said the great tragedy is to say there is not room for one more little baby.

Think of the baby. I will think of the woman, I will pray for the woman, I will work to make conditions ameliorated for them. Will my colleagues please think of the little child for a second? A second?

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

The CHAIRMAN. The gentlewoman from the District of Columbia [Ms. NORTON] is recognized for the balance of the time, which is 1½ minutes.

Ms. NORTON. Mr. Chairman, the gentleman who just spoke eloquently of the unwanted powerless child who would be taken just a few blocks from this very Chamber, I beg to differ. Children whose parents have not been near prisons cannot be taken. We find no homes for them; and the children of incarcerated parents are more dammed than those whose parents have not been incarcerated. The figures tell the story of what happens to foster children and children in prison, and the figures do not lie. Now Mother Theresa might have taken them, but there are not other takers out here.

The gentleman would be the first to come to the floor if Planned Parenthood came forward to try to pay for abortions for these children, to try to deny them funds to pay for abortions for these women. We are talking about voluntary abortions here, as always. I would prefer if there were a mechanism for these women to have their children adopted, assuming there were people who would, in fact, adopt them. There are not people who will adopt a homeless child on the street today, and everybody knows that.

The notion of violence raised here in this context is an amazing one indeed. What would of course be violent is forced childbirth. That is what would be left here. All of the inflammatory debate about abortion has not reduced support for abortion in this country. It is legal for women in society; it should be legal and accessible for women in jail.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentlewoman from the District of Columbia [Ms. NORTON].

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. NORTON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 239, further proceedings on the amendment offered by the gentlewoman from the District of Columbia [Ms. NORTON] will be postponed.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the remainder of title I be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The text of the remainder of title I is as follows:

SEC. 104. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 105. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 104 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 106. Notwithstanding any other provision of law, not to exceed $10,000,000 of the funds made available in this Act may be used to establish and publicize a program under which publicly-advertised, extraordinary rewards may be paid, which shall not be subject to spending limitations contained in sections 3059 and 3072 of title 18, United States Code: *Provided*, That any reward of $100,000 or more, up to a maximum of $2,000,000, may not be made without the personal approval of the President or the Attorney General and such approval may not be delegated.

SEC. 107. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act, including those derived from the Violent Crime Reduction Trust Fund, may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 108. Section 524(c)(8)(E) of title 28, United States Code, is amended by striking ''1996'' and inserting ''1997 and thereafter''.

SEC. 109. (a) Section 1402(d)(2) of the Victims of Crime Act of 1984, (42 U.S.C. 10601(d)), is amended—

(1) by striking paragraph (1); and

(2) in paragraph (2), by striking ''the next'' and inserting ''The first''.

(b) Any unobligated sums hitherto available to the judicial branch pursuant to the paragraph repealed by section (a) shall be deemed to be deposits into the Crime Victims Fund as of the effective date hereof and may be used by the Director of the Office for Victims of Crime to improve services for the benefit of crime victims, including the processing and tracking of criminal monetary penalties and related litigation activities, in the federal criminal justice system.

The CHAIRMAN. Are their amendments to that portion of title 1?

If not, the Clerk will read.

The Clerk read as follows:

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $21,700,000, of which $2,500,000 shall remain available until expended: *Provided*, That not to exceed $98,000 shall be available for official reception and representation expenses.

Mr. ROGERS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HUTCHINSON) having assumed the chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2267), making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

RECOGNIZING IMPORTANT CONTRIBUTIONS MADE BY AMERICANS OF AUSTRIAN HERITAGE

Mr. HASTERT. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the resolution (H. Res. 217) recognizing the important contributions made by Americans of Austrian heritage, and ask for its immediate consideration.

The Clerk read the title of the resolution.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 217

Whereas the United States and the Republic of Austria have enjoyed close and friendly relations since the inception of the Republic of Austria;

Whereas 1997 marks the 50th anniversary of the Marshall Plan which was critically important to the reconstruction of the Republic of Austria and to the establishment of friendly ties between the Republic of Austria and the United States;

Whereas on September 26, 1945, a conference of representatives of the nine Federal states of the Republic of Austria was held in Vienna that laid the foundation for the provisional Austrian Government and the early elections in November 1945; and

Whereas a number of States have already proclaimed September 26, 1997, as ''Austrian-American Day'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) declares that the warm and cordial relations between the people of the United States and the Republic of Austria should grow stronger; and

(2) acknowledges the important contributions to the United States by Americans of Austrian heritage.

GENERAL LEAVE

Mr. HASTERT. 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 Illinois?

There was no objection.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. HASTERT] is recognized for 1 hour.

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

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

Mr. Speaker, I am very pleased to present this resolution on behalf of its author, the distinguished gentleman from Nebraska [Mr. BEREUTER] and the distinguished chairman of the Committee on International Relations, the gentleman from New York [Mr. GILMAN].

Mr. Speaker, September 26 will mark the 52d anniversary of the conference that established the post-war Austrian government. House Resolution 217 recognizes the pivotal role played by the United States in the establishment of a free and democratic Austria. It is particularly fitting that the gentleman from Nebraska [Mr. BEREUTER] be the author of this resolution as the only Austrian American currently serving in the House.

Mr. BEREUTER. Mr. Speaker, as the author of House Resolution 217, together with the distinguished chairman of the Committee on International Relations, this Member urges support for this simple and straightforward celebration of warm and cordial relations between Americans and the people of Austria.

September 26 will mark the 52d anniversary of the conference that established the post-war Austrian Government. Recognizing the pivotal role played by the United States in the establishment of a free and democratic Austria, the Government of Austria has declared September 26, 1997, to be Austrian-American Day. All around the United States, our State legislatures have followed suit, declaring September 26 to be Austrian-American Day.

Because of the rules of this body, we are not permitted to consider commemorative resolutions, or declare specific honorary days. However, this body can certainly join with the Government of Austria and the many State legislatures to note the long and positive history of Austrian-American relations. That is precisely what this House Resolution 217 does.

Mr. Speaker, as perhaps the only Austrian-American presently to be serving in the House, this Member would urge adoption of House Resolution 217.

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

The SPEAKER pro tempore. Without objection, the resolution is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

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

Mr. BACHUS. Mr. Speaker, pursuant to clause 2 (a)(1) of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of privileges of the House.

The form of the resolution is as follows:

RESOLUTION DIRECTING THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT TO UNDERTAKE AN APPROPRIATE INVESTIGATION OF THE CIRCUMSTANCES SURROUNDING REPRESENTATIVE HILLIARD'S TRAVEL TO LIBYA

Whereas Libya is an unapologetic terrorist state that openly supports, promotes and inspires terrorists,

Whereas Libya arms, trains and harbors terrorists;

Whereas Libya was involved in the 1985 terrorist attacks on airports in Rome and Vienna that left 20 men, women and children, including 5 American citizens, dead;

Whereas Libya is responsible for the deaths of two American soldiers in a 1986 terrorist bombing in Berlin;

Whereas Libya is responsible for the deaths of 270 men, women and children, including 189 Americans, in the terrorist bombing of Pan Am flight 103 in 1988;

Whereas the Security Council of the United Nations has imposed sanctions on Libya in response to its responsibility for the bombings of both Pan Am flight 103 and UTA flight 772; and

Whereas those sanctions were put into effect in the United States in 1986 by imposing of Treasury Department regulations, the violation of which may be punishable by a civil penalty and by criminal penalties including fine or imprisonment, and which among other things bar United States persons from engaging in transactions relating to transportation to and from Libya and from dealing in any property in which the government of Libya has any interest;

Whereas Libyan leader Moammar Ghadafi has called terrorist attacks that have left innocent men, women and children dead and wounded ''heroic operations'';

Whereas Congress has gone on record in its opposition to the Libyan government, passing laws that condemn Libya for supporting terrorism, list Libya among the countries denied direct or indirect United States assistance, authorize the President to prohibit imports and exports to Libya, and ban investment in the Libyan oil industry;

Whereas Libya is dedicated to destroying the Middle East peace process;

Whereas the Department of State has reported that Representative Earl Hilliard traveled to Libya in August without authorization of or approval from the Department of State;

Whereas Representative Earl Hilliard has refused to confirm or deny whether he traveled to Libya or offer an explanation for his travel to Libya;

Whereas if Representative Hilliard did travel to Libya, his actions would be in direct violation of United States policy toward Libya;

Whereas this episode raises questions of propriety regarding travel to Libya, Representative Hilliard should explain his reasons for traveling to Libya and his activities while there;

Whereas the Committee should inquire of Representative Earl Hilliard what individual, organization, government agency or other entity paid for his travel to and from Libya and his expenses while in Libya;

Whereas Representative Hilliard has not disclosed whether he engaged in any transactions relating to his travel to and from Libya, or in other transactions while in Libya;

Whereas these circumstances warrant an immediate affirmation by the House of its unequivocal opposition to travel to Libya by its members and to terrorism and the terrorist agenda pursued by the Libyan government of Moammar Ghadafi; and

Whereas Representative Earl Hilliard has conducted himself in a manner which is inconsistent with the dignity of the House and is not conduct appropriate to the House and its members: Now, therefore, be it

Resolved, That the House Committee on Standards of Official Conduct undertake an immediate and thorough investigation of the circumstances surrounding Representative Earl Hilliard's travel to Libya and report back to the House.

□ 2200

The SPEAKER pro tempore (Mr. HUTCHINSON). Under rule IX, a resolution offered from the floor by a Member other than the majority leader or minority leader as a question of the privileges of the House has immediate precedence only at a time or place designated by the Chair in the legislative schedule within two legislative days of its being properly noticed.

The Chair will announce the Chair's designation at a later time. The Chair's determination as to whether the resolution constitutes a question of privilege will be made at the time designated by the Chair for consideration of the resolution.

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. BACHUS. Mr. Speaker, presuming that the interpretation is that this resolution is an appropriate privileged resolution, would that mean that the resolution will have to be considered within the next two days, meaning either tomorrow or Friday?

The SPEAKER pro tempore. Under rule IX, the Speaker will designate a time on one of the next two legislative days to address the matter. At the designated time, the gentleman will be able to offer the resolution. The Chair cannot say how the House may consider it.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

Mr. DAVIS of Illinois.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Illinois (Mr. Davis).

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

There was no objection.

WOMEN OWNED BUSINESSES IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California [Ms. MILLENDER-MCDONALD] is recognized for 5 minutes.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I am proud to announce that tomorrow will be an historic day for women business owners. For the first time, women business owners from a range of professions will convene on Capitol Hill to share their stories with Members of the Congressional Caucus on Women's Issues. My colleague, the gentlewoman from New York [Ms. KELLY], and I will cochair this unprecedented bipartisan forum, addressing the vast growth of women-owned firms and the contrasting poor rate of procurement to these firms.

With the procurement rate to women-owned firms at less than 2 percent, the need to explore the problems women business owners are experiencing in trying to obtain Federal contracts and to develop concrete solutions to these problems has never been greater.

Over the past decade, this country has experienced an explosion in the growth of women-owned businesses. The statistics speak for themselves. Between 1987 and 1996, the number of firms owned by women grew by 78 percent, which is almost twice the rate of increase in the number of all U.S. firms, which is 47 percent. Sales increased by 236 percent, nearly $2.3 trillion, and employment increased by 183 percent.

In the same time period, the number of minority women-owned businesses increased by 153 percent, which is three times the rate of overall business growth in the United States, the rate of employment by minority firms grew by 276 percent, and revenues rose by 318 percent.

Between 1987 and 1996, the number of Hispanic women-owned firms grew 206 percent, the number of Asian, American Indian and Alaska native women-owned firms increased by 138 percent, and the number of African-American women-owned firms increased by 135 percent.

There are now approximately 8 million women-owned firms, providing jobs for 15.5 million people and generating nearly $1.4 trillion in sales. Women-owned businesses now employ 35 percent more people in the United States than the Fortune 500 companies employ worldwide.

Between 1987 and 1996, the industries with the fastest rate of growth for women-owned businesses were in nontraditional fields. Women-owned firms grew by 171 percent in construction, by 157 percent in wholesale trade, by 140 percent in transportation-communications, by 130 percent in agriculture, and by 112 percent in manufacturing.

In the same period, the same phenomenon of women-owned businesses growing at the fastest rate in nontraditional fields were even more astounding among minority women-owned businesses. These firms grew by 319 percent in construction, by 276 percent in wholesale trades, and by 253 percent in transportation-communications and public utilities.

Although the number of women-owned firms has grown in every State over the past several months, they have exploded in the State that I represent. In California, from 1987 to 1996 the number of women-owned firms has grown by 78 percent, employment has increased by 255 percent and sales have grown by 313 percent. Women-owned businesses now account for more than one-third of all firms in California.

As a result, California ranks first out of the 50 States in the number of women-owned firms, first in employment and first in sales. This unprecedented growth of women-owned firms is happening in the 37th District of California, Mr. Speaker, which is my district, generating $105 billion in the Los Angeles-Long Beach metropolitan areas.

This area ranks second out of the top 50 metropolitan areas in the number, employment and sales of women-owned firms. That sounds promising. Maybe. But, the rate of procurement for all women-owned businesses remains a meager 1.8 percent, far below the 5 percent goal which was established in 1994 by Congress.

Mr. Speaker, we cannot allow this discrepancy to continue. It is only hurting the strength of this Nation's economy. We are not utilizing this hidden resource within the business community.

When the Government continues to contract with the same large companies, America's taxpayers lose money, because when various agencies select their bid without real competition, it is highly unlikely that that bid is indeed the least expensive, more effective way of getting the job done.

Mr. Speaker, tonight I speak for millions of women business owners throughout the country. I ask that we recognize that tomorrow will be an historic day for women as we continue to grapple with the notion of women business owners and the lack of procurement and meeting the goals Congress has established.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. EWING] is recognized for 5 minutes.

[Mr. EWING addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York [Mrs. MALONEY] is recognized for 5 minutes.

[Mrs. MALONEY addressed the House. Her remarks will appear hereafter in the Extension of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. NEUMANN] is recognized for 5 minutes.

[Mr. NEUMANN addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Michigan [Ms. KILPATRICK] is recognized for 5 minutes.

[Ms. KILPATRICK addressed the House. Her remarks will appear hereafter in the Extension of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. METCALF] is recognized for 5 minutes.

[Mr. METCALF addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Georgia [Ms. MCKINNEY] is recognized for 5 minutes.

[Ms. MCKINNEY addressed the House. Her remarks will appear hereafter in the Extension of Remarks.]

□ 2015

The SPEAKER pro tempore (Mr. HUTCHINSON). Under a previous order of the House, the gentleman from Florida [Mr. DIAZ-BALART] is recognized for 5 minutes.

[Mr. DIAZ-BALART addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized for 5 minutes.

[Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. BILBRAY] is recognized for 5 minutes.

[Mr. BILBRAY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

COMMEMORATING THE ANNIVERSARY OF EMANCIPATION OF AFRICANS HELD IN SLAVERY IN THE DANISH WEST INDIES—THE UNITED STATES VIRGIN ISLANDS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the Virgin Islands [Ms. CHRISTIAN-GREEN] is recognized for 5 minutes.

Ms. CHRISTIAN-GREEN. Mr. Speaker, this evening I rise to bring to the attention of my colleagues and fellow Americans that July 3, 1998 will be the 150th anniversary of the emancipation of Africans held in slavery in the Danish West Indies, now the United States Virgin Islands, the district which I represent in the 105th Congress.

Mr. Chairman, there are few moments in human history as dramatic and inspiring as those that took place in the town of Frederiksted in St. Croix on the 2d and 3d of July, 1848. The story is one of courage and determination on the part of a people to live free and risk death in the process.

Historians tell us that at the sound of the conchshell, the unfree from across St. Croix converged on the fort under the leadership of Moses Gottlieb, who was called General Buddhoe. Their threat was to burn the island unless immediate freedom was obtained.

In response to reports of the uprising, Danish Governor Peter Von Scholten rushed from the town of Christiansted to confront the angry men and women who had assembled and who had established a 4 p.m. deadline for his declaration of emancipation.

Surrounded and outnumbered during his ride down King Street on his way to Fort Frederick, and encouraged by his mulatto mistress, Anna Haggaard, the Governor issued his famous proclamation: ''All unfree in the Danish West Indies are from this day free.'' He later repeated his statement from the ramparts of Fort Christiansvern.

Although the revolt ended with little loss of property or life due mostly to the efforts of General Buddhoe, its key players paid a high price. General Buddhoe himself was arrested and sent away on a Danish man-o-war never to be heard from again. Governor Von Scholten returned to Denmark where he was tried and found guilty of exceeding his authority and dereliction of duty.

Mr. Speaker, the events of July 3d, 1848 are considered the second act of self-determination by Virgin Islanders, the first being the uprising in St. John in 1733, which brought that island under African rule for 6 months.

So July 3d of each year is designated Emancipation Day, and commemorates this most important and significant event in our history.

Mr. Speaker, it is also a significant event in the history of our great Nation, because it was the first such proclamation on what would later become American soil, coming 15 years before President Abraham Lincoln would issue his famous Emancipation Proclamation freeing slaves in the Confederate States during the Civil War.

There is irony as well as fate in the fact that Emancipation Day precedes the 4th of July, the day when America celebrates its independence. These twin days of celebration bind Virgin Islanders and all Americans to an eternal commitment to human freedom.

We of this generation are heirs to Valley Forge and Frederiksted and the great tradition of sacrifice and suffering in the cause of freedom. Future generations must bless and cherish the memory of General George Washington and General Buddhoe and keep the fires of freedom burning.

To recognize this great event, the Governor of the Virgin Islands has issued a proclamation calling for a month-long celebration beginning June 1, 1998 to July 5, 1998, culminating in a week-long observance from June 29, 1998 to July 5, 1998.

Mr. Speaker, in recognition of this I will shortly introduce a resolution in the House and seek the support of my colleagues in recognizing the 150th anniversary of the emancipation of my ancestors. I invite all Americans to join us in observance of this proud moment in American and Virgin Island history.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. RUSH] is recognized for 5 minutes.

[Mr. RUSH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. SNYDER] is recognized for 5 minutes.

Mr. SNYDER. Mr. Speaker, once again, my thanks to the staff here who are working late, as several of us have an opportunity to discuss these important issues.

Mr. Chairman, it is my opinion and the opinion of a great many Americans that while we live in the greatest democracy in the history of the world, our democracy and the way we currently conduct our business has some major problems. Specifically, how do we do our campaigns? How do we elect our officials to come to Washington and do the people's business?

Now, what is the specific problem? I will show my colleagues what the specific problem is. This is going to be a difficult number for me to read, because I do not know what this number is. I recognize $999,999. I can go one step further, $999,999,999. I can keep going to $999,999,999,999, and on and so. The reality is, whatever number this is, it is now legal for this amount of money to be donated to a political party, to a national political party. So if a person who had this kind of wealth wrote out a check to the Republican Party or the Democratic Party, it is completely legal to make this kind of donation and it not be disclosed where the money came from.

Well, many of us in this House, many of us in America, think that is the wrong way to finance campaigns, and on January 11, 1995, the President and the Speaker of the House, in a very famous garden shot, shook hands and committed themselves to campaign finance reform. Since that time, we have not seen much action.

The President is firmly committed to signing meaningful campaign finance reform, and as someone from Arkansas who was in the State Senate and worked with then Governor Clinton when he was in Arkansas, I know of his commitment to campaign finance reform and ethics reform. He had an experience when he was in Arkansas of calling a special session of the legislature in order to get ethics reform for lobbyists' disclosure, having that effort thwarted in the State legislature in the committee vote when that was the sole purpose of calling the session; and he took the issue to the States and initiated that to get signatures working in

conjunction with organizations like Common Cause and others, got the signatures, took it to the vote of the people, and in 1990, it passed. The President is committed to cleaning up the problems in our democracy.

If the President is committed to it, then where is the problem? I see the problem, Mr. Chairman, as being the leadership in this House; specifically, the Republican leadership that will not let us bring this type of legislation to the floor. Since we have convened in January, we have had approximately 85 bills filed, but we have had no hearings on any bill, we have had, obviously, no bills passed, and so we find ourselves as we are talking now about winding down this first year, this first session of this Congress, making no progress on campaign finance reform, and I think that is a mistake. I think it is wrong, and I think the American people want something different.

My own preference in all of these bills is the Hutchinson–Allen bill, this is the gentleman from Arkansas [Mr. HUTCHINSON] and the gentleman from Maine [Mr. ALLEN]. And it is the freshman, bipartisan bill, Mr. HUTCHINSON being a Republican, Mr. ALLEN a Democrat, that has seriously looked at the problems and has tried to do the doable, and what it specifically does is ban the soft money, to do away with the potential of these huge, huge checks, the kinds of several-hundred-thousand-dollar, even million-dollar checks that sometimes come into political parties.

No one likes raising money. I do not know of any politician that likes raising money. My own feeling is that raising money makes you weird. Raising money just does weird things to elected officials. But for parties to raise those huge donations makes our democracy weird. It distorts the system, it disillusions the citizens, and we have to do something better.

So, Mr. Speaker, let me finally say, I do not want to see a check someday come in made out to a political party for $1 billion. I do not want to see checks come in to a political party for $500 million. We need to step forward. The Republican leadership needs to let this body consider campaign finance reform legislation, needs to let us vote on it, needs to let us debate on it, needs to let us move ahead with what the American people want: clean elections and a much-improved system of electing public officials.

TRIP TO SOUTH AFRICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Pennsylvania [Mr. WELDON] is recognized for 60 minutes as the designee of the majority leader.

Mr. WELDON of Pennsylvania. Mr. Speaker, I, too, want to thank the staff for bearing with me as I attempt to address two key issues that I think are extremely important to this country. I hope not to take the entire hour.

Mr. Speaker, my first issue has to do with a trip that I took this past weekend to South Africa. It was a very difficult weekend. I left Washington on Thursday and flew 22 hours to Durban, South Africa, and returned Monday to be able to be here for votes on Tuesday.

The reason I went to Africa, Mr. Speaker, and to Durban, was because the African Association of Physiological Sciences and the South African Physiological Society invited me to deliver the keynote speech at the conference representing those health care professionals throughout the African nations as they assembled for their annual conference, and in the case of the other organization, their biannual conference.

The purpose of the session was to convey what is happening in the technology area relative to this country and how it could assist Africa with the terrible problems they have with their medical care delivery. I was asked to give the keynote speech because of a major initiative that we are involved in in the Philadelphia area, including the States of Pennsylvania, New Jersey, Delaware, and Maryland, to create the first smart region in America, and in fact, in the world.

Over the past 2 years we have worked on a project that is known as HUBS, which stands for hospitals, universities and businesses and schools, to link all of these institutions through an aggressive, large, fiberoptic network into one major supercomputing center, as well as 14 satellite sub-HUB centers throughout the four-State region, and in doing so to be able to provide the storage and capability of high-speed transportation of data so that our health care institutions, our schools, our colleges, can, in fact, provide better use of the Internet and information for our citizens.

In fact, one example in the health care area of what the benefit of this kind of an instrument will be is best evidenced by the example of what the University of Pennsylvania has been able to do just within the last 2 years in terms of our HUBS project. The University of Pennsylvania has been, in fact, the primary processor for the imaging data collected from an MRI unit by the Children's hospital in Philadelphia so that when a child would undergo brain surgery, the imaging data from the MRI unit would be processed by the computers at Penn, which are very sophisticated, high-speed computers. In spite of their speed, it would normally take the Penn computers 5 hours to process the imaging data so that the surgeon could have a look at that child's brain prior to surgery.

Partly because of the effort that we started and the fact that Penn's lab is now connected to the fat pipe supercomputing center in Illinois, Chicago, and in San Diego, we can now process that same data for a child's brain surgery procedure in 3 seconds. So we have taken, because of the speed and the capability, the processing of data that in the past has taken 5 hours and given those surgeons the real-time capability of looking at that child's brain image in 3 seconds.

We want to give that same speed and capability of using data in the health care field to every medical institution in our region, but we want to do more than that, Mr. Speaker. In fact, we have two initiatives underway in the region, one of which is to market the health care services of the four-State region worldwide, and to market the Delaware Valley four-State health care network as the world's health care resource center. We want to establish not just this fast supercomputing capability within the four States, but we have already agreed with the Shanghai Government to establish a direct satellite linkage to Shanghai as they are in the process of now developing smart capability there. And also we want to establish that same capability for the African continent, and specifically to the African health care system.

Now, I am going to Africa, and I would ask unanimous consent, Mr. Speaker, to enter into the RECORD the letters of invitation that I received from the African medical leadership.

AFRICAN ASSOCIATION
OF PHYSIOLOGICAL SCIENCES,
Lexington, KY, July 12, 1997.

Hon. Dr. CURT WELDON,
U.S. Congress,
Washington, DC.

The African Association of Physiological Sciences (AAPS) was founded in 1989 in Helsinki, Finland, by the African delegates to the XXX Congress of the International Union of Physiological Sciences (IUPS), the most important and prestigious international organization of this all important field in the medical science profession.

AAPS is a non-governmental, non-profit making organization that aims to unite the entire African scientific communities, especially those involved in active research into and/or teaching of human or animal physiology in Africa. The Association primary objective is to advance physiological sciences, bring it to cutting edge that has been left behind in global human scientific discoveries in the last 5 centuries. It is our earnest hope that through this, we will bring medical sciences practice in the African continent to the way it should be practiced in the 20th century and the 21st century!

AAPS held his first scientific congress in Nairobi, Kenya in 1992 with the participation of 800 scientists from 40 countries, nearly all from Africa.

Due to our active pursue of excellence, and our inclusive policy of welcoming all scientists of the world, especially those from the African continent, AAPS was admitted as a regional member by IUPS in 1993 and presently has over 2000 members from every country in Africa. We are very proud to say that this makes it the largest and probably most significant scientific association in Africa.

The second congress will be held in Durban, South Africa, September 21–24, 1997. It will be the honor of not only our large congress, but by extrapolation the entire scientific community of Africa if you, as the technological, educational and international relations champion in the United States Congress, could bestow us the honor of accepting our invitation to deliver the keynote address at this congress.

I have been informed by Professor K.J.R. Abaidoo, Director-General AFRET and Adviser to the Government of Lesotho on Health, that upon hearing the possibility of having you as the keynote speaker, the Vice President of the Republic of South Africa, the Honorable Thabo Mbeki, has agreed to serve as your host while you are in the country. They are also trying to arrange a meeting between you and your entourage to meet with His Excellency Nelson Mandela.

For your information, subsequent AAPS congresses will be held as follows:

2000—Nigeria.

2004—Sudan.

2008—South Africa.

2012—Tanzania.

The idea of setting up an African Regional Training Center for the Basic Medical Sciences (AFRET) was conceived at the AAPS meeting in Nairobi, as an attempt to address the major concerns for the African medical education system.

AFRET is a regional resource sharing facility established to support the basic medical science teaching needs of African medical schools. It's major objective is the training of suitably qualified Africans in the disciplines of anatomy, biochemistry, biostatistics, epidemiology, microbiology, pharmacology, and physiology.

It is a regional support program designed to strengthen the basic medical sciences and the quality of medical training, to meet current and projected basic medical science teaching needs of African medical schools.

The AFRET congress in Durban, September 19–21, 1997, will focus on how to effectively begin the activities of the center.

The Center will embark on the following activities:

1. Network teaching of basic medical science across the region to support the immediate teaching needs of all African medical schools.

2. Graduate academic programs (MSc/Ph.D) to be carried out in designated centers of excellence in the region.

3. Specially designed programs for short-term fellows and scholars.

4. Workshops and seminars.

5. Evaluation, research and development activities as they relate to basic medical sciences.

6. Consultation and technical support to African medical school.

7. Publication of learning resources and materials.

8. Maintenance of a resource library.

9. Promotion of staff development and in-service training.

Dear Honorable Curt Weldon, as medical practitioners, educators and scientists for Africa, our journey is a very long, and indeed very arduous one. Even so, the longest journey will always begin with a first step. We see AAPS and the AFRET initiative as steps aimed at propelling the continent forward in Health care delivery.

We hope that you, with your worldwide reputation as one of the most farsighted leaders of the most industrialized and humane nation of the world that you will allow your reputation and gesture to assist us in this exciting trip for Africa into the new millennium. This will also be consistent with your efforts to make available healthcare system from your region to the large number of citizens of the global village. We want to have a share in your vision, as we see it as the only way to forge ahead.

Sincerely,

KAYODE ADENIYI, Ph.D.,
Professor of Physiology,
University of Jos, Nigeria,
Secretary General, AAPS.

Ladybrand, South Africa, July 16, 1997.

Hon. Dr. CURT WELDON,
U.S. Congress,
Washington, DC.

YOUR EXCELLENCY, It would be an understatement to assert that your reputation as a champion of the Sciences, Technology, Education and International Relations have permeated every corner of the globe. Those of us, who have keenly followed your tremendous career and endeavours feel a certain definable closeness with you even though we are thousands of kilometers away from your immediate constituency. It is in these regards that we feel this extraordinary honour to be associated with you in this African endeavour, whose ultimate objective is to strengthen Medical Education and Health Care delivery in the African Region.

We would be greatly honoured if your Excellency would consider becoming the Patron of AFRET. Your association with this worthy continental cause would unquestionably be an invaluable boost in our efforts to stimulate African Heads of State to these enormous responsibilities that they are undoubtedly capable of.

His Excellency, Mr. Thabo Mbeki, Vice-President of the Republic of South Africa has been alerted of your participation in the AFRET and AAPS Congresses in Durban (September 19–25) and requested that he host your presence in the country. Arrangements are being made to ensure that you will also have the opportunity to meet the President, Mr. Nelson Mandela. Your vibrant voice in the cause of African health development will certainly echo throughout the continent and muster the kind of financial support needed to realise the noble aspirations of AFRET.

May I ask your Excellency to communicate with me in this regard at your convenience but timely enough for specific arrangements to be concluded.

Yours sincerely,

Prof. K.J.R. ABAIDOO,
Adviser on Health (Government of Lesotho),
Director-General, AFRET.

MEMORANDUM

To: Douglas D. Ritter, Chief of Staff, Congressman Curt Weldon.

From: Leonard M. Rosenfeld, Ph.D., Assistant Dean, College of Graduate Studies.

Date: 5 September 1997.

Re: Visit to African Regional Training Center, African Association for Physiological Science, Durban, South Africa.

The delegation of representatives of regional academic health centers which will accompany Congressman Weldon on his trip to South Africa includes:

Leonard M. Rosenfeld, Ph.D., Assistant Dean, College of Graduate Studies, Thomas Jefferson University.

Donald Silberberg, M.D., Associate Dean for International Affairs, Medical School, University of Pennsylvania.

Gerald J. Kelliher, Ph.D., Vice Provost for Education, Allegheny University for the Health Sciences.

Our backgrounds cover the range of basic medical science. I am a physiologist; Silberberg a neurobiologist; Kelliher a pharmacologist.

Not only was I to give the keynote speech about technology linkages to the American health care system, namely the HUBS project that we are working on, as well as all of the medical breakthroughs that we are involved in, telemedicine, distance learning, virtual surgery and so forth, but also, Mr. Speaker, I was there at the request of the two leaders of the African physiological societies to become the patron of what is called AFRET.

□ 2230

AFRET is a newly emerging technology linkage between the major health care teaching institutions in each of the major African nations. So in going to Africa on Saturday, prior to giving the keynote speech at the conference of the medical professionals of Africa, I sat down and in fact helped work out what is going to be a formal process that hopefully will get funded which will provide the first technology linkage between every one of the 92 teaching hospitals in every nation in Africa.

In addition, we will move to establish a linkage through the satellite systems, so we in fact can provide the same kind of capability being used in our medical centers to help the medical centers in Africa reach out to all of the people who in many cases are suffering under very severe limitations relative to their health care system.

In forming this initiative called AFRET, I took along with me, Mr. Speaker, on the trip three major regional leaders who are involved as cutting edge leaders in health care initiatives worldwide: the assistant dean of the College of Graduate Studies at Thomas Jefferson University, Dr. Leonard Rosenfeld; the associate dean for international affairs at the Medical School of the University of Pennsylvania, Dr. Donald Silberberg; and the vice provost for education at Allegheny University for the Health Sciences, Dr. Gerald Kelleher.

These three doctors, traveling with me to Africa, represent over 75 of the Nation's finest medical institutions, and involving themselves in the meetings that I chaired, they made solid commitments from their institutions to involve themselves in the development of this new AFRET system. In fact, all three of them have been named to the 21-member advisory council that would oversee the development of the AFRET system.

In fact, Mr. Speaker, in working with the African medical leadership in deciding who would be the 21 members of the council, we have tapped some of the finest health care leaders, not just in the U.S., and six of the council members will be from the States, not just three from the Philadelphia institutions, but also representatives of the University of Michigan, Oklahoma State University, and Duke University's health care systems, but also respected medical leaders from Finland, from Germany, from Sudan, Nigeria, Ghana, and from a number of other institutions throughout the African continent.

These 21 council members represent all of the regions of Africa, and are helping us to put into place both the bylaws and the working documents relative to this AFRET system.

We estimate the cost of bringing AFRET into reality is approximately

$600,000 over the first 3 years. That is a very modest amount of money when we talk about the benefits it will provide the people of Africa who are suffering so much in terms of a lack of proper medical care.

It will allow us to train their doctors, to help train their nurses, to do ''train the trainer'' sessions, to provide technical resources for every one of the 92 institutions that are involved in medical and health care education in each of the African nations. It will also allow us to send post-docs over to Africa to do their training, to provide capabilities through distance learning and telemedicine that the African health care community would not have access to.

In fact, the Chair of this council is the dean of the medical school in Zimbabwe. His name is Dr. Mufanda. He in fact is going to be leading this effort, which is largely under the control of the African health care system leaders.

Mr. Speaker, I am excited about this opportunity because it provides several opportunities for us. Obviously, it is helping Africa to empower its own health care system to meet the needs of its citizens, which are largely going unmet, into the 21st century, and to help accomplish that we are establishing a network of parliamentarians and ministerial leaders from each of the African nations to work with us to provide the solid support for this AFRET network. We are also networking with all of the professional medical societies in Africa to get their support.

In addition, we are identifying as we speak the major American contractors, the pharmaceutical companies who are today doing business in Africa so they can help us establish this system and this network.

The benefit to America is also significant. Not only will we be doing significant amounts of work to assist the African people to improve the quality of their health care and their health care education, but Mr. Speaker, we will also be opening new doors and new opportunities for the American health care system. Many of our institutions have been suffering dramatically because of the cutbacks in State and Federal funding. Many of them are having to close their doors. In speaking to many of these leaders, I have told them they have to find ways to grow their markets. The way to grow the market for the American health care system is to provide health care consultation and services not just to people in America, but to people around the world. This outreach effort to Africa is an example of how we can do that in a cooperative way.

Mr. Speaker, I am excited about what occurred this past weekend. The prospects I think are outstanding. We also met with the government leadership of Pretoria, in fact proposing to them that Pretoria and Johannesburg, which are already looking at high-speed high-capable telecommunications, that they become the network location where we can have a downlink capability that would ultimately reach all 92 medical institutions throughout Africa, and eventually become the high-capability technology center for the continent of Africa and for South Africa itself.

Mr. Speaker, I would ask our colleagues to become briefed on this initiative, to lend their support to this very worthwhile effort, so we can benefit both the people of the African continent and the individual nations in Africa, but also benefit our health care systems that are looking to establish new linkages around the world.

Mr. Speaker, the second issue that I want to talk about this evening is one that I have addressed many times on the floor of this body, and one which I think is certainly troubling to me as an elected official and as someone who works on issues involving the former Soviet States. This issue has to deal with two major news stories that have dominated the national media for the past several weeks, and which have raised very troubling concerns among both Members of Congress and the administration and peace-loving people around the world.

First of all, Mr. Speaker, significantly spread throughout the news of this country in our cities and even over in foreign countries, especially in Israel, has been the information that has linked Iran's missile technology development program with Russia. In fact, there have been reports that have been widely reported that the Russians have been actively working directly with Iran to help them develop a modification of their SS4 missile.

Why this is so significant, Mr. Speaker, is the fact that if in fact Iran develops this capability, which we have every reason to believe they are doing right now, within the next 2 to 3 years Iran would then have the capability of a medium-range missile, a medium-range sophisticated missile unlike the Scuds that Iraq used in Desert Storm, that would be capable of hitting any part of Israel, any part of the Middle East; in fact, any part of a 1,200 mile radius around Iran. This would be a missile that would be capable of carrying a chemical, a biological, a conventional weapon, or a nuclear weapon.

In addition to those nations, many of whom are our allies and friends, it would also be capable of being pinpointed onto American troops who are today involved in various operations in those nations within the range of the Iranian missiles.

What is so troubling, Mr. Speaker, is the fact that Iran has not developed this capability on their own. In fact, the evidence is that Iran has developed this capability with the strong, direct cooperation of Russia.

In addition to providing the direct cooperation of Russia, we have evidence, in fact, Mr. Speaker, that we are now trying to investigate thoroughly, in fact, I was at a closed CIA briefing today on this, that would in fact perhaps confirm what has been alleged in the American media, that Israeli intelligence is actually seeing documents that prove that actual agreements have been signed between the Russian space agency and the Iranian agency building the medium-range missiles.

Why is that so significant and important to us? It is important to us because we are the country pouring significant amounts of dollars into the Mir Space Station program which is overseen by the Russian space agency, meaning American tax dollars are going into the Mir space program, overseen by the agency that is also involved in contractual relationships with Iranian firms building medium-range missiles.

The problem with that is, Mr. Speaker, in effect, American taxpayers may in fact be subsidizing illegal treaty violation actions involving Russia with Iran. That is totally unacceptable.

In fact, Mr. Speaker, at last week's hearing in the Committee on Science I raised the issue publicly that in 1993 the administration witness before our committee, in discussing our involvement in the Mir program, said on the record that what would guide our involvement in the Mir program would be Russia's adherence to the Missile Technology Control Regime, better known as the MTCR.

So here we have the administration testifying in 1993 that we will cooperate with Russia in this joint project, but only if Russia complies with the Missile Technology Control Regime. In fact, Mr. Speaker, the facts are that since 1993 Russia has violated the MTCR seven times. Seven specific times transfers of technology that are covered by that treaty have left Russia, and those violations have not in fact been called by this administration. No sanctions have been imposed, no actions have been taken, as are required by that treaty. My point is, Mr. Speaker, what good is a treaty if we are not going to enforce it?

So here we have Iranian-Russian cooperation on the SS4 program. That has received a lot of attention. In fact, the people in Israel, and Binyamin Netanyahu himself has spoken on this issue repeatedly, are extremely concerned because of what this new dilemma presents to the people of Israel and the people around Iran who in fact could be hit by these missiles.

The second news story, Mr. Speaker, that has received a lot of attention, in fact, that was the subject of a ''60 Minutes'' story 2 weeks ago, was the issue of a conversation that I had with General Lebed in Moscow in May of this year.

Mr. Speaker, I met with General Lebed twice this year. The first time was in January in Washington for 2 hours. The second time was in Moscow in the office of his campaign organization, again for 2 hours, at the end of May.

On that trip, Mr. Speaker, I had six of our colleagues. We were meeting

with General Lebed without the media, without any reporters in, a very low-key, informal way to get his assessment on the ability of Russia to control its nuclear stockpile, and to also give us his insights as to whether or not there was in fact any problem with the control of Russia's strategic materials, and what the status of Russia's military in fact is at this point in time.

As we all know, General Lebed is one of the most respected generals who has served in the Soviet military. He was a command officer, actually, in helping to solve the Chechen uprising, and who in fact was Boris Yeltsin's point person on defense for a period of time.

In meeting with General Lebed, he went through a number of issues with us, giving us his feelings about the level of control of Russia over their nuclear arms, their nuclear devices, as well as the status of the conventional and strategic military forces.

All of what General Lebed discussed with us I wrote up into our trip report, which became public record about a month after the trip ended, and which was picked up by the producer of ''60 Minutes.'' In August I was called by the producer of ''60 Minutes'' and asked if I would repeat what General Lebed told me in that interview that we had in May.

The subject of the ''60 Minutes'' piece then became the fact that General Lebed said that one of his responsibilities as Boris Yeltsin's chief defense policy analyst and adviser was to account for 132 suitcase-sized nuclear devices, nuclear bombs, that were built by the Soviet Union to be used in the case of an attack on that country, or to be used to bomb cities or to cause terrorism in areas where the Soviet Union felt they had to take action because they were being threatened, or because something was perhaps leading to an armed conflict.

General Lebed said his responsibility was to account for these devices, and in fact, of the 132, he could only account for 48. Mr. Speaker, that is a very troubling statement. That is not the only troubling statement that General Lebed gave to us, but it certainly is a troubling one. In fact, he was saying that the Soviet Union built 132 suitcase-sized nuclear bombs, each with a capability of one kiloton, and yet could only account for 48. He had no idea where the others are, as he said to us when we asked him that question.

What is the capability of one of these suitcase devices? By the way, we have very complete descriptions of them which appeared in the Russian media in an article in 1995 describing these nuclear suitcases in great detail. A tactical nuclear weapon with a yield of 1 kiloton, which is equivalent to 2.2 million pounds of TNT, could kill as effectively as seven artillery battalions. One suitcase-sized bomb automatically being able to discharge itself through the mechanism that is in the bomb itself, activated by two individuals who knew how to operate the device, could in fact provide the same effectiveness as seven artillery battalions.

□ 2245

It could destroy a major portion of one of our cities in this country. It could kill tens if not hundreds of thousands of people wherever in fact it was activated.

Now, do we know that Russia in fact or the Soviet Union in fact built these devices? Absolutely, without question. Do we know and do we have the assurance that the current leadership of Russia knows where they are? We do not. We do not have the assurance to know that Russia in fact has a full accounting for these nuclear devices.

General Lebed has said to me and he has said publicly in ''60 Minutes'' that he thinks that Russia does not have control of these devices. Now, as we expected, the immediate response from the Russian Government and from President Yeltsin and from Chernomyrdin and the other leaders in Russia and the military command operation was, ''That is not true. General Lebed does not know what he is talking about. He never had the ability to know where these nuclear devices would be located. He never would in fact have been able to find out whether or not Russia had these under control. Therefore, he is not an authority to be able to speak on these devices.''

Mr. Speaker, after going through a significant amount of briefings by our intelligence communities, after having talked to a number of people who are aware of this issue, I say that I am not convinced. In fact, Mr. Speaker, I can assure our colleagues tonight that we are not confident that Russia has control of these nuclear devices, nor are we sure that Russia has control of its strategic arsenal. And I will get into some of these items in a moment.

In fact, Mr. Speaker, since the article and the ''60 Minutes'' piece and other articles ran on the subject of the nuclear suitcases, another prominent Russian, Alexei Yablokov, who is one of the most outspoken Russian leaders in Moscow today, who himself was on Boris Yeltsin's staff, who was a key environmental advisor to Boris Yeltsin, who has been very critical of the Ministry of Atomic Energy, wrote an article in one of the leading Russian journals just last week where he in fact said that he thinks General Lebed was correct, that in fact Russia produced these devices.

Mr. Yablokov, who I know personally, who I had testified before my committee 2 years ago here in Washington on the issue of Russian nuclear waste and how we could assist Russia in that problem, Mr. Yablokov has said also that these devices were also under the control of what used to be the KGB, the Russian security forces.

So we have General Lebed and now Mr. Yablokov and others saying publicly that Russia built these devices and, in fact, they as Russians do not believe that the command and control situation in Russia is such that Russia's leadership know where they are and have full control of all the ones that were built.

Now that is extremely troubling, Mr. Speaker. Because if that is the case, that means the black market has been or could be right now and have been looking for the ability to buy one of these devices, pay the right price, and use it for a terrorist act.

Now these are the two major stories that have been dominating our news relative to our concerns with Russia over the past several weeks. Now, all of a sudden, Mr. Speaker, the administration has said they are shocked. The President says he is shocked that Russia would be cooperating with Iran on developing the SS–4 medium-range missile.

The administration has said it is concerned that Russia may, in fact, have suitcase size nuclear devices that they may not know where they are; even they said that they believe that Russia knows where they are. They cannot verify that, but they believe it.

My point today, Mr. Speaker, is, why is the administration shocked? Why are they shocked, when for the past 4 or 5 years we have repeatedly on this floor, in the House Committee on National Security and in every possible opportunity cited example after example of where this administration has ignored violations of arms control agreements, ignored them, where we know the Russians and the Chinese and other countries have in fact violated the missile technology control regime, have violated other arms control agreements, and we have not followed up action to go deal with that.

Why, then, is this administration shocked? In fact, my feeling is, Mr. Speaker, that the administration is the reason why we have the growing problem today of the lack of security as to where Russia's nuclear devices and strategic arms are. The administration's lack of strong and solid and consistent enforcement of arms control agreements, which they maintain are the basis of our bilateral relationship, is the very reason why Russia today is transferring technology, seeing nuclear devices being sold or attempted to be sold, missile material being stolen, attempts to buy long-range rockets, and in fact seeing Russia in a state today that could in fact pose a threat for peace-loving people everywhere.

I want to get into some of the specific examples that would lead me to believe that this administration should not have to wonder why and should not act surprised that Russia has been working with Iran, that in fact loose nuclear suitcases in fact could be out there. Let us talk about arms control violations.

Mr. Speaker, December 1995, front page story in the Washington Post. The front page story in the Washington Post in December 1995, the headlines screamed, ''Jordanian and Israeli intelligence intercepts accelerometers and gyroscopes going from Russia to Iraq.''

I was in Moscow in January 1996. I met with Ambassador Pickering, who was our ambassador at that time, at his office at the embassy; and I said, ''Mr. Ambassador, what was the reaction of Russia when you asked them about the Washington Post story about the accelerometers and gyroscopes that the Israeli and Jordanian intelligence people found going from Russia to Iraq?'' Ambassador Pickering said, ''Congressman, I have not asked them yet.'' I said, ''Mr. Ambassador, why haven't you asked them? Accelerometers and gyroscopes are very sophisticated, very expensive devices that are small that provide the guidance systems for long-range missiles. So that if Iran or Iraq could in fact develop a medium- to long-range missile, having Russian guidance systems would allow those missiles to be very accurate. So I would think it would be logical that we would ask Russia why were these devices going from your country to Iraq when that is a violation of the missile technology control regime? You are not allowed to transfer those types of devices. They are covered by the treaty.'' Ambassador Pickering said, ''That has got to come from Washington.''

So I came back to Washington, Mr. Speaker. On January 30, I wrote this letter to the President.

I include the letter for the RECORD, Mr. Speaker.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 30, 1996.

President WILLIAM CLINTON,
The White House, Washington, DC.

DEAR MR. PRESIDENT: I am writing to express my concern about the recent attempted shipment of Russia missile components to Iraq. While this shipment, which included gyroscopes and accelerometers designed for use in long-range missiles, was intercepted in Jordan, it raises serious questions about the Russian government's willingness or ability to halt proliferation.

Reports of this shipment, in contravention of the Missile Technology Control Reime (MTCR), surfaced publicly in December, several months after Russia was admitted as a full member of the MTCR regime. Whether the Russian government sanctioned the shipment or not, the events which transpired underscore the fact that Russia is at best unable or at worst unwilling to fulfill its MTCR obligations.

Recently, I travelled to Russia and met with members of the Duma, defense advisors to President Yeltsin and officials of Rosvooruzheniye, the main Russian state arms export company. Russian government officials with whom I raised the issue denied all knowledge of this highly reported incident. Rosvooruzheniye officials were aware of the attempted transfer, but denied any involvement. I also met with Ambassador Pickering, who indicated that the United States neither sought nor received any information or explanation from the Russian government about the attempted transfer.

This recent incident is not the first time that Russia has transferred missile technology to non-MTCR states. In 1993, Russia sold an associated production technology for cryogenic rocket engines to India. Recently, Russia transferred missile components to Brazil. To this very day, Russian continues to aggressively market a variant of its SS–25 missile under the guise of a ''space launch vehicle.''

If nonproliferation agreements are to have any meaning, they must be aggressively enforced through careful monitoring and the application of sanctions for violations. I believe that the Russian shipment of missile components deserves a forceful response from the United States, and I am deeply troubled by the U.S. government's apparent inaction in this regard. I would appreciate answers to the following questions in that regard:

1. Has the United States demanded from the Russian government a detailed explanation of the attempted shipment of gyroscopes and accelerometers to Iraq? If so, when did this occur and through what channels? If not, why not?

2. Has the Russian government responded, and what was the substance of the response? Does the Administration find it credible?

3. Do you believe that this shipment occurred with or without the knowledge of the Russian government, and what does your answer imply about Russia's willingness or ability to advance the U.S. nonproliferation agenda?

4. Why have sanctions not been imposed on Russia as a result of this attempted transfer of MTCR-prohibited missile components? What does the failure to impose sanctions, as required by U.S. law, say about the Administration's commitment to ensure the viability of the MTCR regime? Why wouldn't this set a dangerous precedent for other that might seek to circumvent or violate MTCR guidelines?

5. Russia's ascension to the MTCR regime as a full member imposes certain obligations on it that this incident demonstrates Russia is unwilling or unable to fulfill. What does the Administration intend to do to ensure full Russian compliance with its MTCR obligations in the future? Without acting firmly now in response to the attempted component transfer to Iraq, why should Russia believe that similar transfers will carry severe consequences in the future?

6. Please provide the dates and topic considered by the Missile Trade Analysis Group since the Russian shipment was reported.

7. Please list and describe all instances which raised U.S. concerns regarding compliance with the MTCR, all instances since 1987 in which the U.S. government considered imposing sanctions on a ''foreign government or entity,'' whether sanctions were in fact imposed and against whom; how long those sanctions remained in effect, and the reason why there were lifted.

Thank you for responding to these serious issues.

Sincerely,

CURT WELDON,
Member of Congress.

The letter asked President Clinton ''What is the story, Mr. President? What are we going to do about the accelerometers and gyroscopes going to Iraq.''

Well, the President finally answered me on April 3.

Mr. Speaker, I include the President's letter for the RECORD, his answer to me.

THE WHITE HOUSE,
Washington, DC, April 3, 1996.

Hon. CURT WELDON,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE WELDON: Thank you for your letter regarding the recent interdiction of Russian missile guidance components destined for Iraq.

Gaining Russian restraint on missile sales is a major objective of this Administration. As you know, in September 1993 we concluded a Memorandum of Understanding with Russia on the control of missile equipment and technology. We also successfully worked with Russia to meet the requirements for Russian membership in the 28-nation Missile Technology Control Regime.

I agree with you that for our nonproliferation agreements to have meaning, they must be fully enforced. For this reason, we have made clear to the Russian Government our deep concern about the shipment of missile guidance components interdicted in Jordan on its way to Iraq. We fully expect Russian authorities to investigate this case and provide us the details of their investigation as well as take steps to preclude similar incidents in the future.

As this case points out, Russia needs to continue to strengthen its new export control system. That is why, with the support of Congress, we are providing export control assistance to the Russian Government. I believe that our continued engagement with Russia on export control issues is the key to long-term improvement on their part.

I appreciate hearing your views on this important issue.

Sincerely,

BILL CLINTON.

Mr. Speaker, the President's response was, basically, Congressman, thank you for your interest. We are as concerned as you are about these accelerometers and gyroscopes. But Russia has not yet had time to fully investigate this situation. We will not take any action until we are sure that we know what happened here. But we guarantee you we will follow through.

That was in April, Mr. Speaker. Here we are, a year and a half later, and we have not taken any action under the requirements of the MTCR. We did not impose any sanctions. And, in fact, there has been little talk about the accelerometers and gyroscopes up until the news media started focusing on the Iran SS–4 cooperation.

Last Thursday, in the Committee on Science, I held up in the committee a Russian accelerometer and a Russian gyroscope. In fact, we have, Mr. Speaker, 180 of these devices. These were not transferred once. We know of at least three times that someone in Russia transferred the most sophisticated guidance systems available today that were taken from an SS–18 missile, which were the missiles in the Russian submarines that were aimed at American cities, clipped those devices in perfectly good condition, and shipped them to Iraq.

We intercepted one shipment with the help of the Jordanians and Israelis. The other devices were found in the Tigris River Basin where Iraq threw them because they knew we know they had them. We know of at least three times this technology transfer occurred, and we suspect there were more.

All of a sudden, the administration is concerned that Russia may be cooperating with Iran on the SS–4 technology? Where was there concern 2 years ago, Mr. Speaker, when I raised the issue in Moscow and with the President on the accelerometer and the gyroscope transfer?

Let us go beyond that, Mr. Speaker. Let us, for the record, put into the

RECORD seven specific violations of the missile technology control regime. Let us talk about the shipment of North Korea Scud launchers from Russia to Syria. That was in August 1993. What was the action on the MTCR as a violation? None, no action taken.

What about the sale to China of mobile multiple warhead high accuracy solid and liquid missile technology to modernize its strategic rocket forces? That was also in 1993. It is a violation of the MTCR. What was the response? Nothing, nada, no sanctions.

What about the Russian rocket builder who says it is still lending India space launch integration technology, that is in 1994, despite the MTCR and Russia's July 1993 pledge not to give India missile production assistance? No response, Mr. Speaker. No sanctions.

What about the Washington Post reporting in June of 1995 that Russia was helping Brazil build a large rocket? Violation of the MTCR. You cannot do that. No response. No sanction.

How about the shipping of the guidance sets to Iraq, as I just explained, which Jordan and Israel intercepted in November 1995 reported in the Washington Post in December 1995. No sanction, Mr. Speaker.

And now we have the sale of a 1,250-mile-range missile production technology to Iran in 1996 and 1997. Again no response accept a lot of hyperbole and the comment that the vice president just concluded serious meetings with Chernomyrdin, but no sanctions.

What about the sale to Armenia of 8 Scud-B missile launchers with 22 to 32 missiles through late 1996.

Mr. Speaker, I enter these violations into the RECORD.

RECKLESS RUSSIAN ROCKET EXPORTS

Russian missile misdeed	Administration assessment	White House action taken to enforce U.S. missile technology sanctions law
Air ships North Korean Scud launchers to Syria (8/93)	Tel erector launcher units may have been mistaken by Russians to be trucks	None.
Sells China mobile, multiple-war-head, high-accuracy solid and liquid missile technology to modernize its aging strategic rocket forces (1993).	Russia made these transfers as an MICR adherent and so is legally exempt from US sanctions. Acting against Bejing would jeopardize U.S.-China relations.	None.
Russian rocket builder says it's still lending India space launch integration tech (6/94) despite MTCR & Russia's 7/93 pledge not to give India missile production assistance.	Shown evidence of Russia's continued missile assistance to India and warned it could jeopardize $100s of millions in U.S.-Russian space cooperation, White House tells House Space Committee Chairman (9/94) CIA will look into the matter.	None.
Washington Post reports Russia has been helping Brazil build a large rocket (6/8/95)	Waived U.S. missile sanctions against Brazil and Russia (citing US national security interest), admitted both into the MICR because of their creation of a ''sound'' systems of nonproliferation export controls.	None.
Ships intercontinental-range ballistic missile guidance sets to Iraq. Jordan interdicts shipment (11/95).	Shipment of gyroscopes was an ''aberrational'' action. Russia efforts to find who was responsible are inconclusive.	None.
Sells Iran 1,250-mile range missile production technology (96–97)	Administration official is quoted in Los Angeles Times explaining that the transfer may have been 'beyond the control of the government' (2/12/97).	None.
Sells Armenia 8 Scud-B missile launchers with 24-32 missiles (through late 1996)	Administration officials claim that there may have been no ''transfer'' since the Scud systems were in Armenia under Soviet control prior to the sale. Russian officials claim that they were only able to confirm these sales recently.	None.

Mr. Speaker, the point is simple: The administration should not show its shock. The administration should not say they do not understand what is going on. The reason why technology is leaving Russia is because this administration has not enforced our arms control agreements. We have put our head in the sand. How can we have a bilateral relationship based on arms control agreements if we are not going to enforce them?

It is not a case of embarrassing Boris Yeltsin. As I have said on this floor perhaps 50 times, I want Yeltsin to succeed. I spent as much time in dealing with Russia as any Member of this institution. I chair the new Dumas-Congress Study Group, which I formed with the Speaker of our Congress, the gentleman from Georgia [Mr. GINGRICH] and the gentleman from Missouri [Mr. GEPHARDT] coordinating with us, with the deputy speaker of the Russian parliament, Mr. Shokin. I chair that.

I formed the FSU American Energy Caucus six years ago to work on helping Russia develop its energy resources, and I still stay involved with that, bringing billions of dollars into Russia for their economy. I work on the environmental issues with Russia through programs called GLOBE and ACOPS on ocean protection. I have fought for and put funding into the defense bill to help Russia clean up its nuclear waste, to help Russia with its environmental problems relative to both nuclear and non-nuclear sources of pollutants.

I was in Russia twice this year proposing with CHARLES TAYLOR a new initiative to create a housing incentive program modeled after our Freddie Mac and Fannie Mae to help middle-income Russians own their own homes. I support the cooperative threat reduction program. I support the cooperative space station program through Mir. Every possible opportunity, Mr. Speaker, I have been there.

But Mr. Speaker, we cannot in fact cooperate with Russia and want them to succeed and then expect to put our heads in the sand when they have violations occurring in front of us and think that Russia will respect us. Russian people and Russian leaders respect strength and they respect consistency. And we have given them neither.

When the violations occur, we turn our backs. We say we do not have enough information or we say that Russia has excused itself and said they are sorry, it will not happen again. Imagine the signal we send to rogues and Mafia types in Russia today who see seven straight times where they are caught transferring technology and America does nothing.

What kind of signal is that sending, Mr. Speaker? It is sending a signal to Russia that we are just not going to call them on these violations. We have done the wrong thing. This administration should not be surprised at the technology cooperation with Iran.

□ 2300

They should not be surprised that Russia cannot guarantee us control of their nuclear assets.

There is a second reason why the administration, I think, has failed in this area, Mr. Speaker. That is the fact that this administration and this President has used the bully pulpit to create the impression in America that Russia is no longer a threat.

I am not one of those who wants to re-create the Cold War. I do not think Russia is the evil empire. In fact I hope Boris Yeltsin and I work to see Boris Yeltsin succeed. But let me repeat the quote that President Clinton has used 140 times across this country over the past 4 years. In fact, Mr. Speaker, he used it three times standing in this room at the podium behind me. He looked the American people in the eye through the camera in front of me, the same camera I am looking at. Mr. Speaker, this is what he said: ''America can sleep well tonight, because for the first time in 50 years, there are no long-range Russian ICBMs pointed at America's children.''

One hundred forty times the President has used that same phrase in his speeches. For those who want to see, in past months I have placed all 140 times in the CONGRESSIONAL RECORD. He said it three times in State of the Union speeches. He said it on college campuses, international groups and national groups. He said it in Washington State, in California, in Texas, in Pennsylvania, in Florida, in Ohio and in Maine, in Illinois and in Indiana. And he said it even after last year on the defense bill, we asked the President to certify that to us. The Defense Department wrote back to us and said, we cannot certify that because Russia will not allow us to have access to their targeting practices, just as we will not allow them to have access to ours.

Furthermore, Mr. Speaker, even if we could verify that statement, you can retarget an offensive ICBM in under 30 seconds. But here we have a President going around the country, 140 times saying, ''Sleep well tonight, America, there are no longer missiles pointed at you. You're safe.''

So many of our colleagues who believe what the Commander in Chief

says, he should know, he is the Commander in Chief, and the American people then become complacent and think Russia is not a problem. We have solved that problem. The Cold War is over.

Mr. Speaker, as I said a few moments ago, I do not believe Russia is an evil empire, but I could make the case very easily that Russia is more destabilized today than it has been at any time in the last 50 years. In fact, there is more of a chance of an accidental launch today from a Russian ICBM than at any time during the Cold War. Let me back that up with some examples.

January 1995. The Norwegians are going to launch a weather rocket to sample the upper atmosphere for weather conditions. As is normally done, Norway notified Russia, ''Be prepared between a certain period of time, we're going to launch a weather rocket. Don't think anything of it. It is just to sample the weather.''

The day came. Norway launched the rocket. Because Russia is so paranoid about the status of their conventional military, their radar picked up that rocket launch, their system went into play, their nuclear response capability was activated, and Russia came within 10 minutes of activating an all-out response to a weather rocket from Norway. Boris Yeltsin has publicly said on the record that the black box that he controls with what are called the chegets that control the activation of a response or an attack were activated, which meant that for a period of minutes, Boris Yeltsin, General Kalashnikov, the commander of the general staff, and the defense minister, Pavel Grachev, the three of them had the ability to launch a response because they were mistaken initially and thought that that Norwegian rocket going up for weather sampling was an attack by the U.S. or some other Nation. Within 10 minutes of an all-out nuclear response.

The President though says, ''Don't worry. There's no more missiles pointed at America's kids.'' The fact is, Mr. Speaker, the situation in Russia today is unstable. The situation in Russia today is, in fact, troubling. We do not need to paint Russia into a corner, but we do not need to mislead the American people or the Russian people as well.

Major problems with the troops, Mr. Speaker. Let me cite from a book that is going to come out tomorrow that I am going to mention in a moment about the status of the Russian military.

> Forty-three percent of the draftees are found to be suffering from some form of mental illness. At a desolate far eastern military base at Komsomolsk-na-Amure, not far from where another Russian military leader died from hunger, two soldiers recently blew themselves up while trying to extract precious metals from the warhead of an air defense missile they had stolen from the ammunition dump. Others take the easy way out. Currently half the noncombat deaths in the military are due to suicide.

These comments are taken from a book coming out tomorrow called One Point Safe that documents in detail every issue I have raised on this floor for the past 4 and 5 years about the problems of lack of control, and the lack of adequate monitoring of Russia's strategic and nuclear materials and arsenal.

Mr. Speaker, it is not the right thing to tell the American people that there is no reason to worry. That is just as wrong as a conservative Republican standing up on the floor and recreating the evil empire. They are both extremes. The problem, Mr. Speaker, is one of those two people happens to be the President of the United States, who now expresses shock that we would find that Russia is cooperating with Iran on the SS–4 missile program; expresses concern that Russia may have nuclear suitcases that they cannot account for.

What else am I concerned about, Mr. Speaker, besides the violations of the missile control regimes and the bully pulpit creating a wrong impression in this country? I am concerned about deliberate distortions of intelligence data. Three years ago I had a senior American intelligence officer come into my office, ask to meet with me, I had never met the man before. He said: Congressman WELDON, I want to talk to you. I have been a career intelligence officer in the service of this country for, I think, 18 years. He showed me the highest award that you can get in the Intelligence Community that he had received from our government. He said, I have to tell you a story. I am coming to you because you work issues involving Russia, and because you are concerned about the proliferation of missiles, and because you work the issue of missile defense technology.

He said, my job at the intelligence agency for the Department of Energy has been to run a program called Russian fission. The Russian fission program, which was highly classified, was designed to monitor the ability for Russia to control fissile material in their nuclear stockpile. This individual, whose name is Jay Stewart, and I can say it publicly because this book now documents this story, this individual ran the Russian fission program.

This individual was asked to go over and brief the head of NATO, Manfred Worner, on the troubling conclusions he was coming to 3 and 4 years ago about the lack of control of Russia's nuclear stockpile. Manfred Worner cabled back in a secret cable to the State Department saying this briefing should be given to every country in NATO.

What did the administration do? The administration, through the Department of Energy, deliberately took apart the Russian fission program. They took Jay Stewart's job away. They eliminated the Russian fission program. In fact, Mr. Speaker, there was a briefing that was held on the status of the ability of Russia to control its nuclear stockpile 3 years ago. All of the documentation, all the film footage of that briefing was shredded.

This book, Mr. Speaker, documents the entire story. This book will be out tomorrow. I am not the author. I am not involved in any part of the marketing of it, except I have over the past 2 years helped these two writers identify the proper people to talk to to see whether or not they could verify the facts that were given to me.

I had our committee do a preliminary investigation of Jay Stewart's allegations, and they came back and said, well, DOE has circled the wagons, and under Hazel O'Leary's leadership they have all got their same story down, that Jay Stewart really was not removed for that reason, and it is really not true.

In our investigation, we found at least two other individuals who verified everything Jay Stewart said. Neither of them work for the Department of Energy. They were at labs, our energy labs in other parts of the country. One of those individuals, Jessica Stern, is in this book. She corroborates also what Jay Stewart said.

So now we have a third dimension, Mr. Speaker. We have a deliberate effort on the part of certain people in this administration to distort intelligence data that would allow this country to understand more about what was happening in Russia in regard to controlling their nuclear materials. And what was the administration's response? It was to destroy the data, rip up the records, shred the documents, shred the film footage and deny there is a problem.

Nothing could be worse for the security of this country, Mr. Speaker. In my opinion, our investigation coupled with what is in this book requires a congressional investigation that is not politicized; that, in fact, gets to the heart of what this administration now rails about, their concern and surprise and their shock at the fact that Russia would be cooperating with Iran on developing the SS–4. Forget the accelerometers and gyroscopes going to Iraq, forget the instability of nuclear devices as outlined by General Lebed. Forget about the problems associated with the Norwegian rocket launch. Forget about the morale problems in the military. Forget about all the other violations of the MTCR, but all of a sudden we are shocked.

I am not shocked, Mr. Speaker. And I am not here to stand here and blame the leadership of the Russian Government. I am here to say the reason why these things are occurring is because this administration has a policy that does not make sense. This administration does not have the backbone to enforce arms control agreements that it maintains are the basis of our bilateral relationship. This administration does not want us to put into play systems to defend our people and our troops even when we have technology being transferred that threatens our troops. And now all of a sudden they are shocked.

Here we are still cooperating and putting money into the Mir program when the agency in Russia running the Mir program has signed contracts with the same Iranian agency developing components of their medium-range missile.

Something is wrong, Mr. Speaker, and something is terribly wrong in terms of our lack of enforcement and our lack of dealing honestly with this problem that faces this Nation and people around the world who are concerned about nuclear material, who are concerned about technology that could be used against our troops, our allies and our people, and we just cannot brush it aside and say that all of a sudden we are concerned and we are going to do something about it.

With the most recent revelation about the Iranian cooperation, the President called back to work the retired U.S. Ambassador to India, Ambassador Wisner. Ambassador Wisner's assignment was to go to Moscow and to meet with the individual who runs the Russian space agency, Koptev.

Ambassador Wisner asked to brief me last week before he went to Moscow. He came in and we chatted for an hour. He said, Congressman, I assure you I am going to go over to Russia, meet with Koptev and tell him this is not acceptable.

Mr. Speaker, I am glad the Ambassador is doing that, and I am happy the administration is responding, but I think it is a little bit too late. I think that the policy of not enforcing agreements and not being consistent has now caused a feeling in Russia, especially with the problems of the Mafia being involved in a lot of the operations there, as General Lebed said. Former senior Russian commanders, General Lebed told us that the most capable generals and admirals in the Soviet Navy had been forced out of the military, and when they were forced out, they were not given housing to live in. Many of them have not even been paid their pensions. These are Russia's most capable military leaders. And General Lebed, who himself was one of those leaders, when asked what are they doing today, they are involved in rogue operations. They are selling the very equipment that they were responsible for maintaining and controlling as military leaders.

Do we know that to be true? Absolutely. In fact, we know, and it is in the record, and it is in this book that we now have evidence that a $1 billion sale of Russian military equipment took place that the Kremlin did not even know about. $1 billion of Russian military hardware, not nuclear, military hardware was being sold by a Russian official without the Kremlin even aware that the sale was taking place. And all of a sudden we are surprised?

Mr. Speaker, I rise tonight because of my concern at this administration not listening to what we have said for the past 5 years. We are not about backing Russia into a corner. We are about helping Russia stabilize itself. But the policy of this administration has not worked. Now the President, as he has recently done in Helsinki, wants to reinforce the ABM treaty, a treaty based on mutually assured destruction, a treaty that was designed for the 1960s and 1970s when you had two superpowers, each with long-range missiles, the Soviet Union and America, that no longer is relevant today because mutually assured deterrence does not work when you have China and North Korea and India and Pakistan and Iran and Iraq developing long-range missile capabilities. They are not signatories to the ABM treaty, but this administration, instead of reflecting a new attitude toward Russia, considering what is happening in China and North Korea and Iraq and Iran, wants to reinforce the ABM treaty.

□ 2315

The administration, Mr. Speaker, continues to go down the wrong path and I pledge, Mr. Speaker, that as long as I am in this body I am going to call it the way I see it. I am going to be vocal on these concerns that I have expressed, and I am going to continue to pursue this administration, I am going to work with it in helping to build a strong Russia, as I have been, I am going to support it when it asks for money to help in the case, but not unless we get more cooperation in sending a signal to Russia that they got to be more open with us.

One other issue, Mr. Speaker. We found out that Russia for the past 18 years has been working on a project in the Ural Mountains. This project is in a mountain called Yamantau. The project has basically been mining, an operation that has built a facility down inside of this mountain the size of the city of Washington, D.C. Our experts estimated it could withstand a direct nuclear hit. We do not know what it is for. We have asked the Russians; they have not given any response except in 1991 the general who runs the project, General Zyuganov, said it was a project for ore mining. In 1992 he said it was a facility to store food and shelter. In 1993 and 1994 the intelligence officer for that region said it was a state secret and they had no responsibility to tell us what it was.

If we are going to rely on trust and if we are going to follow this administration's stated policy of building trust based on agreements, then we need to know what happens in Yamantau Mountain. When the Russian military cannot be paid their pensions, when they cannot be given housing, how can Russia continue to spend billions of dollars on a mountain in the middle of the Urals with a city of 65,000 people that is closed, working on this project day in and day out. We know it is there, our aerial surveillance has seen shots of what is going on, and yet Russia will not talk about it.

I raised this issue in May with the Minister of Atomic Energy, Mikhaylov, the Minister of Natural Resources, Orlov, and the Deputy Minister of Defense Kakoshin and the No. 2 general in the command, Staff General Manilow, and I told each of them, ''If you want me to continue to work Russian American issues, I need to know something about Yamantau Mountain.''

Each of them said, ''We know of this project, but we cannot talk about it. You have to go to President Yeltsin.'' I asked them to assist me. I wrote a 3-page letter in Russian to President Yeltsin in July, and I have yet to receive a response. President Clinton supposedly raised the Yamantau Mountain issue with Yeltsin a year ago at an international summit, and to this day we have no new information on Yamantau Mountain.

Mr. Speaker, our relationship with Russia is a very simple one. Yes, we need to help stabilize them, yes, we need to work together with them aggressively, but most important, we need Russia to understand that we are here to work with them to make sure they have control of the strategic weapons, their nuclear technology and that when they allow or deliberately violate arms control agreements, they have to pay the price.

And so I say, Mr. Speaker, as we discuss these issues it is critical for this Nation to understand what has been going on, and I also want to encourage each of our colleagues to read this book, the most recent Steven Spielberg movie, ''Peacemaker,'' the fictional movie is partially based on this book which is factual. This book in detail highlights all of the issues I have been raising on the floor of this institution for the last 4 years, and it names names, it names locations. I do not know how they got their data because much of what is in here was classified. But it is here in black and white. They are respected journalists. In fact Leslie Cockburn, who was a co-author with her husband Andrew, was a producer for ABC TV up until she resigned that position this year. They are capable, intelligent, articulate people who have finally documented all of the evidence that highlights the facts relative to this administration's position in terms of Russia and our relationship militarily and strategically.

Mr. Speaker, I thank the staff again for bearing with me in this special order.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GIBBONS (at the request of Mr. ARMEY), for today after 6 p.m. and for the balance of the week, on account of attending a funeral.

Mr. HUNTER (at the request of Mr. ARMEY), for today, on account of a death in the family.

Mr. SCHIFF (at the request of Mr. ARMEY), for today through October 3, on account of medical reasons.

Mr. MCHALE (at the request of Mr. GEPHARDT), for today after 3 p.m., on

account of a funeral service for a district employee.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SNYDER) to revise and extend their remarks and include extraneous material:)

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

Ms. KILPATRICK, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. CHRISTIAN-GREEN, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Mr. SNYDER, for 5 minutes, today.

(The following Members (at the request of Mr. WELDON of Pennsylvania) to revise and extend their remarks and include extraneous material:)

Mr. SHAYS, for 5 minutes each day, on September 30 and October 1.

Mr. NEUMANN, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

Mr. DIAZ-BALART, for 5 minutes, today.

Mr. HILL, for 5 minutes, on September 25.

Mr. BILBRAY, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. SNYDER) and to include extraneous matter:)

Mr. POSHARD.

Mr. SERRANO.

Mr. HAMILTON.

Mr. MURTHA.

Mr. NEAL of Massachusetts.

Mr. BARCIA.

Mr. SCHUMER.

Mr. LANTOS.

Mr. CLYBURN.

Mr. KUCINICH.

Mr. KILDEE.

Mr. VISCLOSKY.

Mr. PASTOR.

Mr. STARK.

Mrs. MALONEY of New York.

Mr. SANDERS.

Mr. MENENDEZ.

Mr. SHERMAN.

Mr. DOOLEY of California.

Mr. OLVER.

Mr. CAPPS.

(The following Members (at the request of Mr. WELDON) and to include extraneous matter:)

Mr. CRANE.

Mr. WELDON.

Mrs. CHENOWETH.

Mr. BOEHNER.

Mr. WELLER.

Mr. GILMAN.

Mr. STUMP.

Mr. PACKARD.

Mr. GOODLING.

Mr. BILIRAKIS.

Mr. CALVERT.

Mr. ROGAN.

(The following Members (at the request of Mr. WELDON of Pennsylvania) and to include extraneous matter:)

Mr. GOSS.

Mr. MCKEON.

Mr. LANTOS.

Mrs. TAUSCHER.

Ms. BROWN of Florida.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 111. An act to provide for the conveyance of a parcel of unused agricultural land in Dos Palos, California, to the Dos Palos Ag Boosters for use as a farm school.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 680. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer of surplus personal property to States for donation to nonprofit providers of necessaries to impoverished families and individuals, and to authorize the transfer of surplus real property to States, political subdivisions and instrumentalities of States, and nonprofit organizations for providing housing or housing assistance for low-income individuals or families.

ADJOURNMENT

Mr. WELDON of Pennsylvania. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 21 minutes p.m.), the House adjourned until tomorrow, Thursday, September 25, 1997, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

5161. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Kiwifruit Grown in California; Relaxation in Pack Requirements [Docket No. FV97–920–2 FR] received September 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5162. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Expenses Associated With Transporting and Disposing of Tuberculosis-Exposed Animals [Docket No. 97–061–1] received September 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5163. A letter from the Secretary of Education, transmitting Final Regulations—Federal Perkins Loan Program, Federal Work-Study Program, and Federal Supplemental Educational Opportunity Grant Program, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

5164. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the final regulations for the Federal Perkins Loan Program, Federal Work-Study Program, and Federal Supplemental Educational Opportunity Grant Program, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Education and the Workforce.

5165. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania, General Conformity Rule [PA105–4066a; FRL–5897–8] received September 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5166. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans, New Mexico; Recodification of, and Revisions to, the Air Quality Control Regulations [NM–31–1–7310a; FRL–5893–6] received September 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5167. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plan; Michigan [MI51–01–7259; FRL–5898–2] received September 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5168. A letter from the AMD—Performace Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Closed Captioning and Video Description of Video Programming; Implementation of Section 305 of the Telecommunications Act of 1996; Video Programming Accessibility [MM Docket No. 95–176] received September 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5169. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Investigational Device Exemptions; Treatment Use [Docket No. 96N–0299] received September 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5170. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Navy's proposed lease of defense articles to Korea (Transmittal No. 25–97), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

5171. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's ''Major'' final rule—Migratory Bird Hunting: Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 1997–98 Late Season (RIN: 1018–AE14) received September 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5172. A letter from the Assistant Commissioner (Examination), Internal Revenue Service, transmitting the Service's final rule—Petroleum Industry Coordinated Issue:

Capitalization of Delay Rentals—received September 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5173. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Work Opportunity Tax Credit and Welfare-to-Work Tax Credit [Notice 97–54] received September 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5174. A letter from the Assistant Commissioner (Examination), Internal Revenue Service, transmitting the Service's final rule—Utilities Industry Coordinated Issue: Department of Energy Decontamination and Decommissioning Fund—received September 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOSS: Committee on Rules. House Resolution 242. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2266) making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes (Rept. 105–267). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 243. Resolution providing for consideration of the bill (H.R. 901) to preserve the sovereignty of the United States over public lands and acquired lands owned by the Untied States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands (Rept. 105–268). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SMITH of Texas:

H.R. 2533. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 and the Immigration and Nationality Act to clarify eligibility for relief from removal and deportation for certain aliens; to the Committee on the Judiciary.

By Mr. COMBEST (for himself, Mr. DOOLEY of California, Mr. SMITH of Oregon, and Mr. STENHOLM):

H.R. 2534. A bill to reform, extend, and repeal certain agricultural research, extension, and education programs, and for other purposes; to the Committee on Agriculture.

By Mr. MCKEON (for himself, Mr. GOODLING, Mr. BOEHNER, Mrs. ROUKEMA, Mr. BARRETT of Nebraska, Mr. RIGGS, Mr. GRAHAM, Mr. MCINTOSH, Mr. NORWOOD, Mr. HOEKSTRA, Mr. SAM JOHNSON, Mr. GREENWOOD, Mr. PETERSON of Pennsylvania, and Mr. UPTON):

H.R. 2535. A bill to amend the Higher Education Act of 1965 to allow the consolidation of student loans under the Federal Family Loan Program and the Direct Loan Program; to the Committee on Education and the Workforce.

By Mr. MCKEON (for himself and Mr. KILDEE):

H.R. 2536. A bill to amend the Higher Education Act of 1965 with respect to improving the administration of the student financial assistance programs under title IV of that Act; to the Committee on Education and the Workforce.

By Mr. STUMP:

H.R. 2537. A bill to amend title 10, United States Code, to revise the rules relating to the court-ordered apportionment of the retired pay of members of the Armed Forces to former spouses, and for other purposes; to the Committee on National Security, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REDMOND:

H.R. 2538. A bill to establish a Presidential commission to determine the validity of certain land claims arising out of the Treaty of Guadalupe-Hidalgo of 1848 involving the descendants of persons who were Mexican citizens at the time of the Treaty; to the Committee on Resources.

By Mr. BEREUTER:

H.R. 2539. A bill to prohibit the use of United States funds to provide for the participation of certain Chinese officials in international conferences, exchanges, programs, and activities, and for other purposes; to the Committee on International Relations.

By Ms. MILLENDER-MCDONALD (for herself, Mr. FILNER, Ms. CHRISTIAN-GREEN, Mrs. MEEK of Florida, Mr. UNDERWOOD, Mr. DELLUMS, Mr. CLAY, Mrs. MINK of Hawaii, Mr. MCGOVERN, Mr. FROST, Mr. YATES, and Mr. DAVIS of Virginia):

H.R. 2540. A bill to amend the Immigration and Nationality Act to facilitate the immigration to the United States of certain aliens born in the Philippines or Japan who were fathered by United States citizens; to the Committee on the Judiciary.

By Mrs. MORELLA (for herself and Mr. DAVIS of Virginia):

H.R. 2541. A bill to amend title 5, United States Code, to extend the authority under which comparability allowances may be paid to Government physicians, and for other purposes; to the Committee on Government Reform and Oversight.

By Ms. RIVERS:

H.R. 2542. A bill to prevent Members of Congress from receiving any automatic pay adjustment which might otherwise take effect in 1998; to the Committee on House Oversight, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. DELLUMS, and Mr. MILLER of California):

H.R. 2543. A bill to amend titles XVIII and XIX of the Social Security Act to require hospitals, skilled nursing facilities, home health agencies, hospice programs, clinical laboratories, and ambulance services to fund annual financial and compliance audits as a condition of participation under the Medicare and Medicaid programs; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FALEOMAVAEGA:

H. Con. Res. 157. Concurrent resolution expressing the sense of the Congress regarding the effects of global warming-induced climate disruption on the Pacific nations that are allies of the United States and the resulting threat to the global interests of the United States; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 165: Mr. CAPPS.

H.R. 211: Mr. FRANK of Massachusetts.

H.R. 404: Mr. DAN SCHAEFER of Colorado.

H.R. 492: Mr. SHAYS.

H.R. 551: Mr. SANDERS.

H.R. 586: Mr. LAHOOD.

H.R. 594: Mr. NADLER, Mr. CHABOT, Mr. BLUMENAUER, and Mr. DOYLE.

H.R. 619: Mr. FOX of Pennsylvania, Ms. HOOLEY of Oregon, Mr. BLUMENAUER, Mr. CONYERS, and Mr. LATOURETTE.

H.R. 716: Mr. LIVINGSTON.

H.R. 755: Mr. SOUDER.

H.R. 789: Mr. ROEMER, Mr. HEFLEY, Mr. BLAGOJEVICH, Mr. MCNULTY, and Mr. MINGE.

H.R. 802: Mr. COX of California.

H.R. 815: Mr. UPTON, Mr. TAYLOR of North Carolina, Mr. VENTO, Mr. DELAHUNT, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ROYBAL-ALLARD, and Mr. Lantos.

H.R. 857: Mr. SESSIONS and Mr. MICA.

H.R. 965: Mr. PICKERING.

H.R. 978: Mr. KILDEE and Mr. DELAHUNT.

H.R. 986: Mr. COLLINS, Mr. SESSIONS, Mr. HASTERT, and Mr. HILLEARY.

H.R. 991: Mr. KENNEDY of Rhode Island and Mrs. LOWEY.

H.R. 993: Mr. PAXON.

H.R. 1025: Ms. ESHOO, Mrs. MALONEY of New York, and Mr. MINGE.

H.R. 1036: Mr. BLILEY and Mr. SNOWBARGER.

H.R. 1054: Mr. CHABOT, Mr. COBURN, Mr. HORN, Mr. KENNEDY of Massachusetts, Mr. FOLEY, Mr. BLUMENAUER, Mr. ADAM SMITH of Washington, Mr. MCINTOSH, Mr. UNDERWOOD, Mr. NETHERCUTT, and Ms. WOOLSEY.

H.R. 1060: Mr. BERRY.

H.R. 1075: Mr. COYNE, Mrs. MCCARTHY of New York, Ms. FURSE, and Mr. FATTAH.

H.R. 1108: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1126: Ms. DEGETTE.

H.R. 1173: Mr. SUNUNU, Mr. YOUNG of Alaska, and Mr. MILLER of California.

H.R. 1232: Mr. SANDLIN and Mr. INGLIS of South Carolina.

H.R. 1270: Mrs. NORTHUP.

H.R. 1411: Mr. CANNON and Mr. DOOLEY of California.

H.R. 1493: Mr. FOLEY and Mr. VISCLOSKY.

H.R. 1507: Mr. NEY and Mr. HYDE.

H.R. 1531: Mr. LEVIN and Mr. OWENS.

H.R. 1534: Mr. BOYD, Mr. GILMAN, Mr. PETERSON of Pennsylvania, Mr. SISISKY, Mr. GREEN, Mr. SUNUNU, Mr. OXLEY, Mr. KASICH, Mr. ISTOOK, Mr. LEWIS of Kentucky, Mr. LEACH, Mrs. JOHNSON of Connecticut, Mr. PORTER, Mr. LARGENT, Mr. OBERSTAR, Mr. CRANE, and Mr. MURTHA.

H.R. 1624: Ms. DELAURO, Mr. STRICKLAND, Mr. GEJDENSON, Mr. KENNEDY of Massachusetts, Mr. MCNULTY, Mr. DELLUMS, Mr. KILDEE.

H.R. 1704: Mr. GANSKE.

H.R. 1719: Mr. WICKER.

H.R. 1754: Mr. PETRI.

H.R. 1786: Mr. MORAN of Virginia, Mr. BLAGOJEVICH, Mr. NEAL of Massachusetts, Mr. KUCINICH, Ms. SLAUGHTER, Mr. ENGEL, Mr. KENNEDY of Massachusetts, Ms. VELAZQUEZ, and Mr. GUTIERREZ.

H.R. 1814: Mr. ROTHMAN.

H.R. 1836: Mr. GREENWOOD and Mr. KANJORSKI.

H.R. 1881: Mr. PALLONE.

H.R. 2020: Mr. Reyes, Ms. RIVERS, Mr. COOK, Mr. BROWN of Ohio, Mr. HALL of Ohio, Mr. LEACH, Mr. EHLERS, Mr. YATES, and Mr. HYDE.

H.R. 2038; Mr. HASTINGS of Washington, Mr. CRAPO, and Mr. FOLEY.

H.R. 2100: Mr. COOKSEY.

H.R. 2128: Mr. COOKSEY.

H.R. 2172: Mr. BARRETT of Wisconsin.

H.R. 2273: Mr. GORDON, Mr. ANDREWS, Mr. ALLEN, Mr. CONDIT, Mr. GOODE, Mrs. MORELLA, and Mr. CLEMENT.

H.R. 2367: Mrs. CHENOWETH and Mr. CLYBURN.

H.R. 2409: Mr. WOLF and Mr. EVANS.

H.R. 2424: Mr. KLUG, Mr. QUINN, and Mr. STUPAK.

H.R. 2451: Mr. KENNEDY of Massachusetts.

H.R. 2456: Mr. BATEMAN, Mr. RADANOVICH, Mr. WHITFIELD, Mr. BALLENGER, and Mr. SHAW.

H.R. 2476: Mr. DELLUMS, Mr. DEFAZIO, Mr. OBERSTAR, Mr. FILNER, and Mr. EVANS.

H.R. 2480: Mr. COOK and Mr. FOLEY.

H.R. 2481: Mr. BONIOR, Mr. BALDACCI, Mr. BARCIA of Michigan, Mr. HOUGHTON, Mr. METCALF, Mr. PETERSON of Minnesota, Mr. SANDERS, Mr. HINCHEY, Mr. MCHUGH, and Mr. STUPAK.

H.R. 2488: Mr. PALLONE and Mr. GREENWOOD.

H.R. 2493: Mr. GOODLATTE.

H.R. 2502: Mr. CLEMENT.

H.R. 2523: Mr. BEREUTER.

H. Con. Res. 13: Mrs. CHENOWETH and Mr. BRADY.

H. Con. Res. 80: Ms. BROWN of Florida.

H. Res. 190: Mr. SMITH of Michigan.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2267

OFFERED BY: MR. FOX OF PENNSYLVANIA

AMENDMENT NO. 57: Page 117, after line 2, insert the following new section:

SEC. 617. None of the funds appropriated or otherwise made available by this Act may be obligated or expended, directly or indirectly, to make any payment to, provide any financial assistance to, or enter into any contract with, the Palestine Broadcasting Corporation, any affiliate or successor agency of such corporation, or any journalist employed by or representing such corporation.

H.R. 2267

OFFERED BY: MR. KLECZKA

AMENDMENT NO. 58: Page 117, after line 2, insert the following:

SEC. 617. None of the funds appropriated to carry out this Act may be used to purchase or install live fingerprint scanners in Immigration and Naturalization Service field offices or card scanners at Immigration and Naturalization Service centers unless the Immigration and Naturalization Service refunds, not later than 6 months after the date of the enactment of this Act, all fees paid to the Immigration and Naturalization Service for designated fingerprinting service certification under 8 C.F.R. §103.2(e).

H.R. 2267

OFFERED BY MS. LOFGREN

AMENDMENT NO. 59: Page 49, line 19, after the dollar amount insert ''(reduced by $26,100,000)''

Page 49, line 21, after the dollar amount insert ''(reduced by $26,100,000)''

Page 50, line 13, after the dollar amount insert ''(increased by $4,900,000)''

Page 50, line 23, after the dollar amount insert ''(increased by $4,900,000)''

Page 51, line 11, after the second dollar amount insert ''(increased by $4,900,000)''

Page 51, line 13, after the dollar amount insert ''(increased by $4,900,000)''

Page 51, line 18, after the dollar amount insert ''(increased by $4,900,000)''

H.R. 2267

OFFERED BY MRS. LOWEY

AMENDMENT NO. 60: On page 51, line 16, after the dollar amount insert ''(increased by $1,000,000)''.

On page 51, line 23, after the dollar amount insert ''(reduced by $1,000,000)'';

H.R. 2267

OFFERED BY: MS. VELÁZQUEZ

AMENDMENT NO. 61: Page 117, after line 2, insert the following:

SEC. 627. (a) IN GENERAL.—None of the funds appropriated to carry out this Act shall be used to deport or remove from the United States any alien who was provided by the Immigration and Naturalization Service one of the following identification numbers:

A76553660.
A76553650.
A76553651.
A76553661.
A76553858.
A76553862.
A76553863.
A76553876.
A76553877.
A76553665.
A76553659.
A76553658.
A76553679.
A76553678.
A76553681.
A76553654.
A74553078.
A74553079.
A74553077.
A76553683.
A76553674.
A76553652.
A76553692.
A76553649.
A76553673.
A76183163.
A76183162.
A76553653.
A76553686.
A76553688.
A76553664.
A76553871.
A76553888.
A76553684.
A76553887.
A76553657.
A76553672.
A76553685.
A76553655.
A76553688.
A76553667.
A76553682.
A76553680.
A74553085.
A74553076.
A76553690.
A76553691.
A76553698.

H.R. 2267

OFFERED BY: MS. WATERS

AMENDMENT NO. 62: Page 38, after line 11, insert the following:

SEC. 110. Considering the increased need for resources to wage a full scale counter-narcotics attack in the Caribbean basin, the Drug Enforcement Administration shall allocate 5 of the additional agents provided in this title to assess the impact of the recent decision of the World Trade Organization to discontinue the special relationship of Caribbean countries to the European Union on trade and the erosion of the ability of Caribbean countries to be independent and on increased drug trafficking in the region. The Drug Enforcement Administration shall report the results of such assessment to Congress not later than September 25, 1998.