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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 12, 1998.

I hereby designate the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. MILLER) for 5 minutes.

CONCERNS ABOUT A FAILED CENSUS IN YEAR 2000

Mr. MILLER of Florida. Mr. Speaker, I rise today to raise concerns that we are moving toward a failed census in year 2000. For over 200 years this country has conducted a decennial census, starting back with Thomas Jefferson in 1790, to count all Americans. The purpose of this census is fundamental to our democracy in this country because it is the one man/one vote belief. The only way you know you have the one man/one vote philosophy is you have to count people every 10 years.

This is the basis of elected representatives, whether it is the school board or Members of the House of Representatives, so it is so critical that we do that. Also, billions and billions of dollars that flow out of Washington or out of State capitols are based upon census information, so it is absolutely critical that we have a census that is conducted in year 2000 as one that is the most accurate possible, and as one that is trusted and believed in by the American people.

However, for the year 2000 census, the Clinton administration has proposed a radical new idea. Without the approval of Congress, they do not want to count everybody now. They have all these smart people here in Washington with all these big computers. They say we are going to use sampling and we are going to estimate the population. So for the first time in history, they are going to count less than the full population of this country, and this is where the risk is so great.

The General Accounting Office, which is the auditor for the Federal Government, a nonpartisan organization here in Washington, D.C., has said we are moving toward a failed census. Every report they have issued, they have said—the most recent one being in March—that the risk of failure has increased because they have developed this complex scheme that many of us believe cannot be completed. Even if it is completed, it will not be trusted by the American people.

We believe that the President is trying to use more political science than empirical science in developing this plan. Last week we had a hearing on the subcommittee with oversight of the census. There were two fact points I think we learned at that hearing. First was the fact that the 1990 census was not that bad of a census. It was the second most accurate census in history. But the second part of that census, which was dealing with sampling and adjustment, was a failure.

Let me explain that in a little more detail. The way they conducted the 1990 census is they went out and did an enumeration of the entire population of this country and counted 98.4 percent of the people; again, not a bad count, the second most accurate in history. Then they conducted a sample of 150,000 households. They were going to use that to adjust the total population they have just counted.

The attempt at sampling was a failure. Fortunately they did not use it, because if they had used it, for example, the original recommendation from the Census Bureau was to take a congressional seat away from the State of Pennsylvania. They find out 2 years later there was a computer mix-up that gave them the erroneous information, so they would have taken representation away from a State, Pennsylvania, falsely, because of computer error.

They also found it was less accurate when we deal with populations under 100,000. So for communities under 100,000, cities and towns for census blocks, census tracts, which is the fundamental building stone that we use to build up our congressional district as such, it is less accurate, these are the Census Bureau people telling us, in their analysis of the attempted use of sampling.

So sampling was a failure in 1990, even though the census was not bad. So what does the Clinton administration propose now? They want to totally rely on sampling. Instead of starting off counting everybody, they only want to count 90 percent of the people, so they are going to say 1 in 10 of the people we are not going to count. We are going to have 90 percent of the people.

That is starting off the sampling, and you have nothing to fall back on, because when they come up with this adjustment sample, which is going to be on 750,000 households, larger than 1990, five times as large, they plan to do it in half the amount of time. Unrealistic.

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They are going to totally rely on it. If sampling fails like it did in 1990, for the year 2000 they have nothing to fall back on. They run the risk of a total failure there.

One of the things they did in 1990 is they released information on what the total census was. They showed that different parts of this country had populations deleted. For example, Bucks County up in Pennsylvania, a suburb of Philadelphia, had 3,000 people deleted from their county by the Census Bureau computers because the Census Bureau computers said, on average, they didn't deserve 3,000 people. So even though they were counted, they were subtracted. That is what upsets the people. That is the reason people say we can't trust a census where you start deleting people after they are counted.

One thing we find out now, one reason they only want to start with 90 percent of the population, is they can justify not releasing that information and showing the deletions. It is a very risky plan. It is moving towards failure. We need to share with the American people exactly the details, and we must have a census that is trusted by the American people, not the plan that has been proposed by the President.

THE HISPANIC VOTE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) is recognized during morning hour debates for 5 minutes.

Mr. ROMERO-BARCELÓ. Mr. Speaker, a long time ago, American troops landed in New York and claimed it from Spain. In a proclamation to the island residents, the commander of the U.S. forces, General Nelson A. Miles, declared, ''We have not come to make war upon the people of a country that for centuries has been oppressed but, on the contrary, to bring you protection, not only to yourselves but to your property, to promote your prosperity, and to bestow upon you the immunities and blessings of the liberal institutions of our government.''

Taking General Miles at his word, the people of Puerto Rico sought immediately to make the promise of those immunities and blessings a reality. We were disappointed when the Foraker Act of 1900 defined the territorial relationship with the United States, and our frustration continues unabated. We have now been a territory or, as many claim, a colony for 100 years; and to our country's shame, we are still disenfranchised. We are denied that most fundamental right in a democracy, the right to vote.

Throughout the century, applying the trickle-down theory of democracy, Congress has only grudgingly extended democratic rights to the people of Puerto Rico. First we were granted citizenship in 1917 without the right to elect our own governor. Then, 31 years later, in 1948, we were allowed to elect our own governor, but we were not allowed to exercise our right to self-determination.

I firmly believe that self-determination is one of those unalienable human rights that the Founding Fathers of this democracy held dear. It is not something that 3.8 million American citizens of Puerto Rico should have to earn or demonstrate that we deserve, though if that is the value system of this democracy, we certainly have done both by fighting and dying in this country's service and by enthusiastically and responsibly exercising our right to vote and shape our local government.

What will influence Congress? What will prompt it to act, if it is not, as I would hope, the very rightfulness of Puerto Rican self-determination? The only thing I can figure out is the voters. Voters get every politician's attention. Sadly, it is not the voters of Puerto Rico that I am speaking of, because we are denied the right to vote in presidential elections and we are denied voting representation in Congress.

However, the Hispanic or Latino vote will count. Hispanics are on their way to becoming the largest minority in this country. They represent 34 percent of the population in New Mexico, 25 percent of the population in California, 30 percent of the population in Texas, and 19 percent of the population in Arizona.

Like the U.S. citizens in Puerto Rico, Hispanics are conscientious voters. A bipartisan poll of registered Hispanic voters commissioned by Univision Communications, Inc., revealed that 94 percent of the respondents plan to vote in this year's elections.

Mark Penn, a Democrat and coauthor of the survey, with Mike Deaver, a Republican, thinks that the findings demonstrate the growing importance of Latinos in the American political process. Hispanics, he notes, provide a crucial swing vote in some of the Nation's biggest States.

I am heartened by this survey's findings that 56 percent of Latinos support statehood for Puerto Rico, whereas only 27 percent do not. I am confident that a much larger percentage of Hispanics endorse Puerto Rican self-determination. Puerto Rican self-determination is becoming a telltale issue for Hispanics, revealing a politician's attitude towards the consensus and the political empowerment of the Hispanic electorate. It is a matter of solidarity.

Members of Congress may feel they can continue to dismiss the political aspirations of the U.S. citizens of Puerto Rico with impunity, but the Hispanic vote is a growing power to be reckoned with, and the right of the U.S. citizens of Puerto Rico to self-determination is an issue that will come home to roost at the poll booth. Those that oppose the right of Puerto Ricans to self-determination will be perceived as biased or prejudiced against Hispanics.

I am asking that Members support the bill for self-determination in Puerto Rico. It is the right thing to do. It is the right thing to do for Republicans, it is the right thing to do for Democrats, it is the right thing to do for Congress, and above all, it is the right thing to do for the Nation.

TRIBUTE TO BRIGADIER GENERAL HARRY C. KESSLER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Montana (Mr. HILL) is recognized during morning hour debates for 5 minutes.

Mr. HILL. Mr. Speaker, within these walls we debate and vote on important issues in full public view. We gather before those in the public gallery and those watching across the Nation on television, but we also do so with the spirit of millions of men and women also watching, those who have served this Nation in the Armed Forces.

These brave Americans served us during the days of the Revolutionary War, and are followed through the generation by legions, including those who today are stationed around the globe. They honor our flag of stars and stripes. That flag has changed somewhat since the days of the American Revolution, but the courage and valor of those who serve us is still the standard for the rest of the world.

This afternoon, in the gallery of this Chamber, before this great flag, I welcome the family members of one such courageous American. I ask all Americans to take a few minutes this afternoon and remember the dedicated service of Brigadier General Harry C. Kessler.

Harry Kessler's life and legacy remains important and vibrant today, more than 90 years since his death, and more than 137 years since the bold 18-year-old with a taste for adventure signed up for what would be a proud career of military and national service.

Shortly after enlisting in the 104th Pennsylvania Regiment, Harry Kessler was thrust into the American Civil War. He served as a second lieutenant in his regiment. After service at Camp Lacey, located just outside of Doylestown, Pennsylvania, he was transferred to Washington, D.C. for training. In November of 1861 he served in the Peninsula campaign of Virginia. He served in the battle of Williamsburg, as well as the battles of Fair Oaks and Seven Pines.

In 1862, now as a second lieutenant, Harry Kessler was placed in charge of confederate prisoners who he personally returned to Camp Curtain in Pennsylvania, just outside of Harrisburg. Once there, he helped to provide subsistence to the Pennsylvania troops at the battle of Gettysburg.

In 1863, at the rank of second lieutenant, Harry Kessler resigned from his regiment. In the mid-1870s, Harry Kessler joined his brother Charles in Butte, Montana. In 1876, a number of decisions that would forever change his life were made. He began to purchase

land and he staked mining claims, and he established a newspaper known as the Butte Miner.

Most notably, though, Harry Kessler married Josephine Alden Dillworth, whom he had met on his way to Montana. Harry Kessler was elected Silver Bow county commissioner in 1883, and served for 2 years. He was later elected county treasurer.

But, in 1889, Harry Kessler again felt the strong obligation for national service. He formed the First Montana U.S. Volunteer Infantry, which is now known as the National Guard. That regiment was mustered into service 100 years ago, during the outbreak of the Spanish-American War. It fought in the battles of Manila and Caloocan, and Santo Tomas, and San Fernando in the Philippines, among others. The infantry was mustered out of service in 1889, but in praise of his action, Colonel Kessler was brevetted to the rank of brigadier general by President William McKinley.

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My fellow Montanans who are looking in today may not have heard of General Kessler until today, but certainly they know his work. During the formative years of the 1st Montana Regiment, he designed a flag which would later become the State flag of Montana after the regimental insignia was removed. Near the end of his life, he returned home to Philadelphia to help with the lithograph company of Booker and Kessler, the company he founded before leaving for Montana.

On September 12, 1907, General Harry Kessler died and was buried at Laurel Hill Cemetery in Philadelphia, survived by his wife and two children.

Mr. Speaker, in less than 2 weeks time there is an important national holiday that needs a renewed perspective. Amid the holiday sales and the barbecues of the Memorial Day weekend, we need to honor the true spirit of those whose lives and dedicated service we are called upon to remember. General Harry Kessler is one of those Americans. I am proud to say that he will be among those honored at a special Memorial Day ceremony paying tribute to Spanish-American War veterans on this 100th anniversary. The ceremony will be held in front of Philadelphia's historic Independence Hall. The Montana Historical Society, located across from my State's Capitol Building in Helena, plans an exhibition of artifacts relating to the life of General Kessler; and the Civil War Museum in Philadelphia is planning an exhibit as well.

We gather here in this Chamber under the proud flag of a proud Nation and we are humbled by the spirits of millions of Americans who, like General Harry Kessler, gave of themselves to build a foundation upon which this great Republic continues to thrive.

I ask all Americans to join me in remembering these courageous spirits on Memorial Day, May 25.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PETRI). Members are reminded under House rules not to refer to visitors in the galleries.

COLLAPSE OF CYPRUS PEACE TALKS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from New Jersey (Mr. PALLONE) is recognized during morning hour debates for 5 minutes.

Mr. PALLONE. Mr. Speaker, on May 3rd, the new round of peace talks in Cyprus collapsed when the Turkish Cypriots abruptly changed their position in the negotiations and began insisting that two new conditions be met as preconditions to reunification. Led by U.S. Special Envoy to Cyprus Richard Holbrooke, this new attempt to breathe life into the moribund Cypriot peace talks has been scuttled by the Turks before it even had the slightest chance of producing a breakthrough. There is absolutely no doubt who the obstacle to peace is.

I quote from Mr. Holbrooke, ''If progress is to be made on Cyprus, genuine progress,'' Richard Holbrooke said after the talks collapsed, ''both sides will have to be willing to engage in a genuine give and take during serious negotiations. But,'' added Holbrooke, ''this is not the current situation. This was especially true in regard to two positions taken by the Turkish side.''

Mr. Speaker, the Turkish side is now vowing that there will be no peace negotiations until the United Nations recognizes the Turkish Republic of Northern Cyprus and until the Greek Cypriots withdraw their application for membership to the European Union. These new demands, Mr. Speaker, are as ridiculous as they are unacceptable.

After nearly 24 years of failed negotiations, the criteria for a settlement are well known to everyone involved. They have been outlined by the international community a variety of times in a number of U.N. resolutions, and they have been agreed to by the Greek Cypriots. Any settlement to the Cyprus situation must be consistent with the numerous U.N. resolutions. None of these, incidentally, even hint at bestowing an iota of legitimacy on the self-declared Republic of Northern Cyprus, which is, of the 180-plus countries in the world today, recognized only by Turkey. What they do say is that any solution to the Cyprus problem must include a bizonal, bicommunal, sovereign federation with a single federal government and a single international identity. There is widespread support on the Greek Cypriot side for structuring this federal government in accordance with these terms and a new federal constitution.

Mr. Speaker, I believe that the administration shares the view of many of us here in Congress that the key to progress in Cyprus lies not with Rauf Denktash and the Turkish Cypriots, but in Ankara, particularly in light of the linkage by the Turkish side of Cypriot accession to the European Union to peace talks. Washington has been wary of Ankara's response to the European Union's decision not to invite Turkey to apply for membership in the European Union since that decision was made in December. Privately, U.S. policymakers feared that the decision would prompt Turkey to take an even harder line on Cyprus, and they are right. That is what has happened.

Mr. Speaker, I think these developments, coupled with the administration's knowledge that Ankara is calling the shots for the Turkish Cypriots, necessitate a swift change in U.S. policy and diplomacy. While I would like to commend Ambassador Holbrooke for his public rebuke of the Turkish side's new conditions, I believe it is time to stop focusing public and private efforts on the Turkish Cypriots and intensify American efforts to move the peace process forward by putting pressure on Ankara and, more importantly, on the Turkish military.

In forceful and unequivocal terms, the administration should convey to Ankara that there will be direct consequences in U.S.-Turkey relations if Ankara does not prevail upon the Turkish Cypriots to retract the two new conditions and allow the Cyprus peace talks to move forward. I intend to do everything I can as a Member of Congress to push U.S. policy towards Turkey in this direction. I hope the administration will work with me and the many Members of Congress who are exasperated with Turkey's intransigence and disrespect for international law and the will of the international community. The people of Cyprus have waited far, far too long for their freedom, and the U.S. should take the appropriate course of action to help them get it.

INDIA'S DETONATION OF THREE NUCLEAR DEVICES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from American Samoa (Mr. FALEOMAVAEGA) is recognized during morning hour debates for 5 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, I am somewhat surprised by all the media hype and the reaction of certain nations around the world, including our own country, concerning India's most recent announcement of detonating three nuclear bombs.

Mr. Speaker, as my colleagues may recall, India exploded its first nuclear device in 1974. Since then over the years India has pleaded with the five nuclear nations, namely China, France, then the Soviet Union, now Russia, Great Britain, and the United States and with the nations of the world that if the world is serious about the implementation of the 1970 Nonproliferation

Treaty and the terms of the Comprehensive Test Ban Treaty, it is imperative that the five nuclear nations must, over a period of time, dismantle their nuclear arsenals if these two treaties would ever have any real meaning at all.

Mr. Speaker, I suggest to my colleagues and to the administration, let us not be too quick to condemn the most populous democratic nation in the world, India, with a population of approximately 980 million people, for exploding these three nuclear devices, by the way, in their own backyard.

Mr. Speaker, for some 24 years India and its leaders have pleaded with the five nuclear nations and the nations of the world to stop this nuclear madness. Mr. Speaker, I submit it is quite hypocritical for the five nuclear nations to tell the world to sign on to the Nonproliferation Treaty and the Comprehensive Test Ban Treaty against testing, but these same nuclear nations can keep their nuclear bombs to maintain their nuclear options, and I suppose to use these nuclear weapons of mass destruction against their enemies?

Mr. Speaker, in order to maintain our own nuclear bombs ready for use, our Nation is expending about $35 billion a year to sustain our nuclear options. I raise the question, Mr. Speaker, if the American taxpayers know that our nuclear program alone costs approximately $35 billion a year, do we need to have these weapons? Is the cost worth the effort?

Mr. Speaker, the issue of nuclear nonproliferation now has come to the forefront. The issue is not that India has exploded these nuclear bombs. The issue is whether the five nuclear nations are willing and committed to the proposition that the manufacturing and production of nuclear bombs is not in their interest and certainly not for the world as well.

Mr. Speaker, the Carnegie Endowment for International Peace recently issued a statement and a tabulation or record of nuclear tests or nuclear bombs that were exploded in the past, and that these nuclear explosives were conducted by the five nuclear nations. For example, China, since 1964, when it started its nuclear testing program, has exploded over 45 nuclear bombs on this planet. France started its nuclear testing program in Algeria, and after Algeria gained its independence against French colonial rule, the French decided, they needed to go somewhere else. Guess where they went? In the middle of the South Pacific Ocean. Did they ask the French Polynesians whether they wanted nuclear bombs there? No. President DeGaulle decided to go there unilaterally and test over 210 nuclear bombs, which were exploded in the atmosphere, on the surface, and under the ocean surface.

Let us look at the record of the Soviet Union or now Russia, which started its nuclear testing program since 1949. It exploded 715 nuclear bombs; 715 nuclear bombs. The British exploded nuclear bombs in a number of 45. And now our own Nation, we exploded 66 nuclear bombs in the Marshall Islands immediately following World War II. It was in 1954 that we exploded the most powerful hydrogen bomb ever known to mankind; known as the Bravo shot, that hydrogen bomb was 1,000 times more powerful than the bombs we exploded in Hiroshima and Nagasaki. Now India has exploded only four.

Mr. Speaker, I submit to my colleagues and to the American people, India's explosion of these nuclear bombs is because its own national security is at risk. China having a nuclear arsenal; if you were among the 980 million Indians living in a country like India, I would feel very uncomfortable if my neighbor has nuclear bombs and I do not have any to defend myself. But that is not the issue. The issue here is whether the five nuclear nations are willing to dismantle their own nuclear arsenals and let us get rid of this nuclear madness.

[From Carnegie Endowment for International Peace, May 11, 1998]

INDIA TESTS THREE NUCLEAR DEVICES

(By Joseph Cirincione and Toby Dalton)

India first demonstrated its nuclear capability when it conducted a ''peaceful nuclear experiment'' in May 1974. Twenty-four years later, India has conducted its second series of tests today. Included in this series, according to Indian Prime Minister Vajpayee, were a ''fission device, a low-yield device, and a thermo-nuclear device.'' This breaks an international moratorium on nuclear tests; China conducted its last test in 1996. The Comprehensive Test Ban Treaty, banning all tests everywhere, has been signed by 149 nations and ratified by 13 of the required 44 nations.

WORLD NUCLEAR TESTS

Country	First test	Last test	No. of tests
China	1964	1996	45
France	1960	1996	210
Russia/USSR	1949	1990	715
United Kingdom	1952	1991	45
United States	1945	1992	1030
India	1974	1998	4

Below is a summary of the Indian nuclear program, current capabilities, and delivery options, derived from Tracking Nuclear Proliferation 1998, forthcoming from the Carnegie Endowment.

NUCLEAR WEAPONS CAPABILITY

After years of building larger-scale plutonium production reactors, and facilities to separate the material for weapons use, India is estimated to have approximately 400 kg of weapons-usable plutonium today. Given that it takes about 6 kg of plutonium to construct a basic plutonium bomb, this amount would be sufficient for 65 bombs. With more sophisticated designs, it is possible that this estimate could go as high as 90 bombs.

DELIVERY OPTIONS

India has two potential delivery options. First, India posses several different aircraft capable of nuclear delivery, including the Jaguar, Mirage 2000, MiG–27 and MiG–29. Second, would be to mount the weapon as a warhead on a ballistic missile. It is thought that India has developed warheads for this purpose, but it is not known to have tested such a warhead. India has two missile systems potentially capable of delivering a nuclear weapon: Prithvi, which can carry a 1000 kg payload to approximately 150 km, or a 500 kg payload to 250 km; and Agni, a two-stage medium-range missile, which can conceivably carry a 1000 kg payload to as far 1500–2000 km. Reports in 1997 indicated that India had possibly deployed, or at least was storing, conventionally armed Prithvi missiles in Punjab, very near the Pakistani border.

NON-PROLIFERATION REGIME

India had not been a party to any aspect of the international non-proliferation regime until 1997, when it signed the Chemical Weapons Convention. Among the significant treaties it has not signed are the Nuclear Non-Proliferation Treaty, the Comprehensive Test Ban Treaty, and India has a very limited safeguards agreement with the International Atomic Energy Agency that does not cover any of its nuclear research facilities. In this sense, there is no multilateral mechanism through which to sanction India for its recent nuclear tests. However, the Nuclear Proliferation Prevention Act, passed by the U.S. Congress in 1994 with the leadership of Senator John Glenn (D-Ohio), imposes automatic and severe sanctions. These provision, codified as section 102(b) of the Arms Export Control Act, are detailed below:

SANCTIONS UNDER THE NUCLEAR PROLIFERATION PREVENTION ACT OF 1994 (SEC. 826(A))

Sanctions For Nuclear Detonations or Transfers of Nuclear Explosive Devices

If . . . ''the President determines that any country, [after 4/30/94] (A) transfers to a non-nuclear-weapon state a nuclear explosive device, (B) is a non-nuclear weapon state and either—(i) receives a nuclear explosive device, or (ii) detonates a nuclear explosive device,''

Then . . . ''The President shall forthwith impose the following sanctions:

(A) The United States Government shall terminate assistance to that country under the Foreign Assistance Act of 1961, except for humanitarian assistance or food of other agricultural commodities.

(B) The United States Government shall terminate—(i) sales to that country under this Act of any defense articles, defense services, or design and construction services, and (ii) licenses for the export to that country of any item on the United States Munitions List.

(C) The United States Government shall terminate all foreign military financing for that country under this Act.

(D) The United States Government shall deny to that country and credit, credit guarantees, or other financial assistance by any department, agency, or instrumentality of the United States Government, except that the sanction of this subparagraph shall not apply—(i) to any transaction subject to the reporting requirements of title V of the National Security Act of 1947 (relating to congressional oversight of intelligence activities), or (ii) to humanitarian assistance.

(E) The United States Government shall oppose, in accordance with section 701 of the International Financial Institutions Act (22 U.S.C. 262d), the extension of any loan or financial or technical assistance to that country by any international financial institution.

(F) The United States Government shall prohibit any United States bank from making any loan or providing any credit to the government of that country, except for loans or credits for the purpose of purchasing food or other agricultural commodities.

(G) The authorities of section 6 of the Export Administration Act of 1979 shall be used to prohibit exports to that country of specific goods and technology (excluding food

and other agricultural commodities), except that such prohibition shall not apply to any transaction subject to the reporting requirements of title V of the National Security Act of 1947 (relating to congressional oversight of intelligence activities).''

Waiver: [None]. The President may delay the sanction for 30 days.

SOCIAL SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Michigan (Mr. SMITH) is recognized during morning hour debates for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, I want to talk briefly about Social Security. I see a lot of young people in our gallery today, and not only for their future, and what might happen in their retirement years but all workers today, including all retirees today, need to be concerned about Social Security. Let me just give a brief history of how we started our Social Security program. In 1935, somewhat after the depression, there were a lot of seniors, if you will, going over the hill to the poorhouse. A decision was made by the Congress and by the President to develop a program where existing workers paid in their taxes to pay for the benefits of existing retirees, again, sort of a Ponzi game where existing workers paid in taxes. Immediately it was sent out to existing retirees.

It worked very well when it first started because up until, up through the late 1930s, there were almost 40 people working, paying in their taxes for every one retiree. By 1950, that got down to 17 workers paying in their taxes for every one retiree, 1950, 17.

Today, guess how many workers are working paying in their FICA tax for every retiree? Three workers today are working now, paying in their taxes for every retiree. Of course, with fewer and fewer workers in relation to the number of retirees, the only way to keep enough money coming in was to increase the tax on those workers. Here is a statistic that should give us some trouble, and that is, since 1971, we have increased Social Security taxes 36 times. More often than once a year, we have increased that tax on today's workers in order to have enough money coming into Social Security to immediately send out to pay the benefits that were promised.

The chart that I show here on my left I have titled Social Security's Bleak Future. The little blue segment at the top left shows how much extra surplus money is coming into Social Security over and above what is immediately paid out. So there is a little surplus. That surplus goes into what has been called the Social Security Trust Fund. Not a very good name because it is not very trustworthy because what has been happening is, Congress and the President have been spending all of the extra money from Social Security on other programs. So we pretend it is revenue.

You will hear a lot of bragging that we are going to have a surplus this year for the first time in 30 years. Actually, if we consider the over $70 billion that we are borrowing from the Social Security Trust Fund this year, then we do not really have a surplus.

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I am introducing legislation that does a couple of things. It says, from now on, we are not going to pretend that we have a balanced budget by including the amount of money that is coming into the Social Security trust fund, and it directs the Office of Management and Budget, under the President, and it directs the CBO, Congressional Budget Office, under Congress, to no longer use in their calculations for balance the money that is coming in from the Social Security trust fund that is borrowed by the Federal Government to spend on other programs.

I think this is important, simply to increase awareness of how we are going to solve the Social Security problem. We can see the dilemma. When we get to the year 2015, 2018, this chart, in today's dollars, by 2010 it will cost $100 billion. The general fund is going to have to come up with $100 billion, way up in this area of the chart, to satisfy benefit needs. But if we use the dollars that will exist because of inflation in 2018, then it is going to take $600 billion out of the general fund, or additional borrowing, to pay back the Social Security trust fund what is owed to it. So I say it is very important that we move ahead now to solve the Social Security trust fund.

The bill that I am introducing does a second thing that I think is reasonable. It says, from now on, instead of using IOUs that are not negotiable, not marketable, from now on anything that the government borrows from the Social Security trust fund has to be a marketable Treasury bill. In other words, the trustees can take it around the corner and cash it in whenever they need it.

Let us be honest, let us be fair, let us move ahead with a solution to Social Security.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PETRI). Members are admonished, pursuant to House Rules, not to refer to visitors in the Gallery.

WAR ON DRUGS TO PROTECT CHILDREN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized during morning hour debates for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, today the House will consider H.R. 423, a resolution to declare war on drugs to protect our children. While this resolution is nonbinding, it is important that we continue to express our commitment towards making America drug free.

Drug-driven violent crime is spiraling out of control, particularly among juvenile offenders. Over the past 10 years, in my State of North Carolina, juvenile arrests have almost doubled, from 11,165 in 1986, to 21,717 in 1996, a startling 93 percent.

And the numbers are far worse for violent crimes: weapons violations and drug offenses. In North Carolina, violent crime among juveniles, murder, rape, robbery, aggravated assault, increased by 129 percent over the past decade. Weapons violations increased by an incredible 492 percent, and drug violations by an unbelievable 460 percent.

We must not only offer our young people change, we must also offer them a chance for a fully productive life. Support the resolution.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 1 o'clock and 04 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BEREUTER) at 2 p.m.

PRAYER

Rabbi Mark S. Miller, Temple Bat Yahm, Newport Beach, California offered the following prayer:

Oh God, you fashioned humankind in your image, endowed each of us in this House with conscience and convictions, and granted us a sacred trust as leaders of our people.

As we go about our daily tasks and go forth to our life's work, may we be true to our better selves, be grateful for the opportunity to serve America and guide its destiny, be constant in upholding a moral standard for young and old to emulate, be decisive in distinguishing right from wrong, and be united with all who pursue peace.

May we look into the past and know from whence we come, may we look upon the present with steadfast resolve, and look toward the future with confidence in a brighter tomorrow.

With eyes lifted unto the mountains of faith, with hearts that beat in the cause of freedom, with hands outstretched in deeds that are fruitful, we take up this day's labor, praying that the words of the Psalmist will be fulfilled in our lives: ''Happy are they who dwell in Thy House.'' 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.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Colorado (Mr. HEFLEY) come forward and lead the House in the Pledge of Allegiance.

Mr. HEFLEY 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.

RABBI MARK S. MILLER

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

Mr. SHERMAN. Mr. Speaker, today was a first. We have had many legislative assistants working in the House and the Senate who have dreamed of addressing this body, but I believe that this is the first time that a legislative assistant has addressed this body, not as a Member, but as a guest chaplain.

I am proud to have introduced to this body my rabbi in my formative years and my family's rabbi, Mark S. Miller, who returns to this Capitol many years after serving as a legislative assistant for Senator Mondale.

When the rabbi came to Orange County, my father was the first in our family to meet him; and he came back to the family and said, ''I have met a scholar.'' He was right. After so many sermons that I heard, so many talks that I had with Rabbi Miller growing up, I knew him as a scholar. Much of the Nation knows him as a scholar from his lectures on business ethics and bioethics and his writings on biblical topics.

I know that my friends at Temple Bat Yahm, my mother, my father who is I am sure watching this event from on high, and his wife Wendy and their five children all join me in this joy and this honor in having heard Rabbi Miller give the invocation today.

HUBBELL ROLLS OVER ONE MORE TIME

(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, consider this. You have the person who was the third highest position at the Justice Department, who cheated his partners out of a half million dollars, who then cheated the taxpayers out of hundreds of thousands of dollars, and who admits out loud on tape, and I quote, ''I need to roll over one more time.'' For the hear-no-evil, see-no-evil Members, I will say that again. Web Hubbell says to his wife on tape, ''I need to roll over one more time.''

One more time? This will be truly puzzling to the other side, perhaps, who act as if they are unfamiliar with the language of cover-up, the language of a person who needs to keep silent to protect his friends.

One more time? Is it possible that Mr. Hubbell is referring to his refusal to tell Judge Starr what he knows in order to protect the White House?

Roll over? Perhaps Mr. Hubbell means that he will have to take the hit, accept jail time one more time if that is what it takes to protect his friends.

CHINA RIPPING AMERICA OFF $60 BILLION A YEAR

(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, the trade representative said, and I quote: China is guilty, guilty of attaching fraudulent ''Made in America'' labels to Chinese made products. She said she was surprised and, as a result, we are hitting China with a $94 million maximum penalty.

Wow. What a surprise. Every worker in America knows that China has been ripping us off, ripping us off to the tune of now $60 billion a year. If that is not enough to stir your home fries, check this out. China is building the biggest army and the biggest nuclear arsenal in the world with our tax dollars. Think about it.

Look, if the trade representative thinks that $94 million is a lot of money to China, then I believe she thinks that Viagra is a waterfall in West Virginia, folks. They do not know what the hell is going on. Beam me up with this policy.

Mr. Speaker, I yield back what national security and common sense we have left.

NORAD'S 40TH ANNIVERSARY

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

Mr. HEFLEY. Mr. Speaker, I come to the House floor today to pay tribute to the North American Aerospace Defense Command, or NORAD as it is commonly known. Today NORAD is celebrating its 40th anniversary, and I wish to congratulate them on a job well done.

Located in Colorado Springs, NORAD is charged with the mission of aerospace warning and aerospace control for North America. Since the first binational agreement was signed in 1958 between the United States and Canada, NORAD has faithfully carried out the task of early warning missile and manned aircraft detection. In addition to serving as a vital component of our national defense, NORAD also assists in the detection and monitoring of aircraft suspected of illegal drug trafficking.

Originally conceived as a defense against long-range Soviet bombers, NORAD has always adapted well to changes in the global national security arena. The evolving threat of nuclear-tipped intercontinental ballistic missiles during the Cold War era increased and expanded NORAD's focus to that of a long-range missile attack. It was the early detection capability that I think helped deter nuclear war. I salute NORAD on its 40th anniversary.

SUPPORT SCHOOL CHOICE

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

Mr. JONES. Mr. Speaker, it is a sad fact but it is true that America's education system is failing our children. Many of today's students are not learning as they should, and some are even afraid to go to school because they are forced to attend a school in which they fear for their safety.

This terrible situation has resulted from years of Federal bureaucracies trying to fill a role that needs to be filled by parents, teachers, and communities. The Federal Government already funds more than 760 Federal education programs which span 40 Federal agencies, boards, and commissions and costs the American taxpayer nearly $100 billion a year. But these efforts have failed our children.

They have failed because a Federal bureaucrat who is hundreds or even thousands of miles away cannot possibly determine what is best for a child like those who see the children every day. It is past time to return education to parents, teachers, and communities where it belongs. I hope my colleagues will support school choice

REMOVE CHAIRMAN BURTON FROM CAMPAIGN FINANCE REFORM INVESTIGATION

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

Mr. STUPAK. Mr. Speaker, this is Law Enforcement Officers Memorial Week. During this week, we honor those officers who gave their lives in the line of duty, upholding the law. This is, after all, a Nation founded on a rule of law. This is a Nation which requires that all citizens have faith and confidence in the judicial system and a belief that justice will be served.

That is why, Mr. Speaker, I am so profoundly troubled and angered by the way the gentleman from Indiana (Mr. BURTON) of the House Committee on Government Reform and Oversight has handled its investigation of campaign finance reform.

I am disturbed by the releasing of doctored tapes, by vile name-calling of the President of the United States, and by disregard for procedures which bind

every law enforcement agency, but apparently not Members of the U.S. House of Representatives. The American people know that the truth of matters will come out.

What is sad and unfortunate, Mr. Speaker, is that along the way to truth, we disgrace ourselves and our institution by not maintaining a high standard which we all should be setting. Mr. Speaker, remove the chairman from this investigation.

SUPPORT H.R. 2829, THE BULLETPROOF VEST PARTNERSHIP ACT

(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 H.R. 2829, the Bulletproof Vest Partnership Act, will come before this body to serve one very important purpose, and that purpose is to help save the lives of our law enforcement personnel.

Tomorrow in Carson City, the capital of Nevada, State officials and law enforcement representatives will gather to dedicate the Nevada Law Enforcement Police Officers Memorial. Inscribed on this memorial are the names of every law enforcement officer who lost his or her life in the line of duty.

The passage of H.R. 2829 will help protect our law enforcement officers who, on a daily basis, put their lives on the line to keep our communities and ourselves and our families safe.

It is the hope of all Nevadans, and I know especially the families of law enforcement personnel, that the passage of this legislation will prevent future names and, perhaps, their loved ones from being added to this valorous memorial.

The men and women of law enforcement provide safety and a sense of security to every American citizen. This is our chance to provide a sense of safety and security to them.

PARTISANSHIP FOUND IN CAMPAIGN FINANCE INVESTIGATION

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

Mrs. CHENOWETH. Mr. Speaker, accusations of partisanship are very common in this city. However, it is also common to notice that those making accusations of partisanship are often among the most bitterly partisan people in the entire city.

The top Democrat on the House Committee on Government Reform and Oversight is a proud partisan with impeccable credentials. Just listen to his impressive record of partisanship. He had no problem with the White House having 900 FBI files on Republicans. He thought White House nonexplanations that no one knew who hired Craig Livingstone was satisfactory. He had no problem with the White House smear of Billy Dale and the others fired in the White House travel office.

Vice presidential fund-raising on government property, no problem. The Vice President having a fund-raiser at a Buddhist Temple in California, no problem. The Democrats see nothing wrong with that. Shaking down impoverished Indian tribes for campaign money, no problem.

The Democrats ask why we should care. Turning the White House coffees into fund-raisers, I have a problem with that, Mr. Speaker.

GLOBAL WARMING

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

Mr. PETERSON of Pennsylvania. Mr. Speaker, a petition has been signed and released by over 17,000 scientists urging the Congress and other lawmakers around the world to reject the Kyoto Protocols on global climate change. The 17,000 signers include over 2,000 physicists, geophysicists, climatologists, meteorologists, oceanographers, and environmental scientists.

In addition, 4,400 are qualified to assess the effects of carbon dioxide upon the Earth's plant and animal life, and most of the remaining signers have technical training suitable to understanding climate change issues.

The petition letter is a strongly worded statement that goes beyond rejecting the Kyoto Protocol. It denies the existence of any scientific evidence that man-made greenhouse gases will cause catastrophic warming, and even goes so far as to say ''increases in atmospheric carbon dioxide produce many beneficial effects upon the natural plant and animal environments of the Earth.'' That is because carbon dioxide is not a pollutant. It is a life essential gas.

Mr. Speaker, it is time for this administration and its extremists to stop the deception of the American people on global climate change.

□ 1415

HUMAN RIGHTS UNDER ATTACK IN TURKEY

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

Mr. PORTER. Mr. Speaker, this morning in Ankara, Akin Birdal, widely regarded as Turkey's foremost human rights defender, was gunned down in his office by two unknown assailants. He is currently in critical condition in an Ankara hospital. Right-wing extremists have been blamed for the attack, but the Turkish government must bear some responsibility for this unconscionable act of violence, even if they did not pull the trigger.

In recent weeks, the Turkish media has quoted government sources as saying Mr. Birdal, an internationally respected human rights leader, is a tool of the PKK. These stories were designed to turn popular opinion against Mr. Birdal, and these irresponsible lies may now cost him his life.

I visited Turkey earlier this year, Mr. Speaker, and met with government officials who seemed to understand there were serious human rights problems in their country, and they seemed committed to solving these problems. This latest act of violence casts grave doubts on the sincerity of this commitment.

I call on my colleagues to join me today in expressing our strong condemnation of this cowardly attack on a defender of human rights, and our demand that his attackers be brought to justice.

POLITICAL QUESTIONS WITH NO ANSWERS

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

Mr. WELDON of Florida. Mr. Speaker, I have some questions for the other side of the aisle, questions that I am absolutely 100 percent sure I will receive no answers for.

I am sure that I will receive no answers, because for nearly three years now the other side has made it abundantly clear that they have no interest in discovering how the Democratic National Committee raised nearly $3 million in illegal campaign contributions from communist China; no interest in discovering how the White House came to possess 900 FBI files of Republicans; no interest in discovering who in the White House ordered the FBI and the IRS to investigate Billy Dale and the other White House Travel Office employees in order to smear them.

My questions are, do you think that Webster Hubbell's statement on his jailhouse tapes that ''I need to roll over one more time,'' is indicative of a crime? Do you think that Webster Hubbell's statement with respect to overbilling that ''I will not raise those allegations that might open it up to Hillary,'' is not indicative of a crime? Do you think that Mrs. Hubbell's great fears she will lose her job if her husband tells the truth about what he knows is not relevant to the committee's investigations?

Questions, yes, Mr. Speaker, that I am sure fellow Americans we will not a receive answer to, not a single one.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. BEREUTER) laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 1998.

Hon. NEWT GINGRICH,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the

Rules of the U.S. House of Representatives. I have the honor to transmit a sealed envelope received from the White House on May 11, 1998 at 3:40 p.m. and said to contain a message from the President whereby he transmits the 1996 National Institute of Building Sciences annual report.

With warm regards,

ROBIN H. CARLE,
Clerk.

NATIONAL INSTITUTE OF BUILDING SCIENCES ANNUAL REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore 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 Banking and Financial Services.

To the Congress of the United States:

In accordance with the requirements of section 809 of the Housing and Community Development Act of 1974, as amended (12 U.S.C. 1701j–2(j)), I transmit herewith the annual report of the National Institute of Building Sciences for fiscal year 1996.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 11, 1998.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 5 p.m. today.

GRANITE WATERSHED ENHANCEMENT AND PROTECTION ACT OF 1998

Mrs. CHENOWETH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2886) to provide for a demonstration project in the Stanislaus National Forest, California, under which a private contractor will perform multiple resource management activities for that unit of the National Forest system, as amended.

The Clerk read as follows:

H.R. 2886

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Granite Watershed Enhancement and Protection Act of 1998''.

SEC. 2. DEMONSTRATION RESOURCE MANAGEMENT PROJECT, STANISLAUS NATIONAL FOREST, CALIFORNIA, TO ENHANCE AND PROTECT THE GRANITE WATERSHED.

(a) RESOURCE MANAGEMENT CONTRACT AUTHORIZED.—The Secretary of Agriculture may enter into a contract with a single private contractor to perform multiple resource management activities on Federal lands within the Stanislaus National Forest in the State of California for the purpose of demonstrating enhanced ecosystem health and water quality, and significantly reducing the risk of catastrophic wildfire, in the Granite watershed at a reduced cost to the Government. The contract shall be for a term of five years.

(b) AUTHORIZED MANAGEMENT ACTIVITIES.—The types of resource management activities performed under the contract shall include the following:

(1) Reduction of forest fuel loads through the use of precommercial and commercial thinning and prescribed burns.

(2) Monitoring of ecosystem health and water quality in the Granite watershed.

(3) Monitoring of the presence of wildlife in the area in which management activities are performed and the effect of the activities on wildlife presence.

(4) Such other resource management activities as the Secretary considers appropriate to demonstrate enhanced ecosystem health and water quality in the Granite watershed.

(c) COMPLIANCE WITH FEDERAL LAW AND SPOTTED OWL GUIDELINES.—All resource management activities performed under the contract shall be performed in a manner consistent with applicable Federal law and the standards and guidelines for the conservation of the California spotted owl (as set forth in the California Spotted Owl Sierran Province Interim Guidelines or the subsequently issued final guidelines, whichever is in effect).

(d) FUNDING.—

(1) SOURCES OF FUNDS.—To provide funds for the resource management activities to be performed under the contract, the Secretary may use—

(A) funds appropriated to carry out this section;

(B) funds specifically provided to the Forest Service to implement projects to demonstrate enhanced water quality and protect aquatic and upland resources;

(C) excess funds that are allocated for the administration and management of the Stanislaus National Forest, California;

(D) hazardous fuels reduction funds allocated for Region 5 of the Forest Service; and

(E) a contract provision allowing the cost of performing authorized management activities described in subsection (b) to be offset by the values owed to the United States for any forest products removed by the contractor.

(2) PROHIBITION ON USE OF CERTAIN FUNDS.—Except as provided in paragraph (1), the Secretary may not carry out the contract using funds appropriated for any other unit of the National Forest System.

(3) CONDITIONS ON FUNDS TRANSFERS.—Any transfer of funds under paragraph (1) may be made only in accordance with the procedures concerning notice to, and review by, the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate that are applied by the Secretary in the case of a transfer of funds between appropriations.

(e) ACCEPTANCE AND USE OF STATE FUNDS.—The Secretary may accept and use funds provided by the State of California to assist in the implementation of the contract under this section.

(f) REPORTING REQUIREMENTS.—Not later than February 28 of each year during the term of the contract, the Secretary shall submit to Congress a report describing—

(1) the resource management activities performed under the contract during the period covered by the report;

(2) the source and amount of funds used under subsection (d) to carry out the contract; and

(3) the resource management activities to be performed under the contract during the calendar year in which the report is submitted.

(g) RELATIONSHIP TO OTHER LAWS.—Nothing in this section exempts the contract, or resource management activities to be performed under the contract, from any Federal environmental law.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Idaho (Mrs. CHENOWETH) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Idaho (Mrs. CHENOWETH).

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

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

Mrs. CHENOWETH. Mr. Speaker, the Granite Watershed Enhancement and Protection Act is an excellent bill that will enable the Forest Service to accomplish multiple resource objectives aimed at reducing fire risk and improving water quality under a single contract. H.R. 2886 provides for a pilot project on approximately 8,000 acres of National Forest land located in and around the 1993 Granite Burn on the Groveland District of the Stanislaus National Forest.

Major meadow restoration, thinning, fuels reductions and road maintenance work is needed in order to improve watershed and runoff conditions for this river canyon. Current law does not allow the Forest Service to offer such a multiple services contract. The legislation provides the necessary authority, and specifies that the project will be subject to all applicable environmental rules and standards.

Mr. Speaker, I commend my colleague, the gentleman from California (Mr. DOOLITTLE), for his work on this bill. He has done an admirable job in moving the bill forward with the support of the administration. The legislation reported by the Committee on Resources includes language requested by the administration to clarify the contracting authority, and it addresses concerns that were raised by the environmental community in the district of the gentleman from California (Mr. DOOLITTLE). The meadow restoration, the thinning, the fuels reduction and road maintenance work authorized by the bill will greatly improve the conditions of the Granite watershed.

Now, 25 years after the Granite fire, I urge my colleagues to give their support to H.R. 2886, so that this much-needed work can finally be done.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentlewoman from Idaho (Mrs. CHENOWETH) for her management of this legislation.

Mr. Speaker, I rise in support of this bill which is sponsored by my good

friend, the gentleman from California (Mr. DOOLITTLE). The Forest Service has requested the contracting authority set forth in this legislation in order to more efficiently manage a restoration project on 8,000 acres of land in the Granite Creek watershed of the Stanislaus National Forest in California.

The details of the restoration work to be conducted pursuant to the contract authorized by this bill will be determined after a public process in compliance with NEPA. It is our understanding that the Forest Service is contemplating restoration activities such as thinning, controlled burning and road decommissioning in order to improve forest conditions and water quality in the Granite watershed.

The legislation also provides that funds from the State of California, including CALFED funds, may also be used by the Forest Service to support these restoration activities in a watershed which is part of the Bay-Delta system.

Mr. Speaker, it is important to recognize that this bill provides for consolidated contract authority which is limited to the specific test projects in California, but we on the minority side of the aisle are not prepared to conclude that such authority is necessary or desirable on a nationwide basis. It remains to be seen whether a single contract will result in more efficient and effective restoration work, and we would anticipate continued oversight concerning implementation of this, should it be enacted into law.

The Forest Service has testified before the Committee on Resources in support of consolidated contracting authority for the Granite Creek project. They are satisfied with the bill's text as reported by the committee.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance my time.

Mrs. CHENOWETH. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. DOOLITTLE).

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

Mr. DOOLITTLE. Mr. Speaker, I thank the gentlewoman from Idaho (Mrs. CHENOWETH), our chairman, and the gentleman from American Samoa (Mr. FALEOMAVAEGA) for their kind remarks.

Mr. Speaker, this legislation, as has been indicated, will allow the Forest Service to develop a resource management contract that evaluates the landscape as a whole rather than, as is present practice, in individual pieces, by streamlining the government contracting process and reducing staff time spent developing a project, thereby saving taxpayer dollars.

H.R. 2886 will provide the Forest Service with new innovative contracting authority for the purpose of developing a comprehensive land management contract for the Granite area. Conceptually, the proposed project seeks to combine management activities, like forest thinning, with road maintenance, wildlife monitoring, and repair and maintenance, to improve erosion and runoff conditions.

This bill would allow the Forest Service to use the revenue generated from the sale of commercial timber to offset the cost of conducting nonrevenue producing watershed improvement work.

Existing Federal contracting authority prohibits the Forest Service from offering a contract that bundles multiple resource activities under one umbrella. While a combination of forest thinning and repair and restoration work might be needed in an area to improve forest health conditions, existing law requires the Forest Service to offer separate contracts for this type of work.

These limitations often result in tremendous duplication of effort by staff, unnecessary paperwork and higher preparation costs at the expense of the taxpayer. In the end, the result is an overly bureaucratic process that prevents the Forest Service from developing a project that evaluates the landscape as a whole. This bill alters this dynamic by allowing the Forest Service the opportunity to accomplish a greater amount of resource work by simply streamlining the contracting process.

H.R. 2886 looks to meet both environmental and commercial needs by using a stewardship approach to managing our Federal lands and watersheds. By allowing the Forest Service to implement a project that saves taxpayer dollars, reduces the risks of catastrophic wildfire and improves the quality of water flowing through our forest streams, this project will serve as a learning model of how to coordinate and gain efficiency in multipurpose restoration of forested watersheds.

Mr. Speaker, this bipartisan legislation passed unanimously out of the Committee on Resources, and, as was indicated, it is supported by the administration.

H.R. 2886 includes language that clarifies stewardship contracting authorities of the Forest Service and addresses concerns raised by the environmental community. I would ask for the support of my colleagues, and urge them to pass this legislation today.

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

Mr. Speaker, again I commend the gentleman from California (Mr. DOOLITTLE) for his sponsorship of this legislation. I also want to commend the gentleman from California for his pronunciation of my district. It is not ''Somalia,'' it is not ''Sam-o-a,'' it is ''Sa-moa.'' I really appreciate that.

Again, I thank the gentlewoman from Idaho (Mrs. CHENOWETH) for her management of this legislation.

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

Mrs. CHENOWETH. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Idaho (Mrs. CHENOWETH) that the House suspend the rules and pass the bill, H.R. 2886, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. CHENOWETH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2886, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

MILES LAND EXCHANGE ACT OF 1997

Mrs. CHENOWETH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1021) to provide for a land exchange involving certain National Forest System lands within the Routt National Forest in the State of Colorado.

The Clerk read as follows:

H.R. 1021

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Miles Land Exchange Act of 1997''.

SEC. 2. LAND EXCHANGE, ROUTT NATIONAL FOREST, COLORADO.

(a) AUTHORIZATION OF EXCHANGE.—If the non-Federal lands described in subsection (b) are conveyed to the United States in accordance with this section, the Secretary of Agriculture shall convey to the party conveying the non-Federal lands all right, title, and interest of the United States in and to a parcel of land consisting of approximately 84 acres within the Routt National Forest in the State of Colorado, as generally depicted on the map entitled ''Miles Land Exchange'', Routt National Forest, dated May 1996.

(b) RECEIPT OF NON-FEDERAL LANDS.—The parcel of non-Federal lands referred to in subsection (a) consists of approximately 84 acres, known as the Miles parcel, located adjacent to the Routt National Forest, as generally depicted on the map entitled ''Miles Land Exchange'', Routt National Forest, dated May 1996. Title to the non-Federal lands must be acceptable to the Secretary, and the conveyance shall be subject to such valid existing rights of record as may be acceptable to the Secretary. The parcel shall conform with the title approval standards applicable to Federal land acquisitions.

(c) APPROXIMATELY EQUAL IN VALUE.—The values of both the Federal and non-Federal lands to be exchanged under this section are deemed to be approximately equal in value, and no additional valuation determinations are required.

(d) APPLICABILITY OF OTHER LAWS.—Except as otherwise provided in this section, the

Secretary shall process the land exchange authorized by this section in the manner provided in subpart A of part 254 of title 36, Code of Federal Regulations.

(e) MAPS.—The maps referred to in subsections (a) and (b) shall be on file and available for inspection in the office of the Forest Supervisor, Routt National Forest, and in the office of the Chief of the Forest Service.

(f) BOUNDARY ADJUSTMENT.—Upon approval and acceptance of title by the Secretary, the non-Federal lands conveyed to the United States under this section shall become part of the Routt National Forest, and the boundaries of the Routt National Forest shall be adjusted to reflect the land exchange. Upon receipt of the non-Federal lands, the Secretary shall manage the lands in accordance with the laws and regulations pertaining to the National Forest System. For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9), the boundaries of the Routt National Forest, as adjusted by this section, shall be considered to be the boundaries of the National Forest as of January 1, 1965.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Idaho (Mrs. CHENOWETH) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Idaho (Mrs. CHENOWETH).

□ 1430

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

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

Mrs. CHENOWETH. Mr. Speaker, H.R. 1021, introduced by the gentleman from Colorado (Mr. SCOTT MCINNIS), authorizes an exchange of approximately 84 acres within the Routt National Forest for approximately 84 acres of private land known as the Miles parcel, which is located adjacent to the Routt National Forest.

Ms. Marjorie Miles, the owner of the private land, and the Forest Service proposed a land exchange to remedy a situation where a private inholding adjacent to the forest boundary has created a private-public property line that is complex, to say the least, and expensive for the Forest Service to maintain. H.R. 1021 provides the authority needed to allow the Forest Service to undertake an exchange which will simplify and clarify the property line, and reduce the Forest Service's maintenance costs.

I commend my colleague, the gentleman from Colorado (Mr. MCINNIS) for his fine work on this bill. H.R. 1021 is an equal-value exchange which enjoys the support of all interested parties, and I urge its passage.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in support of this legislation, which was introduced by the gentleman from Colorado (Mr. MCINNIS), and reported favorably by the Committee on Resources by voice vote. I note that a companion bill sponsored by Senator BEN NIGHTHORSE CAMPBELL of Colorado has already passed the Senate.

In essence, Mr. Speaker, this bill provides for a boundary adjustment of 84 acres in the Routt National Forest in Colorado. The Forest Service would acquire an inholding which they consider to be a worthy addition to the National Forest. In exchange, the private property owner will receive an equal number of acres which are currently occupied under a special use permit. The bill deems this to be an equal value exchange based on assurances from the Forest Service that the land values are approximately equal and that the exchange is in the public interest.

Mr. Speaker, I am not aware of any opposition from this side of the aisle.

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

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

The SPEAKER pro tempore (Mr. BEREUTER). The question is on the motion offered by the gentlewoman from Idaho (Mrs. CHENOWETH) that the House suspend the rules and pass the bill, H.R. 1021.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

EXTENDING DEADLINE OF FERC PROJECT NUMBER 9248 IN COLORADO

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2217) to extend the deadline under the Federal Power Act applicable to the construction of FERC Project Number 9248 in the State of Colorado, and for other purposes.

The Clerk read as follows:

H.R. 2217

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF DEADLINE AND REINSTATEMENT OF LICENSE.

(a) EXTENSION OF DEADLINE.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to Federal Energy Regulatory Commission project numbered 9248, the Commission shall, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time required for commencement of construction of the project until January 30, 2002.

(b) REINSTATEMENT OF EXPIRED LICENSE.—The Commission shall reinstate, effective as of the date of its expiration, the license of the Town of Telluride, Colorado, for the project referred to in subsection (a) that expired prior to the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. DAN SCHAEFER) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. DAN SCHAEFER).

GENERAL LEAVE

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill presently under consideration.

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

There was no objection.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, under section 13 of the Federal Power Act, project construction must begin within 4 years of issuance of a license. If construction has not begun by that time, the Federal Energy Regulatory Commission cannot extend the deadline and must terminate the license.

H.R. 2217 provides simply for the extension of this construction deadline of the San Miguel project, a 4.6 megawatt hydroelectric project in the State of Colorado, if the sponsor pursues the commencement of construction in good faith and with due diligence.

These types of bills have not been controversial in the past, and I do not believe, from the other side of the aisle, that this will be. The bill does not change the license requirements in any way and it does not change environmental standards, but merely extends the construction deadlines.

There is a need to act since the construction deadline for the project expired in January of 1996 and FERC has terminated the license. Unless Congress acts, the town of Telluride will lose its investment in this project, and we do not want that to happen.

H.R. 2217 would reinstate the license and extend the construction deadline by 6 years. According to the town of Telluride, the sponsor of the project, construction has not commenced because of delays in obtaining a special

use permit from the U.S. Forest Service, and a dredge and fill permit from the U.S. Army Corps of Engineers. Because of that, Telluride lacks the power of sales for the contract. I feel very strongly that this is something that we have to proceed with.

As I stated during the consideration of similar legislation that we have dealt with over a period of time, the lack of a power sales contract is the main reason for the construction of hydroelectric projects, and the fact that they have not been able to commence in a timely manner.

It is very difficult for a hydroelectric project sponsor to secure financing until such time as they are granted a license and the construction deadline begins to run. Mr. Speaker, I, with cooperation from my good friend, the gentleman from Texas (Mr. HALL), we have worked on these things back and forth all the time.

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

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

(Mr. HALL of Texas asked and was given permission to revise and extend his remarks.)

Mr. HALL of Texas. Mr. Speaker, I first thank the gentleman from Colorado (Mr. SCHAEFER), and certainly I thank the House. I suggest that H.R. 2217 would simply extend the deadline for the commencement of construction for a 4.6 megawatt hydroelectric project in San Miguel County, Colorado, until January 30 of the year 2002. This would extend the deadline to 10 years after the date the license was issued.

According to the bill's sponsor, the gentleman from Colorado (Mr. MCINNIS), construction had not commenced because of delays in obtaining a special use permit from the U.S. Forest Service, and an U.S. Army Corps of Engineers dredge and fill permit, and because it lacks a power purchase agreement.

This legislation simply provides that the licensee must meet the Federal Power Act Section 13 requirement that it prosecute construction ''in good faith and with due diligence.''

The Federal Energy Regulatory Commission has indicated in a letter to the Subcommittee on Energy and Power that it has no objection to the enactment of this legislation. Under statute, FERC can only grant a 2-year extension of the construction license.

This legislation is not controversial. I urge my colleagues to support it.

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

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. DAN SCHAEFER) that the House suspend the rules and pass the bill, H.R. 2217.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EXTENDING TIME REQUIRED FOR CONSTRUCTION OF A HYDROELECTRIC PROJECT

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2841) to extend the time required for the construction of a hydroelectric project, as amended.

The Clerk read as follows:

H.R. 2841

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF PERIOD TO COMMENCE CONSTRUCTION.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 805) that would otherwise apply to the Federal Energy Regulatory Commission Project numbered 10395, the Commission shall, at the request of the licensee for the project and after reasonable notice, in accordance with the good faith, due deference, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence the construction of the project, under the extension described in subsection (b), not more than 3 consecutive 2-year periods.

(b) EFFECTIVE DATE.—This section shall take effect on the date of the expiration of the extension of the period required for commencement of construction of the project described in subsection (a) that the Commission issued, prior to the date of enactment of this Act, under section 13 of the Federal Power Act (16 U.S.C. 806).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. DAN SCHAEFER) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. DAN SCHAEFER).

GENERAL LEAVE

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2841, as amended.

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

There was no objection.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DAN SCHAEFER of Colorado asked and was given permission to revise and extend his remarks.)

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, this legislation is very similar to the bill we just went through, so that my description is going to be very brief. Then I will yield to my good friend, the gentleman from Kentucky.

Under section 13 of the Federal Power Act, project construction must begin within 4 years of the issuance of a license. We know that. If construction is not begun by that time, the Federal Energy Regulatory Commission, again, cannot issue and cannot extend the deadline and must terminate the license.

H.R. 2841 provides for extension of the construction deadline of the Melhahl project, a 35 megawatt hydroelectric project in the State of Kentucky, if the sponsor pursues the commencement of construction in good faith and with due diligence. According to the City of Augusta, the project sponsor, construction has not commenced because of challenges from various competing applicants for this particular license. H.R. 2841 provides for up to three different consecutive 2-year extensions.

I think that this is something that we have to proceed with, in conferring with my good friend, the gentleman from Texas (Mr. HALL). I have to apologize for my voice. I have a little bit of laryngitis here today.

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

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

(Mr. HALL of Texas asked and was given permission to revise and extend his remarks.)

Mr. HALL of Texas. Mr. Speaker, H.R. 2841 would simply extend the deadline for commencement of construction of a 35-megawatt hydroelectric project in Bracken County, Kentucky, for up to three additional 2-year periods. According to the bill's sponsor, the gentleman from Kentucky (Mr. BUNNING), construction has not commenced because of the lack of a power purchase agreement. The deadline for commencement of construction on this project expires on July 31, 1999.

H.R. 2841 does not ease the hydroelectric licensing requirement, but merely extends the period for commencement of project construction. The chairman of the Subcommittee on Energy and Power, the honorable gentleman from Colorado (Mr. DAN SCHAEFER), has brought to the floor with this bill a manager's amendment which corrects a typographical error in section 1(b) of the legislation. I support this technical correction.

Mr. Speaker, the legislation is not controversial, I urge my colleagues to support it, and I yield back the balance of my time.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky (Mr. BUNNING).

Mr. BUNNING. Mr. Speaker, I thank my friend and manager, the gentleman from Colorado (Mr. DAN SCHAEFER), and also my friend, the gentleman from Texas (Mr. HALL), and I rise in strong support of H.R. 2841, legislation I introduced to extend the construction deadline for a proposed hydroelectric plant in my district.

Late last year I learned that the Augusta hydroelectric power project was running into some difficulties in securing private investors because of an impending construction deadline set by the Federal Emergency Regulatory Commission.

This is an extremely important project to my constituents in the northern part of Kentucky, and without congressional actions to extend this deadline, thousands of residents in my State could miss out on a tremendous source of inexpensive electricity.

□ 1445

The bill simply extends the present deadline set by the Federal Energy Regulatory Commission for 6 more years, which will provide the necessary time for the city of Augusta Kentucky to seek and obtain new investors for this important project. However, without our assistance today, this project will not meet its current construction deadline and be terminated.

By passing this legislation, we can help make sure that that does not happen. I appreciate the Committee on Commerce's quick action in bringing this important bill to the floor and look forward to working with them in the future to make sure this project is completed. I urge all of my colleagues to support this meaningful legislation.

I thank the chairman for yielding time to me.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BEREUTER). The question is on the motion offered by the gentleman from Colorado (Mr. DAN SCHAEFER) that the House suspend the rules and pass the bill, H.R. 2841, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SENSE OF THE HOUSE WITH RESPECT TO WINNING THE WAR ON DRUGS

Mr. HASTERT. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 423) expressing the sense of the House with respect to winning the war on drugs to protect our children.

The Clerk read as follows:

H. RES. 423

Whereas drug abuse killed 14,218 Americans in 1995 and it is estimated that nearly 114,000 Americans—many of them our youth—will have died as a result of drug abuse by the end of the period between 1992 and 2001, and it is estimated that 13,000,000 Americans used illegal drugs in 1996;

Whereas American taxpayers footed a $150,000,000,000 bill for drug-related criminal and medical costs in 1997, which is more than we spent in 1997's Federal budget for programs to fund education, transportation and infrastructure improvements, agriculture, energy, space and all foreign aid combined;

Whereas 34 percent of Americans see drug interdiction as a top priority foreign policy issue, above illegal immigration and the threat of terrorism, and 39 percent of Americans believe decreasing drug trafficking should be our primary objective in United States policy toward Latin America; and

Whereas the week of September 13 through 19, 1998 has been designated as the ''Drug-Free America Blue Ribbon Campaign Week'' to remind our children that they are not alone in the fight for a Drug-Free America: Now, therefore, be it

Resolved, That it is the sense of the House that—

(1) the House declares its commitment to create a Drug-Free America;

(2) the Members of the House should work personally to mobilize kids, parents, faith-based and community organizations, educators, local officials and law enforcement officers, as well as coaches and athletes to wage a winning war on drugs;

(3) the House pledges to pass legislation that provides the weapons and tools necessary to protect our children and our communities from the dangers of drug addiction and violence; and

(4) the United States will fight this war on drugs on three major battlefronts:

(A) Deterring demand.

(B) Stopping supply.

(C) Increasing accountability.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HASTERT) and the gentleman from Ohio (Mr. BROWN), each will control 20 minutes.

The Chair recognizes the gentleman from Illinois, (Mr. HASTERT).

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 and to include extraneous material on H. Res. 423.

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

There was no objection.

(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, we are facing a grave situation in this country, a situation that is not unlike scenes that we have faced within the last 20 years. Our children are being constantly nibbled away at with the threat of drugs, drugs in our communities, drugs in our neighborhoods, drugs in our schools. And we have constantly tried to wage this war. Unfortunately, it has been a war that has not been coordinated over the years, a war that policy does not always meet the appropriations, and a war where the public hears a little bit but sees little.

It is time for this Congress and this Nation to move forward to lay out a plan to win the war on drugs by the year 2002, to give the American people a solid plan to do this, to coordinate a policy and appropriations so the money goes to the place and gets the job done the quickest and the best. We must raise the level of awareness that there is a serious drug epidemic in our society.

This winning the war on drugs resolution takes the initial step to do that by listing the unfortunate facts about drug usage, the associated costs borne by the American taxpayers through drug-related crime and violence as well as higher medical bills.

I am pleased to see that just today the Congress has even pulled the President to the table and spurred him to propose a crime initiative that at its roots claims to target illegal drugs and money laundering, key aspects of the Speaker's Task Force for a Drug Free America agenda. This is a step in the right direction. National leaders need to come together. National leaders need to be engaged on this national problem.

The resolution also designates the second week of September as Drug Free America Blue Ribbon Campaign Week so every American can join together to protest illegal drugs by wearing a straight blue ribbon. Finally and most importantly for this body, it declares the House commitment to win the war on drugs by deterring demand, stopping supply and increasing accountability.

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

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

Mr. Speaker, I rise in support of this resolution expressing the sense of the House with respect to winning the war on drugs to protect our children. Since the majority party did not, for whatever reason, have hearings on this bill, I thought I would just read for Members in the House that are watching today just the basic thrust of the bill:

Resolved that it is the sense of the House that the House declares its commitment to create a Drug-Free America; that Members of the House should work personally to mobilize kids, parents, faith-based and community organizations, educators, local officials and law enforcement officers as well as coaches and athletes to wage a winning war on drugs; that the House pledges to pass legislation that provides the weapons and tools necessary to protect our children and our communities from the dangers of drug addiction and violence; and that the United States will fight this war on drugs on three major battle fronts: deterring demand, stopping supply, increasing accountability.

That is the resolution in front of us. Who could oppose it?

While I share my colleagues' commitment to protecting our children from the dangers of drug abuse, Mr. Speaker, I have my doubts that a 3-page resolution which commits this House to the creation of a drug-free America will move the Nation any nearer to accomplish this goal. It will not stop one more child from using drugs. It will not prevent another young man or young woman from overdosing on drugs. It will not stop a single drug dealer from

peddling his poisons. Drug abuse in our schools, our workplaces and our communities remains a serious problem that demands serious answers. For these reasons, we must build on successful drug abuse prevention initiatives like the safe and drug-free schools program, which provides grants to State and local schools.

These funds have helped thousands of schools and local communities across the country combat the scourge of drugs by allowing them to implement effective and creative prevention strategies based on the unique needs of the students they are trying to protect in the neighborhoods in which they live.

In the district I represent in northeast Ohio, parents, teachers, and students in areas as diverse as the city of Lorain and Amish farm communities in Geauga County have utilized tools like this program to successfully fight drug abuse. These efforts across the country have helped millions of children reject the lure of illegal drugs and succeed in school. But our fight is not yet won. We clearly need more help.

Additionally, this resolution will not stem the flood of illegal drugs which are being trafficked across our border with Mexico. A recent confidential report entitled ''Drug Trafficking, Commercial Trade and NAFTA on the Southwestern Border,'' by Operation Alliance, a task force led by the U.S. Customs Service, found that it is easier than ever to smuggle drugs into the United States through Mexico. According to the report, drug cartels have purchased legitimate trucking, rail and warehousing companies which they have used as fronts in their smuggling operations. Due to the flood of commercial vehicle traffic across our border, spawned by NAFTA, the failure of State governments, especially in Texas, to inspect trucks and our lax and inadequate inspection system, we have made it much easier for the drug cartels to smuggle their poisons into the United States. A former DEA official said, for Mexico's drug gangs, NAFTA was a deal made in narco-heaven.

So we find not only has this failed trade agreement cost American workers their jobs, it also put our children at greater risk by increasing their exposure to illegal drugs.

Mr. Speaker, we will not deter drug abuse by passing 3-page resolutions expressing the sense of the House of Representatives. We will only help parents, teachers, and students by providing them with the resources and the tools they need to better educate our children to the dangers of drug abuse so they can avoid falling into its deadly grip.

We undermine these efforts by passing bad trade agreements and ignoring the woefully inadequate interdiction efforts on our southwest border, in essence rolling out the red carpet to foreign drug smugglers. While I support this resolution before the body today, I do so in the hopes that my colleagues on the other side of the aisle will join us in passing real meaningful legislation which will help protect our children from drugs.

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

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

I appreciate the gentleman from Ohio making the statement. I agree. A 3-page resolution does not get the job done. But a 3-page resolution also makes a claim that this Congress has the will to get the job done. We lose 20,000 Americans each year to drugs and drug-related violence and gang violence on our street corners. Most of those are kids. We have to pass legislation that affects our communities, that affects our borders, that affects the flow of drugs from outside this country.

I agree with the gentleman from Ohio, we need to do that. And my colleagues will see, as we start to roll out pieces of legislation every week for the next 10 weeks, that will affect exactly those issues.

I join the gentleman from Ohio. I hope he will join us in putting together that legislation, voting on that legislation. That will do about six things. First of all, deal with treatment so that we have the most cost-effective treatment and available treatment in this country, to start to deal with communities so that we have the prevention programs that are important that we can deal with law enforcement, that they have the tools to get the job done, that we can deal with the borders, the Border Patrol, the INS, the Customs and those agents along that so we have a coordinated effort, and that we can put a stop to drugs moving across the border.

We also need to deal with the whole issue of foreign source drugs coming into this country, and we also need to deal with the issue of money laundering. We will show a strong initiative over the next 10 weeks, and I look forward to working with the gentleman from Ohio to get that done.

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

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman from Illinois for his comments and look forward to that challenge.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. REYES).

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

I rise today to ask all of my colleagues to carefully look at what this bill states. This legislation asks that all Members work personally to mobilize all members of local communities in fighting drugs and that the House will pass legislation to provide the necessary resources to protect children and communities from the dangers of drug addiction and drug-related violence.

I find it hard to imagine that anyone in this House would disagree with the intent of this legislation, and I find it hard to imagine that anyone would argue with the importance that this message sends.

Let me say this: It is time for this Congress to act in a bipartisan manner and pass meaningful legislation to keep our communities free from drugs and give our children the opportunity to live and learn in a drug-free environment. We have all heard the staggering facts. More than 50 percent of high school seniors have experimented with drugs. The most likely cause of death for a 16-year-old is alcohol related. America's demand for drugs each year is estimated at 5 billion. We as a Nation have an obligation to do something about all of this. We as a Congress have an obligation to do something about this specific issue. We as parents have a duty to address and correct this serious problem.

Congress has before it an aggressive, comprehensive drug legislative strategy. The Office of National Drug Control Policy or, as we know it, ONDCP, unveiled the 1998 National Drug Control Strategy in February of this year. For the first time the 1998 National Drug Control Strategy set specific performance objectives for antidrug programs.

Under the national drug strategy, for each year over the next 10 years antidrug programs will be held accountable for meeting specific performance goals. This is a bipartisan, aggressive, comprehensive plan which will drastically reduce illegal drug use in our country.

Allow me to stress the fact that this plan reflects a bipartisan consensus on drug control policy. As a former border patrol chief who lived and worked on the border, I know the importance of cooperation when combatting drug trafficking.

□ 1500

There should never be an ''us'' versus ''them'' mentality when we are trying to help keep our kids alive.

I urge all my colleagues to vote for this legislation and to take its message to heart: Pass meaningful legislation to keep our streets free from illegal drugs.

I have introduced legislation which will increase the number of Customs and INS inspectors along our borders. This increase in manpower will provide us with another tool to combat drug traffickers and their relentless flood of narcotics into our Nation. This legislation will also provide technology to allow us to detect illegal narcotics and prevent those shipments from entering our communities and poisoning our children.

I urge all of my colleagues to act in a responsible, bipartisan manner and support the ONDCP plan and support this legislation that will keep drugs off of our streets and away from our kids.

Mr. HASTERT. Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman for yielding me

this time, and I particularly thank the gentleman from Illinois for his excellent leadership on this issue in the war against drugs and mobilizing Congress to take greater action.

I rise in strong support of this resolution expressing the sense of Congress that all Americans must remain committed to combating the distribution, sale and use of illegal drugs by our Nation's youth. Why is this important? Because this war against drugs has to start with leadership, and we in Congress must provide that leadership.

During recent weeks I have appeared in a town meeting in the small town of Gentry in my district, a town of about 1,400 people, in which they have had a number of youth that have been devastated by methamphetamine, and they have been sent to drug rehab programs. So the police chief and the mayor asked if I would come, as their Congressman, and address this community because they wanted to do more.

I am going next week, or soon, to Waldron, another community with more drug problems.

And so community after community is starting to recognize the danger of drugs and the impact that it has not just in terms of statistics, but in terms of the lives of our young people.

I am a former Federal prosecutor, but more importantly, I am a parent who has had to raise teenagers during this very difficult time when peer pressure is devastating our young people and driving them into a life of drugs when they do not need to go that direction and know there is a better way.

We are all familiar with the statistics. One study shows us that the number of 4th to 6th graders experimenting with marijuana has increased a staggering 71 percent between 1992 and 1997. Drug use among 12- to 17-year-olds has jumped 78 percent since 1992. And the statistics go on and on.

We know that each of those statistics represents the lives of individuals that are impacted, and this resolution shows a commitment of this Congress that will be followed up with legislation that has been outlined by the gentleman from Illinois. We start with that commitment, and that commitment also carries from community to community and shows those people in the communities that we should not be cynical about the war on drugs, that we do intend to do something.

This Congress intends to do something. This Nation intends to do something. That is why I believe this resolution is important, and the legislation that will follow will back it up with meaningful action coming from this body.

Mr. Speaker, I urge my colleagues to support this resolution, and I compliment the gentleman from Illinois.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

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

Today the House will consider H.R. 423, a resolution to declare a war on drugs to protect children. While this resolution is not binding, it is important that we continue to express our commitment towards making America drug free.

We should understand that we all have a responsibility and opportunity and that we can, indeed, do more than this bill purports to do, but this is an important first beginning.

Crime in our communities has reached an intolerable level. Drug-driven crime, violent crime, is spiraling out of control, particularly among juvenile offenders. The use of guns by young people against other young people is alarming. Our children's futures are at risk, and they put everyone else in the community at risk.

There can be no more urgent time to act than this moment now in history. We can no longer postpone our responsibility in this. The drug and crime problem touches every State, every city, every neighborhood in the United States, both rural and urban.

According to the Children's Defense Fund, every 2 hours in America a child is killed by firearms. Fifteen children will die today as a result of gunshot wounds. And every 14 seconds a child is arrested. North Carolina is no different as a rural State. Over the past 10 years, in our State, juvenile arrests have almost doubled from 11,165 in 1986 to 21,717 in 1996, a startling 93 percent increase.

And the numbers are far worse for violent crimes, weapons violations and drug offenses. In North Carolina, violent crimes among juveniles, murder, rape, robbery, aggravated assault, increased by 129 percent over the past decade. Weapons violations increased by an incredible 492 percent and drug violation by an unbelievable 460 percent.

According to the Governor's Crime Commission, if the current trend continues in North Carolina, over the next 10 years, juvenile crime will again double and will reach a level that is three times higher than adult crime. It is no wonder that many of our young people are now planning their funerals rather than their futures.

Just as hard work and concentrated action have helped to curb crime in our general community, the same kinds of effort must be focused to make sure that we curb juvenile crime.

Some believe that the only key to juvenile crime can be found with more locks. Others, like the Covenant with North Carolina's Children, believe also that prevention plays a very important part in the answer. Whatever we believe, we should join together to support this resolution and continue our commitment.

The future is now. We must not waste time. We must act to curb crime and we must do it while our young people still have a chance. We want to give our young people a chance, make sure we listen to them, provide opportunity for them to develop. Whatever we do, we should make sure that we know that we have a responsibility.

Mr. Speaker, I urge the passage of this resolution.

Mr. HASTERT. Mr. Speaker, I yield myself 15 seconds to say that I associate myself with the statement of the gentlewoman from North Carolina.

Seventy percent of all people in prison are there probably because of drugs, 80 percent of our crime has a basis in drugs, and 75 percent of all domestic violence is there because of either drug or alcohol abuse. She is right on point.

Mr. Speaker, I yield 3¼ minutes to the gentleman from Indiana (Mr. BURTON), a leader on our committee and the task force on drugs.

Mr. BURTON of Indiana. Mr. Speaker, I rise today to lend my support to H. Res. 423, the sense of the House offered by my colleague, good friend, and a great subcommittee chairman, the gentleman from Illinois (Mr. HASTERT). I know he is one of the most tenacious Members of this body when it comes to fighting drugs. He has been down to Latin America, Colombia, several times.

I am proud to say that I have lent the gentleman my support in many of his counternarcotics efforts. He is the leader of the Speaker's Task Force for a Drug Free America, and I can think of no finer choice. As such, he is also the congressional drug czar. He has led many of the efforts and initiatives, along with the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations, myself, the gentleman from Indiana (Mr. SOUDER), the gentleman from Florida (Mr. STEARNS), the gentleman from Florida (Mr. MICA), the gentleman from Arizona (Mr. SHADEGG), and others, which have caused the Clinton administration and its Drug Czar, General McCaffery, to take notice and to react to our proposals.

The facts are simple, Mr. Speaker: Our kids are dying on the vine and the Clinton administration is looking the other way. There are nearly 20,000 drug-related deaths in our country every year. Vice President AL GORE estimates that the annual societal cost of drugs in our country exceeds $60 billion. Yet the administration's war on drugs is to treat the wounded, spending more than $15 billion on domestic treatment, prevention, and law enforcement, while spending less than $1 billion on the source and transit zone operations where the drugs are grown and transported to American streets and school yards.

Clearly, we should not cut the successful demand-side programs; rather we should increase the supply-side efforts to a level which is respectable, at a very minimum. The ambitious program of the gentleman from Illinois (Mr. HASTERT) will combine these efforts and produce a well-thought-out, common-sense approach to winning the war on drugs.

The anecdotes are many, but I would like to highlight this one: According to

the DEA, over the last 2 years there have been 35, count them, 35 teenage Colombian heroin overdose deaths in the Orlando, Florida, area alone.

The proof is in the pudding, as Colombian heroin has taken over the East Coast market, flooding it with cheap, extremely pure and deadly heroin. Indeed, the DEA confirms that more than 65 percent of the heroin seized on U.S. streets comes from Colombia. Yet the Clinton administration is without a heroin strategy and has fought tooth and nail to stop congressional efforts to combat this deadly problem which is sweeping across every town, big or small, in the country.

Simply put: The Clinton administration refuses to acknowledge the problem and accept Congress' solution. Clearly, Congress has the only heroin solution and strategy.

Mr. Speaker, in closing, let me say I am proud to join my good friend in his courageous efforts to provide the legislative avenue to win the war on drugs. With an absence of leadership in the Clinton administration on this issue, Congress must act now before we lose another generation of American children to this deadly scourge.

I salute the gentleman's efforts and hope he will let me know how I can help.

Mr. HASTERT. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. GILMAN), chairman of the committee on oversight that has the whole responsibility for overseeing drug operations.

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

Mr. GILMAN. Mr. Speaker, I am pleased to rise today in strong support of House Resolution 423 by the gentleman from Illinois (Mr. HASTERT), who is the chairman of our House task force on drugs, and I am pleased to cosponsor legislation reaffirming congressional support of fighting and winning our war against drugs.

The threat posed by illegal drugs is one of the greatest national security threats confronting our Nation. This is the cold truth: Virtually all illegal drugs in our Nation come from overseas. And the sooner we recognize that drugs are as much a foreign as a domestic problem, the more effective our response will be.

While opponents argue we spend too much on combating drugs, I contend they ignore the true cost of drug use in our society. In addition to costs associated with supply and demand reduction, drug use costs our Nation billions each year in health care expenses and lost productivity. Moreover, it also has intangible costs in terms of broken families, destroyed lives, many of whom are our young people.

As chairman of our House Committee on International Relations, I have long been dedicated to enlisting the international community on fighting the scourge of illegal drugs. Regrettably, as of late, this is a battle which our Nation has not been winning.

During the 1980s we made remarkable progress in reducing drug use and eliminating the view that drug use was socially acceptable. Between 1979 and 1992 there was a significant drop in ''past month'' drug users from over 25 million down to 12 million. Our focus during that period was twofold: It followed a dual track of simultaneously reducing both supply and demand.

Regrettably, this administration sharply curtailed interdiction funding and placed greater emphasis on demand reduction. The end result has been a sharp increase in the supply of drugs available on our streets, the highest purity levels ever encountered, and a resurgence of teenage drug use. From 1992 to 1996, teenage marijuana use doubled.

More disturbing, though, is the data reporting a rise in heroin use among our teenagers. Drugs killed over 14,000 Americans in the last 1 or 2 years.

In essence, this administration's policy of focusing on demand reduction is being overwhelmed by the current state of the drug market. With many of our cities literally awash in heroin, the drug dealers are using supply to create demand.

□ 1515

In order to effectively combat the problem of illegal drug use, we are going to have to employ a balanced approach of reducing supply, reducing demand, and doing it simultaneously. Our strategy, to be effective, requires efforts from all levels of our government and society and cooperation by the international community.

Mr. Speaker, I urge my colleagues to support this worthy resolution expressing our commitment to a drug-free America. For too long we have had a disjointed approach in combatting illegal drug use. If we as a Nation are willing to reduce use of tobacco, surely we should do the same for combatting the use of illegal drugs.

Mr. HASTERT. Mr. Speaker, may I inquire how much time is remaining on each side?

The SPEAKER pro tempore (Mr. BEREUTER). The gentleman from Illinois (Mr. HASTERT) has 5½ minutes remaining. The gentleman from Ohio (Mr. BROWN) has 7 minutes remaining.

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

Mr. HASTERT. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Speaker, I rise today in support of this resolution which declares that we must win the war on drugs.

Drug use is a serious problem in America. Most parents do not realize this, but over half of all high school seniors have admitted to using an illegal drug in their lifetime. It gets worse. Overall, drug use among 12- to 17-year-olds is up 78 percent since 1992, and marijuana use is up 141 percent.

America has experienced an explosion in drug use during the last 6 years. And study after study shows shocking levels that were unimaginable just a short decade ago. But these are not just statistics. They are numbers with broken homes and broken lives and destroyed futures.

In the last 5 years, we have lost the war on drugs. And I am saddened by the lack of leadership from President Clinton. He has repeatedly sent the wrong message. In his first year, he cut funding for the drug czar's office. He reduced funding for drug interdiction. And Federal prosecutions have dropped under this presidency. Keeping drugs out of kids' hands is simply not a priority of this President.

We are losing too many children to drugs. It is time to send the right message. America can win the war on drugs if we reverse the present course and send a clear signal to our kids that we are committed to a drug-free America.

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

Mr. HASTERT. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. MCCOLLUM), who has been on the forefront in working on the supply side reduction of drugs.

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

Mr. MCCOLLUM. Mr. Speaker, we are here today to pass a resolution I strongly support, and I hope every Member of this body does, calling on legislation and an all-out effort to deter demand, stop supply, and have increased accountability in an effort to really create a war on drugs. We have not had that for a while.

Since 1992, we have seen the teenage drug use in this Nation double. If this were anthrax coming into the country instead of drugs coming out of Latin America, cocaine and heroin, we would be at war, literally if not figuratively. We will be supplying the resources necessary to reduce the supply of drugs coming in here as well as taking it to the streets of this country with regard to law enforcement, community efforts, demand reduction in our schools, and so forth. We do not have the leadership right now to do that.

This Congress is committed now in this resolution to a course of action to renew a war on drugs, to truly fight that war. First and foremost, that means reducing the supply of cocaine and heroin and other drugs entering this country by at least 80 percent over the next 3 or 4 years so that we can drive the price of drugs up.

There is an inverse proportion, all the experts say, to the price of drugs. The greater they are, the lower the teenage drug use. We need to do that in order to provide breathing room for our folks at home to be able to do their job to get drug use among teenagers down.

On the other side of the coin, there are those who want to legalize drugs. The most absurd thing, in countries that have done that, we have seen double and triple the drug use among teenagers. Let us put the children first. Let

us pass this resolution, and then let us go back and provide the resources necessary to cut the supply of drugs by the necessary amount coming into this country from aboard whatever ships, planes and flying hours are needed, and get back on the streets doing our job.

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

Mr. HASTERT. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. SESSIONS), who is on the Speaker's drug task force.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman yielding me this time.

Mr. Speaker, once again it is my privilege to speak before this body and to the American people. We cannot say enough how important the war on drugs is. This Resolution 423 clearly expresses our sense to the American people that no other victory other than the victory on the war on drugs to protect our children is acceptable.

A few months ago, in the community of Lake Highlands, which is within the Fifth District of Texas, we were ravaged by vandalism; and it turns out that those perpetrators, those people who committed crimes, were high on marijuana laced with methamphetamines.

It saddened me as a parent and also as a Member of Congress that our communities are being invaded by those who desire to pollute our children with killer drugs. We must act responsibly to address this issue by deterring demand, stopping supply, and increasing accountability.

The SPEAKER pro tempore. The gentleman from Illinois (Mr. HASTERT) has 1½ minutes remaining.

Mr. HASTERT. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PAPPAS).

Mr. PAPPAS. Mr. Speaker, I thank the gentleman from Illinois for yielding me the time, and I thank him for his leadership.

Mr. Speaker, this resolution states ''the House declares its commitment to create a drug-free America.'' For the past two weeks, we have adopted two bills, one resolution last week that I authored with the very similar message focusing on young people in schools, and the week before that a resolution dealing with the needle exchanges. Very, very clear messages, very simple messages. And I have been very disappointed back in my district in New Jersey, members of the media have made light of it, have made light of statements that this House and the vast majority of Members of this House have stated very clearly that drug use is unacceptable and a drug-free America is a goal worth fighting for.

I stand here very proudly in supporting this resolution by the gentleman from Illinois (Mr. HASTERT), and I urge the members of the media that they need to join in this fight, not make light of it, not be cynical, not be skeptical, but that we all as Americans might speak as one voice.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself 30 seconds.

I appreciate the debate today and the sincerity of my friends on the other side of the aisle. I would hope that as we move on, and the gentleman from Illinois (Mr. HASTERT) mentioned that there will be one of these every week or so for the next 10 weeks, I hope that as we get into more substantive debates and more substantive resolutions and more substantive legislation, that we do go through the committee process and work these through and are able to write, bipartisanly, together, the most effective substantive legislation we can.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. HASTERT. Mr. Speaker, I yield myself the remainder of the time.

I wish to say, Mr. Speaker, that I appreciate the gentleman from Ohio (Mr. BROWN) joining with us today. This is, just as the gentleman said, 3 pages of pages. It is merely words. It is actions that the American people want. It is the will of this country, it is the will of this Congress to get things done. It is moms and dads and teachers and preachers getting together and saying, ''We have had enough.'' On the prevention side, it is doing our job to make sure our borders are secure and the dollars go effectively to stop drugs flowing from other countries into this country.

We owe it to ourselves, we owe it to this Congress, we owe it to the American people; and most of all, we owe it to our children and grandchildren. I ask for a positive vote on this legislation.

Mr. SAM JOHNSON of Texas. Mr. Speaker, drugs are no stranger to my hometown of Plano, Texas. Since the beginning of last year, heroin has claimed the lives of thirteen young people in my district.

Local police are working closely with community leaders and parents to stop this terrible epidemic. The heart of their mission is not just to stop the flow of drugs to these kids, but to get the word out that drugs kill.

Because, you see, somewhere along the line, the message got lost. Somewhere along the line, kids got the idea that drugs weren't that bad. I guess that happens when even the President of the United States jokes about it on M.T.V.

I've met with several law enforcement officials in Plano, and they all tell me the same thing—help us get the word out. And that's what we're doing here today.

This resolution sends a clear message to the President and to the drug users of America that the good times end now. No more. We are committed to ending the scourge of drugs in this country. And the President had better get on board, or he's going to get left behind.

We will not stand by and watch the future of our country waste away in a heroin haze. I owe it to the kids of Plano, Texas, just as the rest of this House owes it to the kids in their district. I urge my colleagues to support this resolution.

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today in support of H. Res. 423 and to share with my colleagues my own experience in Kentucky's Second Congressional District.

Last month, the Speaker's Task Force for a Drug-Free America unveiled a plan to renew America's commitment to win the war on drugs.

As many of you know, our congressional agenda will focus on stopping supply, increasing accountability, and deterring demand.

It is critical to protect our borders and to assist our federal, state and local agencies in this war. But I believe the real battle will be fought, and ultimately, won at the local level. This fight will be led by parents and community leaders. And I think we in this Chamber need to play an important leadership in this effort.

Recognizing this fact, I started the Heartland Coalition anti-drug project. The goal is to activate grass-roots coalition groups in all 22 counties in my district. We want every young person in the Second District to understand the dangers of drugs. These county groups are made up of parents, teachers, community leaders and members of law enforcement.

Since the Heartland Coalition was introduced last year, we have:

Held monthly meetings with the advisory council;

Established a directory that lists every organization interested with combating drugs in each county; and

Hosted a law enforcement summit which brought together community leaders involved in the anti-drug movement and law enforcement professionals.

This fall we will focus on our youth. We will listen to teenagers from all over my district to learn their concerns, fears and thoughts on drugs.

There is still a lot more to do, but the overwhelming support I have received from my constituents shows that we have taken a step in the right direction.

So, the war on drugs will not be won from on-high in Washington but in the hearts and homes of all Americans. H. Res. 423 is a pledge from Congress we will stand ready to assist in this effort.

Again, I urge my colleagues to join me in voting for H. Res. 423.

The SPEAKER pro tempore. All time has expired.

The question is on the motion offered by the gentleman from Illinois (Mr. HASTERT) that the House suspend the rules and agree to the resolution, H. Res. 423.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

UNITED STATES PATENT AND TRADEMARK OFFICE REAUTHORIZATION ACT, FISCAL YEAR 1999

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3723) to authorize funds for the payment of salaries and expenses of the Patent and Trademark Office, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3723

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States Patent and Trademark Office Reauthorization Act, Fiscal Year 1999''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be made available for the payment of salaries and necessary expenses of the Patent and Trademark Office in fiscal year 1999, $66,000,000 from fees collected in fiscal year 1998 and such fees as are collected in fiscal year 1999, pursuant to title 35, United States Code, and the Trademark Act of 1946 (15 U.S.C. 1051 et seq.). Amounts made available pursuant to this section shall remain available until expended.

SEC. 3. LEVEL OF FEES FOR PATENT SERVICES.

(a) GENERAL PATENT FEES.—Section 41 of title 35, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) The Commissioner shall charge the following fees:

''(1)(A) On filing each application for an original patent, except in design or plant cases, $760.

''(B) In addition, on filing or on presentation at any other time, $78 for each claim in independent form which is in excess of 3, $18 for each claim (whether independent or dependent) which is in excess of 20, and $260 for each application containing a multiple dependent claim.

''(C) On filing each provisional application for an original patent, $150.

''(2) For issuing each original or reissue patent, except in design or plant cases, $1,210.

''(3) In design and plant cases—

''(A) on filing each design application, $310;

''(B) on filing each plant application, $480;

''(C) on issuing each design patent, $430; and

''(D) on issuing each plant patent, $580.

''(4)(A) On filing each application for the reissue of a patent, $760.

''(B) In addition, on filing or on presentation at any other time, $78 for each claim in independent form which is in excess of the number of independent claims of the original patent, and $18 for each claim (whether independent or dependent) which is in excess of 20 and also in excess of the number of claims of the original patent.

''(5) On filing each disclaimer, $110.

''(6)(A) On filing an appeal from the examiner to the Board of Patent Appeals and Interferences, $300.

''(B) In addition, on filing a brief in support of the appeal, $300, and on requesting an oral hearing in the appeal before the Board of Patent Appeals and Interferences, $260.

''(7) On filing each petition for the revival of an unintentionally abandoned application for a patent or for the unintentionally delayed payment of the fee for issuing each patent, $1,210, unless the petition is filed under section 133 or 151 of this title, in which case the fee shall be $110.

''(8) For petitions for 1-month extensions of time to take actions required by the Commissioner in an application—

''(A) on filing a first petition, $110;

''(B) on filing a second petition, $270; and

''(C) on filing a third petition or subsequent petition, $490.

''(9) Basic national fee for an international application where the Patent and Trademark Office was the International Preliminary Examining Authority and the International Searching Authority, $670.

''(10) Basic national fee for an international application where the Patent and Trademark Office was the International Searching Authority but not the International Preliminary Examining Authority, $760.

''(11) Basic national fee for an international application where the Patent and Trademark Office was neither the International Searching Authority nor the International Preliminary Examining Authority, $970.

''(12) Basic national fee for an international application where the international preliminary examination fee has been paid to the Patent and Trademark Office, and the international preliminary examination report states that the provisions of Article 33 (2), (3), and (4) of the Patent Cooperation Treaty have been satisfied for all claims in the application entering the national stage, $96.

''(13) For filing or later presentation of each independent claim in the national stage of an international application in excess of 3, $78.

''(14) For filing or later presentation of each claim (whether independent or dependent) in a national stage of an international application in excess of 20, $18.

''(15) For each national stage of an international application containing a multiple dependent claim, $260.

For the purpose of computing fees, a multiple dependent claim referred to in section 112 of this title or any claim depending therefrom shall be considered as separate dependent claims in accordance with the number of claims to which reference is made. Errors in payment of the additional fees may be rectified in accordance with regulations of the Commissioner.''.

(b) PATENT MAINTENANCE FEES.—Section 41 of title 35, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) The Commissioner shall charge the following fees for maintaining in force all patents based on applications filed on or after December 12, 1980:

''(1) 3 years and 6 months after grant, $940.

''(2) 7 years and 6 months after grant, $1,900.

''(3) 11 years and 6 months after grant, $2,910.

Unless payment of the applicable maintenance fee is received in the Patent and Trademark Office on or before the date the fee is due or within a grace period of 6 months thereafter, the patent will expire as of the end of such grace period. The Commissioner may require the payment of a surcharge as a condition of accepting within such 6-month grace period the payment of an applicable maintenance fee. No fee may be established for maintaining a design or plant patent in force.''.

SEC. 4. AUTHORIZATION OF COLLECTION AND EXPENDITURE.

Section 42(c) of title 35, United States Code, is amended by striking the first sentence and inserting the following: ''To the extent and in the amounts provided in advance in appropriations Acts, fees authorized in this title or any other Act to be charged or established by the Commissioner shall be collected by and shall be available to the Commissioner to carry out the activities of the Patent and Trademark Office.''.

SEC. 5. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on October 1, 1998.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. COBLE).

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3723.

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

There was no objection.

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

Mr. Speaker, enactment of H.R. 3723, the U.S. Patent and Trademark Office Reauthorization Act for Fiscal Year 1999, will ensure that users of the Patent and Trademark Office who pay for its operation are getting their money's worth.

The bill before us today increases the Patent and Trademark Office's individual filing and maintenance fees by approximately $132 million to allow the agency to operate at 100 percent of its required needs, as outlined by the administration, but it does not provide additional monies to use for other non-Patent and Trademark Office purposes. The result of this change would actually lower patent and trademark fees for the first time in history and will result in a savings of approximately $50 million in fees charged to the inventors of America.

In addition, Mr. Speaker, the bill before us contains a technical amendment that has been suggested by the appropriators for scoring purposes. I believe we must assist the men and women who pay the fees that enable the Patent and Trademark Office to operate. They are the ones who contributed an element of inventiveness to our economy that would otherwise be nonexistent.

I therefore urge the Committee to report H.R. 3723 favorably to the full House.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I agree with what my friend the gentleman from North Carolina (Mr. COBLE) has said.

I would just want to underline; Members will remember that we debated a patent bill earlier in this Congress. It was contentious. Many of the issues that become disagreements in setting patent policy are either created or exacerbated by delays in the process. To the extent that we adequately fund that office, and this bill will increase the guarantee that that happens because it raises funds and dedicates them to that office, to the extent that the Patent Office is well-funded and can act expeditiously, a number of the disputes we have had will diminish, many of them will, over time and over delay.

So this is a very important piece of legislation. It responds to the need of our economy and our intellectual processes for the encouragement of invention. I hope the bill is passed.

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

Mr. COBLE. Mr. Speaker, I have no requests for time, and I too yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 3723, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1530

DEADBEAT PARENTS PUNISHMENT ACT OF 1998

Mr. McCOLLUM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3811) to establish felony violations for the failure to pay legal child support obligations, and for other purposes.

The Clerk read as follows:

H.R. 3811

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Deadbeat Parents Punishment Act of 1998''.

SEC. 2. ESTABLISHMENT OF FELONY VIOLATIONS.

Section 228 of title 18, United States Code, is amended to read as follows:

''§ 228. Failure to pay legal child support obligations

''(a) OFFENSE.—Any person who—

''(1) willfully fails to pay a support obligation with respect to a child who resides in another State, if such obligation has remained unpaid for a period longer than 1 year, or is greater than $5,000;

''(2) travels in interstate or foreign commerce with the intent to evade a support obligation, if such obligation has remained unpaid for a period longer than 1 year, or is greater than $5,000; or

''(3) willfully fails to pay a support obligation with respect to a child who resides in another State, if such obligation has remained unpaid for a period longer than 2 years, or is greater than $10,000;

shall be punished as provided in subsection (c).

''(b) PRESUMPTION.—The existence of a support obligation that was in effect for the time period charged in the indictment or information creates a rebuttable presumption that the obligor has the ability to pay the support obligation for that time period.

''(c) PUNISHMENT.—The punishment for an offense under this section is—

''(1) in the case of a first offense under subsection (a)(1), a fine under this title, imprisonment for not more than 6 months, or both; and

''(2) in the case of an offense under paragraph (2) or (3) of subsection (a), or a second or subsequent offense under subsection (a)(1), a fine under this title, imprisonment for not more than 2 years, or both.

''(d) MANDATORY RESTITUTION.—Upon a conviction under this section, the court shall order restitution under section 3663A in an amount equal to the total unpaid support obligation as it exists at the time of sentencing.

''(e) VENUE.—With respect to an offense under this section, an action may be inquired of and prosecuted in a district court of the United States for—

''(1) the district in which the child who is the subject of the support obligation involved resided during a period during which a person described in subsection (a) (referred to in this subsection as an 'obliger') failed to meet that support obligation;

''(2) the district in which the obliger resided during a period described in paragraph (1); or

''(3) any other district with jurisdiction otherwise provided for by law.

''(f) DEFINITIONS.—As used in this section—

''(1) the term 'Indian tribe' has the meaning given that term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a);

''(2) the term 'State' includes any State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States; and

''(3) the term 'support obligation' means any amount determined under a court order or an order of an administrative process pursuant to the law of a State or of an Indian tribe to be due from a person for the support and maintenance of a child or of a child and the parent with whom the child is living.''.

The SPEAKER pro tempore (Mr. BEREUTER). Pursuant to the rule, the gentleman from Florida (Mr. MCCOLLUM) and the gentleman from Florida (Mr. WEXLER) each will control 20 minutes.

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

GENERAL LEAVE

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

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

There was no objection.

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

The Deadbeat Parents Punishment Act of 1998 strengthens Federal law by establishing felony violations for the most serious cases of failure to pay legal child support obligations.

H.R. 3811 is a bipartisan bill introduced by the gentleman from Illinois (Mr. HYDE) and the gentleman from Maryland (Mr. HOYER), and is nearly identical to a bill we moved through the Subcommittee on Crime in the Committee on the Judiciary last month. The bill is also similar to one the Justice Department submitted to the 104th Congress.

Mr. Speaker, our current penalties for deadbeat parents are inadequate. It is currently a Federal offense to fail to pay a child support obligation for a child living in another State if the obligation has remained unpaid for longer than a year or is greater than $5,000. A first offense is subject to a maximum of 6 months of imprisonment; and a second or subsequent offense, to a maximum of 2 years. But the law fails to address the problem of more aggravated cases. This bill remedies the problem.

H.R. 3811 establishes two new felony offenses. The first offense is traveling in interstate or foreign commerce with the intent to evade a support obligation if the obligation has remained unpaid for a period longer than 1 year or is greater than $5,000.

The second offense is willfully failing to pay a support obligation regarding a child residing in another State if the obligation has remained unpaid for a period longer than 2 years or is greater than $10,000.

Both of these offenses involve a degree of culpability that is not adequately addressed by current penalties. As such, the bill provides for a maximum 2-year prison term for these offenses.

H.R. 3811 includes several additional measures which clarify and strengthen Federal child support enforcement provisions. The bill clarifies how these penalties apply to child support orders issued by Indian tribal courts. The bill also includes a venue section that clarifies that prosecutions under the statute may be brought in any district in which the child resided or which the obligated parent resided during a period of nonpayment.

This bill is a reasonable and appropriate step by the House to do what it can to hold accountable those parents who neglect next their most basic responsibilities to their children. The abdication of moral and legal duty by deadbeat parents calls for unequivocal social condemnation. This bill expresses such condemnation, even as it seeks to deter such unacceptable dereliction of duty.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I claim the time of the gentleman from Florida (Mr. WEXLER) until he arrives.

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. FRANK) is recognized for 20 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a member of the Committee on the Judiciary, I would say that we agree with the gentleman from Florida.

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

Mr. MCCOLLUM. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. HYDE), the chairman of our full committee.

Mr. HYDE. Mr. Speaker, the parameters of this bill have been well explained by Mr. MCCOLLUM. It is a good bill. It is a necessary bill. It is overdue to punish those who abdicate their fundamental and their legal responsibility to provide for their children.

This legislation deals with the consequences of the disintegration of the family. We do not have an awful lot of power to keep families together, but we can ensure strong condemnation is directed against those who neglect their children in violation of law.

In doing so, we take a small, but important, step to support the family institution and the legal duties of parents to their children. The punishment

that we as a society direct against wrongdoing is a clear indication of what we value and of what we hold dear. This bill represents our commitment to be vigilant on behalf of our families and our children.

Mr. Speaker, I want to express my appreciation to the gentleman from Maryland (Mr. HOYER) whose impetus to get this bill to the floor has been very strong, very effective, and who supports this bill, who was present at the creation, and deserves a great deal of credit for its existence. I want to acknowledge that publicly, and I hope we get a large affirmative vote.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield as much time as he may consume to the gentleman from Florida (Mr. WEXLER).

Mr. WEXLER. Mr. Speaker, I rise in support of this bill. This is a very important bill. This country is built on rights and responsibilities. It is the job of the government to protect the rights of the citizens and to make sure that they discharge their responsibilities. There is no responsibility more sacred than that of a parent to a child, to provide for, to care for, to make certain that their children are well.

The ideal situation, I believe, is one in which both parents share the child-rearing responsibility. But even in the too-numerous single-parent households, the other parent has a responsibility, at the least, to contribute financially.

There was a period where we, as a society, did not enforce that obligation very rigorously. I am glad to say that that period is over. Through accommodation of stiff penalties and aggressive enforcement strategies, child support collections are way up in the past few years.

This is a lot like what has happened with drunk driving. By toughening law enforcement and relentlessly sending the message that what was once tolerated will not be tolerated any longer, we have been able to change behavior for the better.

This bill will make a significant improvement in current law. It is aimed at people who move from one State to another to avoid paying child support. A custodial parent in Florida can have a very difficult time trying to collect child support from a parent who has moved, for instance, to Ohio.

In 1992, Congress passed the first law establishing Federal penalties for crossing State lines to evade child support. This statute has been an important piece of the very successful effort by the Clinton administration to increase child support collections. Under this current law, first offense is a misdemeanor.

H.R. 3811 will toughen the law so particularly egregious first offenses, those that involve a debt of more than $10,000 or one that has been outstanding for more than 2 years will be felonies punishable by up to 2 years in prison.

I want to note that H.R. 3811 is identical to H.R. 2925, which was introduced by the gentleman from Maryland (Mr. HOYER) and marked up by the Committee on the Judiciary.

I want to commend both the gentleman from Maryland (Mr. HOYER) and the gentleman from Illinois (Mr. HYDE) for their leadership on this issue, and I urge my colleagues to support this bill.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentlewoman from of Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support the legislation dealing with deadbeat parents and particularly adding additional felonies for those who willfully do not pay child support. This legislation deals more with the idea of financial compensation. It sometimes deals with the very survival of children.

Yesterday, I had the opportunity to meet with women from around my community. We, of course, were talking about what I consider a felony as well, and that is, the present bankruptcy bill that we are marking up that does not respond to protecting child support in its present form.

In the course of discussing that legislation, Mr. Speaker, the pain of expression of the need and dependence on child support was made very clear. In many instances, women or men with custody who have to rely upon the civil process system time after time after time find that the parent that owes the money does not pay child support many times.

The civil proceedings are not raised to the level of enough intensity to require those parents to do what they should do! They usually abscond and then make those individuals who are dependent upon child support parent and child, fight for their survival.

One of my constitutes talked about the intimidation of her spouse who held up child support payments by requiring the parent to do something special to receive those child support payments. But the worst thing is not being able to find those individuals who owe the child support payments as they move from State to State. So I want to commend the chairman for this very vital and important bill.

I hope that we can also confront this important issue as we revise the bankruptcy code that needs to be revised, but it needs to be revised with the input and insight of those who also are negatively impacted by it.

Child support is many times a life-or-death matter, Mr. Speaker; I hope that my colleagues will support this legislation.

Mr. Speaker, I support H.R. 3811 the Deadbeat Parents Punishment Act. We must protect our children who rely on child support, and create stiffer penalties for those parents who avoid their financial obligation to their children. Deadbeat parents must understand that this type of irresponsible behavior is unacceptable and that they can be punished for attempting to avoid child support payments by moving between states, or out of the United States.

As Chair of the Children's Congressional Caucus and a strong child advocate, I firmly believe that we must consider children our first priority. For this reason, I cosponsored H.R. 2487 the Child Support Incentive Act, legislation which reformed the child support incentive payment plan, and improved state collection performance. I am also currently opposing H.R. 3150, which would allow credit card companies to have the same priority as parents seeking child support during and after a debtor's bankruptcy.

Child support is an issue critical to the well-being of our nation's children. According to a recent study by the Department of Health and Human Services, between 1989 and 1991, 21–28% of poor children in America did not receive any child support from their non-custodial parent. In 1994, one in every four children lived in a family with only one parent present in the home. In the same year, the Child Support Enforcement system handled 12.8 million cases of non-payment. Yet, the system was only able to collect $615 million of the $6.8 billion due in back child support. The result is that the average amount of overdue child support payments is a shocking $15,000 per parent.

In Texas alone, there were 847,243 cases of child support payment delinquencies. Too many families and children in this country are forced to rely upon government assistance because absent parents have attempted to beat the system. We must protect the welfare of our children and support tough and fair child support enforcement laws.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. WEXLER) to assume the remainder of the time on the minority side.

Mr. WEXLER. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. HOYER), who introduced the bill with identical language that we are speaking of now.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Florida for yielding and being so generous in the yielding of time. I thank the gentleman from Florida (Mr. MCCOLLUM), and I want to thank the gentleman from Illinois (Mr. HYDE), whom I just saw leave the floor. I know the gentleman made a statement on this bill before, but I want to thank the gentleman from Illinois (Mr. HYDE).

The gentleman from Illinois (Mr. HYDE) introduced legislation to deal with the deadbeat parent problem of those leaving States to avoid the payment of child support. There was a problem that existed because States were faced with requests to enforce misdemeanor offenses in another State, and the State of residence of the deadbeat parent was reluctant to act.

I went to the gentleman from Illinois (Mr. HYDE) and said I wanted to introduce legislation to up the penalties for these serious, egregious failures to pay child support. He agreed. I introduced that legislation. I am very pleased that

the gentleman has now introduced similar legislation in the last few days, and we have this on the floor. The gentleman from Illinois (Mr. HYDE) and I have worked very closely on this.

I, therefore, Mr. Speaker, rise in strong support of this legislation, which sends a clear and unmistakable message to deadbeat parents who attempt to use State borders as a shield against the enforcement of child support orders. That message is, you can run, but you cannot hide from the child support you owe.

I am proud to be a cosponsor of the Deadbeat Parents Punishment Act along with my friend, whom I mentioned earlier, the gentleman from Illinois (Mr. HYDE), Chairman of the Committee on the Judiciary. The Deadbeats Act is a companion to legislation introduced by Senator KOHL of Wisconsin, which unanimously passed the Senate this year.

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This legislation will stiffen penalties for deadbeat parents in egregious interstate cases of child support delinquency. It will also enable Federal authorities to go after those who attempt to escape State-issued child support orders by fleeing across State lines.

Under the Child Support Recovery Act sponsored by the gentleman from Illinois (Mr. HYDE) in 1992, to which I earlier referred, parents who willfully withhold child support payments totaling more than $5,000 or owe for more than 1 year, are presently subject to a misdemeanor offense punishable by not more than 6 months. Current law also provides that a subsequent offense is a felony punishable by up to 2 years in prison.

H.R. 3811 addresses the difficulty States frequently encounter in attempting to enforce child support orders beyond their borders. This legislation will augment current law by creating a felony offense for parents with an arrearage totaling more than $10,000 or owing for more than 2 years. This provision, like current law, would apply where the noncustodial parent and child legally reside in different States.

In addition, Mr. Speaker, this legislation will make it a felony for a parent to cross a State border with the intent of evading a child support order where the arrearage totals more than $5,000 or is more than 1 year past due, regardless of residency.

H.R. 3811 is not simply about ensuring just punishment in intentional severe cases of child support evasion; it serves to complement other Federal child support enforcement measures to help States establish and enforce child support orders.

The ultimate goal, of course, Mr. Speaker, is to put deadbeat parents on notice and to induce compliance. Our cumulative efforts, Mr. Chairman, will increase parental accountability, decrease child poverty and dependence on public assistance, and erase the notion that nonpayment of State-ordered child support is a viable option.

Congress, of course, cannot force anyone to be a loving, nurturing and involved parent. However, by acting together, we can strengthen the government's ability to make parents fulfill their minimum moral and legal responsibility, which is to provide financial support for the children they bring into this world.

The deliberate neglect of this obligation should warrant serious consequences for the parent, as serious as the consequences are for that child who is in need of those provisions. The Deadbeat Parents Punishment Act of 1997 will ensure that this is the case, even for those who attempt to use State borders as a barrier to enforcement of child support orders.

Mr. Speaker, I urge my colleagues to vote for this legislation today, and I want to thank the 50 bipartisan cosponsors of this legislation, especially, as I said, the gentleman from Illinois (Chairman HYDE), for his leadership on this issue.

Mr. Speaker, in conclusion, let me say, as someone who has practiced law for over a quarter of a century, who, in fact, tried his last case in 1990 prior to our changing the rules which prohibit me from practicing law further, I was always concerned about how child support was perceived to be perhaps less important to deal with than some other matters that came before our courts; that it was sort of put at the end of the docket, and that the practical judgment was that clearly we cannot incarcerate a father, because then he will not be able to pay it all. I say ''father,'' because over 80 percent of those parents who are referred to as deadbeat parents are the fathers who believe that they can participate in bringing a child into the world, but then somehow not participate in supporting that child. Indeed, the consequence of that is many times to expect a result in the rest of us supporting that child. We have talked a lot about responsibility.

We talked about responsibility in the crime bill. We talked about responsibility in the welfare bill, where we expect work. Here we are talking about an expectation of responsibility as a parent.

As I said earlier, we cannot make a parent love a child. They ought to, and we would hope they would. But we can certainly expect that they will support that child and try to bring that child up in a way that will give that child some opportunity.

Mr. Speaker, again I thank the members of the Committee on the Judiciary, and my friend the gentleman from Illinois (Mr. HYDE) for his help with this legislation.

Mr. McCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. FOX).

Mr. FOX of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, children are at the heart of the need for this legislation. No child should go to bed hungry, miss a medical appointment, not have adequate housing or be deprived of quality education. We have no more precious resource than our children. We have no greater responsibility than the protection, development and security of our children.

The greatest uncollected debt in our country, unfortunately, is child support. Thankfully, the Deadbeat Parents Punishment Act of 1998 strengthens Federal law by establishing felony violations for the most serious cases to pay legal child support obligations.

H.R. 3811 is a bipartisan bill introduced by the gentleman from Illinois (Chairman HYDE) and the gentleman from Maryland (Mr. HOYER), and is one that all my colleagues should support.

Mr. PAUL. Mr. Speaker, today the Congress will collectively move our nation two steps closer to a national police state by further expanding a federal crime and paving the way for a deluge of federal drug prohibition legislation. Of course, it is much easier to ride the current wave of federalizing every human misdeed in the name of saving the world from some evil than to uphold a Constitutional oath which prescribes a procedural structure by which the nation is protected from what is perhaps the worst evil, totalitarianism. Who, after all, and especially in an election year, wants to be amongst those members of Congress who are portrayed as soft on drugs or deadbeat parents irrespective of the procedural transgressions and individual or civil liberties one tramples in their zealous approach.

Our federal government is, constitutionally, a government of limited powers. Article one, Section eight, enumerates the legislative areas for which the U.S. Congress is allowed to act or enact legislation. For every other issue, the federal government lacks any authority or consent of the governed and only the state governments their designees, or the people in their private market actions enjoy such rights to governance. The tenth amendment is brutally clear in stating ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.'' Our nation's history makes clear that the U.S. Constitution is a document intended to limit the power of central government. No serious reading of historical events surrounding the creation of the Constitution could reasonably portray it differently. Of course, there will be those who will hang their constitutional ''hats'' on the interstate commerce general welfare clauses, both of which have been popular ''headgear'' since the FDR's headfirst plunge into New Deal Socialism.

The interstate commerce clause, however, was included to prevent states from engaging in protectionism and mercantilist policies as against other states. Those economists who influenced the framers did an adequate job of educating them as to the necessarily negative consequences for consumers of embracing such a policy. The clause was never intended to give the federal government carte blanche to intervene in private economic affairs anytime some special interest could concoct a ''rational basis'' for the enacting such legislation.

Likewise, while the general welfare provides an additional condition upon each of the enumerated powers of the U.S. Congress detailed

in Article I, Section eight, it does not, in itself, provide any latitude for Congress to legislatively take from A and give to B or ignore every other government-limiting provision of Constitution (of which there are many), each of which are intended to limit the central government's encroachment on liberty.

Nevertheless, rather than abide by our constitutional limits, Congress today will likely pass H. Res. 423 and H.R. 3811 under suspension of the rules meaning, of course, they are ''non-controversial.'' House Resolution 423 pledges the House to ''pass legislation that provides the weapons and tools necessary to protect our children and our communities from the dangers of drug addiction and violence''. Setting aside for the moment the practicality of federal prohibition laws, an experiment which failed miserably in the so-called ''Progressive era'', the threshold question must be: ''under what authority do we act?'' There is, after all, a reason why a Constitutional amendment was required to empower the federal government to share jurisdiction with the States in fighting a war on a different drug (alcohol)—without it, the federal government had no constitutional authority. One must also ask, ''if the general welfare and commerce clause were all the justification needed, why bother with the tedious and time-consuming process of amending the Constitution?'' Whether any governmental entity should be in the ''business'' of protecting competent individuals against themselves and their own perceived stupidity is certainly debatable—Whether the federal government is empowered to do so is not. Being stupid or brilliant to one's sole disadvantage or advantage, respectively, is exactly what liberty is all about.

Today's second legislative step towards a national police state can be found in H.R. 3811, the Deadbeat Parents Punishment Act of 1998. This bill enhances a federal criminal felony law for those who fail to meet child support obligations as imposed by the individual states. Additionally, the bills shifts some of the burden of proof from the federal government to the accused. The United States Constitution prohibits the federal government from depriving a person of life, liberty, or property without due process of law. Pursuant to this constitutional provision, a criminal defendant is presumed to be innocent of the crime charged and, pursuant to what is often called ''the Winship doctrine,'' the prosecution is allocated the burden of persuading the fact-finder of every fact necessary to constitute the crime . . . charged.'' The prosecution must carry this burden because of the immense interests at stake in a criminal prosecution, namely that a conviction often results in the loss of liberty or life (in this case, a sentence of up to two years). This departure from the long held notion of ''innocent until proven guilty'' alone warrants opposition to this bill.

Perhaps, more dangerous is the loss of another Constitutional protection which comes with the passage of more and more federal criminal legislation. Constitutionally, there are only three federal crimes. These are treason against the United States, piracy on the high seas, and counterfeiting (and, as mentioned above, for a short period of history, the manufacture, sale, or transport of alcohol was concurrently a federal and state crime). ''Concurrent'' jurisdiction crimes, such as alcohol prohibition in the past and federalization of felonious child support delinquency today, erode the right of citizens to be free of double jeopardy. The fifth amendment to the U.S. Constitution specifies that no ''person be subject for the same offense to be twice put in jeopardy of life or limb . . .'' In other words, no person shall be tried twice for the same offense. However, in United States v. Lanza, the high court in 1922 sustained a ruling that being tried by both the federal government and a state government for the same offense did not offend the doctrine of double jeopardy. One danger of unconstitutionally expanding the federal criminal justice code is that it seriously increases the danger that one will be subject to being tried twice for the same offense. Despite the various pleas for federal correction of societal wrongs, a national police force is neither prudent nor constitutional.

The argument which springs from the criticism of a federalized criminal code and a federal police force is that states may be less effective than a centralized federal government in dealing with those who leave one state jurisdiction for another. Fortunately, the Constitution provides for the procedural means for preserving the integrity of state sovereignty over those issues delegated to it via the tenth amendment. The privilege and immunities clause as well as full faith and credit clause allow states to exact judgments from those who violate their state laws. The Constitution even allows the federal government to legislatively preserve the procedural mechanisms which allow states to enforce their substantive laws without the federal government imposing its substantive edicts on the states. Article IV, Section 2, Clause 2 makes provision for the rendition of fugitives from one state to another. While not self-enacting, in 1783 Congress passed an act which did exactly this. There is, of course, a cost imposed upon states in working with one another than relying on a national, unified police force. At the same time, there is a greater cost to centralization of police power.

It is important to be reminded of the benefits of federalism as well as the costs. There are sound reasons to maintain a system of smaller, independent jurisdictions—it is called competition and, yes, governments must, for the sake of the citizenry, be allowed to compete. We have obsessed so much over the notion of ''competition'' in this country we harangue someone like Bill Gates when, by offering superior products to every other similarly-situated entity, he becomes the dominant provider of certain computer products. Rather than allow someone who serves to provide values as made obvious by their voluntary exchanges in the free market, we lambaste efficiency and economies of scale in the private marketplace. Yet, at the same time, we further centralize government, the ultimate monopoly and one empowered by force rather than voluntary exchange.

When small governments becomes too oppressive, citizens can vote with their feet to a ''competing'' jurisdiction. If, for example, I do not want to be forced to pay taxes to prevent a cancer patient from using medicinal marijuana to provide relief from pain and nausea, I can move to Arizona. If I want to bet on a football game without the threat of government intervention, I can move to Nevada. If I want my income tax at 4% instead of 10%, I can leave Washington, DC, for the surrounding state suburbs. Is it any wonder that many productive people leave DC and then commute in on a daily basis? (For this, of course, DC will try to enact a commuter tax which will further alienate those who will then, to the extent possible, relocate their workplace elsewhere). In other words, governments pay a price (lost revenue base) for their oppression.

As government becomes more and more centralized, it becomes much more difficult to vote with one's feet to escape the relatively more oppressive governments. Governmental units must remain small with ample opportunity for citizen mobility both to efficient governments and away from those which tend to be oppressive. Centralization of criminal law makes such mobility less and less practical.

For each of these reasons, among others, I must oppose the further and unconstitutional centralization of power in the national government and, accordingly, H. Res. 423 and H.R. 3811.

Mrs. ROUKEMA. Mr. Speaker, I rise today in support of the Deadbeat Parents Punishment Act of 1998. I thank Mr. HYDE for introducing this measure and for supporting the right of children to receive the support payments to which they are legally and morally entitled.

Mr. Speaker, I have spent many years working on the issue of child support enforcement. As part of that work, I had the honor of serving on the U.S. Commission on Interstate Child Support Enforcement. This commission conducted a comprehensive review of our child support system and issued a series of recommendations for reform. I am pleased to be able to say that many of those recommendations have been made part of federal law.

One of the recommendations of the commission was that willful non-payment of support should be made a criminal offense. We have already done that under federal law. Federal law currently carries a six-month jail term for deadbeats who refuse to pay. Willful failure to pay child support is a misdemeanor.

This bill today toughens the federal law by making willful non-payment of child support a felony. It maintains the six-month jail term for first-offenders and establishes a prison sentence of up to two years for second offenders. It also requires that deadbeats who are convicted and sent to jail still have to pay the support that they owe.

In addition, there is an important legal distinction in making this crime a felony. A felony conviction carries more than just a jail term. A convicted felon loses the right to vote, to be licensed in many professions, to hold public office and many other rights.

This is a good bill and it will be a good law. But we must not stop here.

This bill applies only to non-support cases that cross state lines—when the deadbeat parent and his or her child live in different states, or when the deadbeat moves to another state to avoid payment. It does not apply to deadbeats who live in the same state as their children. We must pass legislation requiring that the states make non-payment of support a criminal offense under state law as well. Only then will all the children who are not receiving support get the legal protection to which they are entitled.

The federal government has wisely adopted federal criminal penalties for those who cross interstate lines to avoid child support. But to reach everyone, states should use criminal penalties for those who choose to ignore their legal, financial and moral obligations.

Mr. Speaker, it is a national disgrace that our child support enforcement system continues to allow so many parents who can afford to pay for their children's support to shirk these obligations. The so-called ''enforcement gap''—the difference between how much child support could be collected and how much child support is collected—has been estimated at $34 billion!

Failure to pay court-ordered child support is not a ''victimless crime.'' The children going without these payments are the first victims. But the taxpayers are the ultimate victims, when the parents who have custody are forced onto the welfare rolls for the lack of support payments being withheld by deadbeats.

Mr. Speaker, let's make deadbeats pay up or face the consequences. Let's let them know that they can run, but they can't hide.

Mr. GILMAN. Mr. Speaker, I rise today in support of H.R. 3811, which establish felon violations for parents who fail to pay child support. This legislation will help encourage noncustodial parents to pay their court ordered support payments in a timely fashion or face a substantial fine or up to $10,000 and/or a prison sentence of up to 2 years.

The purpose of this bill is to help local law enforcement officials collect outstanding court-ordered child support payments. This will be especially helpful in situations where the parent has moved to another State in the hopes of avoiding paying child support. There are far too many cases of this occurring in our Nation each year. The children are the ones who are being hurt the most. Those ''dead beat parents'' who refuse to take responsibility for their children and pay child support, as ordered by the court, should be ashamed of themselves. These support payments are supposed to be used for their children's basic needs such as, clothing and schooling, and in most cases, this additional money is desperately needed in order to provide a decent life to these children.

Just one example of how this failure to pay affects families is in the quality of child care received. Because the parents are divorced and the custodial parent must work, these support payments are used to help defray the cost of child care for their children. When a parent refuses to make their child support payments, the custodial parent has to make choices and if they have to choose between buying groceries and using the best day care center in town, a parent would have to choose the former. However, the child still needs to be in day care, and they may not be able to attend the best facility available. As a result, the children are unnecessarily put in harm's way, because their parent dodged his or her responsibilities and denied his child monetary assistance.

This bill will help the States identify these parents residing in different States than that in which the order was initially issued and hold them accountable for failing to pay child support, by making it a felony under Federal law with punishments of fines and jail sentences. Additionally, the parent will still be responsible for making restitutions of all unpaid child support which is still owned at the time they are sentenced.

Accordingly, I urge my colleagues to join in supporting this measure which will help our Nation's children and make parents assume their responsibility for their children.

Mr. WEXLER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MCCOLLUM. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MCCOLLUM) that the House suspend the rules and pass the bill, H.R. 3811.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

BULLETPROOF VEST PARTNERSHIP GRANT ACT OF 1998

Mr. MCCOLLUM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2829) to establish a matching grant program to help state and local jurisdictions purchase armor vests for use by law enforcement departments, as amended.

The Clerk read as follows:

H.R. 2829

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Bulletproof Vest Partnership Grant Act of 1998''.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the number of law enforcement officers who are killed in the line of duty would significantly decrease if every law enforcement officer in the United States had the protection of an armor vest;

(2) according to studies, between 1985 and 1994, 709 law enforcement officers in the United States were feloniously killed in the line of duty;

(3) the Federal Bureau of Investigation estimates that the risk of fatality to law enforcement officers while not wearing an armor vest is 14 times higher than for officers wearing an armor vest;

(4) the Department of Justice estimates that approximately 150,000 State, local, and tribal law enforcement officers, nearly 25 percent, are not issued body armor;

(5) according to studies, between 1985 and 1994, bullet-resistant materials helped save the lives of more than 2,000 law enforcement officers in the United States; and

(6) the Executive Committee for Indian Country Law Enforcement Improvements reports that violent crime in Indian country has risen sharply, despite a decrease in the national crime rate, and has concluded that there is a ''public safety crisis in Indian country''.

(b) PURPOSE.—The purpose of this Act is to save lives of law enforcement officers by helping State, local, and tribal law enforcement agencies provide officers with armor vests.

SEC. 3. MATCHING GRANT PROGRAM FOR LAW ENFORCEMENT ARMOR VESTS.

(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) by redesignating part Y as part Z;

(2) by redesignating section 2501 as section 2601; and

(3) by inserting after part X the following new part:

''PART Y—MATCHING GRANT PROGRAM FOR LAW ENFORCEMENT ARMOR VESTS

''SEC. 2501. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—The Director of the Bureau of Justice Assistance is authorized to make grants to States, units of local government, and Indian tribes to purchase armor vests for use by State, local, and tribal law enforcement officers.

''(b) USES OF FUNDS.—Grants awarded under this section shall be—

''(1) distributed directly to the State, unit of local government, or Indian tribe; and

''(2) used for the purchase of armor vests for law enforcement officers in the jurisdiction of the grantee.

''(c) PREFERENTIAL CONSIDERATION.—In awarding grants under this part, the Director of the Bureau of Justice Assistance may give preferential consideration, if feasible, to an application from a jurisdiction that—

''(1) has the greatest need for armor vests based on the percentage of law enforcement officers in the department who do not have access to a vest;

''(2) has, or will institute, a mandatory wear policy that requires on-duty law enforcement officers to wear armor vests whenever feasible; and

''(3) has a violent crime rate at or above the national average as determined by the Federal Bureau of Investigation; or

''(4) has not received a block grant under the Local Law Enforcement Block Grant program described under the heading 'Violent Crime Reduction Programs, State and Local Law Enforcement Assistance' of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105–119).

''(d) MINIMUM AMOUNT.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.50 percent of the total amount appropriated in the fiscal year for grants pursuant to this section, except that the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands shall be each be allocated 0.25 percent.

''(e) MAXIMUM AMOUNT.—A qualifying State, unit of local government, or Indian tribe may not receive more than 5 percent of the total amount appropriated in each fiscal year for grants under this section, except that a State, together with the grantees within the State may not receive more than 20 percent of the total amount appropriated in each fiscal year for grants under this section.

''(f) MATCHING FUNDS.—The portion of the costs of a program provided by a grant under subsection (a) may not exceed 50 percent. Any funds appropriated by Congress for the activities of any agency of an Indian tribal government or the Bureau of Indian Affairs performing law enforcement functions on any Indian lands may be used to provide the non Federal share of a matching requirement funded under this subsection.

''(g) ALLOCATION OF FUNDS.—At least half of the funds available under this part shall be awarded to units of local government with fewer than 100,000 residents.

''SEC. 2502. APPLICATIONS.

''(a) IN GENERAL.—To request a grant under this part, the chief executive of a State, unit of local government, or Indian tribe shall submit an application to the Director of the Bureau of Justice Assistance in such form and containing such information as the Director may reasonably require.

''(b) REGULATIONS.—Not later than 90 days after the date of enactment of this part, the Director of the Bureau of Justice Assistance shall promulgate regulations to implement this section (including the information that must be included and the requirements that the States, units of local government, and Indian tribes must meet) in submitting the applications required under this section.

''(c) ELIGIBILITY.—A unit of local government that receives funding under the Local Law Enforcement Block Grant program (described under the heading 'Violent Crime Reduction Programs, State and Local Law Enforcement Assistance' of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105–119)) during a fiscal year in which it submits an application under this part shall not be eligible for a grant under this part unless the chief executive officer of such unit of local government certifies and provides an explanation to the Director that the unit of local government considered or will consider using funding received under the block grant program for any or all of the costs relating to the purchase of armor vests, but did not, or does not expect to use such funds for such purpose.

''SEC. 2503. DEFINITIONS.

''For purposes of this part—

''(1) the term 'armor vest' means body armor, no less than Type I, which has been tested through the voluntary compliance testing program operated by the National Law Enforcement and Corrections Technology Center of the National Institute of Justice (NIJ), and found to meet or exceed the requirements of NIJ Standard 0101.03, or any subsequent revision of such standard;

''(2) the term 'body armor' means any product sold or offered for sale as personal protective body covering intended to protect against gunfire, stabbing, or other physical harm;

''(3) the term 'State' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands;

''(4) the term 'unit of local government' means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level;

''(5) the term 'Indian tribe' has the same meaning as in section 4(e) of the Indian Self–Determination and Education Assistance Act (25 U.S.C. 450b(e)); and

''(6) the term 'law enforcement officer' means any officer, agent, or employee of a State, unit of local government, or Indian tribe authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law, or authorized by law to supervise sentenced criminal offenders.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by adding at the end the following new paragraph:

''(23) There are authorized to be appropriated to carry out part Y, $25,000,000 for each of fiscal years 1999 through 2001.''.

SEC. 4 SENSE OF THE CONGRESS.

In the case of any equipment or products that may be authorized to be purchased with financial assistance provided using funds appropriated or otherwise made available by this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MCCOLLUM) and the gentleman from Florida (Mr. WEXLER) each will control 20 minutes.

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

GENERAL LEAVE

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2829.

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

There was no objection.

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

Mr. Speaker, today I rise in support of H.R. 2829, the Bulletproof Vest Partnership Grant Act. This Friday afternoon, the families, friends and colleagues of police officers who have lost their lives in the line of duty this past year will gather on the West Front of the Capitol and remember the courage and sacrifice of their fallen loved ones at the 17th annual National Peace Officers' Memorial Service. This solemn ceremony is the climax of National Police Week here in Washington.

Later today, this House will pay tribute to these fallen men and women of law enforcement in a special resolution commending their heroism. It will be a privilege to join in this recognition. As we remember with great sadness the ultimate sacrifice of America's police officers, both today and on Friday, the legislation before us provides a measure of comfort.

It serves, Mr. Speaker, as an encouragement for us in two ways. First, H.R. 2829 introduced by the gentleman from Indiana (Mr. VISCLOSKY) and the gentleman from New Jersey (Mr. LOBIONDO), reminds if it were not for the bulletproof vest already being worn by thousands of police officers throughout the country, we would certainly be mourning the loss of even more police officers this week.

Second, this bill, in establishing a matching grant program for states and localities to purchase armor vests, offers the real hope of fewer officers being killed in the years ahead.

Mr. Speaker, the men and women in blue on the front line fight against violent crimes, and they are always doing so as targets for violent criminals. H.R. 2829 represents a joint effort by the Federal, state and local governments to protect these officers. The bill creates a matching grant program through which the Federal Government, acting in concert with localities, will provide help for vests for every police officer who needs one.

Today I am bringing forward an amendment to this bill, which the House and Senate have crafted in a fair and bipartisan agreement, to ensure that the funding goes first to those police departments which need it most. The Director of the Bureau of Justice Assistance is given discretion to give preferential consideration to smaller departments whose budgets are stretched thin. Also those jurisdictions which do not receive any funding under the local law enforcement block grant program will be given preference. Additionally, at least half of the funds available under this program shall be awarded to jurisdictions with fewer than 100,000 residents.

The agreement sunsets the program after three years so that Congress can reassess it at that time. In the interim, I fully expect the Department of Justice to review this program and report back to Congress on its progress.

Among the most important elements of this legislation is a requirement that local governments receiving the local law enforcement block grant must consider using their block grants to purchase body armor before becoming eligible for a bulletproof vest grant. The block grant program was established in the Contract with America and has provided $1.5 billion to localities over the last three years. This provision will ensure that this new vest grant program does not undermine the block grant's important goals of local control and flexibility.

Mr. Speaker, I would like to thank the gentleman from New York (Mr. SCHUMER), the gentleman from New Jersey (Mr. LOBIONDO) and the gentleman from Indiana (Mr. VISCLOSKY) and their staffs for their willingness to be flexible and their unyielding commitment to ensure the passage of this bill.

If every officer routinely wears a bullet resistant vest, we may be able to return to a time when we are all astonished, not just saddened, to learn that a police officer was wounded or killed by a criminal with a gun.

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

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

Mr. Speaker, I rise in support of H.R. 2829. The body armor should be standard equipment for police officers. When a new officer joins the force, he or she is issued a badge and a gun. A bulletproof vest should be part of that package. When a police officer walks out of the station house each morning, that officer is putting his or her life at risk in order to protect the rest of us. Thankfully, there is equipment available that will minimize the risk; not eliminate it, certainly, but minimize it.

You can walk into virtually any big city police precinct and find an officer whose life may have been saved by a bulletproof vest. Unfortunately, rural and suburban officers are increasingly at risk. An officer making a routine traffic stop on a highway has no idea whatsoever whether the driver is armed and how the driver will respond. We owe it to the men and women who undertake the responsibility of being police officers to make sure that they have the potentially lifesaving equipment that is available.

This bill would authorize $25 million a year in grants to state and local governments to purchase body armor for law enforcement officers. This is not a Federal giveaway. The grant recipient

must put up half of the funds. The real purpose is to use a Federal incentive to get local police departments to see vests as standard equipment.

I commend my colleagues, the gentleman from Indiana (Mr. VISCLOSKY) and the gentleman from New Jersey (Mr. LOBIONDO) for their sponsorship of this bill. I understand the differences between the House and Senate versions of this bill have been resolved and that the bill offered by the gentleman from Florida (Chairman MCCOLLUM) incorporates the amendments necessary to harmonize the two versions so that we can get this bill on the president's desk by the end of this week. I urge my colleagues to support this bill.

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

Mr. MCCOLLUM. Mr. Speaker, I yield 3½ minutes to the gentleman from New Jersey (Mr. LOBIONDO), the coauthor of this legislation.

Mr. LOBIONDO. Mr. Speaker, it is with great appreciation and satisfaction that I am here today to speak on behalf of the Bulletproof Vest Partnership Grant Act. As our friends from the law enforcement community gather in Washington to recognize National Peace Officers' Memorial Week, the House's consideration of a program to help protect the lives of those officers seems a fitting and timely tribute.

To me the issue is rather simple: It is as equally ludicrous to put a police officer on the street without a firearm as it is to put that officer on the street without a vest. These men and women pledge to protect and defend our lives and property, and society's commitment back to their personal safety should and must be total.

This bill is on the floor today because of the dedication of my colleague, the gentleman from Indiana (Mr. VISCLOSKY). Without his commitment to this issue and the diligent efforts of Jeff Gerhardt of his staff, this initiative would not have happened. I have enjoyed working with the gentleman from Indiana (Mr. VISCLOSKY) on this, and I thank him very much for his hard work.

I also want to take the opportunity to thank Carlyle Thorsen from my staff, who has put countless hours in on moving this initiative forward as well.

The legislation makes sense, a Federal matching grant program to help states and local governments buy bullet resistant vests for law enforcement officers. As Republicans, we speak often of refraining from micromanaging how states and localities spend Federal resources. However, the fact that close to 150,000 state and local law enforcement officers across the country do not have access to vests makes a powerful case that this bill represents a unique exception to such philosophical resistance.

I am not surprised that our aggressive cosponsorship drive was so successful. Over 100 of our colleagues cosponsored it within the first week of introduction, and a total of 306 members signed on within just a few months. Getting that many cosponsors so early helped us make a convincing case for the bill, and I thank them for validating what the gentleman from Indiana (Mr. VISCLOSKY) and I knew was a good idea and for being part of our effort.

First among equals on that list of coequals was the gentleman from Illinois (Chairman HYDE), and he played no small part in the success of this measure.

□ 1600

My thanks go out to the majority leader, the gentleman from Texas (Mr. ARMEY) for his support as well.

Let me also recognize the guidance and assistance of the gentleman from Florida (Mr. MCCOLLUM), chairman of the Subcommittee on Crime of the Committee on the Judiciary. The gentleman worked with us from day 1, offering suggestions of how we could improve the bill and holding a hearing for its consideration.

Also of great assistance in shepherding this measure through the process was the gentleman from New York (Mr. MCNULTY) and Nicole Nason of the Subcommittee on Crime staff, and I thank them for their competence and accessibility. I am looking forward to working with the chairman of the subcommittee and his excellent staff in the future.

Again, for me, this is about saving lives of our law enforcement officers on the street or in the prison yard. We in government are not the only ones who recognize and address this need. My efforts on a national level to provide officers with body armor are rooted in the great example set by private organizations in my own home district like Vest-A-Cop and Shield The Blue in southern New Jersey.

States and localities should not have to choose between having enough officers on the street, funding necessary training programs for those officers, or purchasing bullet- or stab-resistant vests. The local law enforcement block grant program goes a long ways towards funding their priorities, and many localities are too small to receive funding. So I was surprised to learn that of 46 townships in my district that operate municipal police forces, only 12 received block grants.

It is reassuring that this legislation will provide an additional option for small towns in both southern New Jersey and across America. I ask my colleagues to support the legislation.

Mr. WEXLER. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. VISCLOSKY), the leading sponsor of the bill.

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

At the outset of my remarks, I too would like to thank the gentleman from Florida (Mr. MCCOLLUM), the chairman of the subcommittee, and the gentleman from Pennsylvania (Mr. SHUSTER) the ranking member, for their tireless work on behalf of this legislation.

I would be remiss also at the outset of my remarks if I did not express my heartfelt gratification and thanks to the gentleman from New Jersey (Mr. LOBIONDO), the lead cosponsor of this legislation. Without his tireless efforts on behalf of securing most of those 306 cosponsors, we would not be here this afternoon, and I deeply appreciate his help.

I also want to recognize the tireless efforts of Jeff Gerhardt, a member of my staff, who worked tirelessly on behalf of passage of this legislation.

Mr. Speaker, I am in support of the Bulletproof Vest Partnership Act, which I sponsored. I initially identified the need for such a bill when I found out that many gang members and drug dealers in northwest Indiana had the protection of bulletproof vests, while many of the police officers that patrol the streets in my district did not. I was stunned.

I believe that sworn police officers who are issued a badge should also be issued a bulletproof vest. I believe that if we are going to ask men and women to risk their lives to make our streets safe, then we owe them every bit of protection possible. Unfortunately, we often fall short.

Studies show that between 1985 and 1994, 709 police officers were killed while on duty, and over 92 percent of those deaths were caused by firearms. It is a nondisputed fact that bulletproof vests are extremely effective in protecting officers from death and injury. Between 1985 and 1994, no police officer who was wearing a vest was killed by a firearm penetrating the vest. Unfortunately, before today ends, 2 police officers in the United States of America will be shot.

Despite these statistics, close to 25 percent of the Nation's 600,000 State and local law enforcement officers do not have access to a vest. That means that there are approximately 150,000 officers that are placed in harm's way without the most effective protection we can give them.

I was even more troubled to learn the reason why so many officers do not have vests. During a visit I made to the local chapter of the Fraternal Order of Police in Dyer, Indiana, officers explained to me that bulletproof vests are prohibitively expensive. A good vest can cost upwards of $500. Many small departments, as well as some larger ones, simply cannot afford to purchase vests for all of their officers, a fact which sometimes forces officers to purchase their own.

The problem is particularly pronounced for small, rural police departments. Statistics show that officers in smaller departments are much less likely to have vests than their counterparts in large metropolitan staffs.

H.R. 2829 would meet the goal of saving officers' lives by authorizing up to $25 million per year for a new grant

program within the Justice Department providing 50–50 matching grants to State and local law enforcement agencies. These grants would be targeted to jurisdictions where most officers do not currently have access to vests, and they are designed to be free of the red tape that often characterizes other grant programs. In order to make sure that no community is left out of the program, half of the funds are reserved for jurisdictions with fewer than 100,000 residents.

In closing, our legislation is intended to create a partnership with State and local law enforcement agencies in order to make sure that every police officer who needs a bulletproof vest gets one.

Mr. Speaker, this Friday the Nation will come together to mourn the loss of its slain officers on National Police Memorial Day. We pass this bill with the hope that next year, when our Nation's police officers meet in Washington, D.C. to mourn the loss of their fallen colleagues, there will be fewer names added to the wall. There will be more children who still have a mother or father because of what we do today.

Mr. Speaker, I urge my colleagues to stand up in support of police officers everywhere and vote for passage of H.R. 2829.

Mr. MCCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BUYER), a member of the committee.

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

I want to commend my colleagues, the gentleman from New Jersey (Mr. LOBIONDO) and the gentleman from Indiana (Mr. VISCLOSKY) for seeing the need of our law enforcement communities and addressing it. I also am a cosponsor of this measure and I appreciate the gentleman's work. We also share Lake County, Indiana, so I thoroughly understand the need in the northern part of the county.

This bill will provide local communities with the means to provide its law enforcement officers with bulletproof vests. It also addresses those who are on the lines everyday. The bulletproof vests, as was stated by the gentleman from Florida (Mr. WEXLER), and I agree with him, the vests should be as much a part of the equipment when officers are issued their badge, when they get their night stick, when they get their sidearm, when they are issued an automobile and they get a shotgun. Why they also do not get a bulletproof vest is beyond me. I think it is completely unfortunate.

Let me share one other thing. Even though I am a cosponsor of this bill, what I do not want to do is to build a constituency for that which communities should be doing in the first place. I agree with the 50–50 match, and I kind of look at this in my own mind as an opportunity to send a really good message out across the country, and that is to ensure that the county councils, the city councils are doing the job, providing the funding and the standard operating equipment, and we believe here in Congress that a vest is part of that standard operating equipment.

So I am interested, I want to move forward; and I want Congress to pass this bill and provide the money. But in the long run, I am not interested in growing the Federal Government, in growing a constituency. I want to ensure that jurisdictions across the country do their job.

Mr. Speaker, I urge the passage of this bill.

Mr. WEXLER. Mr. Speaker, I yield 1½ minutes to the gentleman from Wisconsin (Mr. JOHNSON).

Mr. JOHNSON of Wisconsin. Mr. Speaker, I rise today to commend the gentleman from Indiana (Mr. VISCLOSKY) and the gentleman from New Jersey (Mr. LOBIONDO) on this legislation, H.R. 2829, and to lend my support to protect police officers.

Earlier this year I traveled around the 13 counties in my district, met with sheriffs, chiefs of police, law enforcement officers, all across northeast Wisconsin to discuss the need for better access to bulletproof vests. These are the men and women who protect us literally with their lives. They get up every morning with the sole purpose and incredible responsibility of keeping our families and neighborhoods safe. They are our everyday heroes.

To a person, these local sheriffs, deputies and officers applauded our effort to help State and local law enforcement departments purchase bulletproof vests and body armor. They told me they need them, they use them, they want them, and even, yes, in rural areas they are shot at; yet, it is one of the most expensive items on their law enforcement budget.

Our police officers put their safety at risk, their lives on the line every day to protect us and keep our communities safe. If they need new resources to purchase bulletproof vests and it would make their jobs just a little easier and a little safer, it is a worthy investment. It is the reason I signed my name as an original cosponsor of this bill. It is why I will vote today in favor of its passage.

Mr. MCCOLLUM. Mr. Speaker, I yield 1½ minutes to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. Mr. Speaker, I rise today in support of the bill H.R. 2029, to help safeguard the men and women in law enforcement who protect us and our families every day.

This $25 million a year matching grant program will provide bulletproof vests for our Nation's 150,000 law enforcement officers that are currently not protected. In fact, to make sure that no community is left out of the program, the matching requirement could be waived for jurisdictions that demonstrate financial hardship in meeting their half of the match. That is what makes this bill so important to rural areas across the Nation like my district in Iowa where small towns have such small budgets that they cannot afford to hire more than a few law enforcement officers, let alone bulletproof vests.

However, because of the growing methamphetamine problem in Iowa and throughout the Midwest, even rural, small town police are encountering well-armed narcotics dealers. Our rural officers need this protection in order to effectively confront this wave of violent crime sweeping across the heartland.

Again, Mr. Speaker, I urge all of my colleagues to join me in supporting this legislation to protect our men and women in law enforcement.

Mr. WEXLER. Mr. Speaker, I yield 1½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I too support H.R. 2829, the Bulletproof Vest Grant Partnership Act. Our law enforcement officers deserve every protection available. Mr. Speaker, 62 percent of the officers killed in the last 10 years were not wearing bulletproof vests. This program helps police in every jurisdiction, large and small, to purchase body armor.

In the face of the epidemic of gun violence in this country, there are, in fact, things we can do, and I sincerely hope that this legislation sparks other congressional action to make our law enforcement officers and the communities they serve safer.

One area that I hear from law enforcement officials in my community is the access of crooks to getting body armor themselves. Another area deals with the safe storage of guns. Guns are kept in nearly half the homes in America, and a large percentage of these gun owners keep their guns loaded and ready for use. A million and a half children have access to guns when they get home from school every day.

We can do more to ensure that children learn the lesson early that guns are dangerous and should be stored safely in lockboxes. The children accused of killing their classmates in Jonesboro, AR, tried to open a lockbox with a blow torch and failed, only to find other guns that were unlocked. If all of the guns had been locked away, these children may have gotten discouraged and their classmates and teacher might still be alive.

If more guns were stored safely, think of all of the children who might still be alive today, some of whom might grow up to be police officers themselves. Think of the officers whose body armor might not be put to the test.

Mr. MCCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. MCINNIS).

Mr. MCINNIS. Mr. Speaker, I appreciate the time and the courtesy of the gentleman from Florida. Unfortunately, I think the previous speaker kind of sidelined this issue into a second amendment issue. That is not what this is about.

I used to be a cop. I was a police officer, and I can tell my colleagues my first day on the job actually was not on the job; I had to go to the police academy. The first day I was at the academy, they came up to me and said, as they were explaining the benefits of a police officer, what you signed up for, they said, by the way, the cheapest life insurance you can buy in this country is a bulletproof vest. The cheapest life insurance you can buy. Go out and buy it. And I went out and bought it. It makes a difference, and it is an important issue. It is an issue that obviously is bipartisan.

Take a look at that clock up there. Twenty-four hours from now when that clock is right where it is today, 2 more police officers in this country will have been shot. If we pass this bill, if we pass this bill, we will save 1 police officer's death, 1 police officer a week from dying if we pass this bill and those officers wear these vests.

□ 1615

I can tell you from experience that some of the officers I worked with, good, close friends of mine, did get into that habit of, well, it won't happen to me, or it is uncomfortable in the heat of the summer.

So we have to take this a step further. We can supply this for them, but we have to urge those officers to wear the darned things. They do not do you any good if you do not wear them. It does not guarantee us that we are going to save that officer a week, but if these officers wear these vests that we are going, together, jointly with the local communities, going together to supply, if they wear them, that clock will run 1 extra week before another officer dies. We can save the life of a police officer once a week.

I think it is a terrific bill. I think it does exactly what we should do, and that is sharing with the community, cost-sharing. It gives them an incentive to go out and buy their officers vests. I could never figure out why it was not standard issue to give out a bulletproof vest.

Those who say these things are expensive, they are outrageously inexpensive. A good vest you can buy for under 700 bucks. That seems like a lot of money, until you figure out your life is on the line. As they told me that first day in the Police Academy, it is the cheapest life insurance you can buy.

Mr. WEXLER. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KLINK).

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

Mr. Speaker, let me take us back in our mind's eye to a tiny town called Saxonburg, Pennsylvania. Settled by hardworking German immigrants, it is the kind of picturesque farm town, an affluent community, a safe community, that all of us would like to live in and all of us would like to raise our children in.

Back in 1980, the chief of police in that town was a young man named Greg Adams. Greg Adams had patrolled the streets of Washington, D.C., and had taken his two young sons and his wife back home to Saxonburg. As he was patrolling the town on December 4th of 1980, Greg Adams pulled a car over for a traffic violation into the parking lot of an Agway store. He did not know at that time that the man behind the wheel was a career criminal who had found his way to Saxonburg, Pennsylvania, who was wanted on interstate flight to avoid prosecution. No one knows exactly what happened, but when it was over, Greg Adams was shot. As he was bleeding and losing life, he was beaten to death.

I arrived at the scene, as a television reporter, within minutes of the time he was assaulted, and within minutes of the time that he finally breathed his last gasp of breath. His last words were ''Pray for me,'' as he died.

Those who investigated that shooting incident will tell you that if Greg Adams had had a bulletproof vest, his wife would not have become a widow, his young children would not have lost their father in this safe, picturesque farm town where you would not expect danger to prowl the streets.

This is a good bill. It is a good bill not only for those officers who are on the streets today, but for those who will patrol the streets and protect us in small towns, in rural communities, and in cities across this Nation, and in communities like Saxonburg, Pennsylvania.

I ask my colleagues to support H.R. 2829. In a day and age when gangsters and gang members have bulletproof vests, it only makes sense that police officers like Greg Adams would be able to have that kind of protection when they are on the streets.

Mr. McCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. FOX).

Mr. FOX of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I am very proud to rise in support of this forward-thinking legislation. I commend the gentleman from New Jersey (Mr. LOBIONDO) and the gentleman from Indiana (Mr. VISCLOSKY) for their superb leadership on this issue.

The Bulletproof Vest Partnership Grant Act will provide local police organizations with the much-needed resources that will make sure all officers have the protection of body armor they should have. We need to do everything we can to provide these heroes with the tools they need to protect their lives as they work each day to protect our lives.

These vests can literally mean the difference between life and death. Since 1980, Mr. Speaker, there have been 1,182 felonious deaths of police officers due to firearms. Of that number, 389 were due to shots to the torso area which could have been mitigated by body armor. The risk of fatality increases 14 times when an officer is not vested.

We should do all we can to keep our police as safe as possible. Since 1980 we could have possibly prevented 42 percent of these deaths. I see no reason why we can not turn that 42 percent loss into 42 percent saved with the adoption of this important legislation.

The district attorney in my district of Montgomery County, Pennsylvania, Michael Morino, like most DAs across the United States, have endorsed this legislation, saying that there is no higher priority in government than to support and protect our law enforcement professionals.

Nowhere is that more clear than the story of Ed Setzer of my district. On September 30, 1988, Lower Merion Township Officer Setzer responded to an emergency without the protection of a bulletproof vest. He was shot and killed, leaving his children without a father, and his wife Julie to raise them alone. He was an outstanding police officer, husband, and father whom we will miss forever.

For me, the Officer Ed Setzer is the inspiration for the Bulletproof Vest Grant Act, which is designed to assist State and local law enforcement agencies, and provide officers with the protection of bulletproof vests by authorizing up to $25 million per year for a new Justice Department program that would help local law enforcement agencies defray the costs of bulletproof vests, and require State and local governments to split the costs of these vests 50–50 with the Federal Government, and further, to give preference in awarding grants to jurisdictions where officers do not currently have vests.

I take great pride in cosponsoring this bill and in supporting it, and hope that all my colleagues in the House will join the gentleman from New Jersey (Mr. LOBIONDO) and the gentleman from Indiana (Mr. VISCLOSKY) in making sure this bill becomes law as soon as possible.

Mr. WEXLER. Mr. Speaker, I yield 1 minute to the gentleman from Florida, Mr. ROTHMAN.

Mr. ROTHMAN. Mr. Speaker, my colleague makes a joke. I am proud to be from New Jersey.

Today, with the Bulletproof Vest Partnership Grant Act, Congress is taking a major step forward in protecting the safety of our law enforcement officers. Bulletproof vests should become standard issue for every police officer in America. By paying half the cost of the vests for our police and corrections officers, the Federal Government will help save the lives of the people we ask to protect us.

What do we ask from them? We ask from them a lot. Whether it is pulling over a speeding car, responding to a domestic violence call or walking a beat, our officers can be confronted by an armed assailant at any time. They can be just as soon shot in the head as being said hello to on the highway. If

we are asking them to protect us, then we must give them the best protection available.

As has been said many times before, our law enforcement officers represent the thin blue line separating civilized society and the good and decent, law-abiding citizens from anarchy and the law of the jungle.

I want to thank the gentleman from New Jersey (Mr. LOBIONDO) and the gentleman from Indiana (Mr. VISCLOSKY) for their leadership on this issue. I have been delighted to work on this issue as a member of the Subcommittee on Crime of the Committee on the Judiciary, and I urge my colleagues to support H.R. 2829.

Mr. McCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Nevada (Mr. GIBBONS).

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

Mr. GIBBONS. Mr. Speaker, I thank the gentleman for yielding me the time. I also want to thank my colleagues on both sides of the aisle for their collective and outspoken support on this issue.

As we all know, this legislation serves one very important purpose, saving lives. We have all heard the stories about these vests saving peace officers from armed criminals, but I think it is also very important and very useful to understand, and I want to take this opportunity to point out, that providing protective vests to our law enforcement personnel has saved lives over the years in many nonshooting instances as well.

For example, in 1978, Deputy Gary Bale of the Washoe County Sheriff's Department was struck by a drunk driver while responding to a call for assistance from another officer. After sorting through the wreckage, it was determined that Deputy Bale's vest saved his life by absorbing the impact of the horrific accident.

Again, in 1987, Deputy Douglas Brady was directing traffic when he was struck by a vehicle. He was thrown off the road and over a guardrail, yet survived, because, it was again determined, his protective vest absorbed the potential lethal impact.

In another example, Deputy Earl Walling was working as a guard in the Washoe County Jail when an inmate attacked him with a sharpened object. Had Deputy Walling not been wearing his vest, he would have suffered life-threatening injuries.

Mr. Speaker, we need to realize that our law enforcement personnel are not just dodging bullets. It is my hope that by bringing each of these potentially fatal occurrences to mind, we can further stress the importance of providing vests to these officers.

Passage of this bill will allow the families of our law enforcement officers to each year look forward to celebrating another Mother's Day or another Father's Day together with their family. I urge a yes vote on H.R. 2829.

Mr. WEXLER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. REYES).

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

Mr. Speaker, I rise today in strong support of H.R. 2829. As a former law enforcement officer for 26 years, I know firsthand how our men and women that are peace officers put their lives on the line every day. They courageously defend our borders, our States, our cities, and our neighborhoods. The well-being of our Nation's peace officers should therefore be the highest priority for all of us.

As a Border Patrol chief, my officers confronted numerous criminals who were armed and often dangerous. Bulletproof vests provided my officers with additional protection from firearms and reduced injuries and saved lives. Nonetheless, today many of our Nation's police and sheriff's departments are without this vital piece of equipment. The Justice Department estimates that 150,000 officers nationwide do not have access to these vests. Some communities simply cannot afford them.

This, in my mind, is simply unacceptable. In my opinion, every officer should be provided with a vest. This bill will address this goal. I am personally grateful for this legislation that will authorize $25 million in grant money to help pay for the purchase of bulletproof vests.

As we celebrate this week, National Police Week, let us remember those officers who died in the line of duty by honoring their memory and unanimously passing this legislation. Let us give our officers this important protection. Therefore, I strongly support this bill, and ask this Congress to unanimously support its passage.

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

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today in strong support of H.R. 2829, the Bulletproof Vest Partnership Grant Act. I want to thank the gentleman from Indiana for sponsoring this legislation and for all the hard work on behalf of our country's law enforcement officers. I also want to thank the gentleman from New Jersey, as well as the ranking member and the chairman of the Subcommittee on Crime, for their leadership in bringing this important legislation before us.

As everyone knows, this week we are celebrating Police Week all across America. It is time to say thank you to all of the law enforcement officers who keep our streets safe. It is also a time to remember and honor those officers who have given their lives for our safety.

Mr. Speaker, it is time for Congress to let our policemen and women know that we stand with them, and that we are committed to making their jobs as safe as possible. That is what this bill is all about. The FBI reported that 64 law enforcement officers were murdered in the line of duty nationwide in 1997. That is an increase over 1996, when 56 officers were murdered. Clearly, it is a dangerous time for those who help to protect our families. However, the Department of Justice estimates that 150,000 of American law enforcement officers do not have bulletproof vests.

We can do a better job protecting our law enforcement officers. H.R. 2829 will establish a grant program through the Department of Justice to help local police departments purchase bulletproof vests. The bill requires local law enforcement agencies to match the Federal funds. This is legislation that will help pay for as many as 100,000 bulletproof vests.

I know that bulletproof vests do not guarantee the safety of our policemen and women. I personally believe we need to do more to get weapons off the street and make sure our law enforcement officers are not outgunned.

We can and should do a better job of keeping guns out of the hands of criminals, and improve our efforts to tracking and tracing firearms used in crime. However, that is a debate for another day. Today, in honor of our police and in honor of those officers killed in the line of duty, I urge my colleagues to vote for H.R. 2829. It is the least that we can do for the dedicated law enforcement officers of America.

Mr. WEXLER. Mr. Speaker, I yield 2½ minutes to the gentleman from Michigan (Mr. STUPAK).

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

Mr. STUPAK. Mr. Speaker, I thank the gentleman for yielding time to me. Mr. Speaker, I would just like to compliment both sides on the issue being brought up here today, and the scope of the debate that is going on here. It is great to see so many people supporting law enforcement on this issue.

I would like to go back, when I was in law enforcement back in 1973, in 1974, when vests started to get really sort of popular. We have heard some comments here that the first thing you should buy is a vest, because it is a good life insurance policy. We often wonder why our departments, why don't they just go ahead and provide the vests?

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Back in 1974, when we were just getting going with the bulletproof vests, they were quite expensive, and being a young police officer, and I was, you live from paycheck to paycheck. You are trying to support your family and get things going. The gentleman from Indiana (Mr. VISCLOSKY), the main sponsor here, mentioned about rural areas.

While I was in the Michigan State Police then, we were up in Alpena, Michigan, an area that I represent now, we were tracking some safe crackers and it was December of 1974, and I guess I will probably never forget this. While were sitting there working and

trying to work these guys and trying to catch them, unfortunately when the squad car stopped them, the individual State trooper that stopped them was gunned down as he stepped from his car. The sad part about the story is that he actually had a bulletproof vest; it was at home. It was a Christmas present from his wife.

It still took us another 10 years to get our department to provide bulletproof vests for members of the Michigan State Police. Actually that came about not because management wanted it, but it was because we finally got collective bargaining rights and we then made it part of our negotiations and our contract that we would give up pay and other incentives to have bulletproof vests issued to each and every member.

So when we talk about the need for this, there are about 600,000 law enforcement officers right now who do not have access to bulletproof vests for whatever reason. So if we certainly could get these vests, not only would we save a lot of lives but I think we would save a lot of heartache and a lot of other problems throughout this Nation.

Since we are here and it is Police Officers Memorial Week and we will be doing a number of things and today, actually, we have three bills on the floor supporting law enforcement, I hope we just do not stop here today and do this one shot. Being the founder and cochairman of the Law Enforcement Caucus for several years, we have been working on several pieces of legislation to benefit law enforcement. I hope with everybody here that they listen well and that we actually take up H.R. 959, the body armor bill, which would prevent mail orders of body armor to unknown individuals so we do not have the criminals armed as well as the police officers are protected.

Mr. Speaker, I rise today in support of H.R. 2829, the Bulletproof Vest Partnership Grant Act. Since bulletproof materials became available to law enforcement, the lives of more than 2,000 police officers have been saved, and this bill will help make bulletproof vests available to more officers.

This bill creates a new Department of Justice grant program which will assist state and local law enforcement agencies in providing their officers with the protection of bulletproof vests. The bill would authorize up to $25 million for this new program, and would require the federal government to split the costs of these vests with state and local governments.

As a former law enforcement officer, I know first hand the necessity of bullet proof vests for the men and women who put their lives on the line every day. Unfortunately, 25 percent of the nation's 600,000 state and local law enforcement officers do not have access to bulletproof vests.

The Department of Justice has reported that between 1985 and 1994, 709 police officers were killed while on duty, 92 percent of them killed by a firearm. Studies by the ATF show that no officer killed during that time period died because a bullet penetrated a bulletproof vest. It is clear that bulletproof vests play an important role in the safety of law enforcement officers, and saves lives.

As founder and the Co-Chairman of the Law Enforcement Caucus, I have worked for several years to inform my colleagues about the value of bulletproof vests and the dangers of body armor when it gets in the hands of armed criminals. This bill will go a long way to help protect the men and women who protect us. With the passage of this bill, police departments will be able to provide vests to more officers, and we will be able to reduce the number of officers that are killed each year. I urge my colleagues to support H.R. 2829, and support our law enforcement officers.

Mr. WEXLER. Mr. Speaker, I yield the balance of my time to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman from Florida for yielding the time to me and I rise to commend the gentleman from Indiana (Mr. VISCLOSKY) as the principal sponsor of this legislation; also the gentleman from Florida (Mr. MCCOLLUM) and others on the committee who have worked on this legislation. This is truly bipartisan legislation which is aimed at trying to make our law enforcement officers safer.

We ask some Americans to do an extraordinary thing; that is, to put on a badge, put on a uniform or in plain clothes to protect us every day, to face the most dangerous people in our society who would undermine our safety, would take our property, and place at risk our families and our neighbors. This bill is a bill that will, I think, enjoy overwhelming support. It is appropriate that we tell local subdivisions, both State and local, municipal, that we will participate with them in trying to ensure further the safety of those we ask to defend what is vital in any democracy, and that is peace and good order.

Obviously, democracy cannot flourish in a society if law and order is not also present in that society. So the very essence of a police officer's duty is to preserve and protect the Constitution and the democratic way of life. So this is a very, very important piece of legislation.

It is appropriate that we pass it this week when we make note of the contributions and the sacrifices and the courage shown by so many in law enforcement throughout this country. I am pleased to be a supporter of this legislation.

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

I do not believe that I will consume all of it. I just want to comment about this at the end of the debate and say once again how important this bill is. We have had a number of Members speak on both sides. It is, as the gentleman from Maryland (Mr. HOYER) said, a truly bipartisan piece of legislation.

But this is an exceedingly important piece of legislation because it does present us an opportunity to save lives and save the lives of the people out there protecting our kids and our families every day by putting their lives on the line. It is not very often we get a chance to do that. Usually we are up here after the cow is out of the barn or the horse is gone or whatever and trying to do some remedial correction to help law enforcement.

Today we have a chance to do something in advance to help people who are on the street every day to provide a new grant program, a grant program carefully tailored only to those communities in this country that are not able or have not used their local community block grant monies to provide these vests or those very small communities that do not qualify otherwise, but nonetheless tailored to assure that every community can provide and is providing vests, bulletproof vests for their police officers.

I urge passage of the bill. Again, I commend its authors, the gentleman from New Jersey (Mr. LOBIONDO) and the gentleman from Indiana (Mr. VISCLOSKY). I think it is tremendous that they brought it forward. I have been proud to bring this out of the Subcommittee on Crime and urge its adoption.

Mr. KLECZKA. Mr. Speaker, I rise today to support H.R. 2829, the Bulletproof Vest Partnership Grant Act. I am proud to be a cosponsor of this bill that will help save the lives of men and women who serve and protect our communities—our law enforcement officers.

Under this legislation, the Justice Department will administer grants to assist state and local authorities in purchasing bulletproof vests for their officers. The grant would provide up to 50% of the cost of the vest with local and state governments matching the remaining costs.

Right now, in my home state of Wisconsin, many officers are either wearing secondhand vests not fitted properly to protect them, paying for their own vests, or wearing vests that have passed the 5-year expiration date. In Milwaukee, even though each officer receives a vest at no cost to them, many of them are past the 5-year expiration date, putting the officers' lives in danger. In addition, the vests' integrity is often compromised when they get wet, rendering them useless.

We should not be sending our police out on the streets with bulletproof vests that only work some of the time. The average cost of a bulletproof vest is about $500. Aren't our law enforcement officers' lives worth that?

This bill has been endorsed by numerous groups, including the Fraternal Order of Police and the Wisconsin Professional Police Association. I urge my colleagues to join me in voting for this lifesaving bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 2829, the Bulletproof Vest Partnership Grant Act. According to the Justice Department about 150,000 law enforcement officers nationwide do not have access to bulletproof vests. That is one out of four of the nation's 600,000 state and local law enforcement officers. Even though a bulletproof vest is a terrible thing to need, the reality of life is that our officers of the law often have to stare death in the eye in order to protect all of us from danger. Our law enforcement officers need every advantage, protection and privilege related to the performance

of their duties that we can give them. To this regard, the matching grant program in H.R. 2829 is a fabulous way to achieve this objective.

Under the provisions of the bill, local law enforcement agencies need only supply half of the costs of the equipment that they need. At present, a vest costs about $500, so this $25 million allocation of funds could provide up to 100,000 vests to those who do not currently have them. Furthermore, the priority for the distribution of the funds provided for under the bill has two conditions. First of all, local police agencies with high numbers of unprotected officers in heavy crime areas are given first priority, as well as those agencies that do not have a local law enforcement grant program to assist them.

The need for this legislation is unquestionable; nearly 1900 officers have been saved from death or serious injury because of wearing body armor. But this legislation, we can prevent a repeat of the 600+ police officers that were killed in the line of duty with a firearm between 1985 and 1994. These numbers equate to two officers being shot in the United States every twenty-four hours; frankly, a chilling statistic. But the pace has not slowed; in 1997, 160 more law enforcement officers were killed in the line of duty, most of which with a firearm. With this kind of rampant crime and lawlessness abounding, we need to protect those who dedicate their lives to protecting us. I sincerely hope that by passing H.R. 2829, we will not need to use resolutions like H. Res. 422 very often. So I urge all of my colleagues to join with me, and support the Bulletproof Vest Partnership Grant Act, H.R. 2829.

Mr. ETHERIDGE. Mr. Speaker, I rise in strong support of this vitally important legislation, and I urge my colleagues to join with me in voting to pass it.

As we in North Carolina know all too well, violent crime can strike anywhere. All too frequently, that violence is aimed at our men and women in uniform as they patrol our communities. Last year alone, five officers in and around the Second Congressional District of North Carolina were gunned down in the line of duty.

I believe Congress has a duty to help protect our officers. Last November, I joined a bipartisan group of my colleagues in introducing H.R. 2829, the Bulletproof Vest Partnership Grant Act. This legislation will provide $25 million in matching grants through the Department of Justice to help local law enforcement agencies purchase vests for their officers. This bill has been endorsed by the National Fraternal Order of Police, the National Sheriffs Association, the International Union of Police Associations, the National Association of Police Organizations and other law enforcement groups. H.R. 2829 enjoys the support of more than 300 cosponsoring Members of this House, and the Senate recently passed a companion bill.

On March 23, I participated in a live-fire demonstration of the life-saving usefulness of bulletproof vests to bring attention to the need for this equipment. This event demonstrated in dramatic terms the effectiveness bulletproof vests can have in protecting our officers.

The national statistics are compelling. Since the introduction of modern bulletproof material, the lives of more than 2,000 police officers have been saved because they were wearing bulletproof vests or some other form of body armor, according to the Department of Justice. The Bureau of Alcohol, Tobacco and Firearms reports that between 1985 and 1994, no police officer who was wearing a bulletproof vest was killed by a gunshot wound penetrating the officer's vest. The FBI tells us the risk of fatality from a firearm while not wearing body armor is fourteen times higher than for officers wearing body armor. Since 1980, 924 officers were killed while not wearing a vest. Of those 924 officers, 389 (42 percent) were shot in the torso area and could have been saved by a bulletproof vest. Approximately 150,000 of the nation's 600,000 state and local law enforcement officers (25 percent) do not currently have access to a vest. On March 25, I testified in front of the House Judiciary Subcommittee on Crime in support of this important legislation.

In my Congressional District, I have been surveying local jurisdictions to assess law enforcement needs. Although there is universal recognition of the importance of bulletproof vests, small towns and rural counties in North Carolina are having a difficult time providing them to their officers. Of the 1,619 officers in law enforcement agencies in my District, 299 officers—almost one in five—either have no vest or only have an expired vest which cannot guarantee protection. The need is particularly acute in smaller communities. In law enforcement agencies with forces of less than ten officers, more than one in three officers do not have a vest or only have an expired vest.

Despite the difficulty of equipping officers with bulletproof vests, their utility has been vividly on display in recent days. In March, Kenly Police Officer Todd Smith was shot at point-blank range by a suspect he had pulled over for missing tags. According to the physician who attended to Smith, without his vest, he would have died on the spot. One police chief wrote in response to my survey, ''I can't think of a better use of our tax dollars, and our officers deserve no less.''

Mr. Speaker, I believe Congress has an obligation to help protect the men and women who put their lives on the line each and every day to keep our streets and communities safe and free of crime and violence. H.R. 2829 will make a big difference in my District and across America. I urge the House to pass this bill.

Mr. GILMAN. Mr. Speaker, I rise today in support of H.R. 2829, the Bulletproof Vest Partnership Grant Act. This legislation will authorize the Bureau of Justice assistance to establish grants to local and State governments to purchase bulletproof vests.

The Department of Justice released statistics which stated that approximately 25 percent of State and local law enforcement officers do not have access to bulletproof vests. That is unacceptable. With the extent of violent crime that occurs in our Nation each year, we need to do something to help protect the men and women who put their lives on the line for our citizens each and every day.

This bill authorizes up to $25 million per year for this new grant program which the Department of Justice will oversee. The program will consist of matching grants to help State and local law enforcement groups purchase bulletproof vests and body armor to be used by their officers. This bill also provides for the matching provision to be waived in certain instances of jurisdictions which cannot pay their half of the costs of the vests.

Additionally, this measure would prohibit any group which participates in this program from purchasing equipment and products which were made by prison labor. It also urges these State and local agencies which receive assistance through this program, to purchase American-made enforcement products.

It has been demonstrated that bulletproof vests do help save lives. Since 1980, 1,182 police officers have been killed by a firearm in the line of duty. The FBI has stated that, had those officers been wearing vests, 42 percent of them would have survived. More than 2000 law enforcement officials have been saved by wearing a bulletproof vest while on duty. This legislation will help protect and save more lives of our dedicated police officers who protect us all.

I applaud Mr. VISCLOSKY for bringing this important piece of legislation before the House, and I urge my colleagues to support H.R. 2829. Passage of the Bulletproof Vest Partnership Grant Act illustrates a deep commitment to protecting the lives of our Nation's dedicated law enforcement officers.

Mr. RODRIGUEZ. Mr. Speaker, I rise in strong support of HR 2829, the Bulletproof Vest Partnership Grant Act of 1997. I believe this legislation takes an important step towards providing badly needed funds to law enforcement officers in communities facing violent crime. According to the Uniform Crime Reports, between 1987 and 1996, nearly 700 officers were killed in the line of duty. Of those officers, 63 were feloniously killed by firearms.

We cannot bring back those brave officers who gave their lives to protect us. But we can take action today for those police officers who continue to risk their lives in the line of duty. We should pass this legislation to offer needed protection from gunfire. Bulletproof vests will not prevent all deaths; but they will prevent many and provide a means of mitigating the danger that our officers face on a daily basis.

This bill will make grants to units of local government to purchase bulletproof vests for use by law enforcement officers, while giving preferential consideration to communities with the greatest need, a mandatory wear policy, and a violent crime rate at or above the national average. I believe this is a fair and sensible approach to protecting our officers to better help them protect and serve.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise today to express my support for H.R. 2829, the Bulletproof Vest Partnership Grant Act. This legislation is essential to the survival of our police officers who risk their lives daily. Mr. Speaker, this is a measure that I believe all law abiding citizens should strongly believe in and support.

H.R. 2829 addresses the issue of improving officer safety. Between 1985 and 1994, 709 police officers were killed while on duty. Ninety-two percent of those murders were committed with a firearm. Since the introduction of modern bulletproof material, the lives of more than 2,000 police officers have been saved because they were wearing bulletproof vests. From these invaluable statistics, we can obviously see the impact that bulletproof vests have on saving the lives of our police officers.

Thus, the need to provide every police officer with a bulletproof vest is obvious and necessary. The Bulletproof Vest Parthnership

Grant Act is a legislative measure that will assist police departments in providing their officers with such protection. This bill would authorize up to $25 million per year for a new matching grant program to help state and local law enforcement authorities purchase bulletproof vests and body armor. Furthermore, the bill makes preferences in granting awards toward jurisdictions where officers do not currently have vests, and reserves half of the money for jurisdictions with fewer than 100,000 residents. This legislation is very important in light of the fact that on the average, two officers are shot every twenty-four hours. This is disturbing news simply because these figures indicate that approximately 150,000 of the nation's 600,000 state and local law enforcement officers do not currently have access to bulletproof vests.

In consideration of the dangers that today's officers face, I strongly support the passage of H.R. 2829, the Bulletproof Vest Partnership Grant Act. This legislation is needed by the men and women who risk their lives daily for our protection. For their commitment and service, we owe every police officer our support on this issue. As the Representative of the Thirty-Seventh Congressional District of California, I am in strong support of this important legislation. This legislation has been endorsed by the Fraternal Order of Police, the National Sheriff's Association, the International Union of Police Associations, the Police Executive Research Forum, the International Brotherhood of Police Officers, and National Association of Police Organizations, the Long Beach Police Officer's Association and the Compton Police Officer's Association.

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

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the motion offered by the gentleman from Florida (Mr. MCCOLLUM) that the House suspend the rules and pass the bill, H.R. 2829, as amended.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the chair's prior announcement, further proceedings on this motion will be postponed.

QUESTION OF PERSONAL PRIVILEGE

Mr. BURTON of Indiana. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state his question of privilege.

Mr. BURTON of Indiana. Mr. Speaker, the question of privilege deals with statements made in three editorials published in newspapers within the last week. The editorials contain statements which reflect directly on my reputation and integrity and specifically allege deceptive actions on my part and impugn my character and motive.

The SPEAKER pro tempore. The Chair has examined the press accounts which serve as the basis of the gentleman from Indiana's question of personal privilege and is satisfied that the gentleman states a proper question of personal privilege.

Therefore, the gentleman from Indiana (Mr. BURTON) is recognized for 1 hour.

Mr. BURTON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to tell my colleagues that I regret having to take this time out of our very busy schedule. I will not take the whole hour, but I think it is extremely important that the issues I am going to talk about be made available to my colleagues and to anyone else who is interested.

I rise today to take a point of personal privilege and to discuss the Committee on Government Reform and Oversight's investigation into illegal campaign contributions and other crimes. My conduct as chairman has been criticized by many of my Democratic colleagues. Those criticisms have been echoed in the press so I am taking this point of personal privilege to lay out for the American people the facts about this investigation.

The fact is that this committee has been subjected to a level of stonewalling and obstruction that has never been seen by a congressional investigation in the history of this country. This investigation has been stonewalled by the White House. This investigation has been stonewalled by the Democratic National Committee. This committee has seen over 90 witnesses, 90, either take the fifth amendment or flee the country to avoid testifying, more than 90.

The fact that all of these people have invoked their fifth amendment right to avoid self-incrimination is a pretty strong indication that a lot of crimes have been committed. Tomorrow the committee will vote on immunity for four witnesses, all of whom have previously invoked their right against self-incrimination. The Democrats on the Committee on Government Reform and Oversight have voted once to block immunity and keep these witnesses from testifying. I hope that tomorrow they will reconsider and vote to allow this investigation to move forward as it should.

This investigation has seen enough obstruction and enough stonewalling for a lifetime. Before tomorrow's vote, I want to lay out for the American people and my colleagues what has happened in this investigation over the last year, the stalling and the delaying tactics that have been used against us and what has brought us to this point. I want to give a comprehensive summary of events so I am not going to yield to my colleagues during this speech.

I became chairman of the Committee on Government Reform and Oversight in January of 1997. The President said he would give his full cooperation to all congressional investigations of illegal foreign fund-raising, including ours. So why are we conducting this investigation? Because there is very strong evidence that crimes were committed.

Let us take a look at some of the allegations that compelled us to begin this investigation: that the DNC had accepted millions of dollars in illegal foreign campaign contributions; that $3 million of the $4.5 million in contributions attributed to John Huang had to be returned because of suspicions about their origins; that the Chinese Government had developed and implemented a plan to influence the elections in the United States of America; that Charlie Trie, a friend of the President's from Arkansas, had funneled close to $700,000 in contributions associated with a Taiwanese cult to the President's legal defense fund; that Charlie Trie's Macao-based benefactor had wired him in excess of $1 million from overseas banks; that Charlie Trie was behind roughly $600,000 in suspicious contributions to the Democratic National Committee; that Pauline Kanchanalak and her family funneled a half a million dollars to the Democratic National Party from Thailand; that Chinese gun merchants, Cuban drug smugglers and Russian mob figures were being invited to intimate White House events with the President in exchange for campaign contributions; that the former associate Attorney General received $700,000 from friends and associates of the President, including $100,000 from the Riady family at a time when he was supposed to be cooperating with a criminal investigation.

These are serious allegations about serious crimes. The Justice Department recently brought indictments against three of these individuals and a fourth, Johnny Chung has pled guilty.

In January 1997, I sent letters to the White House requesting copies of all documents relating to this investigation. I asked for documents regarding John Huang, Charlie Trie, White House fund-raisers, et cetera. I gave the White House a chance to cooperate. Chairman Clinger, who preceded me, had written to the White House in October of 1996, and requested all documents regarding John Huang. Press reports had indicated that the White House had already assembled these documents and had them in boxes at the White House before the end of 1996.

The entire month of February passed and we received only a trickle of documents from the White House. In March it was clear that the White House was not going to comply voluntarily. The President had offered his cooperation at the beginning of the year, but the White House refused to turn over documents to the committee. The White House campaign of stalling had begun. So I issued a subpoena for the documents. I held a meeting with the President's new White House counsel, Mr. Charles Ruff. Mr. Ruff assured me that the President would not assert executive privilege over any of the documents. The White House continued to resist turning over documents despite

the lawful subpoena that we sent to them.

Despite the earlier assurances, they told us they intended to claim executive privilege, even though they had said previously the President would not on over 60 documents that were relevant to the fund-raising scandal. It had always been White House policy not to claim executive privilege whenever personal wrongdoing or potential criminal conduct was being investigated. President Clinton's own counsel, Lloyd Cutler, had reiterated this policy early in the Clinton administration. But now President Clinton was using executive privilege to block our investigation.

The month of April passed and little or no progress had been made in getting the documents we called for in our subpoena. This was more than four months after my first document request had been sent to the White House.

In May, I was compelled to schedule a committee meeting to hold White House counsel Charles Ruff in contempt of Congress. More than four months had passed since I asked for the President's cooperation in producing documents and there had been nothing but stalling and more stalling. It was only with this sword hanging over their heads that the White House finally began to make efforts to comply with our subpoena.

Mr. Ruff agreed to turn over all documents required by the subpoena within 6 weeks. He also agreed to allow committee attorneys to review documents on their privilege log to determine if the committee needed to have them. We reviewed those documents. We did need many of them.

After months of stalling, we finally got some of them. By June, Mr. Ruff provided me with a letter stating that the White House had and I quote, to the best of his knowledge, end of quote, turned over every document in their possession required by the subpoena. We would find out later that that was not true.

All the while we were struggling to get documents from the White House, I was subjected to a steady stream of mudslinging and vicious personal attacks from Democratic operatives and others close to the President. The DNC, which at the time was resisting complying with our subpoena, was spending thousands of dollars conducting opposition research on my background to try to intimidate me. They produced a scurrilous 20-page report detailing every trip I had ever taken, the contributions I had received over the years, my financial disclosure statements and anything else they could find.

This document, which made outrageous and untrue accusations against me, was faxed around to reporters in an effort to drum up negative publicity about me and intimidate me. So much for cooperation with a legitimate congressional campaign investigation.

In March, the week my committee's budget was to be voted on by the House, a former executive director of the Democratic National Committee made a slanderous accusation that I shook him down for campaign contributions. His accusation was printed on the front page of the Washington Post. His actions, which are completely untrue and absurd on their face, became the subject of a Justice Department investigation.

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As it turns out, this individual, Mark Siegel, was a former Carter White House aide, a former DNC executive director, a Democratic fund-raiser and a Democratic lobbyist. More importantly, it became known later that he is a close friend and business associate of then-White House attorney Lanny Davis.

His accusations were clearly politically motivated and timed to hurt the chances for approval of our budget for the investigation. So much for cooperation from the Democrats.

Other sleazy accusations were being dished out to the press by anonymous Democratic agents. One reporter from my home State received derogatory information about me in an unmarked manila envelope without any return address. One Washington reporter got an anonymous phone call and was told to go to a phone booth, a phone booth in the Rayburn Building, and look in the back of the phone book. He went to that phone booth and found an envelope of defamatory information about me glued to the inside of the back of the phone book.

Talk about cloak and dagger. This is the type of smear campaign that every committee chairman who has attempted to conduct oversight of the White House has been subjected to.

They attempted to smear the gentleman from Iowa (Mr. LEACH), they attempted to smear Chairman, former Congressman Bill Clinger, they attempted to smear Senator D'AMATO, they attempted to smear Senator FRED THOMPSON, they even attempted to smear FBI Director Louis Freeh when he sought to convince the Attorney General to appoint an independent counsel. And, of course, Mr. Starr has been smeared, and everybody else that has investigated any aspect of the White House.

What does this kind of behavior by the Democratic Party say to the American people? Is this cooperation? Were these smear campaigns orchestrated by the White House? That is something the American people have a right to know.

In February of 1997, my staff learned, by reading The Washington Post, that the White House had sought a briefing from the FBI about the evidence it had gathered about Chinese efforts to infiltrate our political system and to affect the outcomes of elections. For obvious reasons, the FBI resisted giving such a briefing. The criminal investigation potentially implicated members of the White House staff.

I learned from discussions with FBI Director Louis Freeh that at a time he was traveling in the Middle East, senior officials at the Justice Department attempted to provide this information about the ongoing criminal investigation to the White House, that was part of the investigation, a move that the FBI adamantly opposed.

According to Director Freeh, when his staff learned that the Justice Department lawyers were planning on giving this information to the White House, Director Freeh's chief of staff called him on his airplane halfway around the world in a last-ditch effort to stop the transfer of this information to the White House, which could have potentially jeopardized the investigation. Director Freeh was forced to make an emergency phone call to the Attorney General from his plane in the Middle East to intervene and stop that process.

When the Attorney General testified before our committee in December, she told a different version of events. She testified that she initiated the call to Director Freeh on his airplane to consult with him about providing the information to the White House. However, when Director Freeh testified the next day, he confirmed that it was he who initiated the call, after his staff warned him that the FBI was being circumvented so that sensitive information could be provided to the White House against the FBI's wishes.

Now, let us go back to the White House. The stonewalling and the obstruction from the White House did not stop following our agreement with Mr. Ruff, the President's chief counsel. The letter I received in June of 1997 from Mr. Ruff assured me that, quote, to the best of his knowledge, all documents relevant to our investigation had been provided to the committee. Unfortunately, these assurances were hollow. They were false.

Throughout the summer, boxes of newly discovered documents dribbled into the committee offices. Often, when the documents contained damaging revelations, they were leaked to the press before being provided to the committee. On one occasion, on a Friday night, we got about 12 boxes of documents. We did not even open them until the next Monday. But in the Saturday morning papers there was information that was in those boxes in the papers, and the White House was accusing us of leaking the information when we had not even opened the boxes.

When this happened, the documents were normally given to reporters late on a Friday or over a busy weekend to try to deaden their impact on the American people.

It was not unusual to receive documents pertaining to a White House or a DNC employee shortly after that employee was deposed. This forced us, on a continuing basis, to consider redeposing witnesses, costing additional time and money.

In the Senate, Senator THOMPSON faced the same obstacles. Last July, the Senate Committee on Governmental Affairs heard 2 days of testimony from DNC Finance Director Richard Sullivan. The evening following Sullivan's testimony, after he testified, the White House delivered several boxes of documents shedding new light on Sullivan's activities. The chairman of the committee in the other body was so infuriated that he canceled his agreement allowing the White House to provide documents voluntarily and he issued his first subpoena to the White House.

On August 1, more Richard Sullivan documents turned up at the Democratic National Committee. The DNC turned over several boxes of memos and handwritten notes from the filing cabinet in Sullivan's office.

The idea that the DNC could have overlooked drawers and drawers of relevant documents right in Richard Sullivan's office strains credibility. The Senate was forced to redepose Mr. Sullivan.

The final straw came in October when the White House videotapes were discovered. The White House had in its possession close to 100 videotapes of the President speaking and mingling with subjects of our investigation at DNC fund-raisers and White House coffees. The President could be seen at the White House fund-raisers with John Huang, James Riady, Pauline Kanchanalak, Charlie Trie, and many others.

In one tape the President could be seen introduced at a fund-raiser to Charlie Trie and several foreign businessmen as ''The Trie Team.'' This was serious evidence that the White House had withheld from Congress and the Justice Department investigation for over 6 months.

Despite the fact our subpoena clearly ordered the production of any relevant videotapes, the White House had, for 6 months, failed to reveal their existence. It was only under pressure from a Senate investigator, who had received a tip from a source, that the White House admitted to the existence of the tapes. In other words, they did not turn over the fund-raising tapes until their hand was caught in the cookie jar.

Charles Ruff has said publicly that he was informed of the existence of the tapes on Wednesday, October 1. Now, remember this. The President's counsel said he was informed of the existence of the tapes on Wednesday, October 1. He met with Attorney General Janet Reno on Thursday, October 2, the day after he found out about the tapes. He did not inform the Attorney General at that meeting that the tapes existed and that they had not been turned over to the Justice Department. I believe he had an obligation to do so.

Now, this was a critical week, because the Attorney General was in the process of deciding whether to seek the appointment of an independent counsel and she had to make her decision on Friday, October 3. So the President's counsel knew about the tapes on the 1st, he talked to the Attorney General on the 2nd, she had to make her decision on the 3rd, but he did not tell her about it. And so she made the decision not to appoint an independent counsel. Had she known about those tapes, her decision might have been otherwise.

On Friday, the Attorney General released a letter declining to appoint an independent counsel. The tapes were not released until the Justice Department—until the weekend. Another stonewalling. In other words, Mr. Ruff had a face-to-face meeting with the Attorney General. He failed to disclose to her that the fund-raising videotapes existed and allowed her to make a very important decision on an independent counsel without having any knowledge of them.

That is just wrong. It is obstruction of our investigation and all these investigations.

I called Charles Ruff and the other attorneys from the White House counsel's office to testify before our committee in November, to answer for their failure to produce these tapes. Under questioning from a committee attorney, White House Deputy Counsel Cheryl Mills admitted that she and White House Counsel Jack Quinn had withheld from the committee for 1 year an important document related to the investigation of political uses of the White House database.

The document in question was a page of notes taken by a White House staffer that indicated the President's desire to integrate the White House database with the DNC's database, which is not legal. This document had a direct bearing on the subcommittee's investigation. Cheryl Mills admitted that she had kept the document in a file in her office for over a year, based on a legal sleight of hand. Her behavior in this instance was another in a long string of incidents that reflected the White House's desire to stall and delay congressional investigations of its alleged misconduct. This kind of behavior is inexcusable for a White House attorney and a public servant.

It was not the only time the subcommittee has faced obstructionism. The White House official most directly responsible for developing the controversial database was Marsha Scott. Committee attorneys had to attempt to depose Ms. Scott on three separate occasions to overcome her refusal to answer questions.

This April, Ms. Scott was subpoenaed to attend a deposition. She arrived for the deposition, began to answer questions, and then abruptly got up and walked out of the deposition. This committee has never seen a witness who was under subpoena walk out in the middle of a deposition.

The subcommittee chairman, the gentleman from Indiana (Mr. MCINTOSH), was forced to call an emergency meeting of the subcommittee at 8 o'clock that night to force Ms. Scott to return and answer the questions.

This is typical of the kinds of obstruction this committee has encountered while dealing with this White House.

The White House strategy was accurately described in a recent New York Post editorial as ''The Four Ds: Deny, Delay, Denigrate and Distract.'' It appears that the White House's game plan has been to stall and obstruct legitimate investigations for as long as possible and then criticize the length of the investigations, all the while attacking the investigators.

It has been fairly noted by a number of leading editorial pages that if the President and his subordinates would simply cooperate and tell the truth, these investigations could be wrapped up quickly. The Committee on Government Reform and Oversight continued to have White House documents dribble in as late as last December, 6 months after Charles Ruff had certified they had given us everything.

Since January of last year, I have been seeking information from the Justice Department about its investigations into allegations that the Government of Vietnam may have attempted to bribe Commerce Secretary Ron Brown to influence policy on the normalization of relations with Vietnam, even though we had not had complete reporting on the 2,300 or 2,400 POWs and MIAs left behind.

The New York Times reported that the Justice Department had received evidence of international wire transfers related to the case, that there was money transferred from Hanoi to another bank. There was information in the papers about that. Despite the fact that the Justice Department had closed the case, they were resisting providing any information to my committee.

On Tuesday, July 8, because the Justice Department would not give me the information, I sent a subpoena to the Attorney General and the Justice Department demanding this information.

Now, get this: 3 days later, after I sent a subpoena to the Attorney General, on Friday, July 11, my campaign had an FBI agent walk in and give us a subpoena for 5 years of my campaign records. Although Mr. Siegel had made his allegations against me in March, there had been no signs of any investigative activity within the Justice Department until I sent a subpoena to the Attorney General about Mr. Brown and that FBI report.

Was this a case of retaliation? That is a question the American people have a right to have answered, and I think I do, too.

This committee has faced obstructions from the White House. That is obvious. It is also true that this committee has faced serious obstructions from other governments in this world.

We tried to send a team of investigators to China and Hong Kong earlier this year. There are important witnesses that need to be interviewed to find out who is behind major wire

transfers of money that wound up being funneled into campaigns in this country. The Chinese Government turned us down flat. They would not give visas to our investigators.

We attempted to get information from the Bank of China about who originated the wire transfers of hundreds of thousands of dollars to Charlie Trie, Ng Lap Seng and others. The Bank of China told us they are an arm of the Chinese Government and they would not comply with our subpoena.

I wrote to the President and asked for his assistance to break through this logjam with the Chinese Government. We have received no answer and no assistance whatsoever from the White House.

My friends on the Democratic side of the aisle are fond of complaining about the number of subpoenas I have issued. For the record, I have issued just over 600 since the investigation began a year-and-a-half ago. There is a very simple reason that I have been compelled to issue that many subpoenas. This committee has received absolutely no cooperation from more than 90 key witnesses and participants in efforts to funnel foreign money into U.S. campaigns. And many of these people are personal friends of the President, many of these people worked in the White House, and they have taken the Fifth or fled the country.

More than 90 witnesses have either taken the Fifth to avoid incriminating themselves or fled the country to avoid testifying because they possibly are involved in criminal activity.

The Justice Department did not receive much cooperation either. Director Freeh, when he testified before the committee last December, told us that they had issued over 1,000 subpoenas from the FBI.

□ 1700

Fifty-three people have taken the fifth. These include Webb Hubbell, the President's hand-picked Associate Attorney General; John Huang, the Deputy Assistant Secretary of Commerce, who was in the White House over 100 times during the President's first term; and Mark Middleton, a high-level aide in the office of the White House Chief of Staff.

I want to be clear about what this means. High-level appointees of the President have exercised their fifth amendment rights against self-incrimination in criminal investigations, in crimes. These people do not want to testify because they do not want to admit to the commission of any crime that they may have been involved in. And these are people that have worked in the White House close to the President, his friends.

Thirty-eight witnesses have either fled the country or refused to make themselves available to be interviewed in their countries or their residence. There has never before in the history of this country been a congressional investigation that has had to investigate a scandal that is so broad and so international in scope. There has never before been a congressional investigation that has seen and had over 90 witnesses refuse to cooperate or flee the country.

The fact that we have had so many non-cooperating witnesses is the reason that we have had to issue so many subpoenas. For instance, Charlie Trie, even though he has returned to the United States, has refused to cooperate with the committee. To overcome this problem, we had to issue 117 subpoenas to banks, phone companies, businesses, and other individuals to get information that Mr. Trie could have provided himself to us and to the committee. We have had to issue 60 subpoenas to attempt to get information about Ted Sioeng.

Ted Sioeng and his family have given $400,000 to the Democrat National Committee. They have also given $150,000 to Republican causes. Not only has Ted Sioeng fled the country, but more than a dozen people associated with them have left as well. I mean, they are all heading for the hills. If Ted Sioeng would come back to the United States and cooperate with this investigation, we would not have to issue all of these subpoenas.

Eighty percent of the subpoenas I have issued have been targeted to get information about half a dozen individuals who have been implicated in this scandal and who have taken the fifth amendment to avoid testifying.

Just to be clear, more than 90 people have taken the fifth amendment or fled the country. That is scandalous. It has never happened before in the history of this country. Friends of the President, friends of the administration, contributors, leaders from other countries, have all headed for the hills. This is unprecedented. This should be a clear indication to people of the extent of the lawbreaking that occurred during the last campaign.

At this point, I would like to say a few things about the release of the Webster Hubbell tapes, which we read about in the papers last week. First, Webster Hubbell was the Associate Attorney General of the United States. He was hand-picked by President Clinton to serve as one of the highest law enforcement officers in our land. Within a year, he was forced to resign in disgrace because of a criminal investigation into fraud at his law firm. He was eventually convicted and served 18 months in prison.

Between the time he resigned, between the time he left the Justice Department and he was convicted, about 6 or 7 months later, he received $700,000 in payments from friends and associates of the President's for doing little or no work; and many people believe that was hush money. One hundred thousand dollars came from the Riady family in Indonesia, owners of the Lippo Group. This payment came within a few days of 10 meetings at the White House, some including the President himself, involving the President, John Huang, James Riady, and Webster Hubbell. Serious allegations have been made that this $700,000 was hush money meant to keep Mr. Hubbell silent. A criminal investigation is underway. And Mr. Hubbell was just indicted for failure to pay almost $900,000 in taxes.

The American people have a right to know what happened. They have a right to know why Mr. Hubbell received this money and what he did for it. There is no such thing as a free lunch, and people do not shell out $700,000 for nothing. We would expect the President's hand-picked appointee to a powerful Justice Department position would be the first to volunteer to cooperate with the congressional investigation.

Instead, Mr. Hubbell, a close friend of the President, former leader at the Justice Department, has taken the fifth amendment and remains silent. This has forced us to seek other sources of information. And that is why I subpoenaed the prison tapes of Mr. Hubbell's phone conversations.

Out of 150 hours of conversations, my staff prepared just over 1 hour for release to the public, private conversations that had nothing to do with our investigation, and we screened those out. What was contained in that hour of conversations raises troubling questions. Given the seriousness of the allegations, this material deserves to be on the public record.

On these tapes, we hear Mrs. Hubbell say that she fears that she will lose her job at the Interior Department if Mr. Hubbell takes actions that will hurt the Clintons. We heard Mrs. Hubbell say that she feels she is being squeezed by the White House. Webster Hubbell states, after she says that, that ''I guess I must roll over just one more time.'' ''Roll over one more time.'' These statements raise very disturbing questions about the conduct of the White House and the conduct of the Hubbells. The American people have a right to know the answers.

Let me say a couple things about the charges of selective editing. Mistakes were made in the editing process. As chairman, I take responsibility for those mistakes. But they were just that, innocent mistakes. In the process of editing 149 hours of personal conversations, the staff cut out a couple of paragraphs that should have been left in. Here are a few points to be kept in mind. We are not talking about transcripts. What were prepared were logs of the conversations, logs, summaries of information on the tapes. They were not verbatim transcripts and they were never identified as such. They were logs of where these conversations came from out of the 150 hours of tapes that was condensed on to one.

Exculpatory statements about both Mrs. Clinton and other Clinton administration officials were left in the logs. In one case, an exculpatory statement by Mr. Hubbell about Mrs. Clinton was underlined to highlight it. The tapes were never altered. This charge has

been repeated time and time again by the Democrats and it is false. The tapes were not altered.

Once the tapes were made public, reporters were allowed to listen to and record the appropriate sections of the tapes in their entirety. These sections included the statements about Mrs. Clinton and Mr. Hubbell that have been complained about. How can anyone argue that there was an intent to deceive when reporters were allowed to listen to the comments I have been accused of deleting?

Finally, in an effort to end once and for all these charges of selective editing, I have released the tapes of these 50 conversations in their entirety, even though I did not want to because there is personal stuff in there that I did not think should be in the public domain, but the integrity of the investigation had to be maintained.

What I find most unfortunate is that this incident has detracted from the important facts about the Hubbell tapes that it appears that Mr. Hubbell and his wife were under a great deal of pressure to keep their mouths shut. This is something that absolutely must be investigated. It is something that the American people absolutely have a right to know. She felt she was being squeezed by the White House, and he felt he had to roll over one more time. He had to roll over one more time.

And when we have over 90 people fleeing the country or taking the fifth amendment, we have to wonder if Mr. Hubbell is only one of a number that are scared to talk, that are afraid to say anything because of pressure from the White House.

This brings us to tomorrow's committee meeting. Tomorrow we will try to break through this stone wall one more time by granting immunity to four witnesses. The Justice Department has agreed to immunity. The Justice Department has agreed to immunity. They have been thoroughly consulted. The Justice Department has already immunized two of these witnesses themselves. There is no reason to oppose immunity. Yet 19 Democrats on the Committee on Government Reform and Oversight voted in lock step against immunity. They voted to prevent these witnesses from telling the truth to the American people.

I want to tell the American people a little bit about who these witnesses are. Two of these witnesses were employees of Johnny Chung. They were involved in his conduit contribution schemes, bringing money from illegal sources into the DNC. They were involved in setting up many of his meetings at the White House and with other government officials.

Kent La is a very important witness. He is a business associate of Ted Sioeng, one of the people that had fled the country. He is the U.S. distributor of Red Pagoda Mountain cigarettes. Ted Sioeng has a major stake in these cigarettes. This is the best selling brand of cigarettes in China. This company is owned by the Communist Chinese Government. It is the third largest cigarette selling in the world. This company is owned by the Chinese Government, and it is a convenient way to funnel money into campaigns in the United States by Ted Sioeng, Kent La, and others.

Ted Sioeng and his associates gave $400,000 in contributions to the Democrat National Committee. Of that amount, Kent La gave $50,000. Was that money from Red Pagoda cigarettes from the Chinese Communist Government? We need to find out. The American people have a right to know.

Every witness that we have spoken to says that ''If you want to understand Ted Sioeng, you have got to talk to Kent La.'' And that is one of the people we want to talk to, but we have to get immunity for him first. Kent La has invoked the fifth amendment. He will not testify without immunity. But the Democrats on our committee will not grant him immunity. The Democrats have voted to block immunity. I cannot, for the life of me, understand why they want to do that.

This is not a partisan issue. Ted Sioeng did not just give money to Democrats, he gave to both sides. He gave $150,000 to Republican causes as well as the Democrats. So this is not a partisan issue with Kent La and Ted Sioeng. It seems very clear that most of this half a million dollars donated by Ted Sioeng and his associates came from profits of selling Chinese cigarettes around the world. Kent La is the one individual who can tell us if this is true or not. I do not understand why my colleagues want to keep this witness from testifying and protect a major Communist Chinese cigarette company, especially when the gentleman from California, who has been such a forceful advocate of reducing smoking here in the United States, is one of those voting against immunity.

We have a number of good members on my committee on both sides of the aisle. I think we have conscientious members, both Democrat and Republican, who are outraged by some of the things that have happened during the last election. I hope all of my colleagues are thinking long and hard about their votes, and I hope that they will reconsider and support immunity tomorrow.

Now, in conclusion, I have tried throughout this discussion to try to make clear to the American people and my colleagues that this is an investigation that has faced countless obstacles, stone walls. We have faced obstruction from the White House. We have faced stalling from the Democrat National Committee. We have faced non-cooperation from foreign governments. We have had over 90 people take the fifth amendment or flee the country because they did not want to testify because of criminal activity.

However, we will continue. There are very serious allegations of crimes that have been committed, and the American people have a right to know. I hope that tomorrow we will start to tear down the stone wall by granting immunity to these four witnesses and getting on with the investigation. None of this should be covered up. The American people have a very clear right to know if our government was compromised. They have a right to know if foreign contributions influenced our foreign policy, if it endangered our national defense. These are things the American people have a right to know, and we are going to do our dead level best to make sure they get that right and they get to know it.

PROCEDURE FOR CONSIDERATION OF CAMPAIGN REFORM LEGISLATION

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

Mr. SOLOMON. Mr. Speaker, on April 22, the leadership issued a statement committing that campaign reform legislation would be brought to the floor and fully debated under an open rule permitting substitutes an amendments. The statement provided that the base bill would be H.R. 2183, the bipartisan freshman bill.

The leadership statement further provided that substitutes would be printed in the CONGRESSIONAL RECORD prior to consideration of the legislation.

While the Committee on Rules will not actually vote on a rule until next week, it is necessary to lay the ground work in order to carry out the commitment by the Republican leadership.

Since the House will not be conducting business on either this Friday or next Monday, any Member who has an amendment in the nature of a substitute for the campaign reform bill should submit it for printing in the CONGRESSIONAL RECORD by the close of business this Thursday, May 14. That is two days from now, two full days.

At the same time, a brief explanation of the substitute should be submitted to the Committee on Rules so that the Committee on Rules will be able to compile a list of all the substitutes that are filed and make those available to the public. Filing substitutes this Thursday means that Members who want to offer perfecting, second degree, amendments to those substitutes will have time to prepare them.

□ 1715

Under an open amending process, any Member may offer any perfecting amendment that complies with the rules of the House to any of the substitutes; that means any germane amendment.

If any Member wants to offer a perfecting amendment which does not comply with the rules of the House to any of these substitutes, that means any nongermane amendment, then they are going to have to submit that

by noon on Tuesday, May 19, to the Committee on Rules in my office upstairs.

May 19 is the next day the House will be conducting business after the filing of those substitutes, but it is actually 5 calendar days after the filing of those substitutes. This should allow sufficient time for preparation of perfecting amendments.

I want to stress that only the perfecting amendments to be filed with the Committee on Rules are those which do not comply with the rules. So if Members have perfecting amendments that are germane, you do not have to file them, although it might be a good idea to receive priority recognition if they were to file those with the desk. But if they are nongermane to those substitutes, then you should file 55 copies with my Committee on Rules upstairs by May 19.

I would hope that there would be very few of those. Perfecting amendments which do comply with the rules, again, in the House do not need to be filed with the Committee on Rules.

I hope Members will call the Committee on Rules to get a clarification of what I just said. It is very important.

SENSE OF HOUSE REGARDING LAW ENFORCEMENT OFFICERS WHO HAVE DIED IN LINE OF DUTY

Mr. MCCOLLUM. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 422) expressing the sense of the House of Representatives that law enforcement officers who have died in the line of duty should be honored, recognized, and remembered for their great sacrifice.

The Clerk read as follows:

H. RES. 422

Whereas law enforcement officers work daily in communities across the Nation, assisting individuals in the pursuit of life, liberty, and happiness;

Whereas law enforcement officers are, most often, the first contact individuals have with their representatives of government, and they perform the duties and responsibilities of that important liaison role with wisdom and compassion;

Whereas law enforcement officers are expected to perform duties above and beyond those of the average person, including duties such as rescuing individuals from a multitude of life-threatening incidents and assisting families during times of great personal sorrow;

Whereas law enforcement officers engage in a variety of tasks, from visiting with home-bound elderly citizens, mediating domestic disputes, and providing counsel to youngsters on our streets, to retrieving lost pets and bringing a spirit of friendship and compassion to an environment often lacking in these essential qualities;

Whereas law enforcement officers daily encounter individuals within our society who reject all moral values and ethical codes of conduct in pursuit of criminal activities;

Whereas law enforcement officers risk their health, lives, and future happiness with their families in order to safeguard communities from criminal predation;

Whereas in the course of their duties, law enforcement officers may find themselves not only in harm's way, but also victims of violent crime; and

Whereas 159 law enforcement officers throughout the country lost their lives in the performance of their duty in 1997, and more than 14,000 men and women have made that supreme sacrifice to date: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the contributions made by law enforcement officers killed in the line of duty should be honored, their dedication and sacrifice recognized, and their unselfish service to the Nation remembered.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MCCOLLUM) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

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

GENERAL LEAVE

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution being considered.

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

There was no objection.

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

Mr. Speaker, police officers who have died in the line of duty sacrifice not only their own lives, but the lives of their spouses, children, parents, and friends. In fact, the whole community suffers the loss when a police officer dies.

H. Res. 422 expresses the sense of Congress that contributions made by law enforcement officers should be honored, and their unselfish service to the Nation should be remembered.

Mr. Speaker I could not agree more, and I believe we in Congress should go even further. That is why on Thursday in this week, the Subcommittee on Crime will hold a hearing to specifically highlight acts of heroism and valor by police officers who engage in such acts as a matter of their official duties.

Following this hearing, I expect to introduce legislation to honor our Federal, State, and local law enforcement officers by creating a national medal to recognize their acts of bravery. Mr. Speaker, many other countries have such a medal, and I believe the United States is sorely lacking in this regard.

Our police officers are at war every day against criminal elements which threaten the sanctity and security of this country. A national medal is the least which we in Congress can do to thank them for their sacrifices.

I am proud to support this resolution that is before us today, and I hope that many Members who support this bill will cosponsor the legislation produced shortly, creating the medal for public safety heroism by our officers.

I must say the resolution that we are here to debate today is exemplary. The gentleman from Ohio (Mr. LATOURETTE), my good friend who has been so instrumental in this, I want to commend him in bringing this forward.

I think it is an exceedingly important matter for us to dedicate this week when we have a special law enforcement service that, every year, we have to honor those who have given their lives and have been slain in the line of duty.

Mr. Speaker, I yield the balance of my time to the gentleman from Ohio (Mr. LATOURETTE) and ask unanimous consent that he be allowed to yield time for the proponents of H.Res. 422.

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

There was no objection.

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

Mr. Speaker, I rise in support of this legislation. We have heard a lot of talk this year about the falling crime rate. Violent crime is down more than 16 percent in the past 5 years. We are very pleased with that, of course, across this country. This is a remarkable accomplishment.

I might observe that many of us believe that the President's crime program and community policing have contributed to that result. But in the midst of celebrating, we must not forget the terrible price paid by the people most responsible for this achievement, police officers.

We at the Federal level talk a lot about law enforcement, about crime, and about bringing down the crime rates in this country, but we know full well that it is not at the Federal level that we fight crime, not even, frankly, primarily at the State level, but the local level, at the municipal level.

There were 159 police officers, Mr. Speaker, killed in the line of duty just last year; 159. The even worse news is this number was a huge increase from 1996, during which there were 116 line-of-duty fatalities. It is clear that it is getting more dangerous to protect the rights of citizens in this country.

I believe this resolution is absolutely correct. It honors those law enforcement officers who have made the ultimate sacrifice, who have, in Lincoln's word, given their last full measure of devotion to the cause of protecting the rest of us from harm. For that devotion, the police officers of this country have earned the undying gratitude of their fellow Americans.

Just a few minutes ago, Mr. Speaker, we considered a bill to provide more bulletproof vests for officers. That is a crucial initiative, and I hope it will be signed into law within the month. But even with those vests, even with those vests, police officers will still have to walk out of the door each morning prepared, if necessary, to put their lives at risk in the name of justice, to put their lives at risk in the name of peace and good order, to put their lives at risk so that others of us might have safer schools, safer neighborhoods, safer

communities, safer streets, put their lives at risk so that democracy and freedom and justice can prevail.

These brave men and women are true American heroes, Mr. Speaker, and they deserve to be recognized, not just rhetorically, but in any way that we can, to recognize their heroism, to recognize their absolute critical role in the preservation of democracy and justice and order.

Mr. Speaker, I urge my colleagues to support this resolution.

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

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

Mr. Speaker, this resolution is very, very simple in its wording, and I want to commend the sponsor and the introducer of this resolution, the gentleman from Indiana (Mr. BURTON). Very simply, it says that this resolution indicates it is the sense of the House of Representatives that the contributions made by law enforcement officers killed in the line of duty should be honored, their dedication and sacrifice recognized, and their unselfish service to the Nation remembered.

Later this week, Mr. Speaker, the Nation's law enforcement community will gather from all over the country and will join us in our Nation's capital to remember the over 14,000 men and women in blue who have made the ultimate sacrifice to serve and protect.

During the course of their ceremony, Officer Bill Glover of the Ashtabula City Police Department from my district and 15 officers from other jurisdictions will have their names solemnly added to the silent walls here in the Capitol. Their service is what protects the law-abiding from the lawbreaking, and their sacrifice should be honored and remembered by all in any way that we possibly can. That is what makes H.Res. 422 so fitting and appropriate.

When I have the opportunity to visit the Police Officers' Memorial here on the Capitol on an annual basis, I am often reminded of remarks that we wish that all of the men and women who don police officers' uniforms in this country could die in bed with their socks on, next to their loved ones, and that we would have no need of a memorial to mark those men and women who fall protecting us from those who are bent on violence and destruction.

It is appropriate that we have that memorial. It is a solemn occasion that we will remember this Wednesday, Thursday, and Friday. I would urge all of my colleagues to support H. Res. 422.

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

Mr. LATOURETTE. Mr. Speaker, it is my privilege to yield 2 minutes to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I thank the gentleman from Ohio for yielding to me.

Mr. Speaker, I only want to make these few comments. I serve on the Committee on National Security and also serve on the Committee on the Judiciary, the Subcommittee on Crime, so I have the unique perspective to share a comment on this measure before the House today.

I applaud the gentleman from Indiana (Mr. BURTON) for bringing the measure. From a national security standpoint, we all know and understand the almost $250 billion we spend as a Nation to ensure that our peace and security is there as we live in the world. But we should also remember our domestic security; and that is those of whom have placed themselves by their own choosing in an environment that involves great hardship, a tremendous amount of risk, and even places themselves in peril.

When I said they do that by their own choosing, they understand that they are serving something that is greater than themselves, and that is that they want to ensure that the children and those who live within the community do so in peace.

They have to make judgments. At times, it would be very easy for them not to place themselves in a high-risk environment, but they step forward and place themselves in a high-risk environment knowing that they placed themselves at risk of even possible death and serious bodily injury.

They do that to serve, I think, a higher cause, which makes their service to our communities, our State, and their country that of high honor and something that we should admire. So when I think about all of those that have given their life in the line of duty, I think that their risk and what they have done should be recognized by our country.

So often we think about the soldiers that die on a distant battlefield, and we give them high honor and respect, but we should also give equal high honor and respect to those who serve in the battlefields within our communities.

That is what we are doing here today, coming together in a bipartisan fashion here in the House to pause and say thank you, not only to those servicemen and servicewomen who are in our communities, but also to the families out there, the widows and their orphans.

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

Mr. Speaker, just to briefly comment on the last speaker's observations, I think he is absolutely correct. The gentleman from Pennsylvania (Mr. WELDON) and I have participated in a brief ceremony earlier today in which we honored the police officers here on Capitol Hill who responded to the fire in Longworth and who also responded to the fire in the O'Neill Building.

The gentleman from Pennsylvania (Mr. WELDON) made the observation that we lost 28 people in the Persian Gulf War when that Scud attack occurred and they were in their barracks; and we lamented that loss, properly so. It was a grievous loss for our country.

As I mentioned just a little while ago, over 150 lost their lives last year as police officers on the streets of America. It is right and proper that we honor them, as we honor those who we ask to defend us abroad, that we equally honor those who we ask to defend us here at home.

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

Mr. LATOURETTE. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the Committee on the Judiciary.

Mr. HYDE. Mr. Speaker, it has been said, and I do not want to be redundant, but it is difficult to not want to pay homage to the soldiers, the foot soldiers in the battle against crime. We honor our veterans on Memorial Day. We have monuments and we have parades because they courageously fought in a war to preserve our freedom. But a war had a beginning and it has an end.

This war has no beginning and no end. It goes on daily, hourly, every night in our big cities and in some of our rural areas. There are people willing, for low pay and for not much recognition, to risk their lives and, of course, their families to protect civilization, protect society, and to protect freedom, just as the soldiers and the sailors and the airmen did in time of war. So we are fortunate to have people who are willing to risk everything to protect society and protect the community and to protect our way of life. So we owe them.

□ 1730

This resolution is little enough that we can do, but it is something. It acknowledges their sacrifice and their great contribution to our society. But I think we can do more, and we should try to work to make this country and make our communities the sort of places that they are defending and they are fighting for and that they have offered their lives for. To give one's life for a cause is about as noble and high a gesture as you can make. One hundred fifty-nine law officers gave their lives last year defending the freedom and civilization that we pride ourselves on.

So they are in the finest tradition of the soldiers and the sailors and the airmen, only they are fighting a never-ending war, and we acknowledge our unpayable debt to them.

Mr. LATOURETTE. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New York (Mr. GILMAN).

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

Mr. GILMAN. Mr. Speaker, I rise today in support of H. Res. 422, bringing honor, recognition and remembrance for the sacrifice of law enforcement officers. This legislation gives these dedicated individuals the recognition they fully deserve on May 15,

1998, National Peace Officers' Memorial Day. The purpose of this bill is to show honor and appreciation for those fallen law enforcement officials who have given their lives in the line of duty. These individuals represent the first contact citizens often have with our government.

Law enforcement officials' responsibilities include saving people from life-threatening situations and assisting our families during times of personal suffering.

Last year, 159 law enforcement officials died in the line of duty. More than 66,000 officers are assaulted each year, while 24,000 are injured on the job. To date, 14,000 police officers have given their lives protecting our communities. Statistics continue to show that every other day another man or woman is killed while serving in a law enforcement capacity. This illustrates the incredible risk that these officers take to keep America safe.

Law enforcement officials are consistently faced with dangerous situations that provide safety, direction and support in our society.

Protection of our citizens from crime is one of our government's most fundamental responsibilities. Law enforcement officers provide this most necessary service and should be duly recognized for their actions above and beyond the call of duty.

This resolution was introduced by the gentleman from Indiana (Mr. BURTON), the distinguished chairman of the Committee on Government Reform and Oversight, and it will recognize and honor those law enforcement officials who have sacrificed their lives on the job.

This bill gives law enforcement officials the remembrance they have earned by sacrificing for our Nation. As we remember those who have given their lives while serving their Nation in war, we should remember those who risk their lives each day protecting our community and protecting our loved ones. Accordingly, I urge my colleagues to join in support of this bill, which will bring honor, recognition and remembrance to those law enforcement officers who lost their lives.

Mr. HOYER. Mr. Speaker, I yield one minute to the gentleman from Ohio (Mr. TRAFICANT), a member of the House, but who was a former law enforcement officer, a sheriff himself, and knows firsthand that which we commemorate.

Mr. TRAFICANT. Mr. Speaker, I think one of the things that Congress might do, other than having commemorative events and putting names on memorials, I personally believe and have tried to in fact encourage the Congress to give a legislative ear to the following initiative: The killing and murder of a law enforcement officer in America should become a Federal crime, and it should be handled in the Federal Court system. That is the way the Congress could best reward the men and women that go out and put their life on the line.

I have offered it for years. I get a lot of legal constitutional mumbo-jumbo. I think it is time to do that. I am going to reintroduce the bill, and I would hope that everybody who is very concerned, and genuinely so, would take a look at making it a Federal crime to shoot, to kill, our law enforcement officers.

Mr. Speaker, I support the legislation.

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

Mr. Speaker, for all of the reasons stated by all of our eloquent colleagues here this evening, I would respectfully urge unanimous passage of H. Res. 422.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I want to give my unequivocal support of H. Res. 422, a resolution expressing the sense of the House that slain law enforcement officers should be honored. The officers of the law that struggle mightily against the powers that be to protect all of us from capricious and unchecked violence in our streets, against our persons and in our homes, deserve the highest of honors that we can give.

These men and women are usually the only buffer that we have between the all too thin line of safety and danger. But the difficult burden of such a job, despite its many rewards, is the risks that one must take each and every day to fulfill one's duty. To serve in law enforcement, one must be prepared to look death right in the eye. And too often, no matter how many precautions are taken, they are simply not enough.

We often lose some of our most valiant officers to the forces that they have been charged to battle against, and simply, I agree without reservation, that they should be remembered. Like any hero who sacrifices their life for others, these brave officers of the law should be remembered. So I support the urging of the Congress to the nation to remember those who have made the ultimate sacrifice of service, those who have given all that they had to all of us; the officers of the law that have fallen in the line of duty. Officers like Cuong Trinh of the Houston Police Department who was slain on April 6 of 1997, in his parents' grocery store while trying to stop an armed robbery attempt. This example, unfortunately, is just one of the 160 such incidents involving law enforcement officers in 1997, and thus, I urge all of my colleagues to support H. Res. 422, and encourage the formal remembrance of our nation's slain law enforcement officers.

Mr. REYES. Mr. Speaker, I rise today to express my strong support for House Resolution 422, which honors law enforcement officers killed in the line of duty.

As a member of the Border Patrol for 26 years, I know the dedication of our nation's men and women of law enforcement. In defending our nation's borders, the agents I supervised were faced with numerous risks and dangers. With our War on Drugs, I saw how criminals became increasingly sophisticated and dangerous. Every day our officers face these dangers and do an outstanding job to protect and secure our communities.

Unfortunately, however, there is a heavy price to be paid for this security. We honor during National Police Week those officers who were killed in the line of duty. These officers deserve our highest respect as they made the ultimate sacrifice as public servants for our well being.

With this resolution we honor the memory of these officers for their service to our communities. We express our gratitude and offer our condolences to their families. As we celebrate National Police Week, let us remember that their sacrifices can not and must not ever be taken for granted or forgotten. I strongly support and encourage the passage of this bill.

Mr. TAYLOR of North Carolina. Mr. Speaker, every day in America police officers keep the peace in our communities. They stand as guardians of that line that too many thugs and hoodlums dare to cross. Tragically, in the line of that duty, some of these brave protectors are killed.

Today we have passed legislation to provide assistance to the men and women out there on the job in our neighborhoods. We passed a measure to make it easier for communities to give their police the protection of bulletproof vests. We also expressed our deepest gratitude to those who have died and our greatest affection for the loving families left behind.

As a grateful nation, we should all take a moment to remember the heroes in blue that have given their lives so that we may enjoy a little more security in ours. This week, as we observe the annual memorial for police officers that died on duty, there will be a number of services here in our nation's capital.

Tomorrow evening, I am honored to lend my voice at a candlelight vigil where the names of those fallen heroes will be read. In addition to reading their names tomorrow, I want to take this opportunity to add North Carolina's fallen peace officers to the CONGRESSIONAL RECORD so that we may always remember their sacrifice. North Carolina is a better place for the efforts they made. Their names and the year they lost their lives are as follows: James H. Becton, February 22, 1908; Samuel J. Brothers, May 6, 1939; Thomas William Buck, April 3, 1963; Daniel C. Chason, March 2, 1907; Mark A. Conner, October 24, 1910; Charles Woodson Easley, August 20, 1940; Willis Jackson Genes, March 16, 1939; William Earl Godwin, May 22, 1997; Paul Andrew Hale, July 11, 1997; Willard Wayne Hathaway, July 18, 1997; David Walter Hathcock, September 23, 1997; Melvin Duncan Livingston, November 14, 1892; Owen Lockamy, March 2, 1907; Lloyd E. Lowry, September 23, 1997; James Woodard McLaurin, March 3, 1951; Wat G. Snuggs, January 22, 1917; and Mark Allen Swaney, December 25, 1997.

Mr. BURTON of Indiana. Mr. Speaker, I rise today to commemorate those men and women who enforce our Nation's laws.

We are a nation of laws and protecting citizens and their property from crime is one of the government's most fundamental responsibilities. This responsibility is carried out daily by men and women who choose to serve their communities as law enforcement officers.

Their service often involves significant hardships and difficulties, and tragically, some of them lose their lives while performing their duties.

Since records were started in 1794, more than 14,000 law enforcement officers have lost their lives in the line of duty.

Sadly, every other day another law enforcement officer is killed while serving in an American community.

In 1997 alone, 159 officers were killed in the line of duty.

On average, more than 66,000 officers are assaulted each year, and 24,000 are injured.

Law enforcement officers who have paid with their lives while defending their fellow citizens are fully deserving of the honor and recognition of the U.S. House of Representatives.

May 15, 1998, is National Peace Officers Memorial Day, and I believe this resolution is a fitting tribute to those Americans who sacrificed their lives to uphold the rule of law.

We as a nation can never repay the price that has been paid by police officers who have fallen in the line of duty while attempting to enforce our laws.

We can, however, honor and recognize their supreme sacrifice and the great loss to their families.

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

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

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the resolution, H. Res. 422.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

AUTHORIZING USE OF CAPITOL GROUNDS FOR 1998 DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

Mr. KIM. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res 262) authorizing the 1998 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol grounds, as amended.

The Clerk read as follows:

H. CON. RES. 262

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF RUNNING OF D.C. SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN THROUGH CAPITOL GROUNDS.

On May 29, 1998, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, the 1998 District of Columbia Special Olympics Law Enforcement Torch Run (in this resolution referred to as the ''event'') may be run through the Capitol Grounds, as part of the journey of the Special Olympics torch to the District of Columbia Special Olympics summer games at Gallaudet University in the District of Columbia.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such actions as may be necessary to carry out the event.

SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event.

SEC. 4. APPLICABILITY OF PROHIBITIONS.

Nothing in this resolution may be construed to waive the applicability of the prohibitions established by section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, displays, and solicitations on the Capitol Grounds.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. KIM) and the gentleman from Ohio (Mr. TRAFICANT) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. KIM).

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

Mr. Speaker, House Concurrent Resolution 262 authorizes the 1998 District of Columbia Special Olympics Law Enforcement Torch Run to be conducted through the grounds of the Capitol only May 29, 1998, or on such date as the Speaker of the House and the Senate Committee on Rules and Administration jointly designate.

The resolution also authorizes the activities of the Architect of the Capitol, the Capitol Police Board, and the D.C. Special Olympics, the sponsor of the event, to negotiate the necessary arrangements for carrying out the event in complete compliance with the rules and regulations governing the use of the Capitol grounds. In addition, the sponsor of the event will assume all the expenses and liability in connection with the event, and all sales, advertisements and solicitations are prohibited. The Capitol Police will host the opening ceremonies for the run on Capitol Hill, and the event will be free of charge and open to the public.

Over 2,000 law enforcement representatives from local and Federal law enforcement agencies in Washington will carry the Special Olympics torch in honor of 2,500 Special Olympians who participate in this annual event to show their support of the Special Olympics.

For over a decade, the Congress has passed legislation in support of this worthy endeavor. I am proud to sponsor the legislation this year. I support it, and urge colleagues to pass this resolution.

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

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

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

Mr. TRAFICANT. Mr. Speaker, I am pleased to support the resolution.

Mr. OBERSTAR. Mr. Speaker, the relay event is a traditional part of the opening ceremonies for the Special Olympics, which take place at Gallaudet University, in the District of Columbia.

This year approximately 2,500 special Olympians compete in 17 events, and more than one million children and adults with special needs participate in Special Olympics worldwide programs.

The goal of the games is to help bring mentally handicapped individuals into the larger society under conditions whereby they are accepted and respected. Confidence and self esteem are the building blocks for these Olympic games. Better health, coordination, and lasting friendships are the results of participation.

D.C. Special Olympics is the sole provider in the District of Columbia of these special services. No other organization provides athletic programs for citizens with developmental disabilities.

I support H. Con. Res. 262 and urge its passage.

Mr. TRAFICANT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. KIM. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. KIM) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 262, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING USE OF CAPITOL GROUNDS FOR SEVENTEENTH ANNUAL NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

Mr. KIM. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 263) authorizing the use of the Capitol Grounds for the seventeenth annual National Peace Officers' Memorial Service, as amended.

The Clerk read as follows:

H. CON. RES. 263

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE.

The National Fraternal Order of Police and its auxiliary shall be permitted to sponsor a public event, the seventeenth annual National Peace Officers' Memorial Service, on the Capitol Grounds on May 15, 1998, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, in order to honor the more than 160 law enforcement officers who died in the line of duty during 1997.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—The event authorized to be conducted on the Capitol Grounds under section 1 shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board.

(b) EXPENSES AND LIABILITIES.—The National Fraternal Order of Police and its auxiliary shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

(a) STRUCTURES AND EQUIPMENT.—Subject to the approval of the Architect of the Capitol, the National Fraternal Order of Police and its auxiliary are authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event authorized to be conducted on the Capitol Grounds under section 1.

(b) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board

are authorized to make any such additional arrangements as may be required to carry out the event.

SEC. 4. APPLICABILITY OF PROHIBITIONS.

Nothing in this resolution may be construed to waive the applicability of the prohibitions established by section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, displays, and solicitations on the Capitol Grounds.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. KIM) and the gentleman from Ohio (Mr. TRAFICANT) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. KIM).

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

Mr. Speaker, House Concurrent Resolution 263 authorizes the use of the Capitol grounds for the Seventeenth Annual Peace Officers' Memorial Service on May 15th, 1998, or such a date as the Speaker of the House of Representatives and the Senate Committee on Rules and Administration jointly designate. The resolution also authorizes the Architect of the Capitol, the Capitol Police Board and the Grand Lodge Fraternal Order of Police, the sponsor of the event, to negotiate the necessary arrangements for carrying out the event in complete compliance of the rules and regulations governing the use of the Capitol grounds.

The Capitol Police will be the hosting law enforcement agency. In addition, the sponsor will assume all expense and liability in connection with the event. The event will be free of charge and open to the public and all sales and advertising will be prohibited.

This service will honor over 160 Federal, State and local law enforcement officers killed in the line of duty in 1997. It is a fitting tribute to the men and women who give their lives for our lives.

I support this measure, and I urge my colleagues to agree to the concurrent resolution.

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

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

Mr. Speaker, I support this resolution. I would like to say that I will be introducing legislation that will make the murder of a law enforcement officer a Federal offense, and the punishment shall be the death penalty. I think we put too many names on memorials, and, for some reason, we have yet to truly protect the law enforcement community in America.

Now, this National Peace Officers' Memorial Day Service always has a special meaning for me. During my time as sheriff, one of my deputies was gunned down. He was transporting a prisoner. The MO is very simple: A car ran up in the back of him, forced him out, and an individual with a shot gun at close-range took his life to help that prisoner escape. That murderer is still on death row being paid by the taxpayers of our valley and the family of Sonny Litch. This is stupid. This is ridiculous.

I want to read since 1980 the names of eight officers in just my Congressional District that have given their life in service to their fellow people: John R. ''Sonny'' Litch of the Mahoning County Sheriff's Office; John Utlak, Niles Police Department; Richard Elton Becker, Poland Police Department; Charles K. Yates, Poland Police Department; Ralph J. DeSalle, Youngstown Police Department; Paul Joseph Durkin, Youngstown Police Department; Millard Williams, Youngstown Police Department; and Carmen J. Renda, Youngstown State University Police.

How many more names do we read, how many more memorials do we build, until we act?

I support this resolution, but I would like to say to the Congress, it is time to take seriously anybody who would take the life of one of our law enforcement officers, and the Congress should be protecting the 160 to 180 potential victims each year. You do that by making it a Federal offense to target one of our law enforcement agents, and you also attach to it the death penalty for anyone who would take their life.

So I am proud to stand here and support this resolution, and I would hope that my legislation would not fall on deaf ears in the Congress of the United States.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of House Concurrent Resolution 263, which authorizes the use of Capitol Grounds for the seventeenth annual National Peace Officer's Memorial Service. I have a long and active history of supporting our nation's law enforcement officers and believe that the vital service that they provide our nation is invaluable.

One hundred and sixty law enforcement officers lost their lives in the line of duty in 1997, which is almost 40 percent higher than the number of police deaths recorded in 1996.

There were 160 federal, state and local law enforcement officers killed in the line of duty during 1997, compared to 116 police fatalities during 1996, according to a joint announcement issued by the National Law Enforcement Officers Memorial Fund and the Concerns of Police Survivors. The 1996 death total was the lowest since 1959. Prior to 1997, there had been an average of 151 law enforcement fatalities annually during the 1990s.

For the fourth straight year, California was the deadliest state in the nation for the law enforcement community, with 14 police fatalities. California was followed by Texas with 10 deaths, Illinois with nine, Florida with eight, and Indiana and Georgia with seven each.

Unfortunately these statistics represent real lives which have been lost in the service of our nation. They represent people who have dedicated themselves to the protection of our communities and their residents.

In the City of Houston, Officer Cuong Trinh lost his life of April 6, 1997, when he was shot by a robbery suspect. Officer Trinh is greatly missed by his colleagues and his family who felt his loss most intimately. His contributions to the Houston Police Department will never be forgotten nor should it. It is very fitting that we honor fallen heros like Officer Trinh through a National Police Officers' Memorial Service.

There have been more than 14,000 peace officers who have been killed in the line of duty throughout our nation's history. It was not until 1991, when the National Law Enforcement Officers Memorial was commemorated that a national symbol of their courage and sacrifice was created. This important memorial bears the names of all federal, state, and local law enforcement officers who have made the ultimate sacrifice.

I join with my colleagues in support of this important event. It is my hope that we find ways to make the lives of law enforcement officers safer.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. KIM) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res 263, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING USE OF CAPITOL GROUNDS FOR GREATER WASHINGTON SOAP BOX DERBY

Mr. KIM. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 255) authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby, as amended.

The Clerk read as follows:

H. CON. RES. 255

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF SOAP BOX DERBY RACES ON CAPITOL GROUNDS.

The Greater Washington Soap Box Derby Association (hereinafter in this resolution referred to as the ''Association'') shall be permitted to sponsor a public event, soap box derby races, on the Capitol grounds on July 11, 1998, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

SEC. 2. CONDITIONS.

The event to be carried out under this resolution shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board; except that the Association shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. STRUCTURES AND EQUIPMENT.

For the purposes of this resolution, the Association is authorized to erect upon the Capitol grounds, subject to the approval of the Architect of the Capitol, such stage, sound amplification devices, and other related structures and equipment as may be required for the event to be carried out under this resolution.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make any such

additional arrangements that may be required to carry out the event under this resolution.

SEC. 5. APPLICABILITY OF PROHIBITIONS.

Nothing in this resolution may be construed to waive the applicability of the prohibitions established by section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, displays, and solicitations on the Capitol Grounds.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. KIM) and the gentleman from Ohio (Mr. TRAFICANT) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. KIM).

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

Mr. Speaker, House Concurrent Resolution 255 authorizes the use of the Capitol grounds for the 57th Annual Greater Washington Soap Box Derby qualifying races to be held on July 11, 1998, or such date as the Speaker of the House of Representatives and the Senate Committee on Rules and Administration jointly designate.

The resolution authorizes the activities of the Architect of the Capitol, the Capitol Police Board and the Greater Washington Soap Box Derby Association, the sponsor of the event, to negotiate the necessary arrangements for carrying out the event in complete compliance with the rules and regulations governing the use of the Capitol grounds.

□ 1745

The event is open to the public and free of charge. The sponsor will assume all the responsibility for all the expenses and liabilities related to the event. In addition, sales, advertisements, and solicitations are explicitly prohibited on the Capitol grounds for this event.

The races are to take place on Constitution Avenue between Delaware Avenue and Third Street, Northwest. The participants come from Washington, DC and the surrounding communities in Virginia and Maryland, and range in ages from 9 to 16. This event is currently one of the largest races in the country, and the winners of these races will represent the Washington metropolitan area in the National race to be held on August 8, 1998 in Akron, OH.

I support the resolution and urge my colleagues to join in support.

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

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

Mr. Speaker, one of the best friends of young people 9 through 16 is the sponsor of this legislation, the gentleman from Maryland (Mr. HOYER). Not the gentleman from Texas (Mr. STENHOLM), but the gentleman from Maryland (Mr. HOYER). The people just love him and he always takes the time to not forget them, and this event is one of the most highlighted events down in our area.

This is a very good resolution and I want to commend the gentleman for what he has done in this regard.

So I yield such time as he may consume to the gentleman from Maryland (Mr. HOYER), a friend of young people, a friend of all people, and if all the people liked the Democrats as much as they like the gentleman from Maryland (Mr. HOYER), we would be in the majority for sure.

Mr. HOYER. Mr. Speaker, I want to thank the gentleman from Ohio (Mr. TRAFICANT), my friend, for those very kind remarks. I want to thank the Committee for reporting this resolution out in a timely fashion.

For the last 7 years, Mr. Speaker, I have sponsored a resolution for the Greater Washington Soap Box Derby to hold its race along Constitution Avenue, as the gentleman from California (Mr. KIM) has said.

I proudly introduced H. Con. Res. 255 to permit the 57th running of the Greater Washington Soap Box Derby, which is to take place on the Capitol grounds on July 11 of this year.

This resolution authorizes the Architect of the Capitol, the Capitol Police, and the Greater Washington Soap Box Derby Association to negotiate the necessary arrangements for carrying out the running of the Greater Washington Soap Box Derby in complete compliance with rules and regulations governing the use of the Capitol grounds.

In the past, the full House has supported this resolution, once reported favorably by the Committee on Transportation and Infrastructure. I ask my colleagues to join again with me along with the gentleman from Virginia (Mr. DAVIS); the gentlewoman from the District of Columbia (Ms. NORTON); the gentleman from Maryland (Mr. WYNN); the gentleman from Virginia (Mr. WOLF); the gentlewoman from Maryland (Mrs. MORELLA); and the gentleman from Virginia (Mr. MORAN) in supporting this resolution.

From 1992 to 1997, the Greater Washington Soap Box Derby welcomed over 40 contestants which made the Washington DC race one of the largest in the country. This event has been one of the largest steps in turning the local area into a grand event for kids. Participants, as it has been said, range from 9 to 16, and hail from communities in Maryland, the District of Columbia, and Virginia. The winners of this local event will represent the Washington metropolitan area in the national race, which will be held in Akron, OH on August 8, 1998.

The Derby provides our young people with an opportunity to gain valuable skills, such as engineering and aerodynamics. Furthermore, the Derby promotes teamwork, a strong sense of accomplishment, sportsmanship, leadership and responsibility.

These are positive attributes that we should encourage children to carry into adulthood. The young people involved spend months, Mr. Speaker, preparing themselves for this race, and the day that they complete the race makes it all the more worthwhile. In addition, this event provides parents, local residents, and tourists with a safe and enjoyable day of activities.

I hope my colleagues will support this resolution on behalf of the children and families of the Washington metropolitan area.

Mr. Speaker, this is somewhat like motherhood and apple pie, the Soap Box Derby. Young people using their talent, with an objective and goal in mind, teaching them lessons that will be good for them throughout their lives. It is young people like these contestants in the Soap Box Derby who, I might say, Mr. Speaker, are all winners, all winners for having participated, set for themselves a goal, exercised their talent and enterprise to achieve that goal, and then participate in the competition that is so much a part of life.

Mr. Speaker, I want to again thank the committee for reporting out this resolution in a timely fashion.

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

Mr. TRAFICANT. Mr. Speaker, as they say on the streets, I resemble those remarks of our distinguished colleague, the gentleman from Maryland (Mr. HOYER), and I support the resolution.

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

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the motion offered by the gentleman from California (Mr. KIM) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 255, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. KIM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 255, House Concurrent Resolution 262, and House Concurrent Resolution 263.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

House Resolution 423, by the yeas and nays;

House Resolution 3811, by the yeas and nays;

House Resolution 2829, by the yeas and nays;

House Resolution 422, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

SENSE OF THE HOUSE WITH RESPECT TO WINNING THE WAR ON DRUGS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 423.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HASTERT) that the House suspend the rules and agree to the resolution, H. Res. 423, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 412, nays 2, not voting 18, as follows:

[Roll No. 138]

YEAS—412

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
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
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
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
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
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
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
Meehan
Meek (FL)
Meeks (NY)
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—2

Paul
Sanford

NOT VOTING—18

Bateman
Christensen
Coburn
Engel
Gilchrest
Gonzalez
Greenwood
Harman
Hefner
Kaptur
Kilpatrick
Menendez
Mollohan
Myrick
Rahall
Schumer
Skaggs
Whitfield

□ 1813

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

So (two-thirds having voted in favor thereof), the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HEFLEY). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

DEADBEAT PARENTS PUNISHMENT ACT OF 1998

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3811.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MCCOLLUM) that the House suspend the rules and pass the bill, H.R. 3811, on which the yeas and nays are ordered.

The Chair will remind members, this is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 16, not voting 14, as follows:

[Roll No. 139]

YEAS—402

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske

Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
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
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Serrano
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
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
Watkins
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—16

Barr
Cannon
Conyers
Furse
Hastings (FL)
Jackson (IL)
LaHood
Lee
Manzullo
Paul
Sabo
Sensenbrenner
Sessions
Stark
Waters
Watts (OK)

NOT VOTING—14

Bateman
Christensen
Gilchrest
Gonzalez
Greenwood
Harman
Hefner
Kilpatrick
Menendez
Mollohan
Myrick
Rahall
Schumer
Skaggs

□ 1822

Mr. CONYERS, and Mr. JACKSON of Illinois changed their vote from ''yea'' to ''nay.''

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

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

BULLETPROOF VEST PARTNERSHIP GRANT ACT OF 1997

The SPEAKER pro tempore (Mr. HEFLEY). The pending business is the question of suspending the rules and passing the bill, H.R. 2829, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MCCOLLUM) that the House suspend the rules and pass the bill, H.R. 2829, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 4, not voting 16, as follows:

[Roll No. 140]

YEAS—412

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
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
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
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)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
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
Meehan
Meek (FL)
Meeks (NY)
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—4

Blunt
Campbell
Paul
Sanford

NOT VOTING—16

Bateman
Christensen
Gilchrest
Gonzalez
Greenwood
Harman
Hefner
Kilpatrick
Linder
Menendez
Mollohan
Myrick
Rahall
Schumer
Skaggs
Wexler

□ 1830

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SENSE OF HOUSE REGARDING LAW ENFORCEMENT OFFICERS WHO HAVE DIED IN LINE OF DUTY

The SPEAKER pro tempore (Mr. HEFLEY). The pending business is the question of suspending the rules and agreeing to the resolution, House Resolution 422.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MCCOLLUM) that the House suspend the rules and agree to the resolution, H. Res. 422, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 16, as follows:

[Roll No. 141]

YEAS—416

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
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
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
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)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
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
Meehan
Meek (FL)
Meeks (NY)
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Murtha
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
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—16

Bateman
Buyer
Christensen
Gilchrest
Gonzalez
Greenwood
Harman
Hefner
Kilpatrick
Menendez
Mollohan
Myrick
Rahall
Schumer
Skaggs
Wexler

□ 1838

So (two-thirds having voted in favor thereof) the rules were suspended and 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

Ms. KILPATRICK. Mr. Speaker, because I unavoidably detained in the 15th Congressional District of Michigan, I was not present to vote on H.R. 3811, H.R. 2829, H. Res. 422, and H. Res. 423. Had I been present for these votes, I would have voted ''aye'' for all of these rollcall votes.

BULLETPROOF VEST PARTNERSHIP ACT OF 1998

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the Senate bill (S. 1605) to establish a matching grant program to help States, units of local government, and Indian tribes to purchase armor vests for use by law enforcement officers, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1605

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Bulletproof Vest Partnership Act of 1998''.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the number of law enforcement officers who are killed in the line of duty would significantly decrease if every law enforcement officer in the United States had the protection of an armor vest while performing their hazardous duties;

(2) the Federal Bureau of Investigation estimates that more than 30 percent of the almost 1,182 law enforcement officers killed by a firearm in the line of duty could have been saved if they had been wearing body armor;

(3) the Federal Bureau of Investigation estimates that the risk of fatality to law enforcement officers while not wearing an armor vest is 14 times higher than for officers wearing an armor vest;

(4) the Department of Justice estimates that approximately 150,000 State, local, and tribal law enforcement officers, nearly 25 percent, are not issued body armor;

(5) the Executive Committee for Indian Country Law Enforcement Improvements reports that violent crime in Indian country has risen sharply, despite decreases in the national crime rate, and has concluded that there is a ''public safety crisis in Indian country''; and

(6) many State, local, and tribal law enforcement agencies, especially those in smaller communities and rural jurisdictions, need assistance in order to provide body armor for their officers.

(b) PURPOSE.—The purpose of this Act is to save lives of law enforcement officers by helping State, local, and tribal law enforcement agencies provide those officers with armor vests.

SEC. 3. DEFINITIONS.

In this Act:

(1) ARMOR VEST.—The term ''armor vest'' means body armor that has been tested through the voluntary compliance testing program operated by the National Law Enforcement and Corrections Technology Center of the National Institute of Justice (NIJ), and found to comply with the requirements of NIJ Standard 0101.03, or any subsequent revision of that standard.

(2) BODY ARMOR.—The term ''body armor'' means any product sold or offered for sale as personal protective body covering intended to protect against gunfire, stabbing, or other physical harm.

(3) DIRECTOR.—The term ''Director'' means the Director of the Bureau of Justice Assistance of the Department of Justice.

(4) INDIAN TRIBE.—The term ''Indian tribe'' has the same meaning as in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(5) LAW ENFORCEMENT OFFICER.—The term ''law enforcement officer'' means any officer, agent, or employee of a State, unit of local government, or Indian tribe authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law, or authorized by law to supervise sentenced criminal offenders.

(6) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(7) UNIT OF LOCAL GOVERNMENT.—The term ''unit of local government'' means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level.

SEC. 4. PROGRAM AUTHORIZED.

(a) GRANT AUTHORIZATION.—The Director may make grants to States, units of local government, and Indian tribes in accordance with this Act to purchase armor vests for use by State, local, and tribal law enforcement officers.

(b) APPLICATIONS.—Each State, unit of local government, or Indian tribe seeking to receive a grant under this section shall submit to the Director an application, in such form and containing such information as the Director may reasonably require.

(c) USES OF FUNDS.—Grant awards under this section shall be—

(1) distributed directly to the State, unit of local government, or Indian tribe; and

(2) used for the purchase of armor vests for law enforcement officers in the jurisdiction of the grantee.

(d) PREFERENTIAL CONSIDERATION.—In awarding grants under this section, the Director may give preferential consideration, where feasible, to applications from jurisdictions that—

(1) have a violent crime rate at or above the national average, as determined by the Federal Bureau of Investigation; and

(2) have not been providing each law enforcement officer assigned to patrol or other hazardous duties with body armor.

(e) MINIMUM AMOUNT.—Unless all applications submitted by any State, unit of local government, or Indian tribe for a grant under this section have been funded, each State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section, except that the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands shall each be allocated 0.25 percent.

(f) MAXIMUM AMOUNT.—A qualifying State, unit of local government, or Indian tribe may not receive more than 5 percent of the total amount appropriated in each fiscal year for grants under this section, except that a State, together with the grantees within the State may not receive more than 20 percent of the total amount appropriated in each fiscal year for grants under this section.

(g) MATCHING FUNDS.—The portion of the costs of a program provided by a grant under this section may not exceed 50 percent, unless the Director determines a case of fiscal hardship and waives, wholly or in part, the requirement under this subsection of a non-Federal contribution to the costs of a program.

(h) ALLOCATION OF FUNDS.—Not less than 50 percent of the funds awarded under this section in each fiscal year shall be allocated to units of local government, or Indian tribes, having jurisdiction over areas with populations of 100,000 or less.

(i) REIMBURSEMENT.—Grants under this section may be used to reimburse law enforcement officers who have previously purchased body armor with personal funds during a period in which body armor was not provided by the State, unit of local government, or Indian tribe.

SEC. 5. APPLICATIONS.

Not later than 90 days after the date of enactment of this Act, the Director shall promulgate regulations to carry out this Act, which shall set forth the information that must be included in each application under section 4(b) and the requirements that States, units of local government, and Indian tribes must meet in order to receive a grant under section 4.

SEC. 6. PROHIBITION OF PRISON INMATE LABOR.

Any State, unit of local government, or Indian tribe that receives financial assistance provided using funds appropriated or otherwise made available by this Act may not purchase equipment or products manufactured using prison inmate labor.

SEC. 7. SENSE OF CONGRESS.

In the case of any equipment or product authorized to be purchased with financial assistance provided using funds appropriated or otherwise made available under this Act, it is the sense of Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

SEC. 8. AUTHORIZATION FOR APPROPRIATIONS.

There is authorized to be appropriated $25,000,000 for each of fiscal years 1999 through 2003 to carry out this Act.

MOTION OFFERED BY MR. MCCOLLUM

Mr. MCCOLLUM. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MCCOLLUM moves to strike all after the enacting clause of Senate 1605 and insert, in lieu thereof, H.R. 2829 as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the Senate bill was amended so as to read: ''A bill to establish a matching grant program to help State and local jurisdictions purchase armor vests for use by law enforcement departments.''.

A similar House bill (H.R. 2829) was laid on the table.

PERSONAL EXPLANATION

Mr. DOYLE. Mr. Speaker, due to the illness of a member of my immediate family, I was unavoidably absent on Thursday, May 7, 1998, and as a result, missed rollcall votes 130 through 137.

Had I been present, I would have voted yes on rollcall 130, yes on rollcall 131, yes on rollcall 132, no on rollcall 133, no on rollcall 134, yes on rollcall 135, yes on rollcall 136, and no on rollcall 137.

APPOINTMENT OF CONFEREES ON H.R. 629, TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT CONSENT ACT

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, by direction of the Committee on Commerce, I move to take from the Speaker's table the bill (H.R. 629) to grant the consent of Congress to the Texas Low-Level Radioactive Waste Disposal Compact, with a Senate amendment thereto, disagree to the Senate amendment, insist on the House bill and request a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from Colorado (Mr. DAN SCHAEFER) is recognized for 1 hour.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield 10 minutes to the gentleman from Texas (Mr. BONILLA) and 10 minutes to the gentleman from Texas (Mr. REYES), and I ask unanimous consent that they be permitted to control their own time.

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

There was no objection.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the motion before the House is a very simple one. It allows the House to go to conference with the Senate to resolve differences between the two versions of H.R. 629 that was passed by each body.

H.R. 629 would grant the consent of Congress to the Texas, Maine and Vermont Low-Level Radioactive Disposal Compact. This compact, like the nine others we have passed through Congress, has already been approved. It is necessary to allow these three States to fully comply with their responsibilities under the Federal Low-Level Radioactive Policy Act.

The act was passed as a part of an agreement with the States that they would be responsible for the disposal of low-level waste while the Federal Government would be responsible for high-level radioactive waste disposal. It is important for Congress to complete its work on this matter, and the motion is

a necessary step in the legislative process. I would recommend adoption.

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

Mr. REYES. Mr. Speaker, I yield myself such time as I may consume, and I rise in opposition to House Resolution 622.

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

Mr. KUCINICH. Mr. Speaker, 2 decades ago Congress passed legislation enabling States to form compacts to build low-level radioactive waste dumps. States have spent in excess of $400 million trying to site low-level radioactive waste dumps, but not a single pile of dirt has been overturned.

The Midwest Compact, which is trying to site a low-level radioactive waste dump in Ohio, fell apart last year for the same reason the Texas, Maine, Vermont compact fell apart.

Maine Yankee Atomic Power Company, one of the biggest sources of nuclear waste to go into the dump site in Texas, recently announced they are going to shut the reactor 10 years sooner than they had anticipated.

□ 1845

The Maine Yankee Atomic Power Company has since concluded that the compact no longer makes economic sense and is urging Congress to vote no. When a nuclear power company says something does not make sense, just imagine how bad the thing is.

Compact after compact has fallen apart or been stopped by concerned citizens because the whole approach to building low-level radioactive waste sites is fundamentally flawed. We need a rational low-level radioactive waste policy that does not stick the taxpayers and ratepayers with huge waste disposal bills, that does not mandate the proliferation of dumps across the country, that does not put radioactive waste on the highways and railways.

The people of the United States should not have to pay for the disposal of waste that was generated by commercial nuclear utilities. The people of the United States should not have radioactive waste transported through their communities on its way to a dump thousands of miles away. And the poorest people of the United States should not have radioactive waste sites right in their own communities because they are too poor to fight back.

Though we may not agree on why, the Maine Yankee Atomic Power Company is absolutely right; the Texas compact makes no sense.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield such time as he may consume to my good friend, the gentleman from Texas (Mr. HALL), ranking member on the subcommittee.

(Mr. HALL of Texas asked and was given permission to revise and extend his remarks.)

Mr. HALL of Texas. Mr. Speaker, I strongly support the Texas-Maine-Vermont low-level radioactive waste disposal compact.

Mr. Speaker, the Low-Level Radioactive Waste Policy Act is a very good example of state-Federal cooperation, and approval of the compact will fulfill the congressional side of the bargain. A deal was made a long time ago, worked out between the States; a deal that was heard, debated, legislated by each of the States, signed by the governor.

This is the tenth interstate compact to come up for congressional approval, and it behooves us I think to get this bill into conference and into law.

In 1980, and again in 1985, Congress enacted legislation setting up a program under which the States would have primary responsibility and control over the disposal of low-level radioactive waste. This is what the States wanted. And it makes sense because so many important local activities depend on having safe and ready disposal of their low-level waste, including the 3 States that are involved.

While this issue is often discussed in terms of utilities' need alone for disposal facilities, it also affects a lot of other entities. It affects hospitals, greatly affects university research programs. It affects the industry all across this land. Each of these activities utilizes low-level radioactive materials and each of them means jobs, and jobs mean dignity; and none could go forward without an assured economic option for disposal. Just think what would happen if nuclear medicine stopped being available. That gives us an idea of the importance of this bill.

Texas, Maine, and Vermont have done what they need to do; they have done all they can do in order to get a low-level facility. They have gone through their legislative procedure. They have had the hearings. They have selected the site. They have taken care of their own disposal needs. We look to them to do that.

As the largest producer of waste among the three, my State, the State of Texas, agreed to host the facility. Main and Vermont agreed to share in the cost. I will not pretend that finding a site has been easy or that all of the questions about how to build the right facility are known. These are the questions that have to be resolved in the course of obtaining the license to operate the facility and cannot be settled by laymen like ourselves.

Of course, Congress has an important role to play and it is our job to pass H.R. 558 so that the States can move forward. This will be the tenth compact to received congressional approval when it is approved and brings to 44 the number of States moving forward to meet their disposal needs. The Texas compact meets the law's requirements. It is needed by the people of Texas. It is needed by the people of Maine. It is needed by the people of Vermont. And I strongly urge my colleagues to support it.

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

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

Mr. BONILLA. Mr. Speaker, I rise in strong opposition to this compact between the States of Texas, Maine, and Vermont. This is a situation that is endangering the future and the environment for many of the constituencies that I have in the western part of my congressional district. I have received communications from no fewer than a dozen local government, city and county governments that are right now hoping that the Congress will stand up and finally do the right thing on this issue.

Let me make it clear that there is no language in this bill at all that refers to where in Texas this dump would be constructed. That was decided by the State legislature, the State senators and State representatives, and the governors of Texas. What this does is allow the deal to be consummated, if you will; and we are the last hope that these folks have. Because, in their view, the State government did not do its job back home and have it constructed somewhere else, rather than right in their backyards.

Let us all understand that there have been earthquakes in this area, that the geology is not stable in the surrounding area, and that there is a strong threat to the water supplies, there is a strong threat to the future of communities that want to survive and thrive in this particular part of west Texas. So it is incumbent upon ourselves to consider how it is going to affect the people that live in these areas that could be threatened by these toxic substances that are going to be buried right next to where they have raised their families.

The other issue that is of great concern, not just to the folks who live in this area, but to the people who live in areas leading up to the area, in other words, the highways and the railway systems that lead to these areas where these toxic substances would be brought through, communities as far as 2 or 300 miles away, not only in Texas but in other States surrounding Texas where many of this low-level toxic radioactive waste material would be coming through their areas.

In fact, this question has been raised in the community of San Antonio by some who are questioning right now, ''Where is this stuff going to be moving through? Will it be coming through our neighborhood, traveling westbound to be deposited in this particular area?''

So these questions have not been answered, and it is a strong threat to the future of many of these communities. It is for that reason I rise in strong opposition to this compact and urge my colleagues to vote no.

This thing has come up before in the House of Representatives on the floor here. One time earlier we were able to defeat it. The last time around, a lot of folks were spoken to very strongly and it turned out that we lost the second time around. And here we are one more time with an opportunity to say no to this dump and yes to the people that live in this community and are hoping

to have their families and grandchildren and future generations survive and thrive in these areas.

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

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BARTON), sponsor of the bill.

Mr. BARTON of Texas. Mr. Speaker, I rise in support of the motion to send this bill to conference with the Senate. It did pass the House last year 309–107, which is a tremendous bipartisan show of support.

All this bill does is ratify the ability of the States of Maine, Vermont, and Texas to enter into a compact for the storage of low-level nuclear radioactive waste. Nine other compacts have already been ratified by the Congress that comprise 42 States. So this legislation is necessary to give the State of Texas, the State of Vermont, and the State of Maine the opportunity to do what 42 other States already do; and that, simply put, is to enter into a compact for the storage of this waste.

It is low-level radioactive waste, it is not high-level. And I would point out to some of my friends in Texas who oppose this, if we do not ratify it, under the commerce clause of the Constitution, any State could send low-level radioactive waste to the State of Texas.

So this is a good piece of legislation. It has already passed the House once in this Congress 309–107. The Senate passed similar legislation. We need to appoint conferees and go to conference. So I would support the motion of the gentleman from Colorado (Mr. DAN SCHAEFER) to appoint conferees and go to conference and hope that the House would likewise do so.

Mr. REYES. Mr. Speaker, I yield 1½ minutes to my good friend, the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I will make my remarks very brief.

The Doggett language, as agreed to by the House and which is also included in the Senate bill, must be kept as part of the conference language. Why? Because the Doggett language guarantees that we do what is right and that is to ensure no low-level radioactive waste is brought into Texas from any State other than Maine or Vermont.

Sierra Blanca is an inappropriate site for intensely radioactive materials. The consequence of placing this waste in an area that is earthquake-prone is reason enough to support the Doggett language. Add to that the potential threat that would be posed to the Rio Grande River, and I believe it is quite obvious why we would want to preserve this language in conference.

With nuclear power waste, I think it is pretty safe to say we do not get a second chance. Would we want this in our community without appropriate safeguards? I do not think so. And that is all my colleague is seeking to do, make certain safeguards are in place.

I urge my colleagues to vote to preserve this language in conference.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield 5 minutes to the gentleman from Maine (Mr. BALDACCI).

Mr. BALDACCI. Mr. Speaker, I thank the gentleman from Colorado for yielding me the time.

Mr. Speaker, I rise today in support of the motion to instruct the conferees, as offered by the gentleman from Texas (Mr. HALL) and my colleague, the gentleman from Colorado (Mr. DAN SCHAEFER).

The Governors of Texas, Maine, and Vermont have all signed this compact to ensure that their States have the means to efficiently manage and safely dispose of low-level waste. They entered into the compact to meet the demands placed on the States by Congress through the Low-Level Radioactive Waste Policy Act. They complied. They met the mandate. They should be allowed to meet Federal demands without unnecessary burdens of unwanted amendments.

Congress, to this point, has approved 9 compacts and it has amended none, and it should not start now. There are others who feel this way. The National Conference of State Legislatures stated it would be inappropriate for Congress to attempt to alter a valid effort by the compact States to meet their responsibilities under the Low-Level Radioactive Waste Policy Act.

The National Governors Association said that since 1985, 41 States have entered into 9 congressionally approved compacts without any of these unnecessary amendments. The Texas-Maine-Vermont compact deserves to be the tenth. I urge my colleagues to support this motion to instruct and to allow the States of Maine, Vermont, and Texas to properly dispose of the low-level waste.

Mr. BONILLA. Mr. Speaker, I yield 3 minutes to the gentleman from San Antonio, Texas (Mr. RODRIGUEZ), my neighbor, friend, and colleague.

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

Mr. RODRIGUEZ. Mr. Speaker, I oppose the Texas-Maine-Vermont low-level radioactive waste dump bill.

This bill as originally written would allow waste dump operators to dispose of waste in Texas from States other than Texas, Vermont, and Maine. That is simply unacceptable.

I served in the Texas legislature in 1993, when the Low-Level Radioactive Compact was approved. At that time the supporters of the bill insisted that only waste generated by the three member States would be disposed at the site. It was on that understanding that the legislators approved the legislation.

For this reason, I believe we should maintain the amendment by my colleague from Texas and the distinguished Senator from Minnesota to guarantee that the site will not become a national dumping ground in west Texas. Supporters of the waste site oppose this amendment on the grounds that it may force the 3 States to re-ratify the compact.

I have seen the arguments, and this is not the case. Even if that is the case, however, I think that is the right thing to do and we should not avoid the issue merely because of convenience. There should not be any hurry to move on this particular motion, to move on this particular piece of legislation.

□ 1900

Furthermore, we should retain the other amendment from the Senate which allows the party to bring suit in case of discriminatory waste dumping. I believe that this safeguard for the residents of the Sierra Blanca is necessary in light of the predominantly minority population in the region where this facility may be located. Approximately 76 percent of the residents are Hispanic; 39 percent live in poverty in the area.

The site is not for relatively harmless medical waste. In fact, there is an effort at amending the site permit to include dumping parts of reactors, not just clothing and instruments.

This is not an issue about States rights. It is about self-determination, self-determination for the community and the land around it and the impact that it has. The residents have not received a fair chance to be able to make a decision on what will be occurring in their backyards.

A recent study, by the way, showed that, of the three existing sites that we have out there in Utah, Washington, and South Carolina, I want you to listen to that, the study indicated that there is a life expectancy of over 29 years. So there is no need for us to move until the year 2027.

Listen to this, in addition to that, beyond that, they have the potential of going up to almost 260 years in the existing sites.

So why are we doing what we are proposing? The only thing I can figure is for economic reasons and deciding to move in that direction. I would ask that we take this very seriously, that we take the time to study. Finally, it is a bad policy and is divisive.

As we look at our agreements with Mexico, we had an agreement in 1983, the La Paz Agreement. In that particular agreement, we talked Mexico into making sure that nothing occurred 60 miles from the Rio Grande on either side so we would not pollute the area. So what has happened? We are the ones that have polluted. We are the ones that are doing the site right next to it.

I ask Members to vote against it.

Mr. REYES. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Texas (Mr. REYES) has 6½ minutes remaining.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. GREEN), a member of the committee.

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

Mr. GREEN. Mr. Speaker, I thank the gentleman from Colorado (Mr. Dan SCHAEFER), my subcommittee chairman of the Committee on Commerce and Subcommittee on Energy and Power for allowing me to speak tonight.

I rise in support of the motion to instruct conferees. The States of Texas, Maine, and Vermont deserve and expect congressional approval for the disposal and storage of their low-level radioactive waste. Since 1985, Congress has improved nine compacts which include 41 States, so we are not breaking new ground by this legislation. It is vitally important that we move this bill quickly.

In fact, that is frustrating, Mr. Speaker, because I was in the State senate when we approved the compact as a State legislature in 1991. We did not approve the site; that was left to the experts. And now they, the experts, have picked a site in west Texas. It may not have been the one I picked, but I know we need a low-level site. So that is why we are here today, to authorize that.

If the State of Texas wants to pick another site, let them do that, but there is no reason why we should make that decision here on the floor of the House. The better place to do it is in the halls of the State legislature. So, anyway, I support the bill.

Under the terms of the Texas-Maine-Vermont compact, low-level radioactive waste produced in each State will be carefully disposed of at a single facility. Again, it is in west Texas.

I share the concern my colleague from San Antonio has with the 60 miles of the border, but we also have pollution that goes both ways across the border. In fact, it was ironic, last week, last fall rather, I was in California and saw cross-border pollution in California, both ways, from both northern Mexico and from southern California. So we have that problem on both sides within 60 miles of the border.

There is a need for this. Many other States are part of the compact. We need to have Texas and Maine and Vermont have their compact so we can protect the citizens of Texas, because, otherwise, this compact, without this approval, could ultimately be the low-level waste site for all the country. That is not what the States want. That is why other States have created compacts and that is why it is important for Texas to do this.

The waste will be transported from hospitals and university research centers, utilities, and other waste producers in each State to a safe, permanent disposal site to be built in Texas.

Much has been said about the proposed site for the waste disposal facility. In fact, the permit to build the waste disposal facility in west Texas has been requested from our Texas Natural Resources Conservation Commission.

If the Commission finds that the permit meets all of the requirements, it will grant that permit. If Congress does not approve this bill under the Interstate Commerce clause, Texas must accept low-level waste from all other States.

H.R. 629 would allow Texas to limit who sends waste to the facility and be in compliance with the Low-Level Radioactive Waste Policy Act, just like 41 other States, Mr. Speaker, had their ability to limit it in a compact.

Again, Texas, there are three States; I think the minimum number of States that can be in a compact is three States, and so Texas and Maine and Vermont had made this agreement. Again, this is over a period of years. This just did not happen yesterday or last year.

When this first was being discussed, Ann Richards was the Governor of Texas, and now George Bush; and Ann Richards supported a low-level compact just like George Bush supports it.

The compact makes it possible to manage a Texas facility in an orderly and efficient manner. Without the compact, we would have no control in Texas over access. The Texas, Maine, and Vermont compact is an excellent arrangement between the three States, and it has received overwhelming bipartisan support in the legislatures of all three States.

I know because, again, I was there in 1991. We approved the compact commission decision, not the site selection. That, again, is best left to the local legislature and the local experts to do that, not here on the floor of Congress.

We can debate all day whether we like the site in west Texas, or maybe we would like a site in the district of the gentleman from Texas (Mr. RODRIGUEZ). That was one I heard earlier that was proposed in the earlier part of this decade.

Let us let the folks in Texas make that decision and not here, because we do not have that expertise on the floor.

So I urge passage of the bill and support H.R. 629.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield 5 minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, I thank the gentleman for yielding. Mr. Speaker, I rise today in strong support of H.R. 629, the Texas-Maine-Vermont Low-Level Radioactive Waste Compact.

The Low-Level Radioactive Waste Policy Act and its 1985 amendments make commercial low-level radioactive waste disposal a State, not a Federal responsibility. Since that time, 41 States from every region of the country have come together to form compacts.

Essentially, all we are asking today is that our three States be given the same consideration that every other State which went before us received in this process.

In every instance, Congress has understood the benefits of these compacts and has recognized the rights of the different States to come together in their own best interests to form these compacts. In fact, each of these waste compacts passed by voice vote and without amendment.

This compact has been overwhelmingly approved by the legislatures of Texas, Maine, and Vermont. It has the very strong support of the governors of the three States. It has the support of all the Senators from Texas, Vermont, and Maine, all of the House Members from Vermont and Maine, and as I understand it, about two-thirds of the members of the Texas congressional delegation.

We hear a great deal of discussion in this body about devolution, returning powers to the States. If we believe in that concept and believe that States should have the right to come together in their own best interests to address this very difficult issue, then today's vote should be an easy one. This legislation won by a vote of 309 to 107 last year and should be strongly supported today.

Mr. DAN SCHAEFER of Colorado Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Colorado (Mr. SCHAEFER) has 26 minutes.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield 5 minutes to the gentleman from Maine (Mr. ALLEN).

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

Mr. Speaker, I also rise in support of the motion to go to conference on H.R. 629. This is simply the opportunity for Texas, Vermont, and Maine to continue the process of gaining congressional approval for their low-level radioactive waste compact.

The House voted, as several speakers have said, last November by a vote of 309 to 107 to approve this compact. The Low-Level Radioactive Waste Act places the responsibility for the disposal of low-level waste upon the States.

I do want to come back to my good friend, the gentleman from Ohio (Mr. KUCINICH) who, earlier on, made a reference to Maine Yankee. Maine Yankee is, of course, the owner of the nuclear power facility that is now in the process of decommissioning in Maine. But Maine Yankee's position is now different than it was last year.

By letter dated March 12, 1998, Maine Yankee makes it clear that it does not object to the proposed compact. It has satisfied itself that it can dispose of its waste in the interim, but it does urge that the compact pass with no amendments.

Under this act, the States of Texas, Vermont, and Maine crafted a compact to meet their needs. In Maine, this compact was approved by a three-to-one margin during a referendum. This was not simply passed by the State legislature, which it was, but it was passed on a referendum by the people of Maine.

Over the past several years, Congress has approved nine such compacts covering 41 States. The time has now come

to add to that list. It is very important from our point of view that, once the bill goes to conference, a clean bill without amendments, without amendments, is reported back to the House and Senate. The member States are opposed to any amendments to the bill. The amendments to the compact will only cause delay and added costs due to likely litigation.

This compact did not come easily. It was the result of several years of good-faith negotiations by the three member States. Maine and the other member States do not deserve the additional costs and additional delays that would be the result of unwanted amendments.

No compact before this body, no compact has ever been amended without the express consent of the member States. In this case, no consent has been given by Maine, by Texas, or by Vermont.

Mr. Speaker, we must move this issue forward and allow Texas, Vermont, and Maine the opportunity to dispose of their low-level radioactive waste.

Mr. REYES. Mr. Speaker, I yield 5½ minutes to my good friend, the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I can certainly sympathize with the comments of my colleague from Maine. I guess if I lived in Maine or Vermont, I would like to get this stuff as far away as possible as much as anyone else.

There are two very serious misnomers in this compact as proposed. One is that it is a low-level radioactive waste disposal site. It is low-level only as compared with higher level, but not as compared to the life of anybody sitting around here tonight.

Indeed, long after every person in this body is gone from this Earth and everyone who ever knew any of them is gone from this Earth and everyone who knew anyone on this planet is gone from this Earth, this radioactive waste is going to be very, very deadly.

Indeed, this radioactive waste that is going to be put out in Sierra Blanca, Texas, is going to be very deadly to humans for far longer than all of recorded human history in the existence of men and women on this planet. So it is a very momentous occasion when we consider the issue of what we are going to do with waste that is waste and is harmful for thousands and thousands of years.

□ 1915

It is true that nuclear medicine, as my colleague from Texas indicated, is important, and all of the wastes generated from the academics, from medicine, from other sources of this type as proposed would take up, I believe it is something like five ten-thousandths of a percent of the capacity of this dump site. Well over 90 percent would come from the nuclear power industry. So it is indeed misleading to suggest that we are trying to thwart nuclear medicine, which we certainly are not.

What we are trying to do is to ensure that something that is going to be extremely dangerous for tens of thousands of years is not inappropriately dumped on a poor, impoverished, heavily Hispanic area of Texas, that also happens to be environmentally unsuitable.

The second misnomer in this bill is something we can and have done something about, and that is it is labeled as the Texas-Maine-Vermont compact. Indeed it is so labeled. Yet in the fine print, as the comments of my colleague from Maine suggest, there is a little escape clause that says that a group of unelected commissioners, appointed by governors who have long forgotten about this compact, that this group of people can let anybody into this compact they want to, and have everybody dumping on the poor people of Sierra Blanca, Texas. That is wrong, and that is why this House of Representatives has already gone on record in approving an amendment that I offered to limit the compact to the title, Texas, Maine and Vermont.

The United States Senate did exactly the same thing. They approved the same kind of amendment. So the conferees ought not to have to spend any time on the issue of limiting this dump site to three states, Texas, Maine and Vermont, because both houses of Congress have already acted on this issue.

Unfortunately, our statewide elected officials in Texas have been strangely silent on it, and hopefully the fact that now both the House and the Senate have acted will give them the fortitude to come forward and speak out and say, ''Don't mess with Texas; don't dump everybody else's waste.'' At least limit it, if you are going to mess with Texas, to just the states of Maine and Vermont.

Indeed, that is exactly what they said. My good friend, the gentleman from Rockwall, Texas (Mr. HALL), told this body on October 7 of 1997 that by approving this compact, and I am quoting, ''Texas will be required to accept waste only from Maine and Vermont.''

The same comments were made by our colleague the gentlewoman from Dallas, Texas (Ms. JOHNSON), by the gentlewoman from Texas (Ms. JACKSON-LEE), and by a number of other of our colleagues, and it was reiterated by Governor George Bush in an interview with the Houston Chronicle on April 19th, that that was the objective of this whole proposal.

Well, if it is, let us write it into law, as we have done.

The suggestion of the gentleman from Maine and others that this somehow would require reratification is nonsense. There is no reason that simply holding these parties to what they presented to this Congress, of limiting it to those three states, would require reratification. Nor does it constitute any violation of the commerce clause, as some have suggested, since it deals exclusively with the compact and not all sources of waste.

But, you know, the real issue here is not the legalism, but the environmental soundness of this decision. The most recent report on the whole subject of nuclear waste dumping, one that came out in December of this past year, indicates we already have excess capacity, that the three waste sites that we have at present are perfectly adequate to meet future waste needs.

Senator WELLSTONE has done an excellent job of adding an amendment in the Senate that deals with this issue of environmental justice. I hope that it is maintained by the conference committee.

I think that the reason this site has been placed in Sierra Blanca, Texas, for Maine and Vermont, and perhaps for other states, is not because of environmental suitability, but because of perceived political weakness. We are today speaking out on behalf of the poor people of Sierra Blanca and all those that care about this nuclear waste issue, to say it is wrong to dump on them what we would refuse to keep in our own backyard.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield five minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the chairman very much for yielding me this time.

Mr. Speaker, this is a difficult question, as many times I come to the floor of the House and I join in with my good friend, the gentleman from Texas (Mr. DOGGETT), and fully appreciate the high moral ground that he now is able to stand upon dealing with the ultimate perceived impact that this legislation, H.R. 629, presents.

But, Mr. Speaker, I ask that this particular legislation go to conference, and I say to the gentleman from Texas (Mr. REYES), who has worked very hard on this issue, he can count on me to work with him to address the State legislature as to the question of site location, and would certainly, as I have indicated in previous debate, be the first to oppose what may be an already established site that would impact negatively on his immediate community.

But, Mr. Speaker, I cannot deny that this is the best approach. This answers the question, what now, and how? For it is through man's knowledge and expertise that we have been able to utilize nuclear science, nuclear technology.

It would be devastating, Mr. Speaker, for us to disallow the utilization of this technology, and, yes, it is in its own realm, very difficult and sometimes very dangerous. But that is why we have established the Low Level Radioactive Waste Policy Amendments Act, in order to be able to assure that Congress does not intervene or dominate on decisions that need to be made by the states.

In this instance, Mr. Speaker, we have the states of Texas, Maine and Vermont who have worked in a bipartisan manner to protect the life and safety of their residents and constituents. This has not been done haphazardly,

Mr. Speaker. You have had governors from parties, from both sides of the aisle, who have come together to negotiate this pact. I think it would simply be tragic for us not to allow this to now go to conference.

I do believe, as I have indicated in debate, that the gentleman from Texas (Mr. DOGGETT) has a very good point, and I hope in conference we can work out the agreement where this compact does relate to Texas and Vermont and Maine, but the question becomes, who does have the higher moral ground? Is it those who say we do not know where it should go, throw it to the wind, keep it in limbo, hold Maine hostage or Vermont hostage; or, when Texas has conceded to the point we can work it out, ignore the response of those in Texas?

I think, Mr. Speaker, we have a problem with nuclear waste, and we in our own human frailties have done the best that we can. Because I do not want to see the benefits of nuclear medicine, if you will, go down the drain, when someone laying on an operating room table needs that kind of technology and we cannot give it, because we have no way of disseminating the waste in a proper manner. These are life and death questions, Mr. Speaker, and I believe this low impact radioactive waste policy and the coming together of these states is the best approach.

Any day I will stand with my colleague the gentleman from Texas (Mr. REYES) in the selection. I asked in the last debate last year that the State not precipitously move forward, our State, the State of Texas, but to hold hearings and listen to the constituents and work to ensure that it not be in an area that may be heavily directed toward a low or poor income area.

I still stand on those words. But this is a good piece of legislation that should move through the conference. This is a good process for states to make the decision, and not the United States Congress. This is positive for states to become allies in this very increasing concern.

Mr. Speaker, we must as a country have a way of ridding ourselves of the waste of using nuclear energy or nuclear science in the question of doing what is best for us.

We have found, Mr. Speaker, that more and more of our energy concerns are not relying on nuclear energy, but they have in the past. They may in the future. It is best then for the states to move forward. This policy is one that directs the states to make their arrangements. It is not a Federal policy that dominates the states.

Mr. Speaker, we have had no authority, no choice, no decisionmaking on the site. I think it should be very clear.

I would argue, Mr. Speaker, this is good legislation, it should go to the conference, and we must find a way to make sure and ensure that all of our constituencies are safe; but we must do it in a manner where we are cooperating with the states. That is what this legislation does. I would ask my colleagues to support it.

Mr. BONILLA. Mr. Speaker, I yield the balance of my time, four minutes, to the gentleman from El Paso, Texas (Mr. REYES), who is on the right side of this issue.

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

Mr. Speaker, as many know, I have opposed this bill at every turn. On October 7, 1997, the House passed H.R. 629, in spite of overwhelming opposition by the residents of Hudspeth County, Presidio County, Jeff Davis County and others in West Texas.

I respect my colleagues that are on the other side of this issue. I respect the fact that they have strong opinions about the necessity of our State and Vermont and Maine to have a site where nuclear waste can be stored. However, this issue is about fairness. This issue is about understanding that a life in Sierra Blanca, Texas, is worth the same as a life in Rockwall, in Houston, and in any other part of this great country of ours.

I believe that this site threatens the health and safety of our citizens, our citizens that live in Sierra Blanca, Texas. In spite of the designation of ''low level,'' this dump would accept intensely radioactive materials, as my colleague the gentleman from Texas (Mr. DOGGETT) has stated.

The community of Sierra Blanca already has one of the largest sewage sludge projects in the country. The proposed dump site is also at risk in this particular area of Texas from earthquakes. According to the 1993 license application for Sierra Blanca, it is part of the most tectonically active area within the State of Texas. This radioactive site would effectively threaten the water supply of about 3 million people by threatening the Rio Grande River.

I also believe that this bill violates the 1983 La Paz Agreement with Mexico. This bill directs the governments of the United States and Mexico to adopt appropriate measures to prevent, reduce and eliminate sources of pollution within a 60 mile radius of the border. The State of Texas asserts that they just merely must inform the Government of Mexico on actions of this type. I disagree, the Mexican government disagrees, and in fact last week the Mexican Congress in a strongly-worded message passed a resolution taking an official position against the site of this nuclear dump.

During the debate on H.R. 629, the House agreed to an amendment offered by the gentleman from Texas (Mr. DOGGETT) that makes Congressional approval conditional and will be granted only for so long as no low level radioactive waste is brought into Texas from any other State other than Maine or Vermont. As introduced, H.R. 629 did not include that stipulation. This compact was promoted to the Texas legislature as a way to restrict out-of-state waste to those other than those two New England states. I strongly believe and those that support our position, which is the right position, believe that the Doggett amendment should remain as part of this legislation.

When the Senate considered this bill, it also included the Doggett language in the bill. I strongly support this language, and urge the conferees in the strongest possible way to leave this language in the conference bill.

The Senate has also unanimously agreed to an amendment which gives local residents and businesses the right to challenge the compact if they can prove discrimination on the basis of race. This area that has been selected is predominately Hispanic. Eighty-two percent of the residents of Sierra Blanca, Texas, are Hispanic. Therefore, this is a vital and important component in the legislation. Much of the local community believes that there has been discrimination, I believe that there has been discrimination, and the Senate amendment gives the local community a chance to prove its case in court.

Again, in closing, I strongly urge the conferees to preserve the language and think of the people of Sierra Blanca, Texas, and let us not make decisions on where we locate radioactive dumps on the basis of political impotence.

□ 1930

I think it would send a very strong and clear message to the community of Sierra Blanca, Texas, to west Texas, and those that ultimately are going to rely on the Rio Grande River as their main water source that this body, that the House and the Senate, care about the future of this area and this region of the country.

For that reason, I strongly recommend that if we are going to pass this kind of legislation, that it be with the Doggett amendments.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BARTON), the sponsor of the bill.

Mr. BARTON of Texas. Mr. Speaker, I will be very brief.

This legislation passed the House 309 to 107 last year; it passed the Senate earlier this year by unanimous consent. There are 42 other States that have such compacts. The motion before us is simply to send the bill to allow the House to appoint conferees to go to conference with the Senate. I think we can all agree to that. If we pass this in the next several minutes, there will be no motions to instruct. We will just go to conference, we will let the conference work its will and then we will have one final vote of both the House and the Senate on this legislation.

So let us all vote in favor of appointing conferees and send this bill to conference.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I have no further speakers. I yield back the balance of my time, and I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the motion

offered by the gentleman from Colorado (Mr. DAN SCHAEFER).

The motion was agreed to.

A motion to reconsider was laid on the table.

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. BLILEY,
DAN SCHAEFER of Colorado,
BARTON of Texas,
DINGELL, and
HALL of Texas.

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3534, MANDATES INFORMATION ACT OF 1998

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105–529) on the resolution (H. Res. 426) providing for consideration of the bill (H.R. 3534) to improve deliberation on proposed Federal private sector mandates, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 512, NEW WILDLIFE REFUGE AUTHORIZATION ACT

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105–530) on the resolution (H. Res. 427) providing for consideration of the bill (H.R. 512) to prohibit the expenditure of funds from the Land and Water Conservation Fund for the creation of new National Wildlife Refuges without specific authorization from Congress pursuant to a recommendation from the United States Fish and Wildlife Service to create the refuge, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 10, FINANCIAL SERVICES ACT OF 1998

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105–531) on the resolution (H. Res. 428) providing for consideration of the bill (H.R. 10) to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, and for other purposes, which was referred to the House Calendar and ordered to be printed.

COMMUNICATION FROM FORMER STAFF MEMBER OF HON. SAM GEJDENSON, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Donald N. Mazeau, former staff member of the Hon. SAM GEJDENSON, Member of Congress:

DONALD N. MAZEAU,
46 FENWOOD DRIVE,
Old Saybrook, CT, May 5, 1998.

Hon. NEWT GINGRICH,
Speaker,
Washington, DC

DEAR MR. SPEAKER, This is to formally notify you, pursuant to Rule L (50) of the Rules of the House of Representatives, that I have been served with a subpoena ad testificandum issued by the Superior Court for the District of New London, Connecticut, in the case of FDIC v. Caldrello, No. 0511581.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

DONALD N. MAZEAU,
Former Congressional Aide to Congressman Sam Gejdenson.

APPOINTMENT OF MEMBERS TO CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of 22 U.S.C. 276d, the Chair announces the Speaker's appointment of the following Members of the House to the Canada-United States Interparliamentary Group, in addition to Mr. HOUGHTON of New York, Chairman, appointed on April 27, 1998:

Mr. GILMAN of New York,
Mr. HAMILTON of Indiana,
Mr. CRANE of Illinois,
Mr. LAFALCE of New York,
Mr. OBERSTAR of Minnesota,
Mr. SHAW of Florida,
Mr. LIPINSKI of Illinois,
Mr. UPTON of Michigan,
Mr. STEARNS of Florida,
Mr. PETERSON of Minnesota, and
Ms. DANNER of Missouri.

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SHIMKUS). 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.

TRIBUTE TO STERLING, COLORADO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. BOB SCHAEFER) is recognized for 5 minutes.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I would like to recognize the hardworking people that live, work, and recreate in Sterling, Colorado. Sterling is the center of economic activity, professional services, and recreation for northeastern Colorado. The city is situated 2 hours northeast of Denver on the South Platte River. With a population of 11,000, the county seat of Logan County boasts a good environment and a strong, safe community. The community enjoys modern telecommunications technology and a solid infrastructure.

Sterling is easily accessible by plane, rail, and car. Located off I–76, the city is the hub of activity in northeast Colorado. With a regional medical center and a fully accredited junior college, Sterling provides valued medical and educational services to thousands of my constituents.

Recreational opportunities add to the high quality of life in this admirable community, including public and private golf courses, reservoirs, parks and portions of the Pawnee National Grasslands. Logan County contains rural farms which provide a good environment for people and wildlife alike and a vibrant agricultural economy.

Mr. Speaker, Sterling was recently named one of 30 finalists for the All-American City Award. Representatives from the community will appear soon before a panel in Mobile, Alabama in June to highlight the reasons why Sterling deserves such an award. The National Civic League and Allstate Insurance Company present the award each year to 10 outstanding communities around the Nation. Such recognition exemplifies the western spirit and strong values that bind this community together. Good schools, good services, and a good environment make Sterling ideal for new businesses and economic growth.

Mr. Speaker, I am proud of those that live in and around Sterling, Colorado.

ALLEGATIONS CONCERNING IMPROPER CONDUCT BY MR. STARR ARE AT LEAST AS CREDIBLE AS ALLEGATIONS AGAINST LABOR SECRETARY ALEXIS HERMAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.

Mr. CONYERS. Mr. Speaker, I have just asked the Attorney General to investigate the possibility that independent counsel Kenneth Starr may have improperly shared information and coordinated their activities with the gentleman from Indiana (Mr. BURTON), my friend, or his staff.

In support of this request, I point out that Chairman BURTON coincidentally released his selectively edited transcripts on the same day that Judge Starr announced his new punitive indictments of Mr. Webster Hubble. According to published reports, ''The transcription and editing process of the tapes was a crash project aimed to coincide with last week's new indictment of Hubble.'' Recent reports have also made it clear that members of Chairman BURTON'S staff had developed several close contacts in Judge Starr's office and communicated with them regularly.

For example, it was reported that several Republican sources confirmed that the gentleman from Indiana (Mr.

BURTON), this is a quote, ''refused to release the transcripts until the week Hubble was indicted for tax evasion and fraud, a committee source said. Mr. Bossee, one committee staffer, has several friends close to independent counsel Kenneth Starr and urged Burton to withhold the tapes until last week.''

Yesterday, a Republican aide on Mr. BURTON's committee was quoted in the press as admitting that the timing looked ''fishy,'' but he denied there was any coordination. Well, I agree that it looks bad and that it deserves investigation.

These facts raise a simple question: Did Judge Starr let Chairman BURTON'S staff know in advance that he was returning an indictment on Webster Hubble? If so, what other kinds of information is he sharing with Republican investigators? If Judge Starr has been sharing information with Chairman BURTON, these would constitute violations of law by the independent counsel himself.

Frankly, I believe these allegations are far more specific and credible than those which today compelled Attorney General Reno to seek an independent counsel for Miss Herman.

The Attorney General admitted that she found ''no evidence clearly demonstrating Secretary Herman's involvement.'' Nevertheless, a counsel was appointed.

It disturbs me greatly that the independent counsel law can produce this kind of result. Department of Justice investigators worked for 5 minutes and found no clear evidence of wrongdoing by Ms. Herman. Nevertheless, Attorney General Reno felt compelled to appoint an independent counsel.

Now, if the Attorney General can appoint an independent counsel, a person with unlimited resources and time and money to spend investigating these kinds of allegations, then surely it is appropriate for the Attorney General to at least investigate some of the disturbing coincidences that surround Chairman BURTON's release of the Webster Hubble tapes at the beginning of the month.

□ 1945

By the way, what was the purpose of Chairman BURTON subpoenaing tapes from the Department of Justice and then releasing them to the public? What was his point? What service was he providing, or thought that he was providing?

Judge Starr has said that the rule of law is supreme, and on that he is right. The law applies to all equally, including him, the Independent Counsel.

Mr. Speaker, I include for the RECORD a communication that I have from Attorney Stuart F. Pierson, counsel for Marsha Scott, who says that he has found that the questions put to him by the Burton committee were extraordinary in that they were virtually identical to the questions put to her less than 2 months ago before a Federal grand jury.

The material referred to is as follows:

LEVINE PIERSON SULLIVAN AND KOCH,
Washington, DC, May 8, 1997.

RICHARD D. BENNETT, Esq.,
Chief Counsel, Committee on Government Reform and Oversight, U.S. House of Representatives, Rayburn House Office Building, Washington, DC.

KENNETH W. STARR, Esq.,
Independent Counsel, Office of Independent Counsel, Pennsylvania Avenue, NW., Washington, DC.

DEAR MR. BENNETT AND MR. STARR: As counsel for Marsha Scott, I am writing to advise you of a concern which has arisen in connection with deposition questions propounded by majority counsel of the Committee on Government Reform and Oversight, Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs (the ''Burton Committee'').

Ms. Scott has appeared five times before federal grand juries under subpoena by the Independent Counsel, once in Little Rock and the remainder in Washington, D.C. The last appearances were on March 26 and 31, 1998.

Prior to her appearances in March, Ms. Scott had been examined by the Independent Counsel about a wide variety of subjects, including her relationship with Webb Hubbell, her communications with Mr. Hubbell and people in the White House while he was in prison, his business activities following his resignation from the Justice Department, his financial condition, and conversations in the White House concerning him, his family and his financial condition. Ms. Scott answered all of those questions to the best of her ability.

Ms. Scott has also appeared at numerous depositions under subpoena by the committees of the United States Senate and the United States House of Representatives. On April 1, 1998, as a consequence of her withdrawal from a deposition that had become repetitious and vexatious, as taken by counsel for the House Subcommittee of the Committee on Government Reform and Oversight (the ''McIntosh Subcommittee''), Ms. Scott was required forthwith to appear at a closed-door hearing called by Mr. McIntosh. At that hearing, Ms. Scott agreed to return to complete the deposition by counsel for the McIntosh Subcommittee. Within ten days of that agreement, counsel for the Burton Committee called informally to advise that she intended to take deposition testimony in addition to that to be taken for the McIntosh Subcommittee.

On April 28, 1998, Ms. Scott returned for the completion of her deposition by the McIntosh Subcommittee. Following all testimony taken by counsel for that subcommittee, counsel for the Burton Committee appeared and conducted further examination of Ms. Scott over objection. It is that further examination that has raised the concern to which I refer.

While relatively short, the questioning by counsel for the Burton Committee was in at least five respects virtually identical to examination taken of Ms. Scott by the Independent Counsel before a federal grant jury on March 26, 1998. Specifically, both examinations addressed: (1) whether Ms. Scott was aware of any displeasure expressed by or for the First Lady about the possibility that Mr. Hubbell might sue the Rose law firm concerning his billing dispute; (2) whether Mr. Hubbell ever discussed the nature or extent of his cooperation with the Independent Counsel; and (3) what knowledge Ms. Scott had of conversations with, and the activities of Mr. Hubbell's accountant, Mike Schamfele. Additionally, both examinations repeated questions about any conversations Ms. Scott had with Mr. Hubbell concerning his clients after leaving the Justice Department, and any discussions in the White House that Ms. Scott was aware of concerning Mr. Hubbell's financial condition. The identity of such examination was particularly remarkable considering that Burton Committee counsel had asked to take it without any formal notice less than a month after the Independent Counsel has conducted its examination.

At the close of the examination by counsel for the Burton Committee, I asked that the committee and the subcommittee be advised that I found it extraordinary that the questions asked of Ms. Scott were virtually identical to questions put to her less than two months before in a federal grand jury. I reiterate that observation by this letter, and I request that a responsible representative of the Independent Counsel and the Burton Committee advise me by return letter whether the examination of Ms. Scott is a consequence of the sharing of any information, documents or consultation between the Office of Independent Counsel and the Burton Committee.

Sincerely,

STUART F. PIERSON,
Counsel for Marsha Scott.

TRIBUTE TO THE LATE CLAIR A. HILL

The SPEAKER pro tempore (Mr. SHIMKUS). Under a previous order of the House, the gentleman from California (Mr. HERGER) is recognized for 5 minutes.

Mr. HERGER. Mr. Speaker, I rise today to share a great loss with my colleagues. On April 11 of this year our country lost Clair Hill, a man I was privileged to call a personal friend. Clair Hill's death is an incredible loss to our community, State, and Nation. He was a legend in his own time.

Clair Hill was an internationally renowned engineer who was the major contributor to California's water supply planning and management. Mr. Hill worked on California's water issues most of his great life, and he is one of the principal authors of the original California water plan developed in the 1940s.

Clair Hill was born in 1909 in Redding, California, located within my congressional district. A personal friend of mine, Mr. Hill was the founder and president of Clair A. Hill & Associates, an engineering firm that merged with CH2M in 1971 to form CH2M Hill.

Mr. Hill, who spent much of his life in Redding, died there on April 11, 1998, at the age of 89. The father of two sons, he was married to his wife, Joan, since July of 1935. Clair Hill was an avid outdoorsman, horse enthusiast, and world traveler. Clair Hill studied forestry at Oregon State University, working in the northern California logging camps during the summers. However, engineering was his eventual calling, and Mr. Hill graduated with a civil engineering degree from Stanford University in 1934.

Clair Hill worked with the Standard Oil Company in San Francisco and the California Bridge Department, now Caltrans, before returning to Redding in 1938 to found his engineering firm,

Clair A. Hill & Associates. He specialized in water resources, surveying, mapping, and structural engineering, before entering military service in 1941, during World War II. He served 5 years in the Aleutian islands. After the war, in 1946, he reorganized his firm, which grew steadily in responsibility and reputation in the post-war boom.

Working from offices in California and Alaska, Mr. Hill's firm served clients such as the U.S. Air Force, the Sacramento Utility District, and Pacific Gas & Electric Company. Clair Hill had an independent spirit, and his reputation was embodied in his motto, you will never succeed if you don't try.

This dedication and independence spurred Mr. Hill to obtain a pilot's license and purchase his own airplane, which he used to service projects throughout California and the Pacific Northwest. Frequently called ''California's Mr. Water,'' Clair Hill was well known as a major contributor to California's water supply planning and management, having served for 32 years in the California Water Commission, 18 of those as chairman.

While on the commission, he signed California's original State water plan, which outlined projects that today store water in the State's northern section for use by communities and industries throughout the State of California.

In 1988 I was proud to assist in renaming Whiskeytown Dam, near Redding, as the Clair A. Hill Whiskeytown Dam. Mr. Hill's assistance and advocacy led to the development of the dam and reservoir to benefit the Redding area as part of the government's Central Valley water project. Although Clair Hill retired as CH2M Hill's California regional manager in 1974, he remained active as a consultant and adviser to the firm's water resources practice until just recently.

Mr. Hill was the only honorary life member of the California Water Commission. Last year he was one of eight civil engineers nationwide to receive an honorary lifetime membership in the American Society of Civil Engineers. Clair Hill was also the first recipient of the Association of California Water Agency's Lifetime Achievement Award, and the National Academy of Engineering elected him to membership in 1992.

As I mentioned before, it was truly a privilege to count Clair Hill among my good friends. He will be missed by many, and he will never be forgotten. Clair Hill, our Nation thanks you.

''SHORTAGE'' OF INFORMATION TECHOLOGY WORKERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. KLINK) is recognized for 5 minutes.

Mr. KLINK. Mr. Speaker, I have risen before to talk about the H–1B program, and I think it is time to do it again, because so many of our colleagues have not looked at this program.

A lot of people say, ''H–1B, it sounds like a new Air Force plane.'' What in fact it is is a program which allows foreign workers to come here temporarily for a 6-year period and take jobs that otherwise would have gone to American citizens. We permit that when the companies have a hard time finding people with specific skills.

In particular, the H–1B program was started back in 1990 to alleviate what was then seen as an anticipated shortage of scientists and engineers, particularly at a Ph.D. Level. I do not think that ever particularly was proven to have come about, because in the interim the Berlin Wall fell, and the demand by our defense industry was a lot less than we thought it should be.

The problem with this program is that there is now no universally accepted definition of who these high-tech workers need to be, particularly as it goes to the information technology area. The reason I stress the information technology area is because under the current program, we allow 65,000 temporary workers to come in a year.

The Information Technology Association of America is now coming to Congress and saying, 65,000 temporary workers is not enough. The fact of the matter is that we never came close to hitting 65,000 until last year. All of a sudden a lot of companies out there, particularly in the temporary training and temporary employee business, have discovered this as a way of making a lot of money.

They have discovered a method whereby they can find workers who come from various countries, from Pakistan, from India, from Russia, and they can bring those workers in here, and they are really little more, Mr. Speaker, than indentured servants. While they have H–1B status, the visa is for an occupation, not for a certain person. That person can be underpaid, they can be forced to work 7 days a week until they get their green card, until they are forced to go back home again. How many of them are going to complain? In the meantime, these high-tech jobs are not going to our kids who are graduating from colleges and universities with degrees, and could easily be trained to go into these fields.

In particular, in information technology, that industry has defined their technology so broadly as to try to overdemonstrate the need for IT workers. Yet, they define very narrowly what the skills are that are needed to fill these jobs.

The Information Technology Association of America and the Commerce Department of the United States government defined the pool of qualified IT workers as those who have obtained a bachelor's degree in computer or information science. They did not consider degrees or certifications in computer or information science other than a B.A. degree in those areas. They did not stop and think that somebody who has a degree in business or social science or math or engineering or psychology or economics or education could be trained to do this technical work.

As I have railed against this, some of these companies that are out there hiring these foreign citizens to take these jobs that I think American citizens could be trained to take, now all of a sudden they have begun to strike back. One of them wrote to the Pittsburgh Post-Gazette this weekend. I was kind of amused by this. She owns a company, and this lady's name is Christine Posti. She owns a company called Posti & Associates.

She says that I ask why our companies cannot do the right thing and train American workers. That is the question I do ask. Ms. Posti says that I am under the mistaken impression that business exists to educate our citizens, when really, it is up to the government to educate workers.

I am amazed. It is now up to the Federal Government, that big Federal Government, that is supposed to go out and do all the job training for all the companies in America. They bear no responsibility. We are going to let big government take care of that. Who pays for that? The fact of the matter is that the taxpayers at every level, local property taxpayers, State taxpayers, Federal taxpayers, are being asked by people like Ms. Posti to go out and subsidize their companies. We are supposed to train people.

If they cannot find people in the education system that are already trained to do it, they will go get foreign workers, bring them here, and have them take the jobs. What are our children supposed to do? What are our displaced workers supposed to be retrained to do? What kind of a society will we have in this country?

If Members remember NAFTA, when we voted on NAFTA back in the 103rd Congress we were told, we are going to lose the manufacturing jobs. As we go from a manufacturing society into an information technology society, the new information technology jobs will go to our people. Now here we are, only 4 years later, and we are being told that our students and our workers are too dumb. We have to bring people in from other countries to do it.

I would ask my friends and colleagues to take a look at the H–1B program. Do not be fooled. Keep Americans in the American jobs.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES 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 gentleman from Texas (Mr. EDWARDS) is recognized for 5 minutes.

(Mr. EDWARDS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

AIR FORCE PILOT RETENTION ISSUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HUNTER) is recognized for 5 minutes.

Mr. HUNTER. Mr. Speaker, I wanted to talk a little bit tonight about the state of our military. I was with my good friend, the gentleman from New Jersey (Mr. JIMMY SAXTON) and the gentleman from Georgia (Mr. SAXBY CHAMBLISS), two great members of the Committee on National Security this morning, observing a very interesting and unusual exercise from our takeoff point at Andrews Air Force Base. That was the refueling of a C–5 aircraft somewhere over Pennsylvania. We went up and married up with an aircraft and refueled her out of Dover, out of Delaware, undertook a refueling.

We had an opportunity to talk to our folks, our military folks, while we were doing that, briefly, before the flight and during the flight. Mr. Speaker, I harken back to the days when I came into Congress in 1980. In those days one of our biggest problems was what we called the people problem.

Coming from a Navy town, San Diego, I saw that problem manifested in the thousands of chief petty officers who were getting out of the Navy. Those were the people that really knew how to make the ships sail. It was a tremendous loss. We had a thousand petty officers a month leaving the Navy, and we could not replace them.

As I was briefed by these fine young men and women in the Air Force this morning, I could see that we are revisiting that people problem. It is probably across the board, but what we focused on today was the United States Air Force.

I want to quote General Ryan, Chief of Staff of the Air Force. He said that last year more than 800 pilots refused bonuses of $60,000 to extend their time in service 5 years beyond the 9 they signed up for. Only 36 percent of the pilots at the 9-year mark agreed to stay on, while the Air Force goal was 50 percent, to avoid shortages.

Mr. Speaker, that means that we are going to probably have a shortage of about 835 pilots this year. The taxpayers pay about $6 million, on the average, to train a pilot. When we lose a pilot from the United States Air Force and he goes out ahead of his retirement time to work for an airline company or to gain employment in another civilian field, we lose a great asset.

□ 2000

We not only lose the $6 million of training time because when we find another pilot to take his place, we have to expend that $6- to $8 million to train that pilot up, but we also lose the great experience. And, of course, there is a time lapse between losing those experienced pilots and bringing on the newly trained pilots. So we are losing this resource.

We have been asking people why they are leaving. They are not leaving because of money. A few of them are citing dollars or pay as a reason for leaving, but a lot of them are citing, most of them are citing what they call quality of life. And a lot of that has to do with what we were told about this morning as being the extreme OPTEMPO of our operations. We have a much smaller Air Force now, for example. We are down from 24 fighter airwings during Desert Storm to only about 13 today. Of course that reduction is reflected across the array of U.S. Air Force aircraft. What that means, if you are a pilot or a crewman on one of those aircraft or a ground crew, is that you are going to be working longer hours. You are going to be called up when you do not expect to be called up and when you have some pressing business to do with your own family. That means a lot of our folks are not there to see their son's graduation or their daughter's wedding or any of the other things that we do on the civilian side, on the family side that makes life bearable.

Because of that, a lot of folks are saying, we are not in a war, this is not an emergency; I am going to get a job in an area where I can spend a lot more down time with my family. So this is a family decision that people are making sitting around the kitchen table and unfortunately they are making it, they are coming down on the side of leaving the Air Force.

Mr. Speaker, a lot of these folks that are leaving are the senior people who are qualified in very important fields. A lot of them are instructor pilots. A lot of them are examiner pilots. Aerial refueling-qualified pilots, that is very important because the United States has the bulk and the backbone of the free world's refueling capability. A lot of them are airdrop-qualified pilots and special operation pilots. And so, Mr. Speaker, we are facing this time when, even though we are paying $22,000 additional bonuses now to try to keep these pilots in, we are seeing this continued retreat and exodus from the Air Force of some of our most valuable and qualified people.

We are going to have to do something about that. It is probably going to be, part of that answer to this problem is going to be raising the top line because we are going to need to have more planes and more pilots if we are going to do this job that we have been asked to do over the last several years which has extended our OPTEMPO. I will be talking tomorrow about some other problems.

ON CHILD CARE

The SPEAKER pro tempore (Mr. SHIMKUS). Under a previous order of the House, the gentleman from Arkansas (Mr. SNYDER) is recognized for 5 minutes.

Mr. SNYDER. I could not help but think, when the gentleman from California (Mr. HUNTER) was speaking, I have Little Rock Air Force base in my district and one of the places I like to visit on the base is the child care center there. It is a top flight, very high-quality child care at the center, but it is one of those issues that most Americans do not think about, that so many of our military dependents now have children and they have to be cared for or their parents will decide to get out of the Air Force.

What I wanted to discuss briefly with my colleague, the gentleman from Maine (Mr. ALLEN) is this issue of quality child care. I am from Arkansas. We have a lot of working families there that have two folks working or single-parent families and the parent needs to work. How do you find quality child care during the day or the evening when your kids are home alone?

I am also a family doctor. We have seen a lot of research come out in the last couple years about how important brain development is in the early years of a child's life and that again points to the need for quality child care.

A lot of my district, Mr. Speaker, is rural. As I have traveled around the district, a lot of the parents do not have the option in the rural areas for quality child care that some of the other areas of my district and of the country do. Based on that basis of information and experience, the gentleman from Maine (Mr. ALLEN) and myself worked on a bill that would provide a source of funding that would give school districts in America the option of beginning a quality child care program for their parents if they should choose to in their school districts.

I yield to the gentleman from Maine (Mr. ALLEN) to discuss the topic further.

Mr. ALLEN. I thank the gentleman for yielding to me.

Mr. Speaker, the gentleman from Arkansas (Mr. SNYDER) and I have been working on this legislation for some time. It is called the Education Child Care Partnership Act. This has been something we and our staffs have really put some time and energy into. It is a bill that, if passed, would really expand working families' options for quality care for their young children.

In Maine, when I ran for this office, I called for a new national initiative on child care, and I did that because as I traveled around my district in Maine, what I heard from young parents consistently, day in and day out, was that they were finding that child care was, number one, not readily available and, number two, often more expensive than they could afford. Every day all across this country many parents simply have to go to work and now trust the most precious, the most important people in their lives, their children, to someone else.

We have in this country 13 million kids under the age of 6 in child care during the day. And too much of that child care is of mediocre quality but still not affordable to most working families. The Education Child Care

Partnership Act, which the gentleman from Arkansas (Mr. SNYDER) and I have been working on, would provide families with an affordable, accessible, and quality option for child care for our youngest children.

The bill really focuses on children between the ages of zero and six. It earmarks funds within the child care and development block grant for States to fund local education agencies which choose to provide full-day, year-round, school-based child care for children age zero to six. What we are looking for is a seamless system of childhood, early childhood education, because what we have found is that sometimes we have a child care system over here with some child care centers and lots of in-home care, and then over here we have an education institution which really does not begin until the ages of 5 or 6.

What we need to do is create, for those States that want it, complete flexibility, complete choice, the option of funding some child care in a school-based setting for a wide variety of reasons. It can be cheaper because the facilities are already provided. It can be quality, because the playground is already there and more resources can go into the care givers.

So that is why we did this work, that is why we put this bill together.

I thank the gentleman from Arkansas for all his work on this bill.

Mr. SNYDER. Mr. Speaker, I want to describe a situation in one town when I first started thinking about this idea, in Pangburn, Arkansas in White County. White County is where Harding University is, if you are familiar with that college. About 12 years ago the superintendent of the school board there decided that they had a need for child care. They had an industry there. There was no profit or nonprofit groups that had come in with child care and so they took an old building on the campus and converted it into quality child care that begins at 6 weeks. It is now a model for what can be done in a State if a school district chooses to.

I wanted to say a couple things. First of all, one of the things I like about this plan is it is completely local control. It is an elected school board that can decide to participate or not to participate in applying for these grants. Also the way we have crafted the bill, it does provide some money there that the money could be used to help build the facility, a quality child care facility.

MORE ON CHILD CARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

Mr. ALLEN. Mr. Speaker, I would like to continue this dialogue just a little bit longer and start with a few remarks, and then I will yield back to the gentleman from Arkansas (Mr. SNYDER) again.

One of the things I found is that for families with more than one child, transportation issues can really be a headache because they have got one child in school, another child going to child care somewhere else in the city or town. And if they can drop their children off at one place, life is simpler. And some school-based programs extend the use of school bus services to children participating in child care programs.

I think this is a new direction for child care and education in this country. It is not going on everywhere, but it is going on in my district in Maine. It is going on in Arkansas. It is going on in a number of places around the country. Some families, some parents tell me that when a school vacation comes or summer vacation comes, it is really hard to find a place for our kids to go. We do not want to leave them at home watching television all the time. We want someplace where they will be motivated, interested, and have some programs that are helpful to them. The programs that would be eligible under this bill are full-day, year-round programs. So they would be targeted at schools that will stay open during school vacations for the purposes of providing child care, and they will stay open during the summers for the purposes of providing child care.

Quality school-based care programs utilize existing resources in that school, such as arts supplies, sports equipment, playgrounds and so on. And it really gives school employees and social service agencies a way to enhance the quality of the programs that they provide.

I believe that school-based care makes logical sense for both school-aged children as well as preschool children. I believe firmly that if we do not deal with the issues that kids have between zero and six, if we do not pay attention to that age group, we are missing a chance to help kids get off on the right foot. What we need is the national will to leave no child behind and the resources to make that happen. I believe that a country that can support the salaries of players in the NBA and the NFL and major league baseball can take better care of its kids.

So I rise today to challenge my colleagues to commit to policies and practices that reflect the importance of those early years in a child's life. Our mission is simple: Leave no child behind.

I want to thank the gentleman from Arkansas (Mr. SNYDER) because the Education Child Care Partnership Act has been a partnership between our offices, and we now can look forward to having other Members of this body support it.

I yield to the gentleman from Arkansas (Mr. SNYDER) for concluding comments.

Mr. SNYDER. First of all, anyone involved in child care recognizes there has been tremendous work done by other entities. We do not see this as being a competition. We actually would only see school boards stepping in if there was not quality child care going on in their communities. So there is always going to be a place for the profit-making ventures, the nonprofit churches that have child care for Head Start. This is not intended at all to be competing with those. But when you have communities, particularly in rural areas, that do not have any of those options available or the options there are are not meeting the need, I think this gives a community another option through their local officials with completely local control. Also just the quality aspect of it. I was visiting one school one day that had an early childhood program connected to a school building. The kids were taken down to the science lab when there was a teachers' break from other classes and these little kids, little toddlers, were getting little science demonstrations there in the high school science lab. So there are tremendous opportunities for a community to put together a program. We are intending this grant money to be start-up money to help the schools meet the needs in their communities for quality child care.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. WISE) is recognized for 5 minutes.

(Mr. WISE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE MINIMUM WAGE INCREASE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, Members in the Congress recently released a report, ''Making Work Pay,'' by the Economic Policy Institute which examined the impact of the increase in the minimum wage in the 104th Congress to $5.15.

This report was most encouraging, concluding that increasing the income of the working poor was good for them and good for the Nation's economy. These report findings give strong support for a further increase in the minimum wage. As some are aware, there is legislation to increase the minimum wage to $6.15 an hour by the year 2000. We should consider this legislation this year.

The last increase was during the 104th Congress by 90 cents over 2 years, from $4.25 to $5.15. The last time the wage was increased by Congress before the 104th Congress was 1991.

Since 1991, the minimum wage remained constant while the cost of living rose 11 percent. That is the cost for food, the cost for transportation, cost for shelter and energy to heat our homes.

A single mother supporting two kids at a minimum wage makes $10.70, $2,600 below the poverty line. The report demonstrates that raising the minimum wage benefits primarily adult workers. The report indicates that almost three-fourths, that is 71 percent

of all minimum wage workers are adults over the age of 20. In addition, nearly two-thirds, 58 percent of those adult persons are women. Also it is twice as likely that the minimum wage worker will be from rural communities than from urban communities.

We also know that greater than one-third, 36 percent of all minimum wage workers are the sole wage earner in a family.

□ 2015

Fifty-eight percent of all poor children have parents who work full time. More than 4 million individuals worked at or below the minimum wage in 1993, and another 9.2 million earned just above the minimum wage.

The report indicates that some 10 million low-wage workers benefited from the last minimum wage increase, ten million.

Increasing the minimum wage goes a long way towards helping the millions of working poor in this country. An increase of $1 in the minimum wage is an additional $2,000 for a minimum-wage worker working full time year round.

Other recent studies on Federal and State minimum wage reform have shown that an increase in the minimum wage can occur without having any adverse effect on employment. A higher minimum wage can make it easier for employers to fill vacancies and may decrease employee turnover.

A recent survey of employment practices in North Carolina, after the 1991 minimum wage increase, found that there was no significant drop in employment and no measurable increase in food prices. The survey also found that workers' wages actually increased by more than the required change.

In another study, the State of New Jersey raised its minimum wage to $5.05, while Pennsylvania kept its minimum wage at $4.25. The research found that the number of low-wage workers in New Jersey actually increased with an increase in the wage, while those in Pennsylvania remained the same.

A report as of January 1998 showed that the employment in the fast-food industry increased by 11 percent in Pennsylvania and by 2 percent in New Jersey after the 1996 increase. They said that would not happen, an actual increase in the number of workers in the fast-food industry.

The best welfare reform is a job at a livable wage. Raising the minimum wage would make it easier for people to find an entry-level job that pays better than a government subsidy and creates a strong incentive to choose work over welfare.

In 1993, there were 117,000 workers in the State of North Carolina that were working at below the minimum wage.

The American public supports a minimum wage increase. National polls have found that close to two-thirds of all Americans favor increasing the minimum wage.

Job growth in America is the lowest where the gap between the incomes at the top and the lowest level is the greatest, so when we have such a great disparity, we also have a low rate of job growth. Increasing the minimum wage goes a long way towards closing the gap, helping to create jobs rather than reducing jobs.

This important report, when combined with other empirical data, is clear evidence that, indeed, it is good for people and good for our economy.

INDIA'S NUCLEAR TESTS: A CALL FOR INTERNATIONAL NUCLEAR DISARMAMENT

The SPEAKER pro tempore (Mr. SHIMKUS). Under a previous order of the House, the gentleman from American Samoa (Mr. FALEOMAVAEGA) is recognized for 5 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, India conducted three underground nuclear tests in its Pokhran Range with a combined force of up to 20 kilotons. Although the Indian Government claims the underground explosions did not result in radioactive fallout, the fallout from the international community has been incendiary, marked by protests and condemnation.

I submit, Mr. Speaker, that India's return to nuclear weapons testing is highly regrettable, as it threatens stability not only in south Asia, but the whole world, and this latest action by India clearly undercuts nuclear nonproliferation efforts around the world.

While these developments with India are unfortunate, Mr. Speaker, many would find India's actions to be both understandable as well as predictable. In refusing to join in the Comprehensive Test Ban Treaty and Nuclear Nonproliferation Treaty, India has long argued that the treaties are discriminatory and clearly one-sided because they maintain and perpetuate a world of nuclear haves and have-nots, a world where five nuclear nations clearly have distinctive advantages over all other countries.

To remedy this inequality, India has rightfully called for global nuclear disarmament and verifiable arrangements for the elimination of nuclear weapons arsenals by the superpowers.

Since its 1974 test, as a sign of good faith, India has forgone nuclear weapons testing. For almost 2½ decades, India has demonstrated nuclear restraint, while five nuclear nations, the United States, Russia, France, Great Britain and China, have conducted scores of tests in the face of worldwide disapproval.

Now, Mr. Speaker, citing legitimate security concerns with nuclear-armed China and Pakistan's close alliance with Beijing, it is not surprising that India has chosen to exercise the nuclear option. Because of this, there is fear now that Pakistan may follow suit and test a nuclear device of its own.

Mr. Speaker, the only way to stop this spiraling proliferation of nuclear weapons around the world is for the nuclear nations to take responsibility and set an example. How can the United States and the other four members of the nuclear club continue to argue and to urge other countries to forgo nuclear weapons while reserving the right to keep our own nuclear weapons for ready use? If this is not the height of hypocrisy, Mr. Speaker, I do not know what is.

To put it another way, Mr. Speaker, this is like having the five nuclear nations tell India to tie its legs and hands by not becoming a member of the nuclear club, and any time China feels like threatening India with its nuclear arsenal, it is perfectly all right because it is within the spirit of the Nonproliferation Treaty.

With the Cold War over, it is madness, Mr. Speaker, that the United States and Russia alone still have over 5,000 nuclear missiles poised to fire within seconds at each other or any other country that may pose a threat and, still, over 15,000 more warheads on operational alert. In total, over 36,000 nuclear bombs threaten the existence of this planet.

Mr. Speaker, it is time that the nuclear powers negotiate a nuclear weapons convention that requires the phased elimination of all nuclear weapons within a time frame incorporating proper verification and enforcement provisions.

Moreover, Mr. Speaker, the former commander of the U.S. Strategic Air Command, General Lee Butler, and a former Supreme Commander of all NATO forces, General Andrew Goodpaster, representing a group of 60 retired generals and admirals, have concluded the only way to end a nuclear threat is to eliminate nuclear weapons worldwide. As General Butler has stated, and I quote,

> Proliferation cannot be contained in a world where a handful of self-appointed nations both arrogate to themselves the privilege of owning nuclear weapons, and extol the ultimate security assurances they assert such weapons convey.

Mr. Speaker, it is time for the United States to show real leadership as the only true superpower in the world. We have no match for our military capabilities, both in terms of conventional or nuclear weapons resistance. From a position of strength, it is incumbent that we have the courage envisioned to initiate negotiations for the elimination of all nuclear weapons by the nuclear powers to free the world of this threat.

Mr. Speaker, if we fail to do so, it is clear that the example of India's testing yesterday will herald the beginning of a new chapter of nuclear proliferation that will inevitably result in a nuclear tragedy of unimaginable suffering.

Mr. Speaker, I submit for the RECORD three articles relating to the topic I have been speaking on this evening.

[From the New York Times, May 12, 1998]

INDIA SETS 3 NUCLEAR BLASTS, DEFYING A WORLDWIDE BAN; TESTS BRING A SHARP OUTCRY

Countries with a declared nuclear weapons capacity: United States, Russia, France, Britain, and China.

Countries known to have nuclear weapons capacity: India, Pakistan, and Israel.

Countries seeking nuclear weapons capacity—Iran: The State Department believes that Iran is actively developing nuclear weapons, in part with its civilian nuclear energy program. Iraq: The State Department believes that Iraq aspires to have nuclear weapons but has stopped development because of the United Nations inspections.

North Korea: The Clinton Administration believes that North Korea was actively developing nuclear weapons until 1994, when an agreement was reached to freeze the country's known nuclear weapons development activity.

INDIANS RISK INVOKING U.S. LAW IMPOSING BIG ECONOMIC PENALTIES

(By Tim Weiner)

WASHINGTON, May 11.—India's nuclear tests today brought into play an American law that could block billions of dollars of aid to India, and it prompted American officials to plead with Pakistan not to intensify a regional arms race by conducting its own atomic tests.

Samuel R. Berger, the national security adviser, said he and other top officials were scrutinizing the never-used 1994 Nuclear Proliferation Prevention Act, a Federal law which orders President Clinton to impose severe penalties on nations conducting nuclear tests or selling nuclear weapons. The law on nuclear tests covers nations that are developing nuclear weapons but excludes the declared nuclear powers, Russia, China, Great Britain and France.

The law requires Mr. Clinton to cut off almost all Government aid to India, bar American banks from making loans to its Government, stop exports of American products with military uses such as machine tools and computers—and, most importantly, oppose aid to India by the World Bank and the International Monetary Fund. India is the world's largest borrower from the World Bank, with more than $40 billion in loans; it is expecting about $3 billion in loans and credits this year. Last year, of $19.1 billion of the World Bank committed to developing nations, India received more than 1.5 billion. The International Monetary Fund has no programs under way with India, a spokesman for the fund said.

Direct United States assistance to India has not exceeded several hundred million dollars annually in recent years. This year, it included $41 million in licenses to buy military equipment and $51 million in development aid.

The tests ''came as a complete shock, a bolt out of the blue,'' one senior Administration official said. ''It's a fork in the road,'' the official said. ''Will India and Pakistan be locked in a nuclear arms race? Will the Chinese resume nuclear testing now?''

Although American officials expressed shock, India's governing Hindu nationalist party announced that it would review the country's nuclear policy the day before it took power in March. Soon after it won the election, the party said it intended to ''induct'' nuclear weapons into India's arsenal. ''Induct'' is a technical term meaning formally placing such weapons in military stockpiles, and American officials said today that they had not foreseen that India would take the provocative step of resuming testing.

Nor did United States intelligence agencies pick up any signs that the tests were imminent.

United States officials strongly rebuked India while urging its neighbor, Pakistan, not to conduct its own test. Mr. Berger warned against ''a new round of escalation.''

President Clinton was ''deeply distressed by the announcement of three nuclear tests,'' his spokesman, Michael D. McCurry, said today, and ''has authorized formal presentation of our displeasure to be made to the Government in New Delhi.''

The nuclear tests pose a challenge for Mr. Clinton, whose policy toward India and his scheduled trip there this fall both now require rethinking, Administration officials said.

''Sanctions are mandatory,'' said Senator John Glenn, the law's author and an Ohio Democrat. The only way to delay them is if the President tells Congress that immediate imposition would harm national security, and that delay can only last 30 days.

''It would be hard to avoid the possibility of sanctions,'' a State Department official said. ''There is no wiggle room in the law.''

If the World Bank loans to India are cut off as a result of United States pressure, that ''would have serious implications for their budget, serious detrimental effects,'' a World Bank official said today.

While the United States cannot tell the World Bank what to do, ''we have a fairly heavy vote,'' a senior State Department official said.

Senator Sam Brownback, a Kansas Republican who heads the Senate Foreign Relations subcommittee on Near Eastern and South Asian affairs, urged the Administration to punish India under the law. ''It's an enormous negative blow to our relationship with India,'' he said. ''It'll destabilize the region.''

The British Government does not have a similar law mandating sanctions, but India is the largest recipient of British foreign aid.

Henry Sokolski, a former senior Pentagon official involved in limiting the spread of nuclear arms, said: ''India has just dug a big hole for itself by doing this test, a military, political and economic hole. Its banking system's in a world of hurt now. It's about to get a death blow.''

The shock of the tests was amplified by the fact that the nation's top experts on the spread of nuclear arms only learned about them this morning from news agencies and television networks, not from the Central Intelligence Agency. Several of those Government experts expressed fury at the United States intelligence community and the Indian Government for failing to provide advance notice of the event.

Government experts said tonight they were still trying to come to grips with the meaning of the tests.

''There are two scenarios,'' a senior Administration official said. The optimists at the White House believe that ''the Indians will say that now that they've secured confidence in their nuclear weapons stockpile, they are prepared to sign the Comprehensive Test Ban Treaty.''

The pessimists think the Indians ''now have decided they're going to be an open nuclear power,'' he said. ''They will endure international sanctions. They accept that they and the Pakistanis will be locked in a nuclear arms race.''

[From the New York Times, May 12, 1998]

INDIA STAGES 3 NUCLEAR TESTS, STIRRING WORLDWIDE OUTCRY—PAKISTAN HINTS IT MIGHT FOLLOW SUIT AS ANSWER TO THE NEW PREMIER

(By John F. Burns)

New Delhi, May 11—Nearly 24 years after it detonated its only nuclear explosion, India conducted three underground nuclear tests today at a site in the country's north-western desert. The move appeared to signal India's determination to abandon decades of ambiguity in favor of openly declaring that it has nuclear weapons.

After less than two months in office, Prime Minister Atal Bihari Vajpayee, leader of a Hindu nationalist party that has been an advocate of India's embracing nuclear weapons as a step toward great-power status, emerged on the lawn of his residence here and read a statement. Speaking in the late afternoon, he said the tests had been carried out barely an hour earlier at the Pokharan testing range in Rajasthan state, 350 miles southwest of New Delhi, where India's first nuclear test was conducted on May 18, 1974.

With the tests, the Government cast aside a generation of caution and opted instead for a course that brought immediate international condemnation from a world that has officially scorned nuclear testing since 1996. The tests also open the possibility of a costly and dangerous nuclear arms race with India's archrival Pakistan.

The tests, and next step that they appeared to imply—arming Indian missiles with nuclear warheads—were almost certain to provoke economic sanctions under United States law, and to raise tensions with China, a nuclear power that has been described as a greater long-term threat to India than Pakistan is. China had no immediate official reaction to the news from India.

But after waiting 50 years to gain power, the Hindu nationalists appeared to have found all this less compelling than the urge to stake a claim for India as a great power, eager to equate its vast population with a matching military and political muscle. The nationalists may also have gambled on the tests' boosting their popularity, propelling them toward an outright parliamentary majority in the future.

Still, Mr. Vajpayee seemed to reflect the heavy stakes in the somber tone of his announcement. The 72-year-old Prime Minister restricted himself to a sparse, technical account of the tests, barely looking up from his text as he did so, then walked back into his residence without taking any questions.

''I have a brief announcement to make,'' he said. ''Today, at 1545 hours, India conducted three underground nuclear tests in the Pokharan range. The tests conducted were with a fission device, a low-yield device, and a thermonuclear device.''

''The measured yields are in line with expected values,'' he said. ''Measurements have confirmed that there was no release of radioactivity into the atmosphere. These were contained explosions like in the experiment conducted in May 1974. I warmly congratulate the scientists and engineers who have carried out the successful tests. Thank you very much indeed.''

Mr. Vajpayee's principal secretary, Brajesh Mishra, said afterward that the tests had established ''that India has a proven capability for a weaponized nuclear program.''

Mr. Mishra said the tests would help scientists design ''nuclear weapons of different yields for different applications and for different delivery systems''—meaning, Indian experts said, that the explosions were meant to test different types of nuclear warheads for India's fast-developing missile program, which has a mix of delivery vehicles to reach targets as close as Pakistan and as distant as China.

The tests were widely welcomed in India; with hardly any immediate dissent from opposition political parties and little sign of the Gandhian pacifism that was a strong element in Indian policy in the early years after independence in 1947.

Even Mr. Vajpayee's predecessor as Prime Minister, I.K. Gujral, a moderate who

blocked the tests during his year in office, said: ''It was always known that India had the capability to do this. The tests only confirm what was already known.''

But the outcry from outside India was almost universal, with dozens of governments expressing anger that India had broken an informal moratorium on nuclear testing that went into effect in 1996, when India and Pakistan stood aside as scores of other nations met at the United Nations to endorse the Comprehensive Test Ban Treaty, which prohibits all nuclear tests. The treaty is widely regarded as a key step toward halting the spread of nuclear weapons.

The Indian tests drew immediate condemnation from the Clinton Administration, which said the United States was ''deeply disappointed'' and was reviewing trade and financial sanctions against India under American nonproliferation laws; from other Western nations, including Britain, which voiced its ''dismay'' and Germany, which called the tests ''a slap in the face'' for 149 countries that have signed the treaty, and from Kofi Annan, the United Nations Secretary General, who issued a statement expressing his ''deep regret.''

But perhaps the most significant reaction came from Pakistan, which raised fears that years of effort by the United States to prevent an unrestrained nuclear arms race on the subcontinent were on the verge of collapse. In the absence of Prime Minister Nawaz Sharif, who was visiting Central Asia, Foreign Minister Gohar Ayub Khan hinted that Pakistan, which has had a covert nuclear weapons program since the early 1970's, would consider conducting a nuclear test of its own, its first.

''Pakistan reserves the right to take all appropriate measures for its security.'' Mr. Ayub Khan said in a statement to the Senate in Islamabad, the capital, that came amid demands from right-wing politicians and hard-line Islamic groups for an immediate nuclear test.

He laid the blame for the Indian tests on Western nations, mainly the United States, for not moving to head them off after Pakistan raised an alarm in Washington last month about the nuclear plans of the Vajpayee Government. When it took office in March after an election, the Government led pledged that it would review India's policy with a view to ''inducting'' nuclear weapons into its armed forces.

''We are surprised at the naïveté of the Western world, and also of the United States, that they did not take the cautionary signals that we were flashing to them,'' the Pakistani Foreign Minister said in an interview with the BBC. He added: ''I think they could have restrained India. Now India has thumbed its nose to the Western world and the entire international community.''

Pakistan demanded that the United States impose harsh sanctions against India. Benazir Bhutto, a former Prime Minister, said in a BBC interview in London that her Government had a contingency plan in 1996 to carry out a nuclear test if India did. She said the ability still existed, and should be used. ''If we don't, India will go ahead and adopt aggressive designs on us,'' she said.

The Vajpayee Government's decision to conduct the tests so soon after taking office appeared to catch the world's other established nuclear weapons states—the United States, Britain, China, France and Russia—by surprise. Although the test site lies in flat desert terrain, under cloudless skies at this time of the year, India seems to have succeeded in keeping preparations secret, even from American spy satellites.

The surprise was all the greater because the Clinton Administration succeeded in heading off an earlier plan by India to stage nuclear tests in December 1995.

This time, the Vajpayee Government appeared keen to heighten the symbolism of the tests, staging them on the same Buddhist festival day as the first Indian test in 1974. According to nuclear scientists who oversaw the first test, the code message flashed to Prime Minister Indira Gandhi confirming the test's success was, ''The Buddha is smiling.''

But Indian commentators noted that Mr. Vajpayee's statement differed in one important respect from Mrs. Gandhi's announcement nearly a quarter of a century ago. Mrs. Gandhi had described the test at Pokharan as a ''peaceful'' explosion, setting the theme for all subsequent Indian policy statements on the country's nuclear program until today.

By avoiding the word ''peaceful'' in his announcement today, Mr. Vajpayee appeared to signal that the days of artful ambiguity about India's plans are at an end. For years, the Hindu nationalists, led by Mr. Vajpayee's Bharatiya Janata Party, have called for India to take a more assertive role in its dealings with the world, one that the nationalists believe is more appropriate for a nation with a 5,000-year history and a population, now nearing 980 million, that means nearly one in every five human beings is an Indian.

In statements issued after Mr. Vajpayee's announcement, the Indian Government sought to take some of the political sting out of the tests, saying that it held to the long-established Indian position of favoring ''a total, global elimination of nuclear weapons,'' and that it had not closed the door to some form of Indian participation in the test ban treaty if established nuclear powers committed themselves to this goal. But diplomats said this appeared to be mainly aimed at dissuading the United States from imposing sanctions.

The core of the new Government's thinking seemed to be represented by Kushabhau Thakre, the president of the Bharatiya Janata Party, who said the tests showed that the Vajpayee Government ''unlike previous regimes, will not give in to international pressure.''

Strategists who have the ear of the Hindu nationalists have argued that India's deference to American pressures put the country at risk of being permanently stunted as a nuclear power. According to one recent estimate, by the Institute for Science and International Security, a Washington-based research group, India has stockpiled enough weapons-grade plutonium to make 74 nuclear warheads, while Pakistan has enough for about 10 weapons. A parallel race to develop missiles that could carry nuclear warheads accelerated last month when Pakistan test-fired a missile it says has a range of nearly 1,000 miles.

But many Indians believe that the message of today's tests was intended more for China than for Pakistan. Although Pakistan has fought three wars with India since the partition of the subcontinent in 1947 and is engaged in a long-running proxy conflict with New Delhi in the contested territory of Kashmir, Indian political and military strategists have concluded that even a nuclear-armed Pakistan, with 130 million people and an economy ravaged by corruption, does not pose as great a long-term threat to India as China does.

China is even more populous than India, has long-running border disputes that cover tens of thousands of square miles of Indian-held territory, and has an expanding arsenal of nuclear missiles that it has been developing since the 1960's, with none of the pressures from Western powers to desist that India has faced. Today's tests came barely a week after India's Defense Minister, George Fernandes, warned that China, not Pakistan, is India's ''potential enemy No. 1.''

[From the Los Angeles Times, May 12, 1998]

INDIA PLAYS WITH NUCLEAR FIRE

India's new government took power two months ago with a hard foreign policy line, including the appalling threat to develop nuclear weapons. Even more shocking was Monday's announcement that three underground nuclear devices had been detonated in a state bordering archenemy Pakistan.

Because the coalition government is dominated by the Hindu nationalists of the Bharatiya Janata Party, Muslims inside and outside India have looked with alarm at the new regime. Pakistan, overwhelmingly Muslim, has fought three wars with India since 1947; in April it announced the successful test-firing of a new missile that could reach deeper into India. That no doubt prompted India's hawks to brandish the nuclear sword.

Monday's explosions, the first major explosions since China and France conducted nuclear tests in 1996, raise the stakes again in South Asia, a restive region long considered vulnerable to nuclear war. Pakistan, predictably, pledged to take ''all appropriate measures for its security.'' Nuclear experts believe that the Islamabad regime is capable of assembling a nuclear weapon on short notice. China, which fought a war with India in 1962, obviously must be concerned by Monday's news.

Previous Indian governments, most of them led by the Congress (I) Party, insisted that New Delhi's only previous nuclear test, in 1974, was a ''peaceful'' experiment. The new government, in contrast, boasted that Monday's tests demonstrated a nuclear weapons capability, a message that rang loudly in Pakistan. Although China denies it, intelligence sources contend that Beijing has helped Pakistan's nuclear program, also tabbed the ''Islamic bomb'' due to funding from some Arab nations.

The United States was quick to condemn Monday's tests and clearly will have to rethink President Clinton's planned trip to India and Pakistan later this year. Washington and its allies should make clear to the two Asian nations that weapons tests and hostile rhetoric inflame an already dangerous situation.

DEVELOPMENTS IN SOUTH ASIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, following up on the previous gentleman from American Samoa, this week's headlines have focused on India's nuclear tests at a below-ground location within India. Analysts have interpreted this action as an indication that India is moving from a policy of ambiguity about its nuclear capabilities, a policy that has essentially stood since India conducted its first nuclear test in 1974, to more openly declaring that it has nuclear weapons.

Mr. Speaker, while I oppose nuclear testing by India or any other nation, I want to stress that this week's test should not derail the U.S.-India relationship, which has been growing closer and stronger over the past 5 or 6 years. Particularly in the areas of trade and investment, the United States and India are finding that we have many common interests.

In terms of our strategic relationship, this week's news demonstrates, if anything, the need for closer coordination between the United States and India, the world's two largest democracies, and more effective diplomacy in trying to improve stability and working towards a reduction in nuclear weapons arsenals.

Mr. Speaker, in light of this week's test, it is particularly important to remember the defense situation that India faces. India shares approximately a 1,000-mile border with China, a nuclear-armed Communist dictatorship that has already launched a border war against India and maintains a large force on India's borders. China maintains nuclear weapons in occupied Tibet, on India's borders, and also maintains a military presence in Burma, another neighbor of India.

China has been proven to be involved in the transfer of nuclear and missile technology to unstable regimes, including Pakistan, a country that has been involved in hostile actions against India for many years; and China has conducted some 45 underground nuclear tests over the years.

Mr. Speaker, I bring out these facts to help put India's action this week into perspective, to try to explain to my colleagues here and to the American people the background for India's decision to conduct these tests. I know that India's action has met with widespread criticism, including from our own administration, but India's decision to test a nuclear explosive device should be understood in the context of the huge threat posed by China. Indeed, Mr. Speaker, I believe the United States should be taking the threat from China more seriously and doing much more to discourage and deter China's proliferation efforts.

Now that India has demonstrated its nuclear capability, I would urge India's government to join the Comprehensive Test Ban Treaty, following the other democratic nations in the nuclear club, including the United States, that have now discontinued testing. Having nuclear capability means that India has an even greater burden to ensure peace in its region and in the world.

I would urge President Clinton to wait before imposing sanctions, I am talking about the sanctions that have been discussed, particularly if India announces that it will not conduct any further tests. The implications of the sanctions are so broad that many of our own interests could be damaged, particularly in the area of trade and investment. A wide range of international financial institutions would also be prevented from working in India, potentially thwarting important development projects that will help improve the quality of life for India's people.

Since India conducted its first nuclear test in 1974, it has maintained the strictest controls on transfers of nuclear technology. India's nuclear program is indigenous, and successive Indian governments have not been involved in the transfer or acquisition of nuclear technologies with other nations. I believe it is very important that this policy be maintained, Mr. Speaker.

Mr. Speaker, again, although I oppose the nuclear tests, I believe that we must now work with India and the rest of the world community in enacting and enforcing an effective worldwide ban on nuclear testing, leading to the reduction and ultimate elimination of nuclear weapons from the face of the Earth.

INDEPENDENT COUNSEL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, besides enjoying this past weekend with my constituents and my family, and conveying to the mothers of America a happy Mother's Day, I spent a lot of time interacting with the good people of the 18th Congressional District of Texas. Many, of course, talked about Medicare issues, housing issues, Social Security, but many stopped me and asked the question: Where will it end?

Mr. Speaker, my colleagues might be thinking that I am talking about Armageddon or some crisis being discussed on the floor of the House. I am actually talking about the misunderstood, misconstrued and wrong-headed statute called the Independent Counsel.

What do the names Ken Starr, Carol Elder Bruce, Donald Smaltz, David Barrett, Daniel Pearson, Curtis Van Kan, and an unnamed independent counsel that now still proceeds with the investigation of a HUD Secretary, that started in 1990, have in common? All are individuals that have been established or given authority by the statute, Independent Counsel.

In fact, the recent appointment of an independent counsel to the Secretary of Labor, Alexis Herman, adds an additional wedge in what I perceive to be the system of justice and fairness and the understanding of the American people.

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Even the Attorney General yesterday said, as she offered to appoint an independent counsel for Secretary Herman, there was really no evidence of the Secretary's involvement or participation in anything illegal.

The question for the American people then, the common sense question, Mr. Speaker, why then an independent counsel? Most people in my district perceive this as a runaway threat to the fairness and justice that most Americans believe they are owed. Many people have made suggestions that this compares, this onslaught of independent counsels, this runaway process separate and apart from the U.S. Attorney's Department of Justice, seems to suggest there is no fairness in the judiciary or judicial process.

Why? We have Susan McDougal, someone who is now incarcerated under the pretense of obstruction of justice. How can this be, Mr. Speaker? How can Kenneth Starr use his office to intimidate someone who has already indicated that they have no more information about Bill Clinton and Hillary Clinton, who has indicated that they are prepared to take the fifth amendment, but in fact they have no information? Many people question and wonder why a young woman like Susan McDougal, who has lived and grown up in Arkansas, who has paid her dues, who is a young businesswoman, who engaged in business activities in the early years when women were not known to be participating in some of the high finance; the allegations against her have already been tried, and now she is being shackled in courtrooms not because of something that she has personally done but because of something that is perceived that she may have information on some other matter.

As a colleague and I were discussing, members both of the Committee on the Judiciary, we know what is wrong with the independent counsel statute. Is has no end. It has no beginning. This statute and this independent counsel can investigate anything. It is not a crime that they are investigating, Mr. Speaker. They are investigating your name. And so, for example, if today it is Whitewater and tomorrow it may be Monica Lewinsky, made up of course of facts that we do not really know, and tomorrow it may be the circus. So it is not the actual crime that is being investigated, it is not the issue whether someone burglarized something, someone stole something, or someone lied; it is moving from hither to thither.

I would simply say, Mr. Speaker, that the independent counsel statute must be assessed not because we want special privileges for anyone. Absolutely not. But we really must assess it to find out whether or not even the American people are asking whether this is the right kind of tool to bring justice and to oversee the process of government: Is it the kind of tool to avoid cover-ups?

I would simply say, by the evidence and performance of those existing today, but in particular the habits and the performance of Mr. Starr, the intimidating of someone's mother, the trying to go into the White House bedrooms, the intimidating of close White House aides, violating the rights of the President to have confidential conversations and executive privilege, all of this suggests to me, Mr. Speaker, that we have got a problem with the independent counsel statute. And on behalf of the American people, I think it is key that we assess it fairly and objectively. Let us not go back to the McCarthy era, Mr. Speaker. Let us stand up for justice for all America.

RELIGIOUS FREEDOM AMENDMENT

The SPEAKER pro tempore (Mr. SHIMKUS). Under the Speaker's announced policy of January 7, 1997, the gentleman from Oklahoma (Mr. ISTOOK) is recognized for 60 minutes as the designee of the majority leader.

Mr. ISTOOK. Mr. Speaker, this evening I think it is important that we talk about one of the very first liberties, one of the very first freedoms of the United States of America, something which motivated people to cross the ocean hundreds of years ago in some very small and leaky ships.

I am talking about people such as those who first came to Jamestown, those who were the Puritans and pilgrims who were motivated to come to the United States, in large part because they wanted a land of religious freedom. They wanted a land where everyone was free to worship or not worship according to the dictates of their own conscience and not be compelled by the government to give obeisance to any particular faith but certainly to have the freedom without intimidation, whether in private or in public, to express their faith in God.

I bring this to the attention of the House tonight, Mr. Speaker, because this is a liberty that is the first one enshrined in our Bill of Rights and yet which is jeopardized by a series of U.S. Supreme Court decisions that basically go back to 1962, decisions that are decisions that discriminate against those who wish to pray at public school, against school prayer. Voluntary school prayer even is not permitted in the same way that free speech and free religion should permit it. It is restricted at public school graduations.

The Ten Commandments, the U.S. Supreme Court has said, are unconstitutional if someone tries to display them in a schoolhouse. They have struck down nativity scenes and not only Christian emblems but, for example, a Jewish menorah whose display at a county courthouse was struck down by the U.S. Supreme Court, even though, Mr. Speaker, we open sessions of this House with prayer and the Pledge of Allegiance to the flag and we are in a Chamber which has many religious symbols, in a building which has many religious symbols, in a place which has many religious symbols. But the U.S. Supreme Court has been ruling that those are taboo, they are off limits, they are unconstitutional if they are involved in a public place such as in the school or a courthouse or many other public forums.

It is because of those threats, Mr. Speaker, that over 150 Members of this body have banded together as sponsors of the religious freedom amendment, a proposed amendment to the U.S. Constitution upon which we will be voting in this House of Representatives in approximately 3 weeks from now, because it is about time that we correct what the U.S. Supreme Court has done.

Mr. Speaker, I would like to offer for the RECORD, and I will give it to the Clerk in a minute, a very simple fact sheet about the religious freedom amendment. Mr. Speaker, this particular sheet is from a recent publication by the Ethics of Religious Liberty Commission of the Southern Baptist Convention, one of the great number of religious groups in this country who are supporting this amendment.

The religious freedom amendment reads, very simply and very straightforward. It is as follows:

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

That is the text of the proposed religious freedom amendment, upon which we will be voting shortly, to correct the decisions of the U.S. Supreme Court which have pushed our country in the wrong direction, not in a direction of neutrality, but in a direction of hostility towards religion.

And reading from the facts sheet of the Southern Baptist Convention Ethics and Religious Liberty Commission, what the religious freedom amendment would and would not do:

It would correct years of judicial misinterpretation of the establishment clause. It would not revoke the establishment clause.

It would reverse many of the restrictions that courts have placed upon the free exercise of religion on government property in general and public schools in particular. It would not permit government-sponsored religion or proselytizing.

It would allow greater freedom for students who wish to pray. It would not require prayer in public schools.

It would require government to treat all religions fairly. It would not permit preference for one religion or sect over another.

It would advance belief in religious freedom. It would not advance any particular religious belief.

It would give greater protection to individuals against government intrusion. It would not create any new right for government.

It would guarantee that no person be discriminated against on account of religion. It would not require that any person be given special status on account of religion.

It would require equal access to all people, regardless of religion. It would not require unreasonable access to government facilities.

It would protect the liberty of conscience of all people. It would not protect only the liberty of people of a majority faith or of a minority faith or of no faith.

That is a good succinct summary, because, Mr. Speaker, it is hard to be brief about the many problems that have come from these Supreme Court decisions.

It was 1962 when the Supreme Court said that even when it is totally voluntary by students, they cannot come together during school time in public school to have a prayer together. And yet, Mr. Speaker, I am so pleased that so many millions of Americans have at least done as much as they could, forming different Bible clubs and huddles of groups, like the Fellowship of Christian Athletes, that meet before school and after school and do everything that they are permitted to do, but they are not permitted the same freedom and the same rights that apply to other school clubs in our public schools.

It was later, it was in 1980, that the U.S. Supreme Court, in the Stone v. Graham case said, you cannot display the Ten Commandments on the wall of the school because, as they wrote, ''Students might read them and they might obey them.''

Now, Mr. Speaker, if there is anything that would be good for the students in public schools to obey today, it would be the Ten Commandments. And yet, Mr. Speaker, that is what they take down, whether it be on the walls of the school or on the walls of a courthouse. And yet we have the image of Moses looking straight upon us, Mr. Speaker, directly across from us on the walls of this House of Representatives; and his image is there because of the Ten Commandments.

It was followed by other Supreme Court decisions. It was 1985 that they had maybe the most outrageous decision of all, the Wallace v. Jaffrey case. The State of Alabama had a law that said we can at least have a moment of public silence in public schools. And the U.S. Supreme Court said, no, we cannot have a moment of silence; that is unconstitutional, because students could use it for silent prayer.

And it was a 5–4 decision. It could have gone so easily the other way. But it prompted the Chief Justice of the U.S. Supreme Court, William Rehnquist, to say this about what the Supreme Court did with prayer in public schools. Justice Rehnquist wrote in Wallace v. Jaffrey, ''George Washington himself, at the request of the very Congress which passed the Bill of Rights, proclaimed a day of public thanksgiving and prayer to be observed by acknowledging with grateful hearts the many and signal favors of Almighty God. History must judge whether it was the father of this country in 1789 or a majority of the court today which has strayed from the meaning of the establishment clause.''

The Supreme Court was not satisfied with that. They had the decision, I believe the correct year was 1990, that held that a nativity scene and a Jewish menorah on display at a county courthouse in Pennsylvania, were unconstitutional because they said they were

not balanced with non-religious emblems, such as Santa Claus or Rudolph or Frosty the Snowman. And yet the same Supreme Court has never said you cannot have Rudolph unless you balance him with Baby Jesus or a Jewish menorah, or whatever it might be. The Supreme Court has gone the wrong direction.

And then 1992, the graduation prayer case, a Jewish rabbi invited to offer a prayer at a public school graduation in Rhode Island was told afterwards that was unconstitutional because there are some students who might not want to be respectful.

Now, Mr. Speaker, since when have we said we do not want to teach students to be respectful in public schools? Since when have we said that whether we agree or disagree with something, we ought to at least have the courtesy to be able to listen to it and to take something that is intended to be positive without blowing up and literally making a Federal case out of it? Because Mr. Speaker, the intolerance is not on the part of someone who wants to be able to offer a prayer in a public setting.

□ 2045

The intolerance, unfortunately, is on those who want to stifle and censor that prayer.

Mr. Speaker, the religious freedom amendment follows the mechanism established by the Founding Fathers to correct these and other distortions of our religious freedom that the first amendment has been twisted into saying when it does not really say that. But the Supreme Court has found it there, and it is our job to fix it and to correct it.

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

Mr. BLUNT. Mr. Speaker, I thank the gentleman for yielding to me, and I thank him for consistently leading this fight for the religious freedom amendment. You are constantly out there.

There are many of us who help you. As you said, I think there are 150-plus cosponsors of this amendment in the House. But, clearly, your leadership has made a difference here as we are bringing the attention of the country to the constitutional rights, not that we need to put it in the Constitution, but that we need to restore the Constitution.

Every time I read about this, every time I think about this, every time we discuss it here on the floor or in other places, I am more and more convinced that this effort is really merely an effort to restore the Constitution to what it was for 175 years.

Before 1962, there really was no question in America about the place of religion in our society. There was no question in our history about how the Founding Fathers had felt about religious freedom and the difference, as they say it, between establishing one religion and eliminating God from country. In fact, every piece of money that we have has ''In God we trust'' on that money. How much more of a commitment to faith can we make than ''In God we trust'' on that money?

As you see the potential for the amendment, as you and I see the Constitution, I do not think we are in disagreement with the Chief Justice of the Supreme Court when you cited earlier when Judge Rehnquist said that this misinterpretation, this misunderstanding of separation of church and State creates incredible mischief in our society.

In fact, also, it creates a disadvantage for religious groups who cannot do, in a public facility, what virtually any other group could do, any club could do, any group of students coming together could do unless they want to talk about religion, unless they want to study the Bible on public property, unless they want to have prayer in a public assembly that everybody agrees with.

Clearly, we are rethinking America. I heard just here in Washington last week a person has recently written a great book on General Washington. He talked about the attributes that made Washington distinctive. As I left that breakfast meeting and got to thinking about the packed crowd that heard those attributes about Washington, it occurred to me immediately that the one attribute that he left out was Washington's faith.

I advance you cannot understand Washington without understanding his faith. You cannot understand many of the founders without understanding their faith. I do not think you can understand their belief in the kind of government they were establishing unless you understand that they thought it was a government established for a Nation that would be built on godly principles and that those godly principles would be taught.

Whether it was the posting of the Ten Commandments in school, the same Ten Commandments that the Supreme Court sets under the lawgiver as they talk about why we could not have the Ten Commandments posted in the school, or other religious teachings, I think the founders clearly thought that that was part of our society, part of how you define a community.

I have got here the copy of a city seal from a community in the district of the gentleman from Oklahoma (Mr. ISTOOK), Edmond, Oklahoma, except that is what the community seal used to look like.

Mr. ISTOOK. That is correct.

Mr. BLUNT. As I understand it, the community seal does not look like this anymore. The community seal still has these three reflections of community, but this is now a blank spot.

Mr. ISTOOK. Yes.

Mr. BLUNT. Is that right?

Mr. ISTOOK. Yes. Mr. Speaker, what the gentleman has is a copy of the city seal which had been adopted a number of years ago by Edmond, Oklahoma, which is in my congressional district. You can see a multiple number of emblems on it. You see at the top some oil derricks and a locomotive. You see on the left the tower from the University of Central Oklahoma, which is located there. On the bottom, you have a covered wagon in 1899 from the Land Run of 1899. You have a pair of hands above that, collapsed in friendship. Then to the right of that, you have a cross as a symbol of the community's great religious faith.

Unfortunately, a lawsuit was brought, and, ultimately, when it got to the Supreme Court, the ruling of the Supreme Court said the cross has got to go. It was a great shock to a great many people, because they did not mean that as an expression to say that you have to be of one faith or another faith, but they did want to say that religious worship is a vital part of the lives of people in the community. It is part of the tradition or heritage or beliefs of the community, as we mention, of course, in the religious freedom amendment.

Edmond is not alone. Still, Ohio has had to take a Bible off of its city seal. You had a case in Eugene, Oregon where a cross, large cross had to be taken down from public property; one where the Supreme Court ruled last year that a cross, which it stood for almost 70 years in a public park in San Francisco, had to come down. You have a similar case in Hawaii. All over the place. Anything that involves a religious symbol on public property is coming down.

In part, that somewhat begs the issue of, well, how far do you want to go in knocking down religious symbols. You mention, of course, that on our currency we have ''In God we trust.'' You look right behind you and above the Speaker's head, and we have it here in the House Chamber, ''In God we trust.''

You have States with mottos like that. In Ohio, their State motto is ''With God, all things are possible.'' The ACLU is suing them right now to have them stop using the State motto in Ohio. It is one of all sorts of cases against prayer in public places and football games and on other occasions.

But when you say that because a symbol has religious value to some people, therefore it has to be considered suspect and stricken down. I mean, let us look at what the Supreme Court has done. They have struck down the cross. But the same Supreme Court in 1977 said a Nazi swastika, a symbol of hate, was protected for display at a public march on public streets in Skokie, Illinois, in a community that had many Jewish survivors of the Nazi Holocaust, the effort to exterminate Jews. A symbol of hate the Supreme Court said was protected.

They backed that up in 1992, striking down a hate crimes law because it was against things such as Nazi swastikas or burning crosses. If you carry on with those, I mean how far do you want to go?

A beetle is an ancient Egyptian religious emblem. Eagle feathers are considered sacred to many American Indians. You have other occasions. Things that are considered sacred to one religion, do we say because it is sacred to some religion, that therefore it cannot be displayed on public property? I know that you are going through this right now in your district in a community in Missouri.

Mr. BLUNT. Mr. Speaker, we are. I think the point here we ought to make, too, is everything seems to be protected in our society except those things that relate to faith. In Edmond, Oklahoma, this cross was a symbol of faith. I do not think they came up with anything that was acceptable to replace that symbol so far as the city seal is concerned.

Mr. ISTOOK. They took off the cross and left a blank spot.

Mr. BLUNT. There is a blank spot. So where there was faith, there is now a blank spot. Where the community used to say we are a community based on faith, there is now a blank spot.

We have got a community in my district in southwest Missouri, the city of Republic that is going through exactly that same thing right now. There is a copy of their city seal. Of course Republic is located just about where that star is.

What does the seal say about that community? It says with this helping hand that this is a community that reaches out and helps people. It says with this family that this is a community based on family. Maybe we could even say family values, though that might get that struck off the seal as well, but certainly based on the concept of family.

Of course this symbol, that is a symbol for faith, and, of course, in this case, a specific faith, but that is clearly the predominant faith in that community.

Nobody came to the city council in Republic and said there are other faith groups in this community; could we put some more, could we create a collage of symbols here? That is not the challenge. The challenge is to eliminate this from the seal. The challenge is to do exactly what Edmond, Oklahoma did and wind up with a big white blotch where faith used to be.

Of course the ACLU is coming into this small southwest Missouri community. They are saying we are going to go to court. It is going to cost you about $100,000 to fight us. Do you want to fight, or do you want to give in? At this point, the city council, and I think the vast majority of people in that community, say we want to fight because this is what our community is all about.

Not everybody that lives in Republic lives in a family with children still at home. Probably as great as the community is, not everybody is totally helpful. But these are overall reflections of what that community is all about. Not everybody goes to church on Sunday, but the vast majority of people believe that church on Sunday is important.

That is why that seal is that way and why that community, like the many you have mentioned now, suddenly has to decide can we fund this fight? Can we finance this fight? Is this a fight? Not even as much whether we can win it or not as should we give into clearly this blackmail virtually against what we want our city seal to look like.

So they are fighting that same fight right now; and if the opposition wins, just, perhaps like Edmond, Oklahoma, suddenly faith will be gone as a reflection of that community.

Mr. ISTOOK. I might mention, because I have read comments from different city officials and the city of Republic, and they make the point that that is meant to be an emblem of religion, the principles of religion generally as opposed to saying it has to be any one particular faith.

Indeed, I asked the Congressional Research Service to look at this for me. They gave me information today that, actually, the symbol of a fish has been used for thousands of years around the world, even before Christianity has been used for a thousand of years, even before the life of Christ as a religious symbol. They indicated it had been used in China, in India, in Egypt, in Greece, in Rome in Scandinavia, in the Mideast, even before Jesus Christ was born.

Mr. BLUNT. So our research here indicates this is a universal kind of symbol that reflects faith, religion, not exclusive, but reflective of something that that community would think was important.

Mr. ISTOOK. But there is no perfect symbol. There will always be, to any symbol, some people who object, saying I do not like that. In the case of Edmond, Oklahoma, I thought it was an outrageous comment, but they had a person saying, well, every time I see the city seal on a police car or something, it makes me feel like a second-class citizen.

So what the courts did was they elevated this subjective approach, the fact that somebody felt bad maybe because they were thin-skinned or sensitive or maybe they had had some unfortunate incidents in their life, but because somebody felt bad, it trumped the constitutional rights of free speech and free expression and freedom of religion of everybody else.

That is the problem with the court decisions. They say unless it is unanimous, unless everybody agrees on some religious expression, you cannot have it, and maybe not even then.

Well, you do not expect that of anything else. Why use the first amendment as a weapon against religion, which is what the courts are doing, saying that you do not have freedom of expression of religion, that it is supposedly creating a freedom from hearing about religion on behalf of people that do not want to hear it.

Mr. BLUNT. Every poll I see, if the gentleman would yield, indicates that 98 percent of Americans believe in God.

Mr. ISTOOK. Yes.

Mr. BLUNT. It is hard to think of anything else that 98 percent of all Americans would believe in that we would have to eradicate from our discussion, from our symbols, from our public places of assembly. In fact, I am not sure there is anything else that 98 percent of all Americans believe in.

We try to focus our public discourse and our public displays under these court rulings as if the 2 percent were the 98 percent; that we all have to believe and act like we do not believe in any being greater than ourselves; that faith is not part of not only communities, but part of individual lives. It is just not there.

I do not think there is another example of anything that is so universally held by Americans, that is so universally rejected by the Supreme Court over the last 30 years; that was so universally accepted by the Supreme Court in the 175 years that were closer to the founders who wrote the Constitution and added that Bill of Rights.

□ 2100

Mr. ISTOOK. Let me just make a quick reference. I know there is another member that would like to get involved in this. We look at our currency, and this is the back of the one dollar bill, it says, of course, ''in God we trust.''

A lot of people do not notice something else. If you look here in this circle of the Great Seal of the United States, on the front side of it you have the eagle, and above its head is a cluster of 13 stars. But look at the pattern in which those stars are arranged. It is a Star of David, the symbol of another faith, Judaism. Are we to say that the Great Seal of the United States of America is unconstitutional because it includes an emblem of the Jewish faith? I do not think so.

I think that that shows, again, a recognition and what should be an acceptance of many different faiths, but you do it by permitting, not by excluding.

I would like to yield to the gentleman from Arkansas (Mr. DICKEY).

Mr. DICKEY. Let me show my support for what you all are talking about by telling a little story that occurred in Pine Bluff, Arkansas, my hometown. We had a Fellowship of Christian Athletes there, it was trying to get started, and a minister was trying to sponsor it. He worked hard at it, but he could come only at certain times, so some of us were called and asked as laymen to come help with the program.

We had five or six people that were coming to the meetings once a week. We started working on it, a bunch of our communities started working on it, and we got the attendance up to maybe 200 in a given week. We set records as far as sending people to the national conference. We had 75 that went to Tulsa one year. We had three buses of

kids. We had kids that were working after school on these projects and on the weekends. We had what is called an Olympics Day, as I recall, and we had a contest. We made up our own athletic contest. We did things with the cheerleaders and the girls.

So, what happened? Slowly the opposition started building. First of all, people came in and said, ''Oh, you are taking money away from the school.'' We said, ''No, we have been raising money and putting it into the school Treasury, and at the end of the year the school has been taking it. So the school has been making money off of it.'' They said, ''This is supported by a church.'' We said, ''No, it is not. We do not even have a minister who is involved.''

So that went by the wayside. Then they said at one point we were favoring one donut store over others, and that was the reason we were having the breakfast meetings.

Then we prayed for victories before the game. We said yes, we did. We prayed for victories, the kids prayed for victories before the game. We also prayed we had good health and that no one was hurt on the other side either.

Finally, finally, after about seven or eight years, a letter came from a person of another faith who said, ''We are going to have to consider legal action if you all do not stop or disband the Fellowship of Christian Athletes.''

I happened to take a call after we said we couldn't continue, after the school said we could not go any further, I happened to take a call from one of the kids who said, Mr. Dickey, why are we not going to have the FCA anymore?

I could not answer it then, and I cannot answer it now, because what we have done is we have said to the parents and to the families, that which you are teaching your children at home and that which your pastors, when you take your kids to church, that what your pastors are teaching your kids and the Sunday school classes, those things are against the law. God is against the law. You cannot mention him in your schools, unless in fact you do it by taking God's name in vain. Of course, that is protected. But you cannot mention God. You are not going to have anything like Jesus Christ being mentioned, because that is against the law.

In 1962, in my opinion, when we decided in our wisdom that we were going to take over the schools and not give God any place, he sat there and probably said, ''Okay, we will just see how you all work it out. I have carried it forward.''

Harvard was a theological school. Our kids were taught in the early days by ministers. They were the teachers in the early days. We had Bible-believing people who brought this country to where it is. It was not because we were the smartest, it was not because we were the hardest working, it was not because we were the most militarily strong country. It is because God was blessing our country like no other country in the history of the world.

So what are we doing? We are turning our back on God and saying, ''We can take it from here; you go worry about somebody in some other area.'' We are reaping the whirlwind because of that.

I am very much in favor of this, Mr. Istook, and I want you to know that I appreciate very much what you have said, and I am very happy to be here and discuss this with you. I think it is a vital issue, and I think the real America, the America that wants to respond and say thank you to the founders, is solidly behind us, and I think it is only our duty to go forward and present it for a vote.

Mr. ISTOOK. I thank the gentleman from Arkansas (Mr. DICKEY).

I appreciate, Mr. Speaker, the many Members who have joined together in supporting this amendment, because the American people have never accepted what the Supreme Court has done in taking the First Amendment, which is meant to protect religion, as a shield for freedom of religion, and instead they have used it as a weapon, as a sword against religious freedom, saying that, you know, you have enough chance to speak freely about your religion in private, or maybe at church or other places, and you do not need to be able to do so if you are present on public property.

Yet our children are required to be at school, because we want them to be educated. We want to have a society that is self-sufficient and self-reliant, and that means an educated population. But why do we say that during the time when you are required by law to be at school, you are also required by law to be isolated from normal religious activity, things as simple and common and ordinary and as positive as a prayer, the simple prayer of a child of faith and hope at the start of the day? And if children want to join together and have a prayer, let them do so.

To say that we believe in religious diversity means that we recognize there will be different prayers offered. The Religious Freedom Amendment carefully makes sure that we do not have government officials composing a prayer or insisting that a prayer must be said or insisting that anybody must take part in a prayer. There is an express prohibition against that. But yet there is the freedom, the opportunity, the ability for people to join in prayer together.

I think that it is a sad day to read, as I read in one newspaper recently, can you imagine a newspaper editorial writer actually wrote, ''Freedom to pray should stop at the schoolhouse door.'' I read that in the Arizona republic, in an editorial that they wrote just in this last week. They said ''Freedom to pray should stop at the schoolhouse door.''

Now, what else are we going to say? Does that newspaper want freedom of the press to stop at the schoolhouse door? Do they want to say that newspapers should be banned in public schools because, after all, they may bring in ideas that not everyone likes? They may bring in some things that are controversial. They may bring in things that make some people uncomfortable. They may bring in, along with the news and information of the day, they may bring in some negative influences too. Do we say, therefore, that the bad outweighs the good and we should not have free speech?

No. We have free speech because we believe that most speech is good, that most ideas are reasonably presented, and if that means that sometimes there is a price to pay, that we let someone with an unpopular idea have the respect for their ideas, just as respect is given to good ideas, then we understand that.

I heard a Member of this House, Mr. Speaker, in the last week take to the floor and say that, well, he was concerned that supposedly what we are doing is opening the door for unpopular groups or cults, or even a group such as a satanic group, to come into schools.

Well, Mr. Speaker, this does not open the door for just anybody to come into school. The schoolhouse door is open for children, for those who have a right to be there. This amendment does nothing to invite other people in.

But if we believe in the right to pray, his opinion was that you will only have negative influences and you will only have negative prayers, or at least that is all that he seems to hear.

But, Mr. Speaker, in my lifetime, in my lifetime, it is almost never that I have ever heard in public or private a prayer that is anything other than a positive experience; and if in order to hear millions of positive prayers, do we say that we are going to suppress them just because once in a very extremely isolated incident there may be someone who uses that same freedom to say something that almost all of us would not like, do we therefore ban prayers in public schools?

I think not. Besides which, if you want to look at the negative influences in school, you will have many people that will tell you, you have already got the devil in public schools, because they will point to the rates of crime, they will point to the rates of violence, they will point to drug use, they will point to alcohol, they will point to gangs, they will point to teenage pregnancies. And do not tell me that you do not have devilish influences in public schools. But yet what the Supreme Court does is not to keep out that type of influence, but to keep out the good, godly, positive, uplifting, spiritual prayers and influences.

That is what has happened. It is the sanitizing of that which is good, and leaving only that which is base or suspect or negative. That is what happens when you try to remove the positive religious influences from a society.

Government does not have the job of telling us what to believe or that we

must believe anything about religion, but it also should not have the job of censoring those who want to simply recognize their religious heritage or religion or to offer a simple prayer, who have a right to be in public schools, that are required by law to be in public school. And the ones who want to pray are the true captive audience in our public schools, because they are not permitted to do what is normal and good.

We have prayer to open sessions of this House. We have prayers to open sessions of State legislatures and city councils, chamber of commerce meetings, Kiwanis Club meetings, Rotary Club meetings and a vast number of organizations and groups within our society, because they know it is something that is powerful, something that is good, something that is part of the common bond that brings us together and puts the accent on what we share, not only how we are different.

I think it is useful to understand, as a Supreme Court justice wrote, that you do not isolate children from the understanding that, yes, there are different ways that people go about these things. There are different ways in which people may offer the prayer. There are different faiths. And if you believe in diversity, you do not believe in isolating children from that knowledge, until suddenly they are adult and say oh, this is an adult topic. Now you are ready to handle it.

No, this is a topic that starts at our very earliest age, and is something that brings with it the values and traditions and beliefs of the United States of America itself.

Mr. Speaker, it was a sad day when organizations such as the ACLU persuaded the Supreme Court to distort the First Amendment, and we have had a number of sad days since then where they have continued to distort it, to use it not to promote religious freedom, but to use it as a weapon against religion.

So I find there are some myths that are out there. There is a myth, some say, oh, the amendment is not really needed. We do not need a religious freedom amendment; we have the First Amendment already.

Mr. Speaker, if we were talking about the First Amendment as understood by the Founding Fathers, I think we would all agree, because then we would not have the warping of it from the courts. But as I mentioned before, in 1962 the court struck down not only mandatory, but also voluntarily, prayers by students together in public schools. In 1980 they said the Ten Commandments have to come down. In 1985 they said it is unconstitutional to have a moment of silence. In 1992 they said a prayer at a school graduation was unconstitutional.

What we have left is not neutrality towards religion. It is negative. Yes, school Bible clubs may exist, but they are under restrictions that do not apply to other school clubs.

The Chief Justice of the United States Supreme Court, William Rehnquist, in Wallace v. Jaffree talked about how people throw around, rather than the language of the First Amendment, Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, they throw around instead a catchphrase which they call separation of church and State. But I find what they mean by it and what different people mean will vastly vary. Because, you see, Mr. Speaker, we have people that believe that as government has grown, it is in every aspect of our society today. It is larger than it ever has been before.

□ 2115

As government has grown, if the rule is separation of church and State, where government goes religion cannot be. Where government enters religion must exit. If they say separation of church and State is the guideline, then that means as government grows, religion must shrink.

Let me tell my colleagues what the Chief Justice William Rehnquist wrote about it. This was in that moment of silence case, Wallace v. Jaffree. The Chief Justice of the U.S. Supreme Court, William Rehnquist, said the use of the term separation of church and State has caused what he called ''a mischievous diversion of judges from the actual intention of the drafters of the Bill of Rights. A metaphor based on bad history, a metaphor which has proved useless as a guide to judging what should be, frankly and explicitly, abandoned.'' That is the Chief Justice of the U.S. Supreme Court.

Now, I am not proposing that we abandon the proper interpretation, but it has been twisted and distorted and used as a weapon against religion.

Then we have another myth that somehow government would declare an official faith, that supposedly that is what people want with the Religious Freedom Amendment. Not so. That is why we expressly have the language in it to reiterate what the First Amendment already says, because we are not replacing it; we are only putting this to lay alongside it. But the Religious Freedom Amendment also says, ''Neither the United States nor any State shall establish any official religion.''

Then we have the myth that, oh, society is more diverse. Nonsense. There were many different religions in the days of the Founding Fathers. There are many different religions today. If they say, well, some people do not want to hear the prayer, what they are really saying is that the most intolerant persons in our society are now told that they can stifle the rest of us. Not because there is anything wrong with what people are saying in a prayer or about their religion, but because some people are so intolerant, they do not want to hear it.

We hear them say things like, oh, it makes me feel bad, or I feel like I do not belong. Mr. Speaker, all of us at one time or another in our lives feel like we may not belong. But part of life is learning that we do belong, and that we believe in things that are common, and the Religious Freedom Amendment restates what we have in common.

Then we have the myth that religion belongs only in the home. Can we imagine if the Founding Fathers had written that we will have freedom of religion only in our homes and no place else; that as government grew and government property was everywhere, that we could not have freedom of religion if we were standing on government property?

Whether it be standing in this Chamber of the House of Representatives, or standing in a schoolroom or in a classroom, to say that religious freedom stops when one goes into the schoolhouse, as this newspaper in Arizona said, is not the American way. It is not what we believe as Americans. And yet, the Supreme Court has been adopting that philosophy of saying the First Amendment is meant to protect from religion rather than to protect religion.

Mr. Speaker, it is the first time that this House, since 1971, will have a vote on a school prayer amendment to the U.S. Constitution, the first time. It has been 27 years; that is far too long. The amendment has been through a number of hearings that were held all over the country by the Committee on the Judiciary over the last 2 or 3 years. It has been approved by the Subcommittee on the Constitution. It has been approved by the Committee on the Judiciary. It is supported by a multitude of religious and faith-based groups, because they believe that religious liberty indeed has been threatened in the United States of America by the Supreme Court decisions, which will be corrected by the Religious Freedom Amendment.

Mr. Speaker, I would like to offer two documents for the RECORD. One is a newspaper article from the Human Events publication that was published this week, an article I authored regarding the Religious Freedom Amendment. Also, I will provide to the Clerk, as well, a copy of a document that was written by the Ethics and Religious Liberty Commission of the Southern Baptist Convention. I would like to offer both of those to appear in the RECORD following my remarks.

Mr. Speaker, I know that we cannot discuss everything about this amendment this evening, and we are continuing to discuss it. But I want to commend the attention of every Member of this body and anyone else who is interested in it that we do have a Web site that talks about much of this. That is, religiousfreedom.house.gov., and I hope that people will take a look at that because, Mr. Speaker, the American people need to tell their Member of Congress now that they want and expect their support for the Religious Freedom Amendment, we are approximately 3 weeks away from the vote the

first week in June, to say that once again in the schools of America, government will not insist that it happen, but we will permit students who want to engage in prayer in public school to be able to do so, whether it be a public school or a graduation or a football game, to give that freedom once more that has been taken away by these decisions of the U.S. Supreme Court.

Mr. Speaker, I urge all who are hearing or watching this evening to contact their Member of Congress and tell them, we need you to support the Religious Freedom Amendment.

Mr. Speaker, the material previously referred to is as follows:

FACT SHEET ON THE RFA

[The following is from a recent publication by the Ethics and Religious Liberty Commission of the Southern Baptist Convention]

The Religious Freedom Amendment (RFA) is a proposed amendment to the United States Constitution. The language of the amendment is as follows:

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

WHAT THE RELIGIOUS FREEDOM AMENDMENT WOULD AND WOULD NOT DO:

It WOULD correct years of judicial misinterpretation of the establishment clause.

It WOULD NOT revoke the establishment clause.

It WOULD reverse many of the restrictions the courts have placed upon the free exercise of religion, on government property in general, and public schools in particular.

It WOULD NOT permit government-sponsored religion or proselytizing.

It WOULD allow greater freedom for students who wish to pray.

It WOULD NOT ''require'' prayer in public schools.

It WOULD require government to treat all religions fairly.

It WOULD NOT permit preference for one religion or sect over another.

It WOULD advance belief in religious freedom.

It WOULD NOT advance any particular religious belief.

It WOULD give greater protection to individuals against government intrusion.

It WOULD NOT create any new right for government.

It WOULD guarantee that no person be discriminated against on account of religion.

It WOULD NOT require than any person be given special status on account of religion.

It WOULD require equal access to all people regardless of religion.

It WOULD NOT require unreasonable access to government facilities.

It WOULD protect the liberty of conscience of all people.

It WOULD NOT protect only the liberty of people of a majority faith, or of a minority faith, or of no faith.

WHY DO WE NEED A CONSTITUTIONAL AMENDMENT?

''We have given the courts more than 30 years to get this issue right, and they have persisted in not doing so. Legislative remedies would in all probability be overturned by the present federal judiciary. It is time for the people to give the courts further instructions . . . by the means provided by our founders, namely amending the Constitution. We must . . . constitutionally guarantee the free exercise of public school students and all citizens. We do not ask for, and do not want, government's help in expressing our beliefs or acknowledging our religious heritage. The most and best government can do is guarantee a level playing field and then stay off the field.''

[From Human Events, May 15, 1998]

CONGRESS SOON TO VOTE ON RELIGIOUS FREEDOM AMENDMENT—REFUTING SEVEN ANTI-RFA MYTHS

(By Representative Ernest J. Istook, Jr.)

THE RELIGIOUS FREEDOM AMENDMENT

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

In the first week of June, the U.S. House of Representatives is expected to vote on the Religious Freedom Amendment (RFA), also known as House Joint Resolution (HJ Res) 78. It will be the first time in nearly 28 years that the House has held a vote on a proposed constitutional amendment dealing with voluntary school prayer and religious freedom.

It will correct 36 years of Supreme Court decisions that have warped the original plain and simple meaning of our religious rights under the 1st Amendment to the Constitution. Here is what it will do:

For the first time, our Constitution will mention America's belief in God. Every one of our 50 states has an express reference to God within their state Constitutions. The Religious Freedom Amendment does so for the federal Constitution; it echoes the words in the Declaration of Independence, where our Founding Fathers wrote that our unalienable rights come not from government, but are an endowment from our Creator.

Student-initiated and voluntary prayers could be voiced in public schools, whether in classrooms, school assemblies, graduations, sporting events, or other occasions. Court decisions restrict almost all school prayers; the minor exceptions are usually limited to clubs that gather before or after the school day, and even then only with special controls. The RFA does not permit teachers or any other agent of government to proselytize, or to dictate that any person must join in prayer, or to prescribe what prayer should be said.

The Ten Commandments could again be posted in public schools and other public buildings. The Supreme Court banned the Ten Commandments from school buildings in 1980, but the RFA directs that the people's religious beliefs, heritage and traditions may again be recognized on public property, including schools. (However, the RFA expressly maintains the prohibition on any official religion for America!)

Holiday displays such as Nativity scenes and menorahs, and the singing of Christmas carols, would be protected on public property. The Supreme Court has made it difficult or impossible to recognize special occasions, and the threat of lawsuits has intimidated schools to go even farther than the court has dictated. The RFA fixes this.

Government programs could not use religion as an excuse to deny a benefit. There could be no direct government subsidy to any religion or church, but when government creates a program that furthers other purposes, it could not exclude any group because of their religious affiliation. For example, any government aid to nonpublic schools would have to include families who send their child to a church-affiliated school. As another example, if private drug treatment programs are funded, faith-based drug treatment programs could not be excluded.

Over 150 members of Congress have joined to co-sponsor the Religious Freedom Amendment. Opponents of the left typically resort to smear tactics against it and use hackneyed catch-phrases to try to control the issue and to limit debate.

They attempt to mold the issue by getting the media to use terms such as ''state-sponsored prayer,'' ''official prayer,'' ''religious coercion,'' ''mandatory prayer,'' and the ever-popular (but extremely misunderstood) ''separation of church and state.''

And a small number on the right claim that if we amend the Constitution, we are agreeing that the Supreme Court possessed the power to make the rulings that the RFA will correct.

In typical fashion, the mass media cover the myths about the RFA rather than explore the issue. We who love the Founding Father's concept of religious freedom must respond to these myths with the truth about how our courts have attacked that concept.

MYTH #1: AMENDMENT ISN'T REALLY NEEDED

''We don't need another constitutional amendment because freedom of religion is fully protected under the 1st Amendment, and we have the highest degree of religious liberty anywhere in the world. Students already can pray, and even meet in thousands of school Bible clubs. This new proposal violates the constitutional principle of separation of church and state.''

The issue is not how much religious liberty remains, but instead is how much has been lost. The record shows the Supreme Court had misused the 1st Amendment to attack and limit religion rather than to protect it as the 1st Amendment intended. Prayer and religious speech are being restricted when other speech is not, supposedly as required by this very 1st Amendment!

In 1962, the court struck down not only mandatory and government-composed prayers, but also prayers overlapping with a school activity, even, they said ''when observance on the part of the students is voluntary'' (Engel v. Vitale).

In 1980 the Supreme Court ruled that the Ten Commandments cannot be displayed in public school (Stone v. Graham), reasoning that otherwise the students might ''revere . . . and obey them.''

In 1985 (Wallace v. Jaffree) the court voided a moment of silence law, saying it was unconstitutional because it would have permitted silent prayer.

A 1992 ruling (Lee v. Weisman) said a graduation prayer was unconstitutional, because students shouldn't be asked to respect religious expression.

What we have left is not neutral toward religion. School Bible clubs may exist, to be sure, but they are under restrictions that don't apply to other school clubs. (They cannot meet during school hours, or have an advisor, etc.)

The phrase ''separation of church and state'' doesn't come from the Constitution.

The 1st Amendment was meant simply to affirm that America never should make any faith an official or required religion. ''Separation of church and state'' has been pushed as a substitute, sponsored by those who are intolerant of religion and those who believe in big government. Under their approach, as government expands into more aspects of life, religion must be pushed aside, to assure that ''separation.'' It conveniently also pushes aside the values that religion brings to our lives—values often at odds with big government.

The Chief Justice of the United States, William Rehnquist, pinpointed the problem. Writing in his dissent in Wallace v. Jaffree, Rehnquist wrote that this wrongful use of the term ''separation of church and state'' has caused a ''mischievous diversion of judges from the actual intentions of the drafters of the Bill of Rights. . . . The 'wall of separation between church and State' is a metaphor based on bad history, a metaphor which has proved useless as a guide to judging. It should be frankly and explicitly abandoned.''

MYTH #2: GOVERNMENT WILL DECLARE AN OFFICIAL FAITH

''This allows a government to favor majority religions at the expense of others—to declare an official faith, such as designating us a 'Christian Nation.' ''

The RFA explicitly says otherwise; it does not permit any faith to be given ''official'' status. Moreover, it does not repeal the 1st Amendment (''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof''), but simply corrects its faulty interpretation by the courts.

Some seek to pervert the intent of the Bill of Rights by claiming that it's intended to protect only minorities; the true intent is to protect all of us, minority and majority. But the courts are wrongfully using it to suppress the majority who believe prayer and religious expression are proper in public places.

The Supreme Court has ruled the Constitution does not permit symbols of hate to be banned, such as a Nazi swastika. Yet they say it does require the banning of symbols of love and hope, such as a cross, or a Nativity scene on public property. Government agencies have also banned religious items and symbols from workers' desks, including Christian and non-Christian items, and ''Merry Christmas'' and ''Happy Hannukah'' banners in post offices.

MYTH #3: WON'T WORK IN DIVERSE SOCIETY

''School prayer can't work in today's diverse society. There's no way to decide who would pray, or who would compose the prayer. And it makes a captive audience of students who don't want to hear a prayer.''

This myth is really a way of attacking free speech itself. If nobody can speak unless everyone agrees, then we have censorship, not freedom. It's dangerous to impose silence simply because someone else disagrees.

We don't ask ''How could free speech work?'' because we know that neither the courts nor our government should make that decision for us. The same is true with prayer and other religious speech—individuals and groups can work together however they see fit, so long as they don't compel anyone else to take part. Didn't we all learn in kindergarten about taking turns?

Contrary to what the ''political correctness'' movement seeks, there is no constitutional protection from hearing something we don't like. In schools and public settings, we learn to be tolerant by respecting differing views.

The best model to follow is how we conduct the Pledge of Allegiance. Most students recite it, but some sit silently, and a few even leave the room. The Supreme Court ruled that no student can be compelled to say the Pledge, but those who object are not permitted to silence those who wish to say it.

This is the best model for voluntary school prayer. Students who wish could rotate and take turns just as they do on everything else. It is something simple, just as it was in America's schools for almost 200 years, except that government would not be permitted to select a prayer for students, nor require joining in any prayer.

MYTH #4: HERE COMES THE WITCHES

''Aren't we just inviting cults, witches and Satanists to come into public schools and influence our children?''

This is a scare tactic, because there's no real threat of this type. It never surfaced when school prayer was common, and any such effort would remain exceedingly rare. Would we silence millions of prayers from fear that the privilege would be abused on extremely rare occasions—if even then?

Just as free speech does not give a student the right to interrupt and change topics in class, the RFA does not permit disruptions. It would not require schools to bring in outside groups. Students who belong to highly unpopular groups might indeed want an equal chance to offer a prayer on extremely rare occasions at some school, but this is no reason to censor all prayers across America. It is extremely rare that we hear a truly offensive prayer; it would remain that way .

Those who object strongly may always leave rather than listen to somebody's free speech, but equal treatment does not permit us to silence someone simply because we disagree, even in a public place. We only need to apply normal rules of orderly behavior, just as free speech does not allow someone to yell, ''Fire'' in a crowded theater. Those standards would remain in constitutional law.

Far-fetched versions of this argument claim the amendment would protect animal sacrifice and other hideous practices, which it absolutely would not do. The 1st Amendment yields when necessary to avoid, as the courts express it, ''substantial threat to public safety, peace and order.'' The courts maintain that free exercise of religion is not a license to disregard general laws on behavior, such as those against advocating the violent overthrow of the government, polygamy, the use of illegal drugs, and prostitution. Those types of protections would continue under the Religious Freedom Amendment.

MYTH #5: RELIGION BELONGS ONLY IN THE HOME

''Children should be taught religion at home and church, not at school they have plenty of time and opportunity to pray in other places; they don't need to do so at school.''

The FEA is not about teaching religious doctrine, but about permitting people to keep their faith as a normal part of everyday life. If we have freedom of religion only when we are at home or at church, we do not have true freedom of religion. We would never give up the right to free speech except at home, church, or some other limited places.

This notion also ignores the rights of the majority, who are required to be in school (for the biggest part of their day), yet are forced to leave their normal religious expressions behind while they are there. As Justice Potter Stewart noted in his dissent in Abington v. Schemp (1963), ''a compulsory state educational system so structures a child's life that if religious exercises are held to be an impermissible activity in schools, religion is placed at an artificial and state-created disadvantage. Viewed in this light, permission for such exercises for those who want them is necessary if the schools are truly to be neutral in the matter of religion.'' The real ''captive audience'' is the majority whose right to pray together is being suppressed!

MYTH #6: THIS IS ABOUT MONEY

''This is about money, not about prayer or religion. The federal treasury should not be funding churches and religious groups, or vouchers for church schools.''

The amendment does not permit public funding of actual religious activity. We have a long history, however, of cooperative efforts for the common good, and religious groups have a solid established role, which is now being attacked. Students attending church colleges and universities already qualify for GI Bill benefits and student loans, and they should. The Congressional Research Service reported last year on 51 federal statutes and regulations that disqualify religious organizations or adherents from neutral participation in generalized government programs!

This discrimination needs correction, especially since faith-based charities have a better record of success than most in helping people recover from poverty, drug or alcohol abuse, or other problems.

When the Murrah Federal Building was bombed in Oklahoma City in April 1995, churches suffered some of the heaviest damage. Attorneys for the federal government were ready to deny them the same disaster assistance every other building received. It took congressional action to assure equal and fair treatment for church buildings.

MYTH #7: REAL PROBLEM BUT WRONG SOLUTION

''The problem is real, but the solution is wrong. Let's tell the Supreme Court we don't recognize its authority to make these horrible rulings.''

We are challenged to be an orderly society that believes in honoring the law. Some questions whether we took a wrong turn two hundred years ago, when the Supreme Court became the de facto arbiter of interpreting the Constitution. It's a practical impossibility now to persuade the country otherwise. Yet the people are ready to support a constitutional amendment on school prayer; 36 years of public opinion polls show support from 75% and more of the public.

If we teach our children to ignore what the courts say, then we are not teaching respect for the law; we would be teaching anarchy, whether we thought so or not. Everyone could ignore whatever court rulings they found inconvenient, whether on religion, crime, drugs, or any other issue.

We've tried every other approach, and are left with a constitutional amendment as the only legitimate remedy. Our Founding Fathers foresaw possible problems, and so created a mechanism for amending the Constitution. It was used for an anti-slavery amendment after the Dred Scott decision, and it's the mechanism being followed by the Religious Freedom Amendment.

Some suggest that Article III should be used, and that Congress can and should altogether remove federal court jurisdiction over selected topics. This is not just mistaken; it's dangerous. If Congress can bar the Supreme Court from taking cases in the freedom of religion, they can also be barred from ruling on other issues found in the Constitution and the Bill of Rights: There would be no way to halt an act of Congress that restricted free speech, or freedom to assemble, or the right to keep and bear arms, or the right to be compensated if government takes our property, or the right to a jury trial, or any other constitutional right. Congress would be enabled to amend and attack our constitution rights, and we would have no remedy for it. We already have a problem because courts are usurping authority; this

supposed 'remedy' would enable Congress to unsurp authority.

The Religious Freedom Amendment took nearly three years to draft, building widespread support among people of many faiths, both Christian and non-Christian. It is the product of painstaking and prayerful work. Now it's being assailed by demagogues who prey upon those who aren't informed about what the courts have done, or about how the Religious Freedom Amendment can repair that damage.

One quick way to inform yourself, and your friends, is through the Religious Freedom Amendment website, at religious freedom.house.gov. There, you can find both simple and detailed information, and download handouts to share with others.

Armed with facts and with prayer, supporters of religious freedom can successfully uphold their principles, and build more support for the RFA. It's vital that each and every member of Congress be overwhelmed by citizen's calls and letters, and that newspapers, talk radio and other media be swamped as well.

The American people have never accepted the Supreme Court's extra burdens levied against voluntary school prayer and against religious freedom during the past 36 years. For the first time, an amendment to remedy this has passed a House subcommittee and committee to come to the floor (the 1971 vote occurred only because of a petition by a majority of members of the House).

We have the opportunity of a lifetime, and we must be informed and ready to protect our religious freedom, and to reverse the attacks that threaten it.

VIOLATIONS OF AMERICANS' RIGHTS DURING OUT-OF-CONTROL INVESTIGATIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Michigan (Mr. STUPAK) is recognized for 60 minutes as the designee of the minority leader.

Mr. STUPAK. Mr. Speaker, a couple of weeks ago I came to the floor and I was talking about these investigations going on, and it was quite interesting, hearing my colleague from Oklahoma tonight talking about the First Amendment and morality and prayer and things like that, and he made some very good points. But I hope we apply that same standard, first amendment freedoms and rights and morality, into the investigations, into what is going on here in Washington, D.C.

I could not help but notice last Sunday's ''60 Minutes'' program, Mr. Speaker, in which they had an individual on that program, Sara Hawkins, who was an employee of the Madison Savings & Loan, who was accused of illegally backdating appraisals by coworkers that had entered into a plea bargain with Mr. Starr's office. They came to Mrs. Hawkins, they wanted her to plead guilty to a felony, and she found that she did not do anything wrong, so she refused to do so. In fact, the independent counsel had threatened her.

My concern is that as we are doing these investigations, we are violating individual's first amendment rights, fifth amendment rights, eighth amendment rights, sixth amendment rights, trying to threaten them in doing investigations.

If we take a look at what went on and what has been taking place here in these investigations, they go, if you do not plead to the felony, we could bring charges, as they threatened Ms. Hawkins with, for all 80 counts, which would mean 400 years in jail. Ms. Hawkins said that they told her, you know, you have kids, you do not want them to have to go through a jury trial, you do not want them to go through this. They are making all of these threats.

At the time Ms. Hawkins was the sole supporter of her two daughters and her grandchildren. She had her own business. She earned approximately $100,000 a year.

Word got around. It was reported in the Wall Street Journal and in other publications that she was the target of an investigation in this whole savings and loan situation, but when word got around she was a consultant, that was her business, her business just dried right up. She lost everything, under the threat of an investigation.

In fact, she was working, she is now working part-time. Things were so tight, money was so tight she ended up having to go on food stamps, public assistance, if you will, to support herself. Her daughter that she was supporting, her daughter was going to college and had to drop out because her mother could no longer help her.

So after months and months of threats from the Special Prosecutor's office, they then write her a letter and tell her, we do not have enough evidence to charge you on anything, not the 80 counts, but on anything; and therefore, she thought, she was relieved that her nightmare would be over.

Well, a month later, a month later, they come back, and again, according to Mrs. Hawkins, they said that since she would not cooperate with them, they really wondered then what did she have to hide, and so they started to do some more digging, and they told her that we have come up with some new activity that we think that you may be involved in, criminal activity. We are not going to tell you what it is, but we are going to start the process all over again.

The whole idea of, now we are going to investigate you on something else since you will not cooperate with us, is probably government at its worst.

That is what I am concerned about here tonight and that is why I have taken the floor in the past, and I am here once again this evening. Where have we gone as a Nation that the government, the United States Government is beginning to do investigative tactics that are less than legal, less than moral, less than ethically correct?

In that same program, another one of the tactics used by the Special Prosecutor, Mr. Starr, was that FBI agents showed up at a high school to issue a subpoena to a 16-year-old, a 16-year-old, the son of an individual who was subject to an investigation. Another individual linked to Mr. Starr's office tried to pressure him into making false statements regarding the President. In fact, one individual, Professor Smith, who was a professor at the University of Arkansas and the former president of an Arkansas bank and a business partner of Jim McDougal over 20 years ago he was an aide to then-Governor Bill Clinton, levels an even more serious charge about the operation of the Special Prosecutor, Kenneth Starr. Mr. Smith said, ''They asked me to lie about other people, and they have lied about what they have done.''

In 1985, Mr. Smith pled guilty to a misdemeanor for misusing a loan. He took out a loan and he ended up using it for something other than what it said in there. Mr. Smith pled guilty to the incident and included an agreement to testify against others. That was part of the plea bargain. He was supposed to testify against others in the grand jury.

Well, Mr. Smith has pledged his cooperation with the investigation and the cooperation has begun. But did Starr make it very clear, Starr and his investigators make it clear what they wanted Mr. Smith to say? Instead, Mr. Smith said, again on the program the other night, ''60 Minutes'', he said that ''Oh, they made it very clear what they wanted me to say. They had typed up a script what was purportedly my testimony, and they wanted me to go in and read it to the grand jury,'' and that ''There were things that they were asking me to say that were untrue, things that I had repeatedly told them were not true, things that I told them I had no knowledge about, but yet they typed it up, and that was to be my testimony, and I was to enter it before the grand jury.'' Fortunately, he refused to do it.

But if we take a look at what is going on here, Mr. Speaker, if the government can do this, bring the weight and pressure of the Federal Government, go back and comb 20 years of one's history and find a misdemeanor charge where one might have said something a little wrong; and then one says, okay, I will plead guilty and cooperate, and then they put before someone testimony that they type up and they make up the facts, and the person has to then go before a grand jury and say it is true, not only about yourself, but also about other people, have we crossed that line?

If government, through these investigations, can do this to friends and associates of the President, then can they not do it to me? Can they not do it to the people sitting at home?

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Can they do it to any American citizen? My concern is that, as all Americans, we should be outraged by the actions of the so-called investigations going on here in Washington, D.C.

Unfortunately, these are not investigations, but violations of everything we hold dear as American citizens. Every basic, every fundamental belief and right on which this great country was founded is being trampled by a select few. But it is these few, those who think they are above the law, that are giving Congress and the government a very, very bad name.

This is more than just giving Congress or government a very bad name. This is about privacy, it is about our Constitution, it is about the laws of this Nation. It is about the oath of office. It is about our own word that we as elected officials take every year, every 2 years, when we are sworn in.

If we take the case of the chairman of the Committee on Government Reform and Oversight, the gentleman from Indiana (Mr. BURTON), who has released private, recorded conversations, and these conversations were covered by the Privacy Act, but yet they are released to the news media, the conversations of Mr. Hubbell, his wife, his attorney, and his family, when these tapes were subpoenaed by the Committee on Government Reform and Oversight from the Justice Department, who had access to them, the committee and the gentleman from Indiana (Mr. BURTON) were warned.

He was allowed access to them, but he was warned not to release them, because they had very sensitive information. But because of his position as a Member of Congress, as the chairman of the Committee on Government Reform and Oversight, and because Congress is not subject to the Privacy Act, he had the right to release these tapes?

The gentleman from Indiana (Mr. BURTON) was warned by the Justice Department that Mr. Hubbell had a right to privacy that was protected, and that the gentleman from Indiana and his committee should safeguard these tapes against any improper disclosure. Still, as a Member of Congress, they put themselves above the law. They have purposely released these tapes.

Now we have learned in the past week or so that to make them sound even more incriminating, a word or two may have been altered or changed to make them sound more incriminating.

Does not one's oath of office, does not the Constitution of the United States, does not the Bill of Rights, does not the Privacy Act, does not human decency mean anything anymore in this country? Since when is it okay for a Member of Congress to trample on the rights of an individual? I submit, Mr. Speaker, whether we agree or disagree with that individual, no one has the right to violate another individual's rights in such a purposeful manner.

Mr. Speaker, the rule of law applies to everyone. No one should be held above the law. No one should be held beneath or below the law. This government cannot pick and choose whether or when it will follow the law. The laws of this Nation mean that everyone must follow the law, everyone, but especially Members of Congress.

When those of us who are elected officials sit by and allow a chairman or any Member of this Congress to openly ignore the law, then we are not worthy of holding the high office to which we are elected. That is why I came down to the floor a couple of weeks ago, and I am here again tonight, and have been doing special orders and one-minutes; that we as Members, or the gentleman from Indiana (Mr. BURTON) as the chairman, cannot place ourselves above the law or beyond the rule of law.

I must ask, Mr. Speaker, who is the next target? Where is the morality of the law that the last group spoke of? Where is the law? Why do the American people tolerate such an invasion of their privacy? Mr. Speaker, in this case, and particularly with the Committee on Government Reform and Oversight, look at what happened. This is no different from Ms. Hawkins, from the 16-year-old who was subpoenaed.

On March 19, if we just go back and look in the last 2 months, on March l9th the Wall Street Journal wrote an article that excerpted pieces of tapes of the conversations between Mr. Hubbell that were rather private and sensitive. The chairman, the gentleman from Indiana (Mr. BURTON), was trying to force Webb Hubbell, once again trying to pressure people to testify before the committee. So to get him to testify, because he refused to, you start leaking information. He was trying to intimidate Mr. Hubbell into testifying; not whether it was the truth, not whether it is appropriate, but to testify.

Does it not really sound familiar, like the Hawkins case we saw on ''60 Minutes,'' or Professor Smith, who was threatened with a misdemeanor some 20 years ago?

Then they go further. That was March 19. Take the May edition of the American Spectator. We all know the owner of that magazine is not a real big fan of the President, who ran an article with the information from the tapes. Where does he get the information from the tapes if it is protected underneath the Privacy Act?

The gentleman from California (Mr. WAXMAN), the ranking member of that committee, he wrote to the gentleman from Indiana (Mr. BURTON) and asked him to stop leaking the tapes on March 20, 1998. The gentleman from Indiana (Mr. BURTON) writes back and says, I have not leaked any tapes; and plus, even if I did, I had unanimous consent to insert the tapes in the CONGRESSIONAL RECORD; therefore, they are public record.

The gentleman from California (Mr. WAXMAN) and his staff went back and checked, and there was no unanimous consent in the record. He wrote back on April 2. The gentleman from Indiana (Mr. BURTON) informs the gentleman from California (Mr. WAXMAN) of his decision that, okay, I got caught on that one, there is no unanimous consent; I am still going to release these tapes, and I am doing it.

April 14th. The gentleman from California (Mr. WAXMAN) requested that the gentleman from Indiana (Mr. BURTON) immediately convene a working group to determine whether the document should be released. The gentleman from Indiana (Mr. BURTON) answered he would not convene the working group, he was going to release the tapes anyway, and he did. Now we know that words have been substituted, things have been changed. We really have to ask, who is next?

Mr. Speaker, prior to coming to Congress I was a police officer for some 12 years, a city police officer and a Michigan State Police trooper. I was injured in the line of duty and medically retired. One of the last cases I worked on, finalized, and actually went to court on, was the criminal investigation of someone in the city and State legislature.

We did not leak information to do our case. We did not violate her rights. We did not invade her privacy. We did not threaten her unjustly, but only treated her with humaneness and respect. We did our job in a professional, courteous manner. We did not run to the Michigan legislature and ask one party or the other party to release the investigation. We convicted her, and the case went to the Michigan supreme court. The conviction was upheld.

I did my investigation. We did honor to the law. We did it without violating people's rights. We did our investigation within the bounds of the law, not outside the bounds of the law.

Today, we had three pieces of legislation to honor law enforcement officers, because this is Law Enforcement Officers Memorial Week. We honored those who gave their lives in the line of duty, upholding the law. After all, we are a Nation founded on law, right? This Nation requires us to have faith and confidence in the judicial system and a belief that justice will be served.

That is why I am really profoundly troubled and, quite honestly, angered by the way the chairman of the Committee on Government Reform and Oversight has handled this investigation of campaign finance reform. I am disturbed about released, doctored tapes. It has involved name-calling of the President of the United States, and a disregard for procedures, criminal procedures, civil procedures, legal procedures that bind every law enforcement agency and every law enforcement officer. And the Privacy Act binds the Attorney General, it binds Ken Starr, but apparently it does not apply to Members of the House of Representatives, and certainly not the chairman of that committee.

It is sad and unfortunate, Mr. Speaker, that we find ourselves in the way that we are disgracing not only our institution, but we are failing to maintain the high standards that we should be setting.

Mr. Speaker, the threat of the gentleman from Indiana (Mr. BURTON) of the Hubbells is wrong; threats to subpoena people, to drag them in, to make them subject to an investigation, to subpoena sons of people who are subject to investigation, that is way outside the law. It is outside common decency. It is contrary to what people, we who are in government, should stand for. I would hope, Mr. Speaker, that the Justice Department will intervene here and protect the rights to privacy afforded all citizens.

My fear is that with the majority party, with all these investigations in Washington, D.C., from the gentleman from Indiana (Mr. BURTON) to Special Prosecutor Ken Starr, each and every day Americans are having their rights violated under the guise of an investigation. The joke around here, quite honestly, Mr. Speaker, is, have you received your subpoena today? And since I have been speaking out, I may very well receive a subpoena about something I should have known or must have known.

But when we use a prosecutor, a grand jury, the subpoena power of the grand jury, as a substitute for professional law enforcement investigation, then we have gone overboard, Mr. Speaker.

There are over 70 FBI agents working with the Starr investigation. Yet, they do not have contact with witnesses; instead, they are subpoenaed. What is the cost? What is the humiliation? What is the reputation? As Ms. Hawkins said, I had a $100,000-a-year position, was supporting my two kids, my two grandchildren. I am on food stamps today. No one trusts me. They have taken my good name and my integrity. They have humiliated me.

When is a mother forced to testify under subpoena about her daughter, or about facts that are untrue, like Professor Smith? When someone leaves a message on a telephone answering machine and then the caller is subpoenaed for expressing an opinion, have we gone too far? Has Big Brother taken over? What are we doing here? Where is the privacy? Under what authority or what right does government have to do these things? Why are agents, special prosecutors, chairmen of committees, Members of Congress, why do they believe they do not have to follow the law?

Whether you are a Democrat or a Republican, a liberal, conservative, Independent, if you are an American you really have to be outraged at the abuses of the power recently displayed in the name of investigations.

I do not personally know the parties involved who may or may not have been subpoenaed, who may or may not have told the truth, who may or may not be guilty or innocent. That is for judges and juries. But I do know that I believe, as an American citizen, I have certain rights that not even Congress can take away, not even a Member of Congress can violate.

As a human being, there is a certain decency, a kindness, a dignity, a respect that people should afford one another. These are the so-called inalienable rights we all enjoy. That is what we should be honoring here during Law Enforcement Officers Memorial Week. We should be honoring those who uphold rights, not be here on the floor talking about big government affecting the rights of every individual.

Who is next, Mr. Speaker? Is it I? Is it my colleagues who may join me here tonight? Is it the folks listening at home? I hope all Americans look at this and not pass judgment, but look at it and say, where have we gone? Where have we led ourselves, in this crazy political world, to try to get the other side? We have trampled the privacy law, we have trampled the Constitution, we have trampled the Bill of Rights. When does all this stop? Who is next?

I think it is time for government to step back. If I can use the Speaker's words, the gentleman from Georgia (Mr. GINGRICH), when we first started this, he asked everybody to step back and let the facts come out. Maybe we ought to step back from this dangerous precipice we are on of violating peoples' rights in the name of investigations. We have gone too far.

As a law enforcement officer, I never would have lasted in the department if I conducted investigations like this. Why, because I am a Member of Congress, do I have some special rights that I can violate, knowingly, intentionally violate, peoples' rights?

Mr. Speaker, I see my colleague, the gentleman from Maine (Mr. ALLEN) is here, the first one here. I would be happy to yield to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding to me. I do not come here tonight with any enthusiasm. I am a member of the Committee on Government Reform and Oversight, and I have to say, it has been a discouraging year-and-a-half on that committee.

There are matters here that need to be investigated and fully investigated, but it is clear to me that the committee has failed to conduct a professional and competent investigation under Chairman BURTON's leadership.

I have heard the chair and other members of the majority party say that there are Democrats who are stonewalling, who are trying to prevent the committee from getting at the truth. They point to the fact that a couple of weeks ago all of us Democrats on the committee voted against granting immunity for several witnesses. I want to talk about that tonight, because there were good reasons for us to vote against immunity a couple of weeks ago, and there are very good reasons why I expect we will do the same tomorrow.

Last fall the same issue came before our committee. Every single Democrat voted for immunity for several witnesses that were coming before us. We voted for immunity in the past, and we certainly will again. But we had a problem last fall. Here is the problem. One of the witnesses came forward and testified to certain violations of immigration and tax laws, and we did not know that he was going to testify about that subject matter. We did not know that he had potential criminal liability in those particular areas. But because we had granted, the committee had granted, full immunity to that person, he can now go scot-free on charges that might have been brought.

□ 2145

That is the problem. What happened? The Republican majority did not ask for a proffer of testimony. That is what every good prosecutor would do. Before we are going to grant immunity, we need a written statement of just what your testimony will be and then we will grant you immunity that will cover the subject matter of that testimony and not go beyond it.

Two weeks ago, Chairman BURTON asked for the committee to grant full immunity for additional witnesses. Well, as far as we are concerned, once burned, twice shy. Democrats asked him, have you secured a proffer of the testimony of those witnesses? And the chairman said, no, we do not have a proffer, no statement of expected testimony. As I said, every good prosecutor would get a proffer, but in this case there was none.

Now, we are not going down that road again. I believe the Democrats on this committee will grant immunity in the future as we have in the past, but first this committee has got to clean up its act. Once we have a fair proceeding, once we have a professional investigation, the chair will get full cooperation again.

I have to say that the comments from the newspapers around the country are uniform. We are seeing the same thing all around the country. This is a quotation from USA Today: ''Republican leaders will only compound the impression of partisanship if they fail to turn the fund-raising over to a committee with a less biased leader.''

It is unfortunate that that is the case. I think back to when we started this investigation and we said, we objected as Democrats to rules of procedure that gave this chairman more power than had ever been given to any chair of any committee in the House of Representatives in its history; that is, the chair of this committee has complete power to subpoena any documents he wants, to depose any witnesses he wants and to release any information he wants, all without a committee vote and without the consent of the minority. And since the Republicans have a majority on this committee, we know that if they are unified, they can vote to do all that. But at least they would air the issues before they go out.

Mr. STUPAK. Mr. Speaker, Chairman BURTON, is he not the first chairman in congressional history to have the power to unilaterally issue subpoenas and release confidential information?

Mr. ALLEN. That is my understanding. Never before, that in the past the rule has been that before you can subpoena that information or before you could release information which is gathered in the course of a committee investigation, you would need either the consent of the minority or you would have to bring the matter to committee for a committee vote. The majority, as I said, they have more members on the committee. Because they are the majority, they can carry the day. But what is missing when you bypass that procedure is you do not get a chance to air the issues. That is the healthy way to conduct an investigation. That is the way to make it have the flavor of a bipartisan investigation, which this one really does not.

Mr. STUPAK. It is my understanding that, I am not on that committee, it is my understanding that there have been 1,049 subpoenas issued in this case, and of those 1,049 subpoenas, 1,037 were unilaterally issued by Chairman BURTON without permission or consulting the committee. So that leaves only 12 subpoenas that have been issued by the committee in a bipartisan manner. The other 1,037 have been unilaterally thrown out there to see who can get in this big dragnet.

I was always taught, you investigate before you subpoena; you do not subpoena, then begin the investigation. One Member was telling me from California that one of these subpoenas landed on one of his friends. He has spent $100,000 trying to collect information, trying to consult with attorneys. And he is just distressed. He has spent $100,000 trying to comply with this all-encompassing subpoena, and they do not even know if they have good reason to be subject to this subpoena, but if you do not, you get dragged in in front of these hearings, government reform, or the Ken Starr investigation, and there you go. Your reputation, your business, your humility, everything is just stripped away from you, not to mention the financial impact.

I appreciate the gentleman coming down and sharing some input on this government reform.

Mrs. MALONEY of New York. Mr. Speaker, if the gentleman will continue to yield, Chairman BURTON not only has issued the 1,037 unilateral subpoenas, he has also issued unilateral subpoena power that is so incredibly one-sided. It only attacks Democrats. He issued 551 document subpoenas, and all but 9 have gone to Democratic affiliated persons or entities.

The Democratic National Committee alone has received 17 separate document subpoenas, many of which were designed to uncover the Democratic Party's campaign strategy and policy decisions. Along with other members of the committee, we have written the chairman to investigate allegations against some Republican donors. Let us be evenhanded. There has been wrongdoing on both sides of the aisle. But all of the attention has been so partisan, so one-sided that it has really destroyed all credibility. On the Senate side, there was an effort for a bipartisan investigation. It was a far more credible investigation.

Mr. STUPAK. Did not the Senate basically go over the same ground during their investigation?

Mrs. MALONEY of New York. It is very repetitive. Everything is repetitive.

Mr. STUPAK. So we are having a repeat of the same thing with a different twist with a chairman who has unilateral subpoena power who is just all over the place.

Mr. ALLEN. Mr. Speaker, if the gentleman will continue to yield, I was just noticing a quotation that was in the Wall Street Journal, April 10, 1997, a year ago, just over a year ago, a column by Al Hunt. Here is the quotation:

> Mr. BURTON has little regard for fairness. The biggest losers will be taxpayers. The Burton-led circus could cost between $6 million and $12 million.

That was over one year ago. Mr. Hunt's words have stood the test of time. As I understand the word now, we are now past the $6 million, headed toward $12 million and the gentlewoman from New York is right. One of the problems with this investigation is that it is so duplicative. We have done this in the Senate side. The Senate, for a mere, a mere $3 million of the taxpayers' money, has gone ahead and held 33 days of hearings and produced an 1100 page report. I quarrel with that report because it did not deal with campaign finance reform at all, but still they completed the investigation within one year. Here we are pushing $6 million, and we have had 13 days of hearings. And we have got no report to show for it, and the whole investigation is discredited.

Mr. STUPAK. Many times in my town hall meetings and in correspondence from constituents, we talk about these investigations. I have always felt and one of my answers is, when you start having, those of us who are elected officials, politicians, if you will, investigating other politicians, what do you get? More politics. That is exactly what USA Today is saying, Republican leaders will only compound the impression of partisanship if they fail to turn the fund-raising over to a committee with a less biased leader. That is May 6, 1998. New York Times, right over here, Friday, May 8, 1998, the Dan Burton Problem, by now even Representative DAN BURTON ought to recognize that he has become an impediment to a serious investigation of the 1996 campaign finance scandals. Or take the editorial page by the the gentleman from Wisconsin (Mr. BARRETT), Our Opinion, BURTON unfit to lead Clinton probe. It is no wonder that even some Republicans want BURTON replaced.

You start these things and they are driven by politics. Then you have the heavy-handedness of government. Where do we stop this? I think we have to step back. Government has just gone too far here. I am not here defending the guilt or innocence of anyone. This has just gone crazy when we subpoena people before we even know what the investigation is about. I was always taught you are supposed to think before you speak. I wish we would not investigate before we subpoena.

Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. BARRETT).

Mr. BARRETT of Wisconsin. Mr. Speaker, I appreciate the opportunity to be here with my friend from Maine and and my friend from New York and my friend from Michigan. There are a lot of places I would rather be tonight than right here. This is not exactly my idea of a good time. I think for all of us we ran for and were elected to Congress because we want to deal with the problems that concern our constituents: education, child care, health care, fighting drugs. But the gentleman from Maine (Mr. ALLEN), the gentlewoman from New York (Mrs. MALONEY) and I all serve on the Committee on Government Reform and Oversight so we have sat through these hearings for the last year and a half, and we know what is going on. It has not been a happy year and half for us, but we recognize that we are in the minority. We recognize that it is the Republicans that control the agenda here.

So I think for probably a year our cries of foul have fallen on deaf ears because it is not unusual for minority members to complain about treatment by the Republicans or by the majority party. But I think that the events in the last several weeks have now revealed to the American people exactly what is going on. And what I would like to do is take a couple minutes and go through a few of the editorials that have come from newspapers around the country, and the reason I think it is important to do that is because if I were someone sitting at home tonight and I were watching four Democrats, I would say, those are just Democrats complaining. But what we saw, going back, as Mr. ALLEN indicated, to last October, when every Democrat on the Committee on Government Reform and Oversight did vote for immunity for three separate individuals, unanimously we voted for immunity, what did we find out, we found out that the majority staff had not done its homework, and we had given legal immunity to a person who probably did not deserve it.

I think people have to understand what a vote for immunity is. We have many, many votes here in the House of Representatives. Some votes are important; some votes are not very important. A vote for immunity is a very important vote. That was the first time in my career that I had ever voted to give someone legal immunity. What that meant was that any crimes that

that person may have committed that basically were coming before our committee, that they would be excused of. That is a pretty heavy excuse or a pretty heavy price to pay to give someone the opportunity to testify before a committee. So it was not with a lot of enthusiasm that we take that step. It is actually, I think, a vote that probably makes most people nervous, if you are voting to give someone immunity, because it can blow up in your face. But we did that. We did that to act in good faith with the majority. But then we find out that that was something that should not have been done.

But it was really the events in the last month which were the straws that broke this camel's back in terms of convincing me that this was no longer even an attempt to try to have a fair investigation. The comments that Mr. BURTON made to his home newspaper, comments that I will not even repeat in public, that I would be embarrassed to say. In fact, I think Mrs. MALONEY indicated that if her children had used those comments, she would have washed their mouth out with soap, and that probably would be the same thing that would have happened to me as a child if I had used the phrase that he used.

Then he went on to say that he was out to get the President. Now, when you have a chairman of a committee say that he is out to get the President and slurs the President, that does not increase your confidence that this is an attempt to be a fair committee.

But then we saw the release of the Hubbell tapes and we saw the editing of those tapes. Again, I think what that did was that showed anybody who was looking at this that this was a circus, this was not an attempt to be fair at all, and that if we were going to try to be fair, we would have to take a step back and have someone new run this investigation. I want to go through some of these editorials, but before I do that, Mrs. Maloney has a statement she wants to make.

Mrs. MALONEY of New York. Mr. Speaker, I thank my colleague for continuing to yield to me. I would like to speak to the Speaker and my colleagues and really say that I really have not seen an investigation meltdown like this one since I watched Inspector Clousseau look for the Pink Panther. Of course, what all of us are talking about is the House Committee on Government Reform and Oversight's alleged investigation.

Three of us serve on this committee, and they are looking into the alleged fund-raising abuses in the 1996 campaigns. Many of us are beginning to believe that the investigation which would yield more results would be one that would focus on the people or the person in charge. The antics of the chairman have reduced this probe to a series of bulbles and blotches and embarrassments.

Six hundred subpoenas have been issued without the consent of the full committee. This is the first time this has happened since the McCarthy era. The committee has spent $6 million to hold just 6 hearings so far. The Senate investigation ran for days on just over half that cost. Then just in case those numbers were not incriminating enough, the name calling began that my colleague, the gentleman from Wisconsin (Mr. BARRETT) just referred to.

Now tapes are being doctored. The lead investigator has been forced to step down. We have all been labeled squealing pigs, and we are all on the Sunday morning talk shows. What is next? Oprah, Jerry Springer? When they start throwing chairs in the committee, I think we are going to all try to get off that committee.

But in all seriousness, the only chair that should move is that chair which is controlling the so-called probe, the one that is occupied by Mr. DAN BURTON.

The committee is no longer credible. It can no longer move forward under the leadership of the current chair. This is no longer a partisan request. Even the Speaker of this House has indicated that some of Mr. BURTON's actions have been an embarrassment to him.

□ 2200

When I looked outside the Beltway and into the pages of my hometown newspaper, The New York Times, it wrote, after the release of the edited tapes of personal conversations between Webb Hubbell and his wife, and I quote, and there is a part of it right here from my hometown newspaper,

> By now, even Representative Dan Burton ought to recognize that he has become an impediment to a serious investigation of the 1996 campaign finance scandals. If the House inquiry is to be responsible, someone else on Mr. Burton's committee should run it. Coming on the heels of an impolitic remark of Mr. Burton about the President 2 weeks ago, the tapes fiasco is forcing House Republicans to confront two blunders. The first was to entrust the investigation of campaign finance abuses to Mr. Burton; the second was to give him unilateral power to release confidential information.

In the past 16 days more than 50 editorials and columns have been written in papers printed everywhere from Washington, D.C., to Omaha, Nebraska, to Tacoma, Washington, questioning whether Mr. BURTON should continue in this position and taking him to task for his tasks in this supposed probe.

This is not a Beltway sentiment, this is not a partisan sentiment, it is a sentiment that is shared across this country and across party lines.

I truly believe that there are skeletons in the closets of both sides of the aisle and that the real solution is reform. And many of us on both sides of the aisle are working toward that. In the meantime, we need to move forward with a fair, bipartisan investigation.

It is appropriate that the lead investigator step down. It is now appropriate that this should be terminated or sent back to the Senate, which was able to have a more reasoned, sensible hand in the investigation. It just cannot continue the way it has. It has really been an embarrassment not only to Mr. BURTON and the Republicans, but I believe to this entire body.

Mr. ALLEN. I have one closing comment for myself and that is this: The power, the investigatory power of this House, is so broad, so powerful, so important that it has got to be handled carefully. It has got to be handled in a way that does not deteriorate into partisan bickering.

As those of my colleagues who are on the Committee on Government Reform and Oversight with me understand, we continue to slide down. And I think that the only way to pull this investigation back, to get it on track and bring it to a sensible conclusion is to make a change in leadership; and I say that with regret. But it seems to me that it is very important for the health of our democracy and for our ability to function in this House.

This investigation is out of control. On the one hand, it seems no longer to respect people's rights of privacy; on the other, it seems to be wasting taxpayers' money. I think that the fundamental flaw, the thing that went wrong from the beginning, was the sense that it could be run by one party against the other.

Whatever the numbers are, whether we look at the numbers of documents subpoenaed, the number of witnesses deposed or the targets of the document requests that have been issued by subpoena, they are 98 percent to 99 percent to Democratic targets.

We know that both sides have violated the campaign laws. Both sides should be investigated in an efficient, responsible way. And at the end of the day, what we should draw from this is the determination that we are going to change this system; that we are going to contain the influence of money and politics and we are going to step forward and get back to the people's business that the gentleman from Wisconsin (Mr. BARRETT) was referring to, the education, the health care, the Social Security, all of those issues that really brought us to this House in the first place.

So it is with some sadness that I say that it seems to me we need to get this investigation back on track, and that means a change in leadership, a change in direction, and get back to the business of this House of Representatives.

Mr. STUPAK. Mr. Speaker, I thank the gentleman for coming out and joining us tonight, and the gentlewoman from New York (Mrs. MALONEY) and the gentleman from Wisconsin (Mr. BARRETT), and we will continue this, but the point the gentleman is making, whether it is this democracy, this House of Representatives, this government, we cannot pick and choose when we are going to follow the law.

The laws are there. The laws of this Nation mean everyone must follow this law. ''Everyone'' includes especially us.

We are sworn to uphold the law when we take the oath of office, especially Members of Congress.

So when those of us who are elected officials, if we just sit by and allow the chairman of this committee, or any other member, to openly ignore the law and we do not speak out, then we certainly are not doing our job as elected representatives in trying to uphold the principles of this democracy.

As the gentleman from Maine said, there are problems on both sides, but it does not give one side the right to violate the rights of individuals. Whether we like that individual, agree with that individual, or not, no one has that right. And I am pleased that my colleagues here tonight have spoken out with me.

I yield to the gentleman from Wisconsin (Mr. BARRETT), who has been patiently waiting.

Mr. BARRETT of Wisconsin. I thank the gentleman, Mr. Speaker, and a point I want to make here that might be sort of unusual for a politician to make, as a partisan, as a Democrat, frankly, probably the best thing in the world would be to have DAN BURTON remain as chair of this committee, if the only thing we were interested in was to make the Republicans look bad.

Because I think, as this editorial from my hometown newspaper points out, this is from the Milwaukee Journal Sentinel, Saturday May 9th, ''Our opinion: Burton unfit to lead Clinton probe. It is no wonder that even some Republicans want Burton replaced.''

If we wanted to just center it on the difficulties that our colleagues on the Republican side were having, we would just say, keep him in that chair, let him continue that investigation, because there is no credibility. I have said that for months. This committee has no credibility.

But I think this is an issue where we have to go beyond our party identification and say, this is a waste of money to have this person run this investigation. We have spent literally millions of dollars on this investigation and it simply does not have any credibility.

I want us to have a fair investigation. I think that there have been problems. I think that there have been problems on both sides of the aisle, and I think there is a duty for us to investigate those.

Again, I am very cognizant of the fact that many people say, well, they are just a bunch of Democrats complaining. But I want to read from a couple of editorials. These are all editorials from the last week, and they are from all different parts of the country.

The Pittsburgh Post Gazette, ''Tale of the Tapes. Representative Dan Burton brings a serious inquiry into disrepute,'' from May 8, 1998. This refers to the apology that Mr. BURTON made to his fellow Republicans and that the Speaker made to the Republicans as well. ''In apologizing to House Republicans for his mistakes, Representative Burton should have also apologized to the American people. It is they who lose the most by having an important inquiry turned into a circus.''

From Roll Call, which is a very respected newspaper right here on Capitol Hill, the title of the editorial, ''Out of Control,'' May 7th, 1998. ''So at long last, House Speaker Newt Gingrich realizes that Dan Burton is an embarrassment to House Republicans.'' The editorial goes on to state. ''Removing Burton as chairman might ease GOP embarrassment, but Gingrich also needs to watch his own rhetoric lest he too become an embarrassment.''

From the San Antonio Express News, May 6, 1998. ''Burton bumbles in bad faith. Burton's antics as chairman of the House Government Reform and Oversight Committee have stripped credibility from the panel's probe.'' The editorial goes on to state: ''Burton's release of the doctored transcripts was a partisan cheap shot, not full disclosure in the name of justice. Clearly, Americans cannot rely on a Burton-led probe to produce the whole truth. Republican House leaders should replace him immediately.''

There are several more, if I could continue here. From the USA Today, May 6, 1998, ''GOP Stumbles, White House Stonewalls. The distorted record gave proof that the GOP committee leader was engaged in a partisan vendetta. Burton was rightly chastised for his indecent tape-editing. Republican leaders will only compound the impression of partisanship if they fail to turn the fund-raising over to a committee with a less biased leader.''

That editorial was also critical of the Democrats, I should add.

The fifth one, from the Allentown Morning Call, May 5, 1998, ''Congressman Plays Dirty with Tapes. The current clumsiness of the likes of Representative Dan Burton,'' the editorial then goes on to say, ''isn't very persuasive that a dispassionate search for the truth is all anybody really wants.''

The Omaha World Herald, May 5, 1998, ''Republican ineptitude in the United States House of Representatives makes it harder to be confident that the public will ever know the truth about the White House scandals. Serious allegations ought to be treated with more professionalism than Burton has shown. The harm done by Burton's earlier appearance of vindictiveness may become difficult to undo.''

And finally, from the Tacoma Washington News Tribune, ''Transcript Release Unfair, Partisan,'' May 5, 1998. ''Burton says he condensed the transcripts to make these easily understandable and to protect Hubbell's privacy, but these claims do not pass the straight-face test. Somehow he has further undermined public confidence in Congress' ability to conduct credible investigations.''

There are problems, and I think that we have acknowledged that, and there are concerns with Democratic fund-raising, but there are also concerns with Republican fund-raising. I am embarrassed by the amount of money that is in politics, but to argue that somehow the Democrats have raised their money from assorted sources while the Republicans have raised all their money from widows and orphans just defies logic. And I do not think there is an American listening to this who believes that.

The difficulty is that we have to have a fair investigation. That is what the American people want. They want a fair investigation, and we are not getting a fair investigation under Chairman BURTON.

So we can continue. We can continue down the road we have gone for the last year-and-a-half and we will continue to have problems.

I am not interested in granting immunity if I think that all we are doing is continuing a partisan witch-hunt. I will vote for immunity if I think that there is going to be a fair investigation. But that is not what I see happening, and I do not see any signs under Chairman BURTON's leadership that that is going to change, and that does not make me happy.

As I said earlier, there are many things I would rather be doing. I would rather be working on the issues that the people in my district sent me here for.

I have three small kids at home. I would much rather be home with them than standing here late at night in Washington, D.C.

But this is an important issue and it is important for us to let the American people know what the complaints are that we have with the process.

Mr. STUPAK. Mr. Speaker, I thank the gentleman for coming down. I know a week or two ago when we did this, he also came down, and I appreciate his insight on the Committee on Government Reform and Oversight.

I find it ironic that some of these laws we have spoken of tonight, especially the Privacy Act, that Mr. BURTON and others were warned that there was sensitive information and that it should not be released. Under that Privacy Act, if that same information, those tapes, were released by the Attorney General or Ken Starr, they could have been prosecuted under the Privacy Act. But because Mr. BURTON is a Member of Congress, and we are exempt from that law, he goes ahead and releases them and, under the debate clause of the rules and the Constitution, he is protected from any kind of criminal prosecution.

I find it ironic that we, the government, pass laws, but that we, the government, choose not to live by them and we apply these standards differently as we proceed through these investigations. The laws of the land must apply to everyone, especially Members of Congress.

Mr. BURTON had an opportunity here, and it is sad to say it has not panned out well, and it brings disrespect to all of us in this House. So I really do hope

that the Speaker considers removing him or putting someone else in charge.

As the gentleman said, let us have a fair investigation. Let us look at both sides. There are problems on both sides. I think we would all acknowledge that. But when we start subpoenaing people before we even know what we are investigating, I just think we have it backwards.

As I said earlier, I have always been taught to try to think before I speak. When I was in law enforcement, we always investigated before we issued subpoenas. Unfortunately, here we are issuing subpoenaes, unfortunately 1,047 of them, and we do not even know what we are searching for or what we are going after.

And all we are doing is pressuring people and stripping them of their integrity, their reputation and their pride, and spending a lot of money to fight subpoenas when they have nothing to do with these investigations. The Senate has already investigated all this and submitted their report, but yet we keep going on and on and on.

Again, that is why I guess I have always said that when there are politicians investigating politicians that just gets us into more politics. We have, unfortunately, lost sight here of the integrity of the investigation, the faith in our laws as a Nation, that all citizens should have faith and confidence in our judicial system and a belief that justice will be served.

Unfortunately, I cannot say that about this campaign investigation that is going on in the House of Representatives.

□ 2215

I know at times I hope folks back home are not saying we are just a bunch of Democrats up here trying to protect this person or that person. That is not the issue here. The issue is have we gone too far in giving one Member of Congress such an awesome power to subpoena people. Have we given Congress or a chairman or individual Members an exception to the Privacy Act where they can disclose private conversations of people, and then we find that certain words were doctored or altered to make it sound even more incriminating and where are we going? And if we can do this, if this committee and subpoenas can be friends of the President or Democratic fund-raisers, what is then not to say we will do all blond-haired people tomorrow and do the same kind of treatment to them underneath the guise of an investigation?

I just think we have gone too far. And having been in law enforcement all those years as I was, I just find it quite repulsive that we would do this. And without more people speaking up, I am glad to see some of those newspaper articles and editorials are paying attention, I hope Members of Congress are, and somehow we do something, not just with these investigations that we have here in the House that have gone so one-sided and lopsided, but also with the special prosecutor statute.

This has been going on now for, what, 6 years and $45 to $50 million and we are still in the investigative stage where, as I mentioned the other night, a 16-year-old son of an individual was subpoenaed by FBI agents at his school. I mean, how does his son go back to school the next day?

We have gone overboard in this whole thing. And if we are worried about Big Brother and big government watching us before, with the abuses we have seen in these investigations from Ken Starr to the gentleman from Indiana (Mr. BURTON), where is government going to show up tomorrow?

It is not a good day, not a good day at all. I thank the gentleman from Wisconsin (Mr. BARRETT) for joining us here tonight and I appreciate his input. And I know I am going to continue to speak out on these abuses. I think, as I said before this evening, if we do not, those of us who are elected to uphold the law, then I think we fail in our duties as elected representatives in the democracy.

Mr. BARRETT of Wisconsin. In the spirit of fair play, my friend, the gentleman from Georgia (Mr. KINGSTON) is here and he indicated he wanted to put in his word on the other side. So I am more than happy to yield to the gentleman.

Mr. KINGSTON. Mr. Speaker, let me ask my friends; They all have been kind of bashing the style, not the person, but the style of our friend the gentleman from Indiana (Mr. BURTON) who we all know to be a man of integrity and of honor. But they mentioned the rules about putting Congress under the same laws as the private sector.

Did my colleagues vote for that rule, which was, as my colleagues know, a Republican rule and generally passed on a partisan vote? Did they leave their side of the aisle and vote with the Republicans to make that a reality on the first day of Congress in 1995?

Mr. BARRETT of Wisconsin. Yes, I did. In fact, I was a cosponsor of that bill to have the laws that apply to the private sector also apply to Congress.

Mr. STUPAK. And the same for me.

Mr. KINGSTON. I am glad to see that.

Would my colleagues urge their Democrat colleagues, the 19 who will not vote for immunity for the key witnesses, in order to get around this partisanship, in order to get on with the investigation, would my colleagues urge their Democrat colleagues to vote for immunity, the ones that the Democrat Department of Justice have given and granted immunity to?

Mr. BARRETT of Wisconsin. I am one of those 19 that did not vote for it. And I will not vote for immunity tomorrow because I do not believe this is an attempt to find truth. I do not think this is a fair investigation.

Mr. KINGSTON. If the gentleman would further yield, one of those witnesses is a guy named Kent La, who, as my colleagues probably know, is an associate of Ted Sioeng, who is a business operative with the Red Pagoda Mountain Tobacco Company, which, as my colleagues know, is the third largest selling cigarette in the entire world and it is Communist-owned, and it gave $400,000 to the Democrat National Committee.

Do my colleagues not think that it is important to hear from Kent La on why would a Communist-owned cigarette company give $400,000 to the Democrat Committee?

Mr. BARRETT of Wisconsin. Reclaiming my time, I do not know what the gentleman would be testifying to; and that is part of the problem we have had in the committee. We have given immunity to an individual earlier. He came in. There was no proffer of his testimony. He gave testimony that was different than what the committee expected.

So, again my point is, under the leadership of the gentleman from Indiana (Mr. BURTON), this committee does not have credibility.

Mr. STUPAK. Mr. Speaker, reclaiming my original time, let me answer that quickly if I may.

My problem with this is, the way my colleague phrased his question is, because this person was an associate and there was a business operative and there is a Communist cigarette, he just made three assumptions there.

My answer would be, send the FBI agents out. Check with this individual. If there is a need to bring him before a committee and need to subpoena him, then do their investigation before they subpoena.

CAMPAIGN FINANCE INVESTIGATIONS

The SPEAKER pro tempore (Mr. BURR of North Carolina). Under the Speaker's announced policy of January 7, 1997, the gentleman from Georgia (Mr. KINGSTON) is recognized for one-half of the remaining time tonight.

Mr. KINGSTON. Mr. Speaker, let me get back to the point and invite the gentleman from Michigan (Mr. STUPAK) to hang around if he wants to, who I happen to think a lot of, incidentally.

But Kent La, the man who would be the witness to the Burton committee, which we will vote on tomorrow, and I certainly urge my friend from Wisconsin to reconsider his position, which I would have a hard time believing that it does not have just a little hint of partisanship in it. But I know the gentleman well and I would think more of him than that.

So let me just say about Kent La, because apparently my colleagues have not heard of this guy. But he is an associate of Ted Sioeng and he is the United States distributor of Red Pagoda Mountain Cigarettes. He has a major stake in these cigarettes, the best-selling brand of cigarettes in China and the third largest selling cigarette in the world. The company is

owned by the Communist Chinese Government; a fact.

Ted Sioeng and his associates gave $400,000 to the Democrat National Committee. Of this amount, Kent La, the witness, gave $50,000. Now, every witness that has come before their committee has said, ''You need to interview Kent La.'' But Kent La has invoked the fifth amendment. He is one of the 92 who have fled the country or taken the fifth amendment. But he is saying he will testify if he has immunity.

The Democrat Department of Justice gave him immunity. But on the committee, the Democrats are blocking his opportunity to be a witness. Now, inasmuch as this investigation is not about the gentleman from Indiana (Mr. BURTON) but about campaign financing, why will not my colleagues vote to give the guy immunity?

Mr. BARRETT of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Wisconsin.

Mr. BARRETT of Wisconsin. Two corrections. I serve on the committee. My colleague made the statement that the Department of Justice has given him immunity. If the Department of Justice had given him immunity, there would be no need for our committee to give him immunity.

Mr. KINGSTON. Reclaiming my time just to say that the gentleman is correct. What they said, and they said it in writing, is that they have no problem with the committee giving him immunity. So he is correct on a technicality. But again, that is only a technicality. The matter is, what does the witness have to say?

Mr. BARRETT of Wisconsin. If the gentleman would further yield, the second statement that he made I want to correct. My colleague stated that every witness who has come before this committee has talked to this gentleman. I cannot recall a single witness who has testified before this committee who has made that statement. I am on the committee. Not a single witness has said that.

Mr. KINGSTON. Not a single witness has. But let us say my colleague scored.

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

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

Mr. STUPAK. That just defeats his question, then, if my colleague just agreed with the gentleman from Wisconsin (Mr. BARRETT).

Mr. KINGSTON. Reclaiming my time, and I want to get to my friend from the Upper Peninsula. But let me say this; my colleague wins on a technicality. Two technical points, two minor technical points; they win.

The fact is, I want to know why my colleagues will not give the guy immunity to testify if they are really interested in getting to the truth.

Mr. STUPAK. Technical point. That is not a technicality when the gentleman from Wisconsin (Mr. BARRETT) tells my colleague, and he sits on the committee, that no witness has ever mentioned that the committee should interview this guy. That is not a technical point; that is the truth of the matter.

Mr. KINGSTON. Reclaiming my time, I guarantee my colleagues, I am going to give them that point.

Now my question is, when the Department of Justice has signed off on immunity, why will not my colleagues let the guy testify? And how could my colleague from Michigan say in good conscience that he is being fair and that he is really nonpartisan, he is really interested in getting at the truth, when he will not let a witness come before the committee?

Mr. STUPAK. If your question, and my colleague should have stayed at Michigan State longer because he would have learned this, if his question was and if the truth was that every witness said to have this guy testify, which the gentleman from Wisconsin (Mr. BARRETT) said that is not the truth, based upon his hypothetical, if this was true, I am sure, I cannot speak for committee members, I would vote for it if his statement was true.

Mr. KINGSTON. Reclaiming my time, I am not on the committee. I am not on the committee. I am giving my colleagues those two points.

The question is, and my colleagues know, the greater issue is not the punctuation of the sentence but it is the answer to the question; and the question is, why will my colleagues not let the guy testify?

Mr. Speaker, I yield to the distinguished gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. I thank my friend, the gentleman from Georgia, for yielding; because, Mr. Speaker, I think we have a very interesting case study here. We have here on the floor of the Congress, under the ostensible notion of nonpartisanship or bipartisanship, a very clever and very lawyerly-like dissemination and dissection on technical figures of speech. Indeed, to be completely accurate, if we want to indulge in these types of statements, I would have to gently correct my friend from Michigan; because the accurate statement from the gentleman from Wisconsin was that he could not respect anyone testifying, as my friend from Georgia said.

So we could be awash here in technicalities. But it is very instructive to listen to the tenure and tone of the preceding hour and indeed those characterizations that come to us, with apologies to Drew Pearson and Jack Anderson and others, in this Washington merry-go-round; because it sadly reduces to farce some very important concepts.

I listened with interest to the concerns of our friends from the other side about the gentleman from Indiana (Mr. BURTON), and let me commend them for being rather clever and I believe being totally partisan, while standing there cloaking themselves in the veil of nonpartisanship.

But there is a larger question tonight, Mr. Speaker; and it deals not with the chairman of any House committee, nor on the technicalities of parsing statements and trying to outlawyer each other. Though, for the record, I should point out I am not an attorney. ''JD'' does not stand for ''juris doctorate''; and I consider that to be an asset, quite frankly. No, the larger question has to do with the rule of law in a society and a truly bipartisan attempt to get to the bottom of some very serious, serious allegations.

Indeed, if history is our guide, a quarter century ago, we saw bipartisanship when there were genuine concerns and indeed a constitutional crisis surrounding the White House, when the President made a claim of executive privilege that was overruled by the judicial branch.

Well, this Chamber and the other Chamber moved forward to solve that problem. So the bigger question tonight, as I am happy to yield time back to my colleague from Georgia, has nothing to do with the technicalities and the character questions of any Member of Congress. It has everything to do with over 90 witnesses who have either taken the fifth amendment or fled the country. And indeed, in that context and the serious, serious allegations surrounding not only those actions but what has transpired perhaps at the other end of Pennsylvania Avenue, I would submit to my colleague from Georgia, my friends from the other side of the aisle, that this has little to do with the chairman of any committee here and everything to do, sadly, with this administration and the curious behavior and the curious defenses offered by the left.

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

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

Mr. STUPAK. I agree with the gentleman from Arizona (Mr. HAYWORTH) that this is a very serious matter and should be taken very seriously. And the part that upsets maybe us and the reason why I have been taking to the floor is, let us go back to the original question that the gentleman from Georgia (Mr. KINGSTON) asked about this individual and the Justice Department granting him immunity and that every witness before the committee, and the only one here who is on that committee is the gentleman from Wisconsin (Mr. BARRETT), said they should interview this guy.

□ 2230

There were about three things wrong with that. See, the problem is this, we are throwing out these accusations which, when corrected, we call a technicality. But when we hurl an accusation in the position we are in as elected Members of the Congress of the United States, it is very important, before we

impugn people's reputations, before we make accusations that the facts be crystal clear.

Mr. KINGSTON. Mr. Speaker, let me reclaim the time here, because we can talk about Kent Law, but I have already said you can have the technicality on that. I am not on the committee.

But what I do not quite understand is, do you not have the slightest bit of curiosity as to why the guy who works for the Chinese Communist-owned Red Pagoda cigarette company, why they gave $400,000 to the Democratic National Committee?

I yield to my friend from Michigan.

Mr. STUPAK. To answer the gentleman's question, if your three points were correct, that Justice gave them immunity, that every witness said that it is true——

Mr. KINGSTON. Reclaiming the time. Listen, my friend from the Upper Peninsula, this is part of the Democratic tactic of delay, of distract. I am saying, hey, do you know what, I only know what I read. My question is, forget the technicalities. Tell me why you do not think it is important for a guy to testify.

Mr. STUPAK. If you would let me.

Mr. KINGSTON. Still claiming the time, if you do not want to talk about Kent Law and grant him immunity, what about the $3 million that was funneled through John Huang, which the Democratic National Committee had to return? Does it concern you that the Chinese Government may have been trying to influence the election process?

Or if you do not want to talk about that, could we talk about why Webb Hubbell got $700,000 in money after he left his job and before he went to prison?

Or if you do not want to talk about that, can we talk about Charlie Trie, who is a friend of the President, from Arkansas who funneled $700,000 in contributions to the President's legal defense fund?

If you do not want to talk about that, could we talk about Charlie Trie's Macao-based benefactor that wired him $1 million from overseas banks.

There is enough here that surely we can talk about one issue besides the gentleman from Indiana (Mr. BURTON) and Republicans who do not say things correctly.

Mr. STUPAK. If the gentleman would yield, to the original question on the technicalities——

Mr. KINGSTON. No. Let me reclaim my time.

Mr. STUPAK. You have got to let me answer.

Mr. KINGSTON. No. I think you have already said you have given me an F for grammar, an F for credibility, whatever. I understand that. So do not go back down that trail. I am giving you another two.

Mr. STUPAK. Let me answer your question.

Mr. KINGSTON. Mr. Stupak, I was a salesman, and when you get the order, you get the order. The sale is over with. Go home. I am giving you the order. I am going on to a different issue.

Mr. STUPAK. I am trying to sign my name.

Mr. KINGSTON. I am trying to say, you won that round.

Now I am asking you, which one of these other issues do you want to talk about?

Mr. STUPAK. Mr. Salesman, I am trying to sign my name to your order form.

Mr. KINGSTON. I am always glad to yield to my friend, the gentleman from Michigan, in hopes that he will answer the question finally.

Mr. STUPAK. To sign your order, Mr. Salesman, the answer would be, yes, I would grant him immunity if I was on the committee. Based upon those facts, if they were correct, I would grant him immunity. That is your original question. I would agree with you.

Mr. KINGSTON. How about the gentleman from Wisconsin?

Mr. BARRETT of Wisconsin. I am on the committee.

Mr. KINGSTON. Have we sold you, brother? Can you come around?

Mr. BARRETT of Wisconsin. For me, the issue is credibility and fairness. So you can paint these pictures. I am standing here with no documents; you have got some documents that obviously have been prepared as a tactical point.

Mr. KINGSTON. Reclaiming the time, this is, as a matter of fact, available to you, as it is me. It is the statement of the gentleman from Indiana (Mr. BURTON).

Mr. BARRETT of Wisconsin. That is fine. It is over. For me, it is over in the committee. When you have a committee chair that uses a term, calls the President a term that I think both of you gentlemen would wash out your kids' mouth with soap and says he is out to get the President, I think it flunks the fairness test. That is what it is. It has flunked the fairness test, and it has flunked the credibility test.

Mr. KINGSTON. So because the gentleman perceives the procedure as being unfair, then he says there is no problem.

Mr. BARRETT of Wisconsin. No. No.

Mr. KINGSTON. The issue is the gentleman from Indiana (Mr. BURTON) is so unfair that the potential that the Chinese Communist government is infiltrating our government is not an issue because we do not like the gentleman from Indiana (Mr. BURTON).

Mr. BARRETT of Wisconsin. Would the gentleman yield?

Assuming what you say is true, and I do not know that it is, and that you are bothered by it, I think you heard us talk about every single editorial has said this committee basically has lost its credibility.

Mr. KINGSTON. Wait a minute. Reclaiming the time, if I can go on the technicality argument so eloquently demonstrated by my friend from Michigan, you said ''every editorial.'' Why, that is not true at all. The editorials in my hometown paper, the editorial that I have somewhere around here from the Washington Post says get over the gentleman from Indiana (Mr. BURTON). Look at the tapes. So if you want to get into that—

Mr. HAYWORTH. Indeed, I thank my friend from Georgia because, since we sadly have lapsed into hyperbole and always want to be mindful of the technical requirements of our good friend, the gentleman from Michigan, we can indulge in an institutional memory in this Chamber long before I arrived here.

Indeed, the Wall Street Journal opined on this subject this morning, discussing the tactics of previous chairmen in this House, how one gentleman ''used to arrange to have full, detailed news stories appear the same morning his victims were scheduled to testify.''

It is very interesting to hear these protestations of a lack of fairness when history is replete with so many abridgements, so many convenient sharings of facts from so many committee chairmen for so long under a previous majority. Again, while we could score debating points, that simply only serves to distract us and play tit for tat when there is a larger question at stake.

Though the truth may ultimately turn out to be uncomfortable perhaps for us all, indeed for us all, why would anyone choose to obfuscate and call into question fellow Members of Congress when, instead, the problem, as much of the evidence indicates, has little to do with the rules of this House and everything, sadly, to do with the reported practices, questionable practices of fund-raising and relationships, and sadly what in fact could turn out, Mr. Speaker, to be crimes.

Why not get to the heart of the matter? The people in my district want to know.

Mr. KINGSTON. Reclaiming the time, we have about 30 minutes. I want to say that you are the first two Democrats who would be willing to come down here and discuss this. It speaks well for both of you and your convictions.

I wanted to say, also, there are certainly a lot of gray areas in this whole debate. But I also say that there is a heck of a lot of partisanship being exhibited that goes beyond the gentleman from Indiana (Mr. BURTON).

Why do we not do this? Why do we not all kind of keep this ball rolling and talk for about a minute each, and everybody can get in his point or two. Of course, if I look real bad, I will claim more time, but if that is agreeable, why do we not do that?

Mr. BARRETT of Wisconsin. I would be more than happy to. It is your time.

Mr. KINGSTON. I yield to the gentleman from Wisconsin, and I will keep this on my watch.

Mr. BARRETT of Wisconsin. Okay. If I wanted to be a partisan hack on this issue, the smartest thing in the world for me to do would be to say, keep the gentleman from Indiana (Mr. BURTON) in that chairmanship, because I have seen these editorials, and I mentioned the editorials I have referred to. The editorials have skewered them. They have not been good, frankly, for the Republicans.

So I would say let him stay there, but I am interested in having the truth. I think that there are other people on this committee, I am on this committee, the gentleman from California (Mr. COX), the gentleman from Connecticut (Mr. SHAYS), the gentlewoman from Maryland (Mrs. MORELLA), the gentleman from California (Mr. HORN), there are many others on that committee who could run that committee and frankly would have credibility.

I think what we have to do is, we have to have a search for the truth. Again, for me, sadly the committee no longer has credibility. That is what the issue is for me. I would be lying to you if I told you anything else. It just simply no longer has any credibility.

I want to thank the gentleman from Georgia (Mr. KINGSTON). As usual, he is a gentlemen. And I appreciate the opportunity to engage with him on this, and the gentleman from Arizona (Mr. HAYWORTH) as well.

Mr. KINGSTON. Do not leave yet, because I do want to respond to that. The gentleman's 60 seconds were just running out.

Let me say this, if the gentleman from Illinois (Mr. HYDE) was the chairman of that committee or the gentleman from Florida, (Mr. CANADY) or the gentleman from Florida (Mr. MCCOLLUM), from a distance, it sounds great.

But when we think about what happened to the gentleman from Michigan (Mr. EHLERS) when he was looking at California vote fraud, he and the gentleman from Ohio (Mr. NEY), the cochair, leading people on that committee were accused of racism even though both Republicans have Hispanics in their immediate family, the gentleman from Michigan (Mr. EHLERS), three Hispanic grandchildren, but he was called a racist by many, many Democrats.

I think that we have gotten into this habit of, if you do not like the content of the debate, attack the person. So if it was not the gentleman from Indiana (Mr. BURTON) and it was the gentleman from Illinois (Mr. HYDE), I am sure we would all start talking about something about him that folks found offensive.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. STUPAK). And, note, I came in at 10 seconds left to go.

Mr. STUPAK. A couple of things. You agreed on the point that we were on some technicalities, but when you are doing investigations like this, or discussions, technicalities, truth has to prevail over technicalities. In the last comments of gentleman from Arizona (Mr. HAYWORTH), you know he is talking about all these other things, but the end does not justify the means.

We have the Constitution here. We have an oath of office. We have a Bill of Rights. We have a Privacy Act. The gentleman from Indiana (Mr. BURTON) was warned not to release those things, and he still did. There the end is trying to justify the means, and you cannot do that. You cannot trample constitutional safeguards to make your points, whatever they may be.

I do not think the gentleman from Illinois (Mr. HYDE) or the gentlewoman from Maryland (Mrs. MORELLA) or the gentleman from California (Mr. HORN) or any others would have done that when they get a letter from the AG saying, this is highly sensitive, do not do that. I do not believe we would have been reading about these tapes in the paper. I think they are sensitive to those things.

I do not think there is a personal agenda with these others, which the gentleman from Indiana (Mr. BURTON) has more or less admitted to. That is what loses credibility in our eyes and the eyes of the American people.

Mr. KINGSTON. Mr. Speaker, I yield to Mr. HAYWORTH.

Mr. HAYWORTH. Mr. Speaker, let me congratulate my friends from the other side for again trying desperately to shift this focus to another Member of Congress, who has endured great criticism in the media, as have other people who are not Members of Congress. The name Kathleen Willey comes to mind and many others who have been placed in a situation where, if they appear to make statements that are contrary either to the minority on this Hill or to those who now reside at the other end of Pennsylvania Avenue, are called into question, their character is called into question. But I think it is worth noting, if we accept for just a minute the premise that——

Mr. KINGSTON. Mr. Speaker, the gentleman's time has expired.

Mr. HAYWORTH. Let me thank my friend, the gentleman from Georgia, for being so judicious to our colleagues on the other side of the aisle.

Mr. KINGSTON. The clock does not lie.

Mr. HAYWORTH. I will sit back and listen with great interest to what the gentleman has to say.

Mr. KINGSTON. It is not my time. I was going to yield to the gentleman from Wisconsin (Mr. BARRETT), but I will yield my time to the gentleman from Arizona (Mr. HAYWORTH).

Mr. BARRETT of Wisconsin. I will thank the gentleman from Georgia very much. He has been a gentleman.

Mr. HAYWORTH. Can I just make a point? This is a very serious question for the American people. I appreciate the comity and the civility, but I would hope on this issue and many others it would never degenerate into levity because what we are discussing is very serious. It goes to the heart of our constitutional Republic.

My friend, the gentleman from Michigan said the ends do not justify the means. Accepting that, then all these matters could be cleared up if over 90 witnesses had not either taken the fifth amendment or fled the country.

Indeed, Mr. Speaker, if the President of the United States who several weeks ago told the press corps and, by extension, the American people that we deserve the facts sooner, not later, would simply come forward and share those facts with the American people. Again, I would remind my friends who remind us that the ends do not justify the means, who are quick to point to our Constitution that, indeed, the Constitution of the United States gives this branch of government, the legislative branch of government, oversight of the actions in the other two branches.

□ 2245

Oversight of actions in the executive branch of government. And, indeed, I am sorry my friend from Michigan did not stay with us, Mr. Speaker, because there is one question that is out there. For if the ends do not justify the means, how then do we reconcile not only the gulf between the statement of our President, who said the American people deserve the facts sooner, rather than later, how then do we also reconcile, Mr. Speaker, the statements of the Vice President of the United States, who in meeting the press after allegations, and indeed later substantiated that fund-raising phone calls were made on Federal property from the White House, then attempted to tell the American people at a press conference that his legal counsel informed him there is no controlling legal authority?

You see, Mr. Speaker, and my colleague from Georgia, this goes to the heart of the matter. There is a controlling legal authority. It is called the Constitution of the United States, and, by extension, the Constitution articulating that it is the Congress of the United States that shall have that oversight.

Indeed, the question remains, as I listened with great interest to my friend from Wisconsin, at long last, is there not one, is there not one member of the minority, who would step forward to vote to grant immunity, as advocated by the Justice Department, so that these serious allegations can be addressed? Is there not one who is willing to step forward?

Is there not one who can heed the lessons of history? And I think, Mr. Speaker, of the former Senator from Tennessee, Howard Baker, who put principle above partisanship, who was willing a quarter century ago to let the chips fall where they may. And I just wonder Mr. Speaker and my colleague from Georgia, have our friends on the other side taken a profoundly different lesson from that history, that the notion of stonewalling and obfuscation and changing the subject can somehow resonate?

Good people can disagree, but the truth should be our guide.

Mr. KINGSTON. If the gentleman will yield, it is interesting you brought up the contrast of Howard Baker and the Republican minority during the Watergate scandal compared to JOHN GLENN. You know, JOHN GLENN, my elementary school hero shared by so many kids, how far he has fallen from those days, high in the stratosphere, to being a lowly politician.

Here is a quote that when he was the ranking member of the Senate Oversight Committee on the Thompson committee, FRED THOMPSON asked how the investigators could get more information when so many people had fled the country? JOHN GLENN's response was, ''That is their problem.''

The SPEAKER pro tempore (Mr. BURR of North Carolina). The Chair would remind Members that it is not appropriate to make references to sitting members of the Senate, and would ask the Members to respect that.

Mr. KINGSTON. I think that is a good point, Mr. Speaker. I will submit this for the record, because it is straight out of the editorial page, May 11, Roll Call Magazine.

The SPEAKER pro tempore. The Chair cannot entertain a request to insert personal references to a sitting member of the Senate.

Mr. KINGSTON. Mr. Speaker, I will move on.

Here we have a situation where DAN BURTON's big crime, even though he has broken no law, but he is being accused of disclosing doctored tapes. First of all, no tapes whatsoever were altered. These were not tapes that were eavesdropping, surreptitiously sneaked into the household of the Hubbells.

This is where Webb Hubbell, convicted felon, sat in jail and talked with his wife when she came to visit him, and over their head was a sign that said, ''All conversations are recorded. If you want your lawyer, come get him.'' These tapes are public. They came from the prison. Webb Hubbell is a convicted felon.

In those tapes, Ms. Hubbell makes reference to the fact that she is worried about losing her job in the Department of Interior if they do not cooperate with apparently the White House.

In there Ms. Hubbell talks about the White House squeeze play. In there Mr. Hubbell talks about, ''I will have to roll over again for the White House.''

These are serious matters. Why did they make these statements? Yet not one Democrat member of the committee has the slightest bit of curiosity about it.

Mr. HAYWORTH. I thank the gentleman from Georgia. Again we should point out that since there was the great brouhaha between the alleged discrepancies in the transcript from the majority and the minority version as sent out by the ranking minority member, Mr. WAXMAN of California, both transcripts contained that verbiage.

Again, my colleague from Georgia, would you repeat the comments of Mrs. Hubbell and the comments of Mr. Hubbell? Because I think it is important, Mr. Speaker, that the American people take note that even amidst the great hue and cry and wailing and gnashing of teeth and technical arguments offered by the other side, these statements appeared in both transcripts and directly on the audio tape. Those statements again, Mr. KINGSTON, were?

Mr. KINGSTON. That Ms. Hubbell feared that she would lose her job at the Department of Interior if Mr. Hubbell took actions against the Clintons. Ms. Hubbell said she feels she is being squeezed by the White House. Webster Hubbell says, ''I will have to roll over one more time for the White House.'' That comes from what, 180 hours worth of tapes.

Keep in mind, I will yield back to you, but between the time he resigned from his job and was convicted, Webb Hubbell received $700,000 in payments from friends and associates of the President. $100,000 came from the Riady family associated with the Lippo Group of Indonesia. The payment came within 10 days of a meeting at the White House involving the President, John Huang, James Riady and Webster Hubbell.

This is serious stuff. This is not about DAN BURTON and his style as chairman and how he may have offended somebody. This is about the security of the United States of America. This is serious stuff.

Mr. HAYWORTH. I thank my colleague for yielding. Again, I am not an attorney, I never played one on TV, but there is an expression in the law dealing with a preponderance of physical evidence.

Now, Mr. Speaker, it bears repeating. Despite the valiant efforts at misdirection to focus attention on a committee in this House, again, what is at stake here is the rule of law and, yes, sadly, alleged law breaking within the executive branch of government, with actions taken by those involved in fundraising for the reelection efforts of those involved in the executive branch of government, with apparent foreign donations.

From where I hail, Mr. Speaker, the Sixth District of Arizona, we are always on the watch for wildfires in our wooded areas in the northern part of the district. The expression ''Where there is smoke there is fire″ often, often, appears to be true.

Now, Mr. Speaker, what the American people need to keep in mind is more than a curiosity, how a disgraced former Justice Department official could, between the time of his sentencing and his arrival in Federal prison receive $720,000 in income, that is a major question, and how over 90 witnesses in the committee's investigation of these matters have either taken the Fifth Amendment against self-incrimination or have fled the country.

Mr. Speaker, the people of the Sixth District of Arizona, whom I am honored to represent, offer this common observation: Is there not fire where the smoke appears; or at least should not that be investigated? And indeed there are pressing problems, problems I am prepared to address from the well of this House with my voting card in terms of the issue that confront us.

But our constitutional charge, Mr. Speaker, is to uphold and defend the Constitution of the United States. Do we sacrifice the Constitution to convenience, or to the predictable cacophony of protests from left-leaning newspapers and editorial boards across the country? I would say no, that principles should always eclipse polling, and that principles should transcend popularity. This, Mr. Speaker, goes to the fundamental question of the rule of law.

Dwight Eisenhower offered a guide for those of us involved in public life. President Eisenhower's admonition was to never indict personalities when dealing with subjects of interest; never to engage in personalities.

By Ike's standard, Mr. Speaker, indeed by the standards of the American public, what we have seen with the spirited campaign of disinformation, whether it comes against Katherine Willey or a chairman of a committee of the Congress of the United States, celebrated in a book written by a Washington Post journalist as being the spin cycle, what we have seen, sadly, in our public discourse and dialogue, is every effort to engage in personalities, and, indeed, through spin, one could fancy that someone as virtuous as Albert Schweitzer could be transformed in the spin cycle to someone as loathesome as Charles Manson.

Mr. KINGSTON. If the gentleman will yield, I think that that is what is very important. I do not believe that the President of the United States is as guilty as some people seem to believe that he is. I really do not. I think he is surrounded by some characters who are very shady, very suspicious and who have broken some laws, and my direct question is, what laws were broken, why were they broken, and did the United States security suffer from it?

If the gentleman does not mind, I want to make a point. We hear so much about Ken Starr is on a witch hunt. Let me give you the names and charges and the year that people that he has dealt with have been convicted.

David Hale, conspiracy, false statements, 1994; Charles Matthews, bribery, 1994; these are all convicted. Eugene Fitzhugh, bribery, 1994; Robert Palmer, conspiracy, 1994; Webster Hubbell, fraud, 1994; Kneel Ainley, fraud, 1995; Chris Wade, fraud, 1995; Stephen Smith, conspiracy, 1995; Larry Kuka, conspiracy, 1995; James McDougal, fraud, 1996; Susan McDougal, fraud, 1996; William Marks, fraud, 1997; Governor Jim Guy Tucker, fraud, 1996 and 1998; John Haley, fraud, 1998; Webster Hubbell, this is under indictment, tax evasion, 1998; Susan McDougal, obstruction, contempt, 1998.

This is finding the head of the snake. Slowly but surely, these people, by a Democrat-appointed special prosecutor, have been convicted. Yet we hear over and over again that this is a witch hunt.

I am very concerned about the integrity of the government and the security of the United States when we hear such rhetoric.

Mr. HAYWORTH. I thank my colleague for yielding. The irony of some of the point-counterpoint, Mr. Speaker, is nothing short of breathtaking. Indeed today, as Members of the press faithfully reported, our President held a conference and invited the press corps in to talk about international justice and the pursuit of those who had allegedly committed crimes against this Nation beyond our borders and the concern of the pursuit of international justice.

Mr. Speaker, I would submit that the most meaningful first step that our President could take toward preserving international justice would be to use the considerable power of his good offices to persuade over 90 individuals who have either taken the Fifth Amendment or fled the country to testify and cooperate fully and/or to return to these shores so that they might be questioned.

□ 2300

Again, Mr. Speaker, the people of the Sixth district of Arizona who have contacted me on this issue say, hey, listen, where there is smoke there is fire, or at least you should check these things out; respectfully request that if, in fact, there is nothing to these stories, and indeed we all share the notion of a presumption of innocence until guilt is proven, why then is there such stonewalling? Why then is there such a reluctance to have at the truth? Why then are we subjected to the cavalcade of personal attacks based on whomever may level an accusation or make a charge at that particular moment within the press corps?

The expression has to do with a preponderance of physical evidence. Indeed, sadly, there is a preponderance of rhetorical evidence and a cycling of the spin cycle which indicates sadly that behavior seems to be contrary to the desires the American people have for a full, fair disclosure of the facts.

Mr. KINGSTON. Mr. Speaker, if the gentleman will yield, I think that when we have a situation where 92 witnesses have fled the country and we have 4 witnesses who the Justice Department says it is okay to give immunity to, and we have 19 Members of the Democrat committee who will not let these 4 witnesses, 4 very, very key witnesses, who will not let them testify under the guise that the gentleman from Indiana (Mr. BURTON), chairman of the committee, has done something wrong, it is pretty ridiculous. It is a sad day for partisanship. It is a new low.

The gentlemen who were with us earlier tonight are men of integrity. I think of them as I know the gentleman does. And I know that it is true that honest people can have honest disagreements. But it would appear to me that out of 19 Members on the committee, surely one wants to hear why an operative with a Chinese-owned cigarette, Communist-owned cigarette company, why he gave $50,000 to the White House and why that company gave $400,000. I would want to hear what the witness had to say, just for that alone.

Mr. Speaker, it is the same pattern over and over again that we keep hearing; well, not this witness, not now. Of course I want to cooperate, but not tonight, not this particular day for whatever reason. We hear so much about the DAN BURTON releasing-of-the-tapes that were not altered one bit. The transcripts had mistakes on them, and that was brought forward.

Now, where was this righteous indignation when Craig Livingstone and the White House operatives had 900 FBI files of private citizens, none who were in jail, none who were convicted felons like Webb Hubbell, why do we not have the moral outrage about 900 FBI files of private citizens being reviewed over at the White House?

Mr. HAYWORTH. Mr. Speaker, indeed, as my colleague from Georgia points out, how profound the gulf between the assertion of the then President-elect in late 1992 that it was his intent to have the most ethical administration in history. How wide the gulf between that assertion and promise and sadly, what has transpired, because not only 900 FBI files, not only serious questions involving foreign donors to political campaigns, not only straining assertions of no controlling legal authority from other members of the administration, but the fact that 5 current or former members of this President's Cabinet are under investigations, either former or ongoing by independent counsels.

Mr. KINGSTON. Incidentally, Mr. Speaker, I want to make the point that Don Schmaltz who is the independent prosecutor investigating the scandals at the Clinton USDA, 1995, the Justice Department wanted to fire him and call him off the investigation. Today, he has had 4 convictions and brought in $10 million worth of fines. Now, we do not hear anybody saying hey, what a fine job this guy has done. All we hear is Starr is spending too much money. What about Schmaltz?

Mr. HAYWORTH. Indeed, if we wanted to compare independent prosecutors, one need only look so far as the efforts of one Lawrence Walsh in the so-called Iran Contra affair, an investigation that continued, if memory serves me correctly, for upwards of 7 years and cost several additional million dollars than any funds spent here to date on this modest attempt to get at the truth.

Mr. KINGSTON. Mr. Speaker, I want to point out also under the Democrats, we had an 8-year investigation of Labor Secretary Ray Donovan and a 7-year investigation of HUD Secretary Samuel Pierce, and on those, I do not think there were any convictions. Starr has not been on the case 4 years, has spent $24 million, and had 14 convictions or guilty pleas. If we could get cooperation in a bipartisan manner, we could probably cut the time and the dollar amount in half.

Mr. HAYWORTH. Mr. Speaker, this comes back to a point that I believe needs to be reinforced, Mr. Speaker, the point that my colleague from Georgia makes so eloquently. Every time I am home in the Sixth district of Arizona, every week I appreciate the bipartisanship, and just the common sense of the citizens whom I am honored to serve. And these questions as they are addressed to me do not come up as questions of Republicans versus Democrats or Congress versus the White House per se; the people who contact me have a legitimate concern about knowing the truth. And that is what this should be about, despite the best efforts to change the focus, to denigrate the actions of others, to complain about substance or complain about time and ignore substance and substantive facts, that remains the mission.

Indeed, Mr. Speaker, in this hour of difficulty, I think it is incumbent upon us all to simply ask a question: Are we prepared to defend the rule of law? Are we prepared to find out the truth? Regardless of political philosophy or partisan stripe, are we prepared to do those things? Should we not do those things in this society? Should we not reaffirm that no person is above the law? Should we not reaffirm that there is a controlling legal authority in our society? It is called the Constitution of the United States. Woe to us as a constitutional republic, woe to us as a society if we say, no, it is really not important. It has everything to do with the future of our constitutional republic and fairness and the rule of law.

Mr. Speaker, I thank the gentleman from Georgia (Mr. KINGSTON) for sharing this time, and I know he has some closing thoughts.

Mr. KINGSTON. Mr. Speaker, let me just say this: I think it is important for us to know that justice knows no party. If Republicans have done wrong, let them pay the price. If Democrats have done wrong, let them pay the price. Whether the person is popular or not, let justice be blind, and let us do it in a bipartisan manner.

These attacks on the chairman and Members of Congress and the investigators have to stop. Let us all be serious. Billy Graham, Perry Mason or Mickey Mouse, in doing the investigation of the chairman of the committee, they too would be attacked and smeared and denigrated. It is time to stop it, it is time to work together to get this thing over with so that we can go on to the business of the people: balancing the budget, protecting our streets from illegal drugs, reforming health care, preserving and protecting Medicare and

Social Security, and doing all of the important things we need to do. Let us get past this investigation and do the work of the great American people.

□ 2310

A CALL FOR AN INVESTIGATION OF MALTREATMENT OF PERSONNEL IN THE U.S. NAVY

The SPEAKER pro tempore (Mr. BURR of North Carolina). Under the Speaker's announced policy of January 7, 1997, the gentleman from Illinois (Mr. RUSH) is recognized for the remainder of the time until midnight.

Mr. RUSH. Mr. Speaker, I come before you today to bring to your attention a disturbing pattern of conduct that has taken place in the United States Navy. My constituent, Lt. Commander Sheryl Washington, who is in the gallery, is a victim of an effort by the U.S. Navy to stifle the voices of those who dare to bring to the surface the maltreatment of those who serve our Nation.

Lt. Commander Washington is an 18-year veteran of the Navy. She has been brought up on charges and an administrative separation proceeding because she supposedly refused to appear for duty. Such administrative proceedings are used to remove persons from military service. Lt. Commander Washington was absent from duty because she was convalescing following a serious automobile accident. Her commander claims she did not contact him during this time. However, Lt. Commander Washington has phone records which clearly disprove this charge.

Lt. Commander Washington was found to be medically disabled by both military and civilian physicians. In total, Lt. Commander Washington was absent for about 3 weeks, from November 12, 1996, to December 2, 1996. She was excused from duty by the military physician from November 15 through the 22nd, as well as November 27th through December 2nd. Ironically, it is this excused period of time that is the basis of the action taken against her, as opposed to the entire 3 weeks of her absence.

I ask Members, how is it possible that a person can be brought up on charges of misconduct for only part of the time that they are absent, and such absence has been justified by military medical personnel? Maybe someone can answer that question. I certainly do not have the answer. It does not seem logical to me.

I question the judgment of Navy personnel in the handling of this matter because, as I indicated earlier, their logic is severely flawed. A period of absence is authorized or it is unauthorized. It cannot be both. I ask the Navy, was Lt. Commander Washington's absence authorized or unauthorized? I state, it cannot be both.

Furthermore, Lt. Commander Washington has submitted to a polygraph examination, which she passed, but for some reason the witnesses whom the Navy is relying upon have not agreed to take a polygraph examination. Does the Navy have a double standard? It appears so to me and to others.

While stationed at Miramar Naval Base, Lt. Commander Washington became aware of the fact that an African American woman who was also stationed there had been gang-raped and sexually assaulted. Both Washington and the rape victim were assigned to the rehabilitation center. Although senior people in the chain of command were aware of what was happening to this young woman, no action was taken by the admiral or any other officers in charge, and this admiral's name is Admiral Marsh.

Perhaps the officers at Miramar thought the rape of this woman was justifiable punishment because she had the audacity to let it be known that she believed that there had been a misappropriation of equipment and supplies by those in charge, knowledge which this young lady was told to keep to herself. Maybe that is why the powers that be did not think twice about the safety of this woman, because they assigned to her an all male barracks which had no privacy nor any sense of security.

This tragic rape of this young woman occurred in 1992, and no investigation took place until 1994, when a naval chaplain, Chaplain Willy Williams, had the courage to reveal what had happened to a reporter, who then reported the story on the evening news.

Lieutenant Commander Washington had previously reported her knowledge of these events to a chaplain, a previous chaplain at a naval base she was later assigned to in the area. It was her sense that this prior chaplain was aware of this misconduct, but was unwilling or afraid to do anything. It was not until the later chaplain, Chaplain Williams, came forward that an investigation commenced, 2 years after this tragic event happened to this young lady at Miramar.

It is ironic, bitter irony, that Admiral Marsh, who was in charge of the investigation into Lt. Commander Washington's conduct, is the same officer who is in charge of the Navy Alcohol Rehabilitation Center at Miramar Naval Base in San Diego, where Washington was stationed from 1991 to 1993, the same person, Admiral Marsh.

When Washington reported what she considered to be racist conduct by the commanding officer at Miramar, she was quickly transferred without notice. The recent investigations initiated, Mr. Speaker, at Great Lakes Training Center, located in the Chicago area, are yet another manifestation of the Navy's insensitivity to our service personnel.

Investigators have been sent to review recruitment and training policies amidst allegations of sexual misconduct, sexual harassment, improper relations between instructors and recruits, as well as an overall climate of hostility and intimidation. It is obvious from the events that have taken place that the U.S. Navy is more concerned with saving face than ensuring the integrity of our military system.

Upon learning of such, it is obvious that no lessons were learned by the Navy from the Tailhook scandal. It keeps going on and on and on, these allegations of sexual harassment, improper relations, discrimination, intimidation by superior officers.

Mr. Speaker, I sincerely, honestly believe in the essence of my soul that this situation surrounding Lt. Commander Washington and the brutal attack on naval female personnel, person, at Miramar deserves an immediate investigation.

□ 2320

The careers of stellar officers have been tarnished because of an environment of fear and forced silence is being perpetuated by the United States Navy. I am saddened by this, but we must all stand up, because if our military system cannot respect the lives of those who serve us, then they cannot truly serve and protect our Nation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BURR of North Carolina). The Chair must remind all Members that under clause 8 of rule XIV, it is not in order to introduce or otherwise recognize or call attention to persons in the gallery.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. MYRICK (at the request of Mr. ARMEY) for today on account of a death in the family.

Mr. BATEMAN (at the request of Mr. ARMEY) for today and the balance of the week on account of illness.

Mr. GILCHREST (at the request of Mr. ARMEY) for today and May 13 on account of official business.

Mr. SKAGGS (at the request of Mr. GEPHARDT) for today and the balance of the week on account of illness.

Ms. KILPATRICK (at the request of Mr. GEPHARDT) for Tuesday and Wednesday, May 12 and 13, on account of personal business.

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. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. CONYERS, for 5 minutes, today.

Mr. KLINK, for 5 minutes, today.

Mr. EDWARDS, for 5 minutes, today.

Mr. SNYDER, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Mr. WISE, for 5 minutes, today.
Mr. FALEOMAVAEGA, for 5 minutes, today.
Mrs. CLAYTON, for 5 minutes, today.
Mr. PALLONE, for 5 minutes, today.
Ms. JACKSON-LEE of Texas, for 5 minutes, today.
(The following Members (at the request of Mr. HERGER) to revise and extend their remarks and include extraneous material:)
Mr. MCINNIS, for 5 minutes, on May 13.
Mr. DOOLITTLE, for 5 minutes, on May 14.
Mrs. MORELLA, for 5 minutes, on May 19.
Mr. JONES, for 5 minutes, on May 14.
Mr. HUNTER, 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. PALLONE) and to include extraneous matter:)
Mr. KIND.
Mr. BENTSEN.
Mr. TOWNS.
Mrs. MALONEY of New York.
Mr. SANDLIN.
Mr. HAMILTON.
Mr. KUCINICH.
Ms. NORTON.
Mr. SCHUMER.
Ms. LOFGREN.
Mr. STARK.
Mr. MCHALE.
Ms. DELAURO.
Mr. ACKERMAN.
Ms. SANCHEZ.
Mr. PASCRELL.
Mr. FRANK of Massachusetts.
Mr. NEAL.
Mr. LANTOS.
Mr. HOYER.
Ms. KILPATRICK.
(The following Members (at the request of Mr. HERGER) and to include extraneous matter:)
Mrs. KELLY.
Mr. OXLEY.
Mr. MCKEON.
Mr. RADANOVICH.
Mr. FORBES.
Mr. FRELINGHUYSEN.
Mr. SOLOMON.
Mr. BEREUTER.
Mr. SMITH of New Jersey.
Mr. BONILLA.
Mr. SENSENBRENNER.
Mr. GILMAN.
Mr. ENSIGN.
Mr. BURTON of Indiana.
(The following Members (at the request of Mr. RUSH) and to include extraneous matter:)
Mr. NEAL of Massachusetts.
Ms. KILPATRICK.
Mr. RODRIGUEZ.
Mr. BONILLA.
Mr. SMITH of Michigan.
Mr. PACKARD.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 11 o'clock and 22 minutes p.m.), under its previous order, the House adjourned until Wednesday, May 13, 1998, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

9095. A letter from the Deputy Under Secretary, Natural Resources and Environment, Department of Agriculture, transmitting the Department's final rule—Sale and Disposal of National Forest Timber; Indices to Determine Market-Related Contract Term Additions (RIN: 0596–AB41) received May 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9096. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Imidacloprid; Pesticide Tolerance Correction [OPP–300628A; FRL–5785–4] (RIN: 2070–AB78) received May 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9097. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Myclobutanil; Pesticide Tolerance [OPP–300647; FRL–5787–7] (RIN: 2070–AB78) received May 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9098. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Azoxystrobin; Pesticide Tolerances for Emergency Exemptions [OPP–300648; FRL–5787–8] (RIN: 2070–AB78) received May 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9099. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Bromoxynil; Pesticide Tolerance [OPP–300661; FRL–5790–8] (RIN: 2070–AB78) received May 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9100. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Source Categories; Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry [AD-FRL–6011–6] (RIN: 2060–AC19) received May 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9101. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Land Disposal Restrictions Phase IV: Final Rule Promulgating Treatment Standards for Metal Wastes and Mineral Processing Wastes; Mineral Processing Secondary Materials and Bevill Exclusion Issues; Treatment Standards for Hazardous Soils, and Exclusion of Recycled Wood Preserving Wastewaters [EPA-F–98–2P4F-FFFFF; FRL–6010–5] (RIN: 2050–AE05) received May 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9102. 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; Maryland; Definition of the Term ''Major Stationary Source of VOC'' [MD067–3025a; FRL–6012–5] received May 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9103. A letter from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of the Commission's Rules Concerning the Inspection of Radio Installations on Large Cargo and Small Passenger Ships [CI Docket No. 95–55] received May 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9104. A letter from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Rule Making to Amend Parts 1, 2, 21, and 25 of the Commission's Rules to Redesignate the 27.5–29.5 GHz Frequency Band, To Reallocate the 29.5–30.0 GHz Frequency Band, To Establish Rules and Policies for Local Multipoint Distribution Service And for Fixed Satellite Services [CC Docket No. 92–297] received May 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9105. A letter from the Chairman, Federal Housing Finance Board, transmitting the semiannual report on the activities of the Office of Inspector General, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

9106. A letter from the Acting Director, Office of Federal Housing Enterprise Oversight, transmitting the Office's final rule—Implementation of the Privacy Act of 1974 (RIN: 2550–AA05) received May 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

9107. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Amendment to Appendix III Listing of Bigleaf Mahogany under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (RIN: 1018–AE94) received May 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9108. A letter from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Coast Weakfish Fishery; Change in Regulations for the Exclusive Economic Zone [Docket No. 970829213–7213–01; I.D. 091696A] (RIN: 0648–AJ15) received May 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9109. A letter from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; 1998 Management Measures [Docket No. 980429110–8110–01; I.D. 042398B] (RIN: 0648–AK25) received May 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9110. A letter from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Pacific Halibut Fisheries; Retention of Undersized Halibut in Regulatory Area 4E [Docket No. 980225048–8099–03; I.D. 021898B] (RIN: 0648–AK58) received May 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9111. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, transmitting the Office's final rule—Maryland Regulatory Program [MD–041–

FOR] received May 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

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. COBLE: Committee on the Judiciary. H.R. 2652. A bill to amend title 17, United States Code, to prevent the misappropriation of collections of information; with an amendment (Rept. 105–525). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. H.R. 3303. A bill to authorize appropriations for the Department of Justice for fiscal years 1999, 2000, and 2001; to authorize appropriations for fiscal years 1999 and 2000 to carry out certain programs administered by the Department of Justice; to amend title 28 of the United States Code with respect to the use of funds available to the Department of Justice, and for other purposes; with an amendment (Rept. 105–526). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2886. A bill to provide for a demonstration project in the Stanislaus National Forest, California, under which a private contractor will perform multiple resource management activities for that unit of the National Forest System; with an amendment (Rept. 105–527). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 3723. A bill to authorize funds for the payment of salaries and expenses of the Patent and Trademark Office, and for other purposes; with an amendment (Rept. 105–528). Referred to the Committee of the Whole House on the State of the Union.

Mr. DREIER: Committee on Rules. House Resolution 426. Resolution providing for consideration of the bill (H.R. 3534) to improve congressional deliberation on proposed Federal private sector mandates, and for other purposes (Rept. 105–529). Referred to the House Calendar.

Mr. MCINNIS: Committee on Rules. House Resolution 427. Resolution providing for consideration of the bill (H.R. 512) to prohibit the expenditure of funds from the Land and Water Conservation Fund for the creation of new National Wildlife Refuges without specific authorization from Congress pursuant to a recommendation from the United States Fish and Wildlife Service to create the refuge (Rept. 105–530). Referred to the House Calendar.

Mr. SOLOMON: Committee on Rules. House Resolution 428. Resolution providing for consideration of the bill (H.R. 10) to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, and for other purposes (Rept. 105–531). Referred to the House Calendar.

Mr. SPENCE: Committee on National Security. H.R. 3616. A bill to authorize appropriations for fiscal year 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1999, and for other purposes; with amendments (Rept. 105–532). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE 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. SMITH of Texas: Committee on the Judiciary. H.R. 375. A bill for the relief of Margarito Domantay; with an amendment (Rept. 105–523). Referred to the Committee of the Whole House.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 1949. A bill for the relief of Nuratu Olarewaju Abeke Kadiri; with an amendment (Rept. 105–524). Referred to the Committee of the Whole House.

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. THOMAS (for himself, Mr. STUMP, Mr. BILIRAKIS, Mr. SPENCE, Mr. RANGEL, Mr. STEARNS, Mr. HOUGHTON, Mrs. JOHNSON of Connecticut, Mr. SAM JOHNSON, Mr. MCCRERY, Mr. BARRETT of Nebraska, Mr. BEREUTER, Mr. BOEHLERT, Mrs. CHENOWETH, Mr. CHRISTENSEN, Mr. COLLINS, Mr. COMBEST, Mr. COOK, Mr. COOKSEY, Mr. CRANE, Mr. CUNNINGHAM, Mr. DEAL of Georgia, Mr. DOYLE, Mr. EDWARDS, Mr. EHRLICH, Mrs. EMERSON, Mr. ENGLISH of Pennsylvania, Mr. ENSIGN, Mr. EVERETT, Mrs. FOWLER, Mr. FOX of Pennsylvania, Mr. FROST, Mr. GONZALEZ, Mr. GOODLING, Ms. GRANGER, Mr. GREENWOOD, Mr. HALL of Ohio, Mr. HALL of Texas, Mr. HAYWORTH, Mr. HEFNER, Mr. HERGER, Mr. HOLDEN, Mr. HULSHOF, Mr. HUNTER, Mr. HUTCHINSON, Mrs. KELLY, Mr. KUCINICH, Mr. LAHOOD, Mr. LAMPSON, Mr. LANTOS, Mr. LIPINSKI, Mr. MANZULLO, Mr. METCALF, Mr. NETHERCUTT, Mr. PORTMAN, Mr. REDMOND, Mrs. ROUKEMA, Mr. RUSH, Mr. SANDERS, Mr. SANDLIN, Mr. SAXTON, Mr. SERRANO, Mr. SKEEN, Mr. SMITH of New Jersey, Mr. SOLOMON, Mr. STUPAK, Mr. TANNER, Mrs. THURMAN, Mr. TIAHRT, Mr. UPTON, Mr. WALSH, Mr. WATKINS, Mr. WATTS of Oklahoma, Mr. WHITFIELD, and Ms. WOOLSEY):

H.R. 3828. A bill to amend title XVIII of the Social Security Act to improve access to health care services for certain Medicare-eligible veterans; to the Committee on Ways and Means, and in addition to the Committees on Veterans' Affairs, and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSS (for himself, Mr. BASS, Mr. BOEHLERT, Mr. YOUNG of Florida, Mr. LEWIS of California, Mr. GIBBONS, and Mr. MCCOLLUM):

H.R. 3829. A bill to amend the Central Intelligence Agency Act of 1949 to provide a process for agency employees to submit urgent concerns to Congress, and for other purposes; to the Committee on Intelligence (Permanent Select), 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. HANSEN (for himself, Mr. COOK, and Mr. CANNON):

H.R. 3830. A bill to provide for the exchange of certain lands within the State of Utah; to the Committee on Resources.

By Mr. ANDREWS (for himself, Ms. DELAURO, and Mr. WELDON of Pennsylvania):

H.R. 3831. A bill to provide that children's sleepwear shall be manufactured in accordance with stricter flammability standards; to the Committee on Commerce.

By Mr. ANDREWS:

H.R. 3832. A bill to protect the Social Security system and to amend the Congressional Budget Act of 1974 to require a two-thirds vote for legislation that changes the discretionary spending limits or the pay-as-you-go provisions of the Balanced Budget and Emergency Deficit Control Act of 1985 if the budget for the current year (or immediately preceding year) was not in surplus; to the Committee on Ways and Means, and in addition to the Committees on the Budget, and Rules, 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. BLAGOJEVICH (for himself, Mr. CASTLE, Mrs. MCCARTHY of New York, Mr. CONYERS, Ms. LOFGREN, Mr. DAVIS of Illinois, Mr. MCGOVERN, and Mr. NADLER):

H.R. 3833. A bill to better regulate the transfer of firearms at gun shows; to the Committee on the Judiciary.

By Mr. ENSIGN (for himself, Mr. GIBBONS, Mr. GINGRICH, and Mr. LOBIONDO):

H.R. 3834. A bill to amend the Internal Revenue Code of 1986 to provide that meals furnished to all employees at a place of business shall be excludable from gross income if most employees at such place of business are furnished meals for the convenience of the employer; to the Committee on Ways and Means.

By Mr. ENSIGN (for himself, Mr. CARDIN, Mr. FOX of Pennsylvania, Mr. CHRISTENSEN, Mr. COOK, Mr. ENGLISH of Pennsylvania, Mr. RAHALL, Mrs. CHENOWETH, Mr. GIBBONS, Mr. NUSSLE, and Mr. DEUTSCH):

H.R. 3835. A bill to amend title XVIII of the Social Security Act to repeal the financial limitation on rehabilitation services under part B of the Medicare Program; 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.R. 3836. A bill to amend the Federal Election Campaign Act of 1971 to clarify the right of nationals of the United States to make contributions in connection with an election to political office; to the Committee on House Oversight.

By Mr. HYDE (for himself and Mrs. LOWEY):

H.R. 3837. A bill to amend title XXI of the Social Security Act to permit States to use funds under the State Children's Health Insurance Program for coverage of uninsured pregnant women; to the Committee on Ways and Means.

By Ms. KAPTUR:

H.R. 3838. A bill to amend title 10, United States Code, to require, in the evaluation of bids and proposals for a contract for the procurement by the Department of Defense of property or services, the consideration of the percentage of work under the contract planned to be performed in the United States, and for other purposes; to the Committee on National Security.

By Mr. KOLBE:

H.R. 3839. A bill to promote protection of Federal law enforcement officers who intervene in certain situations; to the Committee on the Judiciary.

By Mr. KUCINICH (for himself, Mr. RANGEL, Mr. SCHUMER, and Mr. MCGOVERN):

H.R. 3840. A bill to amend the Higher Education Act of 1965 to establish an Advanced Manufacturing Fellowship; to the Committee on Education and the Workforce.

By Mr. NEAL of Massachusetts (for himself, Mr. MOAKLEY, Mr. DELAHUNT, Mr. MCGOVERN, Mr. MARKEY, Mr. FRANK of Massachusetts, and Mr. MEEHAN):

H.R. 3841. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income the value of certain real property tax reduction vouchers received by senior citizens who provide volunteer services under a State program; to the Committee on Ways and Means.

By Mr. PETERSON of Minnesota:

H.R. 3842. A bill to provide that certain Federal property shall be made available to States for State use before being made available to other entities, and for other purposes; to the Committee on Government Reform and Oversight, and in addition to the Committees on National Security, Small Business, International Relations, and Science, 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. RODRIGUEZ (for himself, Mr. BONILLA, Mr. REYES, Mr. REDMOND, Mr. GUTIERREZ, Mr. DIAZ-BALART, Mr. HINOJOSA, Mr. BILBRAY, Mr. ORTIZ, Mr. SKEEN, Mr. FILNER, Mr. HASTINGS of Washington, Mr. BECERRA, Mr. PAUL, Mr. SERRANO, Mr. CALVERT, Mr. ENGEL, Ms. SANCHEZ, Mr. EVANS, Mr. GONZALEZ, Mr. ROMERO-BARCELO, Mr. GREEN, Mr. MEEKS of New York, Mr. FROST, Mr. SCHUMER, Ms. LOFGREN, Ms. KAPTUR, and Ms. ROYBAL-ALLARD):

H.R. 3843. A bill to grant a Federal charter to the American GI Forum of the United States; to the Committee on the Judiciary.

By Mr. TAUZIN (for himself, Mr. MANTON, Mr. STEARNS, Mr. PALLONE, Mr. KLUG, Mr. GORDON, Mr. GREENWOOD, Mr. SAWYER, Mr. CRAPO, Mr. GREEN, Mr. DEAL of Georgia, Mr. ROGAN, Mr. SHIMKUS, and Mr. PICKERING):

H.R. 3844. A bill to promote and enhance public safety through use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous and reliable networks for personal wireless services, and ensuring access to Federal Government property for such networks, and for other purposes; to the Committee on Commerce.

By Mr. THORNBERRY:

H.R. 3845. A bill to amend title 10, United States Code, to establish in the Department of Defense a new unified command for joint forces to have responsibility for providing ready joint forces to the commanders of regional combatant commands and to conduct joint experimentation to further develop joint military forces; to the Committee on National Security.

By Mr. WATKINS:

H.R. 3846. A bill to amend the Equity in Educational Land-Grant Status Act of 1994 to add the Eastern Oklahoma State College on behalf of the Choctaw Nation; to the Committee on Agriculture.

By Mr. WYNN:

H.R. 3847. A bill to prohibit certain transfers or assignments of franchises, and to prohibit certain fixing or maintaining of motor fuel prices, under the Petroleum Marketing Practices Act; to the Committee on Commerce.

By Mr. YATES:

H.R. 3848. A bill to permit certain claims against foreign states to be heard in United States courts where the foreign state is a state sponsor of international terrorism or where no extradition treaty with the state existed at the time the claim arose and where no other adequate and available remedies exist; to the Committee on the Judiciary.

By Mr. COX of California (for himself and Mr. WHITE):

H.R. 3849. A bill to amend the Communications Act of 1934 to establish a national policy against Federal and State regulation of Internet access and online services, and to exercise congressional jurisdiction over interstate and foreign commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce conducted over the Internet, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Ways and Means, the Judiciary, and Rules, 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. SCHUMER (for himself, Mrs. CAPPS, Mr. WEXLER, Mr. WAXMAN, and Mrs. MORELLA):

H. Con. Res. 275. Concurrent resolution expressing the sense of the Congress in support of the determination of the Department of the Treasury not to allow the importation of certain large capacity military magazine rifles that are functionally identical to banned semiautomatic assault weapons; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Ms. VELAZQUEZ.

H.R. 218: Mr. TALENT, Mrs. FOWLER, and Mr. SKEEN.

H.R. 372: Mrs. JOHNSON of Connecticut.

H.R. 453: Ms. DEGETTE.

H.R. 678: Mr. MCCOLLUM, Mr. GILMAN, and Mr. STARK.

H.R. 774: Mrs. CAPPS.

H.R. 814: Mr. MCGOVERN.

H.R. 831: Mr. HORN.

H.R. 859: Mr. NORWOOD and Mr. LIVINGSTON.

H.R. 953: Mrs. CAPPS, Mrs. CLAYTON, and Ms. RIVERS.

H.R. 1023: Mr. POSHARD.

H.R. 1061: Mr. REGULA, Mr. BAESLER, Mr. WEYGAND, Mr. WAXMAN, and Mr. FRANKS of New Jersey.

H.R. 1126: Mr. KLECZKA, Ms. LEE, Mr. RAMSTAD, Mr. BUNNING of Kentucky, Mr. HINOJOSA, Mr. COSTELLO, Mr. LEVIN, and Mr. HOEKSTRA.

H.R. 1140: Mr. ENGLISH of Pennsylvania and Mr. STUPAK.

H.R. 1283: Mr. NORWOOD, Mr. MOLLOHAN, Mr. BENTSEN, and Mr. MALONEY of Connecticut.

H.R. 1378: Mr. MILLER of Florida.

H.R. 1382: Mr. POMEROY, Mr. CLYBURN, Mr. COYNE, and Mr. EVANS.

H.R. 1390: Ms. CHRISTIAN-GREEN.

H.R. 1401: Mr. MCCRERY and Mr. WEXLER.

H.R. 1500: Mrs. CAPPS and Ms. MCCARTHY of Missouri.

H.R. 1531: Mr. REYES.

H.R. 1635: Mr. CASTLE and Mr. MOAKLEY.

H.R. 1689: Mr. BRYANT, Mr. SMITH of New Jersey, Mr. JOHN, Mr. POMEROY, Mr. TALENT, Mr. KOLBE, Mr. BOB SCHAFFER, Mr. BRADY, Mr. ARMEY, and Mr. GIBBONS.

H.R. 1715: Mr. MORAN of Virginia, Mrs. JOHNSON of Connecticut, Mr. JACKSON, Mr. LIPINSKI, Mr. DUNCAN, and Mr. FAZIO of California.

H.R. 1972: Mr. REYES.

H.R. 1995: Mr. GEPHARDT, Mr. MCDERMOTT, and Mrs. THURMAN.

H.R. 2009: Mr. FORBES, Mr. HALL of Texas, and Mr. LIPINSKI.

H.R. 2023: Mr. MATSUI.

H.R. 2094: Mr. NEAL of Massachusetts.

H.R. 2110: Mr. LEWIS of Georgia

H.R. 2173: Mr. PASCRELL.

H.R. 2321: Mr. LEWIS of California.

H.R. 2327: Mr. DICKS.

H.R. 2450: Mr. HOUGHTON and Mrs. CAPPS.

H.R. 2509: Mrs. CAPPS, Mr. FAZIO of California, and Mr. BOB SCHAFFER.

H.R. 2598: Mr. PETERSON of Pennsylvania.

H.R. 2681: Mr. ALLEN.

H.R. 2713: Mr. FRANK of Massachusetts, Mr. SAM JOHNSON, Ms. SLAUGHTER, and Mr. WEYGAND.

H.R. 2723: Mr. MCCOLLUM.

H.R. 2733: Mr. WHITE, Mr. BAKER, Mr. STENHOLM, Mr. RILEY, Mr. POMBO, and Mr. PETERSON of Pennsylvania.

H.R. 2828: Mr. KUCINICH.

H.R. 2888: Mr. DOOLEY of California, Mr. MCKEON, Mr. SOLOMON, Mr. BURR of North Carolina, and Mr. PITTS.

H.R. 2923: Mr. SPENCE.

H.R. 2942: Mrs. THURMAN and Mr. THORNBERRY.

H.R. 2955: Mr. CAMPBELL, Mr. PAXON, Mr. FRANK of Massachusetts, and Mr. UPTON.

H.R. 3008: Mr. PALLONE.

H.R. 3043: Ms. PELOSI and Mrs. KENNELLY of Connecticut.

H.R. 3048: Mr. DUNCAN.

H.R. 3050: Mr. POSHARD and Ms. SANCHEZ.

H.R. 3099: Mr. GUTIERREZ.

H.R. 3150: Mr. CASTLE, Mr. SISISKY, and Mr. JOHN.

H.R. 3152: Mr. TOWNS.

H.R. 3161: Ms. ROYBAL-ALLARD.

H.R. 3162: Mr. HILLEARY and Mr. THORNBERRY.

H.R. 3177: Mr. PITTS and Mr. PAPPAS.

H.R. 3181: Mr. KENNEDY of Massachusetts and Mr. COSTELLO.

H.R. 3187: Mr. PETERSON of Pennsylvania.

H.R. 3217: Mr. GEPHARDT.

H.R. 3261: Mr. STUMP.

H.R. 3279: Ms. SLAUGHTER.

H.R. 3281: Mr. MCDERMOTT and Mr. YATES.

H.R. 3297: Mr. ISTOOK.

H.R. 3304: Mr. PAPPAS and Mr. SOLOMON.

H.R. 3382: Mr. WATKINS.

H.R. 3400: Mr. TOWNS and Ms. PELOSI.

H.R. 3433: Mr. FRELINGHUYSEN and Mr. WAXMAN.

H.R. 3435: Mr. MCINTOSH, Mr. BROWN of California, Mr. CRAPO, Mrs. CLAYTON, and Mr. HOLDEN.

H.R. 3438: Mr. GUTKNECHT.

H.R. 3484: Mr. GEJDENSON, Mr. MCHALE, Ms. STABENOW, Mr. FROST, Mr. UNDERWOOD, Mr. FILNER, Mr. EVANS, Mr. CRAMER, Mr. EDWARDS, Ms. SLAUGHTER, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 3523: Mr. EDWARDS, Mr. BLUMENAUER, Mr. QUINN, Mr. LINDER, Mr. PARKER, Mrs. NORTHUP, Mr. FROST, Mr. MINGE, Mr. JONES, Mr. ETHERIDGE, and Mr. MCINTOSH.

H.R. 3526: Mr. TIERNEY, Mr. ADAM SMITH of Washington, Mr. LANTOS, Mr. CAMPBELL, Mr. CASTLE, and Mr. BAESLER.

H.R. 3541: Mr. DIAZ-BALART, Mr. STEARNS, and Mr. BERMAN.

H.R. 3567: Mr. BASS, Mr. KENNEDY of Rhode Island, Mr. MORAN of Kansas, and Mr. MATSUI.

H.R. 3571: Ms. SLAUGHTER and Mr. COSTELLO.

H.R. 3583: Mr. WELDON of Florida, Mr. PAUL, Ms. PRYCE of Ohio, Ms. DUNN of Washington, and Mr. HOSTETTLER.

H.R. 3584: Mr. BONILLA.

H.R. 3602: Mr. HOBSON.

H.R. 3605: Mr. HALL of Texas, Mr. KILDEE, Mr. SHERMAN, and Mr. GORDON.

H.R. 3610: Mr. TIERNEY, Mr. METCALF, Mr. DELAHUNT, Mr. TRAFICANT, Mr. SAWYER, Mrs. MYRICK, Mr. KLINK, Mr. GEJDENSON, Mr. MANZULLO, Mr. ETHERIDGE, Mr. FRANKS of New Jersey, Mr. PITTS, and Mr. WOLF.

H.R. 3615: Mr. JACKSON, Mr. GUTIERREZ, Mr. CLEMENT, Mr. MORAN of Virginia, and Mrs. MEEK of Florida.

H.R. 3629: Mr. MCINTOSH.

H.R. 3636: Mrs. MORELLA, Mr. SNYDER, Mr. CLAY, Mr. CLYBURN, and Mr. MCNULTY.

H.R. 3640: Mr. FROST and Ms. PELOSI.

H.R. 3651: Mr. RANGEL and Mr. BOEHLERT.

H.R. 3668: Mr. STUMP.

H.R. 3682: Mr. HAYWORTH and Mr. POMBO.

H.R. 3722: Mr. HOBSON, Mr. TAYLOR of North Carolina, and Mr. WATTS of Oklahoma.

H.R. 3734: Mr. NETHERCUTT, Mr. LAZIO of New York, Mr. SAM JOHNSON, Mr. COBURN, Mr. DIAZ-BALART, and Mrs. MYRICK.

H.R. 3767: Mr. JOHNSON of Wisconsin.

H.R. 3789: Mr. FRANK of Massachusetts.

H.R. 3794: Mr. BERMAN.

H.R. 3807: Mr. BLUNT, Mr. LIVINGSTON, Mr. MCINTOSH, Mr. PETERSON of Pennsylvania, Mr. PICKERING, Mr. RAHALL, Mr. SKEEN, Mr. STRICKLAND, Mr. TALENT, Mr. TRAFICANT, Mr. WICKER, and Mr. MCKEON.

H.R. 3810: Mr. ANDREWS, Mr. PASCRELL, Mr. PAYNE, and Mr. SAXTON.

H.R. 3820: Mr. LANTOS, Mr. TIERNEY, Mrs. CAPPS, Mr. PALLONE, Mr. BROWN of California, Mr. BERMAN, Mr. YATES, Mr. ABERCROMBIE, Ms. ROYBAL-ALLARD, Mr. STARK, and Mr. GUTIERREZ.

H. Con. Res. 47: Ms. DUNN of Washington, Mr. LATOURETTE, Mr. UNDERWOOD, Mr. ETHERIDGE, Mr. NETHERCUTT, Mr. HINCHEY, Mr. MCNULTY, and Mr. COSTELLO.

H. Con. Res. 249: Mr. FROST and Ms. EDDIE BERNICE JOHNSON of Texas.

H. Con. Res. 254: Mr. GUTIERREZ.

H. Con. Res. 266: Mrs. MINK of Hawaii, Mr. TIERNEY, Mr. MCGOVERN, and Ms. WOOLSEY.

H. Con. Res. 268: Mr. MCNULTY.

H. Con. Res. 271: Mr. COSTELLO.

H. Res. 37: Mr. HASTINGS of Washington, Ms. SLAUGHTER, Mr. WISE, Mr. SKELTON, Ms. MILLENDER-MCDONALD, Mr. BERRY, Mr. STENHOLM, and Mrs. CLAYTON.

H. Res. 171: Mr. TOWNS, Mrs. CLAYTON, and Mr. SHERMAN.

H. Res. 259: Mr. FARR of California.

H. Res. 321: Mr. GREENWOOD, Ms. ESHOO, Mr. TOWNS, Mr. LAFALCE, Ms. MILLENDER-MCDONALD, Ms. NORTON, Mr. LANTOS, Mr. DAVIS of Illinois, Mr. KILDEE, Mr. SCHUMER, Mr. MCGOVERN, Ms. KAPTUR, Mr. BROWN of California, and Mrs. MCCARTHY of New York.

H. Res. 363: Mr. CUMMINGS.

H. Res. 392: Mr. WISE.

H. Res. 422: Mr. SHUSTER, Mr. CHABOT, Mr. SNOWBARGER, Mr. COOK, Mr. FRANKS of New Jersey, Mr. ADAM SMITH of Washington, Mr. EHRLICH, Ms. DUNN of Washington, Mr. LATOURETTE, Mr. NETHERCUTT, Mr. BARR of Georgia, Mr. SUNUNU, Mrs. KELLY, Mr. BUYER, Mrs. BONO, and Mr. SMITH of Michigan.

H. Res. 423: Mr. GALLEGLY, Mr. SOUDER, Mr. HOBSON, and Mr. MCKEON.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 10

OFFERED BY: MS. JACKSON-LEE OF TEXAS

(To the Amendment in the Nature of a Substitute Offered By Mr. Leach)

AMENDMENT NO. 4: After section 108 of the Amendment in the Nature of a Substitute, insert the following new section:

SEC. 109. STUDY OF USE OF CHECK CASHING SERVICES TO OBTAIN FINANCIAL SERVICES IN AREAS UNDERSERVED BY OTHER FINANCIAL SERVICE PROVIDERS.

(a) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study of—

(1) the extent to which the lack of availability of a full-range of financial services in low- and moderate-income neighborhoods and to persons of modest means by regulated financial institutions has resulted in an undue reliance in such neighborhoods and by such persons on check cashing services which impose a fee equal to 1 percent or more of the amount of a transaction for each such transaction;

(2) the extent to which the requirement of section 3332(f)(1) of title 31, United States Code, that the Secretary of the Treasury make all Federal payments by electronic fund transfer (as defined in section 3332(j)(1) of such title) after January 1, 1999, will have a disparate financial impact on low- and moderate-income neighborhoods and to persons of modest means because of their lack of access to financial services other than at high-cost check cashing services; and

(3) the extent to which—

(A) check cashing services are regulated and audited by Federal, State, or local governments to prevent unscrupulous practices and fraud; and

(B) the owners and employees of such services are licensed or regularly screened by any such government to prevent the infiltration of such services by elements of organized crime.

(b) REPORT REQUIRED.—Before the end of the 1-year period beginning on the date of the enactment of this Act, the Comptroller General shall submit a report to the Congress on the findings and conclusions of the Comptroller General in connection with the study conducted pursuant to subsection (a). The report shall include such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate, including any recommendation with regard to regulating check cashing services at the Federal level.

H.R. 10

OFFERED BY: MS. JACKSON-LEE OF TEXAS

(To the Amendment in the Nature of a Substitute Offered by Mr. Leach)

AMENDMENT NO. 5: After subparagraph (D) of section 6(b)(1) of the Bank Holding Company Act of 1956, as added by section 103(a) of the Amendment in the Nature of a Substitute, insert the following new subparagraph (and redesignate the subsequent subparagraph and any cross reference to such subparagraph accordingly):

''(E) all the insured depository institution subsidiaries of the bank holding company have an outstanding record of extending credit to women-owned businesses and minority-owned businesses.

In subparagraph (F) (as so redesignated) of section 6(b)(1) of the Bank Holding Company Act of 1956, as added by section 103(a) of the Amendment in the Nature of a Substitute, strike ''(D)'' and insert ''(E)''.

After paragraph (3) of section 6(b) of the Bank Holding Company Act of 1956, as added by section 103(a) of the Amendment in the Nature of a Substitute, insert the following new paragraph:

''(4) WOMEN-OWNED AND MINORITY-OWNED BUSINESSES DEFINED.—For purposes of paragraph (1)(E), the terms 'women-owned business' and minority-owned business' have the meanings given to such terms in section 21A(r)(4) of the Federal Home Loan Bank Act.

H.R. 512

OFFERED BY: MR. YOUNG OF ALASKA

(Amendment in the Nature of a Substitute)

AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''New Wildlife Refuge Authorization Act''.

SEC. 2. REQUIREMENTS RELATING TO DESIGNATION OF NEW REFUGES.

(a) LIMITATION ON APPROPRIATIONS FROM LAND AND WATER CONSERVATION FUND.—

(1) IN GENERAL.—No funds are authorized to be appropriated from the land and water conservation fund for designation of a unit of the National Wildlife Refuge System, unless the Secretary of the Interior has—

(A) completed all actions pertaining to environmental review that are required for that designation under the National Environmental Policy Act of 1969;

(B) provided notice to each Member of and each Delegate and Resident Commissioner to the Congress elected to represent an area included in the boundaries of the proposed unit, upon the completion of the preliminary project proposal for the designation; and

(C) provided a copy of each final environmental impact statement or each environmental assessment resulting from that environmental review, and a summary of all public comments received by the Secretary on the proposed unit, to—

(i) the Committee on Resources and the Committee on Appropriations of the House of Representatives;

(ii) the Committee on Environment and Public Works and the Committee on Appropriations of the Senate; and

(iii) each Member of or Delegate or Resident Commissioner to the Congress elected to represent an area included in the boundaries of the proposed unit.

(2) LIMITATION ON APPLICATION.—Paragraph (1) shall not apply to appropriation of amounts for a unit of the National Wildlife Refuge System that is designated, or specifically authorized to be designated, by law.

(b) NOTICE OF SCOPING.—The Secretary shall publish a notice of each scoping meeting held for the purpose of receiving input from persons affected by the designation of a proposed unit of the National Wildlife Refuge System. The notice shall be published in a newspaper distributed in each county in which the refuge will be located, by not later than 15 days before the date of the meeting. The notice shall clearly state that the purpose of the meeting is to discuss the designation of a new unit of the National Wildlife Refuge System.

(c) LIMITATION ON APPLICATION OF FEDERAL LAND USE RESTRICTIONS.—Land located within the boundaries (or proposed boundaries) of a unit of the National Wildlife Refuge System designated after the date of the enactment of this Act shall not be subject to any restriction on use of the lands under Federal law or regulation based solely on a determination of the boundaries, until an interest in the land has been acquired by the United States.

H.R. 3534

OFFERED BY: MR. DAVIS OF VIRGINIA

AMENDMENT NO. 1: Page 8, after line 11, add the following new section:

SEC. 5. FEDERAL INTERGOVERNMENTAL MANDATE.

Section 421(5)(B) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 658(5)(B)) is amended—

(1) by striking ''the provision'' after ''if'';

(2) in clause (i)(I) by inserting ''the provision'' before ''would'';

(3) in clause (i)(II) by inserting ''the provision'' before ''would''; and

(4) in clause (ii)—

(A) by inserting ''that legislation, statute, or regulation does not provide'' before ''the State''; and

(B) by striking ''lack'' and inserting ''new or expanded''.

H.R. 3534

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 2: Page 8, after line 11, add the following new subsection:

(d) ANNUAL CBO REPORTS.—Within 90 calendar days after the end of each fiscal year, the Director of the Congressional Budget Office shall transmit a report to each House of Congress of the economic impact of the amendments made by this Act to the Congressional Budget Act of 1974 on employment and businesses in the United States.

H.R. 3806

OFFERED BY: MR. MANZULLO

AMENDMENT NO. 1: Page 24, line 2, insert ''or the Export-Import Bank of the United States'' after ''Corporation''.