IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2587) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes, with Mr. Bereuter in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Oklahoma (Mr. Istook) and the gentleman from Virginia (Mr. Moran) each will control 30 minutes.

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we are here tonight, of course, for general consideration of the appropriations bill for the District of Columbia. This is a bill that is some $200 million below the amount appropriated out of Federal funds last year, the overall amount in the bill because it includes, Mr. Chairman, the District- raised funds as well, as some $6.8 billion. The Federal share of that is $453 million.

Mr. Chairman, this measure is the latest stage in the efforts to assist the District of Columbia in revitalizing from the situations in which it found itself, of course, a number of years ago. There are still many residual problems that linger within the District, but yet I think it is important that we keep our eye on the positive and put some accent upon some things that are head- ing in the right direction.

I appreciate the efforts of the ranking member on the subcommittee, the gentleman from Florida (Mr. Young) who himself served for a number of years on this subcommittee, and of course we have worked closely with the gentleman from the District of Columbia (Ms. Norton).

We have also developed, I hope, a good working relationship with the new mayor who was elected last November, Tony Williams, and with the council of the District, I have worked especially close with the chair of the council, Linda Cropp, and I am grateful for their efforts in cooperation, and I think it is a sign of the positive note on which we have been proceeding that the consensus budget that was developed and approved by the mayor, by the council and by the Board of D.C. is a part of this bill.

We worked with them. We understand that they are undertaking significant efforts to rightsize the govern-
council in rightsizing the city government. When the Control Board was headed by Tony Williams, who now, of course, is the mayor of D.C., he was the CFO and was very much involved, of course, in getting rid of the overcrowding, shall we say, within some of the city government offices rightsizing the city government.

We have a $20 million incentive for buyouts and early retirements to help them reduce another 1,000 persons from the city payroll.

At the same time, we have some transportation significant items here relating especially to the 14th Street Bridge over the Potomac River connecting with Virginia, already overburdened with traffic and soon to be further overburdened due to some construction on the other significant river crossing down at the Wilson Bridge.

Mr. Chairman, it is also important to note that this bill ratifies the action of the Mayor and the city council, their bold economic development efforts recognizing that there was a severe problem of being overtaxed within the District. They have passed bold legislation to reduce income taxes and to reduce property taxes within the District of Columbia.

We ratify that action in this piece of legislation. I say that because it is important to always remember that under the Constitution, Article I, Section 8, the Congress, although it is delegated to D.C. with the home rule charter, nevertheless has the constitutional duty and responsibility and exclusive authority, as the Constitution states, over all legislative matters within the District of Columbia.

Mr. Chairman, this has been a consensus effort. I am very appreciative of the efforts of the ranking member, the gentlewoman from the District of Columbia (Ms. Norton), the members of the city government, and so many other people that have participated in trying to bring a bill that accents the positive things that are going on in D.C. Yes, we know there are accumulated problems in crime, in education, in many things within the city. But, the officials that have taken responsibility for city government in recent months have made a very concerted, very praiseworthy effort to attack these problems, and we want to thank them for doing that, and we want to work cooperatively with them in doing so.
### DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2000 (H.R. 2587)

(Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 1999 Enacted</th>
<th>FY 2000 Request</th>
<th>Bill</th>
<th>Bill vs. FY 1999 Enacted</th>
<th>Bill vs. FY 2000 Request</th>
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<tr>
<td><strong>FEDERAL FUNDS</strong></td>
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<tr>
<td>District of Columbia Resident Tuition Support</td>
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<tr>
<td>Incentives for Adoption of Foster Children</td>
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<td></td>
<td>8,500</td>
<td>+8,500</td>
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<td>CETA Complaint Review Board</td>
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<tr>
<td>Federal Payment for Human Services</td>
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<td></td>
<td>250</td>
<td>+250</td>
</tr>
<tr>
<td>Methadone improvements and expansion</td>
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<td>25,000</td>
<td>+25,000</td>
</tr>
<tr>
<td>Federal payment for management reform</td>
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<tr>
<td>Federal payment for Boys Town U.S.A.</td>
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<tr>
<td>Nation's Capital Infrastructure Fund</td>
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<td>Environmental Study and Related Activities at Lorton Correctional Complex</td>
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<td>Defender Services in D.C. Courts</td>
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<td>Federal payment for Metropolitan Police Department</td>
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<td>+8,000</td>
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<tr>
<td>Federal payment for Fire Department</td>
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<td></td>
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<tr>
<td>Federal payment for Georgetown Waterfront</td>
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<td>Federal payment to Historical Society for City Museum</td>
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<td>Federal payment for a National Museum of American Music and Downtown Revitalization</td>
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<td>Economic Development</td>
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<td>Special Education</td>
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<td>Year 2000 Information Technology</td>
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<td>Y2K conversion emergency funding (courts)</td>
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<td>Y2K conversion (emergency funding)</td>
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<td><strong>Total, Federal funds to the District of Columbia</strong></td>
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<td></td>
<td>563,639</td>
<td>+56,260</td>
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<tr>
<td><strong>DISTRICT OF COLUMBIA FUNDS</strong></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Operating Expenses</strong></td>
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<td></td>
</tr>
<tr>
<td>Governmental direction and support</td>
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<td></td>
<td>(164,144) (+17,467) (+162,656) (+1,748) (+12,311)</td>
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</tr>
<tr>
<td>Economic development and regulation</td>
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<td>(150,039) (+190,335) (+190,335) (+31,295)</td>
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<td>Public safety and justice</td>
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<td>(759,746) (+771,670) (+765,670) (+29,984) (+7,000)</td>
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<td>Public education system</td>
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<td>Human support services</td>
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<td>Receivables Programs</td>
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<td>Workforce Investments</td>
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<td>+6,500 (+6,500) (+6,500) (+6,500)</td>
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<td>Budget and Management Reforms</td>
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<td></td>
<td>+20,000 (+20,000) (+20,000) (+20,000)</td>
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<td>Reserve</td>
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<td><strong>District of Columbia Financial Responsibility and Management Assistance Authority</strong></td>
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<td>Financing and other</td>
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<td>(451,693) (+364,948) (+364,948) (+46,675)</td>
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<td>Procurement and Management Savings</td>
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<td>+1,000 (+2,145) (+2,145) (+1,457)</td>
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<td><strong>Total, operating expenses, general fund</strong></td>
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<td></td>
<td>(4,148,300) (+4,653,662) (+4,694,236) (+1,776,206) (+4,554)</td>
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<tr>
<td><strong>Enterprise Funds</strong></td>
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</tr>
<tr>
<td>Water and Sewer Authority and the Washington Aqueduct</td>
<td></td>
<td></td>
<td>(273,314) (+279,808) (+279,808) (+6,294)</td>
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<tr>
<td>Lottery and Charitable Games Control Board</td>
<td></td>
<td></td>
<td>(225,200) (+234,400) (+234,400) (+9,200)</td>
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</tr>
<tr>
<td>Office of Cable Television</td>
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<td>(2,108) (+2,108) (+2,108)</td>
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<tr>
<td>Public Service Commission</td>
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<td>(5,028) (+5,028) (+5,028)</td>
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<tr>
<td>Office of People's Counsel</td>
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<td>(2,501) (+2,501) (+2,501)</td>
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<td>Office of Insurance and Securities Regulation</td>
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<td>(7,021) (+7,021) (+7,021)</td>
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<tr>
<td>Office of Banking and Financial Institutions</td>
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<td>Sports and Entertainment Commission</td>
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<td>(8,751) (+10,846) (+10,846) (+2,095)</td>
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</tr>
<tr>
<td>Public Benefit Corporation</td>
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<td>(86,784) (+96,008) (+96,008) (+2,244)</td>
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</tr>
<tr>
<td>D.C. Retirement Board</td>
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<td>(16,202) (+9,892) (+9,892) (+5,109)</td>
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<tr>
<td>Correctional Industries Fund</td>
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<td>(3,332) (+1,810) (+1,810) (+1,532)</td>
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<tr>
<td>Washington Convention Center</td>
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<td></td>
<td>(44,199) (+50,259) (+50,259) (+2,060)</td>
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<tr>
<td><strong>Total, Enterprise Funds</strong></td>
<td></td>
<td></td>
<td>(866,975) (+875,790) (+875,790) (+14,812)</td>
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</tr>
<tr>
<td><strong>Total, operating expenses</strong></td>
<td></td>
<td></td>
<td>(5,079,008) (+5,329,472) (+5,370,026) (+1,291,018) (+4,554)</td>
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<tr>
<td><strong>Capital Outlay</strong></td>
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<td></td>
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<tr>
<td>General fund</td>
<td></td>
<td></td>
<td>(1,711,161) (+1,216,638) (+1,216,638) (+462,523)</td>
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</tr>
<tr>
<td>Water and Sewer Fund</td>
<td></td>
<td></td>
<td>(187,189) (+187,189) (+187,189) (+187,189)</td>
<td></td>
</tr>
<tr>
<td><strong>Total, District of Columbia funds</strong></td>
<td></td>
<td></td>
<td>(6,790,169) (+6,745,276) (+6,785,833) (+4,336) (+4,554)</td>
<td></td>
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<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Federal Funds to the District of Columbia</td>
<td></td>
<td></td>
<td>663,639 (+363,740) (+453,000) (+230,639) (+59,260)</td>
<td></td>
</tr>
<tr>
<td>District of Columbia funds</td>
<td></td>
<td></td>
<td>663,639 (+363,740) (+453,000) (+230,639) (+59,260)</td>
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</tbody>
</table>
Mr. Chairman, I reserve the balance of my time.

Mr. Chairman, this is a good appropriations bill. The appropriations part of this bill is a terrific bill, and for that reason I want to commend the gentleman from Oklahoma (Mr. Istook), the chairman of the Subcommittee on the District of Columbia. He has had an open mind; he has had a very solicitous attitude towards everyone who had ideas on this bill. He has taken the initiative to walk many of the city streets, to visit its schools, to encourage other members of the subcommittee to do the same. I think he has done a fine job on the appropriations part of this appropriations bill, and I am looking forward to that.

That is why the Committee on Appropriations Subcommittee on the District of Columbia passed out by voice vote this bill, and in the full committee, after eliminating a couple riders, which I will talk about in a moment, we passed the bill out of the full committee on appropriations as well. So everything should be fine.

In fact, I have no intention, Mr. Chairman, of taking up much time tonight, because we are not going to be voting on this bill tonight. We are going to be voting on Thursday, and on Thursday we are going to have to vote on a number of amendments that do not belong on this bill. If they are not added to this bill, then we are going to pass it virtually unanimously. But if they are added to this bill, then this is going to be a futile and very frustrating process, because not only will the Democrats in the House vote against it, but the President is going to veto it.

So the principal message we want to leave with those Members who are listening tonight is that if they will stick to the appropriations that belong in this appropriations bill, then we are going to move in unison, and all of our hard work, particularly under the leadership of the gentleman from Oklahoma (Mr. Istook) will have been constructive. If we do not, it will have been for naught.

One thing is absolutely correct in the priorities that he referred to. We agreed with the consensus budget. It was the city council's budget, the Mayor's budget, the control board's budget and our budget, and it was actually consistent with what the gentleman from Virginia (Mr. Davis), the chairperson of the District's Authorizing Committee, wanted to see done.

We went even beyond that, Mr. Chairman: $8.5 million for adoption incentives for children, a great idea; $20 million for the Mayor to be able to reform much of the bureaucracy in the District of Columbia, necessary, excellent addition. But another $13 million for expanded drug treatment programs, $17 million for the in-State tuition program for D.C. students about $20 million for the offender supervision. Unbelievable that drug addicts can commit 300 to 500 crimes just to feed their drug habit. If we can get them off drugs, off drug addiction, then we can make an enormous dent in the crime rate in this city.

So so far, we agree with everything that was added.

However, when we get to the back of the bill, the sort of fine print, we realize there is 180, I think about 163 general provisions. We do not object to all of them, but some of them clearly do not belong in this appropriations bill.

One can make an argument, I would have disagreed, but one could make a decent argument that until the D.C. region is the needle exchange program, Federal funds were being commingled with District funds. The Congress was appropriating 43 percent of the District's budget. The District was dependent upon the Congress, so the Congress had some jurisdiction over some kinds of these social riders imposing its wishes in a whole number of areas that had nothing to do with the appropriations bill on District residents.

But the D.C. Revitalization Act was passed in 1997. Those functions that were State functions were taken over by the Federal Government. Those functions that exist in all of our cities and towns across the country that are funded by Federal grants are now funded by Federal grants in the District of Columbia, just the way we treat our own cities. It was the right thing to do.

But because that was done, we are no longer commingling money. We are treating D.C. like any other city, and we should. So we would not do the way that we would want our own congressional districts treated, and we would never, ever allow this body to do by the kind of social riders that have been added on this bill that will be imposed on the District of Columbia's residents without their wishes, without their acquiescence, and, in fact, despite their very strenuous opposition.

Four such amendments were made in order by the Committee on Rules. They should not have made them in order.

One is a needle exchange program. The bill says no Federal funds can be used for needle exchanges. The bill is right. That is as far as our jurisdiction goes. Leave it there. Do not allow this amendment that goes beyond Federal money and says, we cannot even be using private money or local property taxpayers' money to go into however they want to be spending it.

Mr. Chairman, the fact is we have an epidemic of AIDS in this city, and if the District money and says, we cannot even be using private money or local property taxpayers' money to go into however they want to be spending it.

Mr. Chairman, it is a darn shame, and it goes back to the rule. The rule made in order at least four amendments that never should have been made in order.

Mr. Chairman, I subsequently have two speakers who are going to speak for a short period of time, and hopefully, for the sake of the other Members we are going to wrap up general debate as soon as we can.

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

Mr. Istook. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. Davis), the chairman of the related authorizing committee.

Mr. Davis of Virginia. Mr. Chairman, I thank my friend for yielding me this time.

I have spent a lot of time on this city over the last 4 years as chairman of the
authorizing committee, and I want to compliment the gentleman from Oklahoma (Mr. ISTOOK), the chairman of the subcommittee, for the extraordinary amount of interest and passion when it comes to this body. While feelings on many of the questions are as strong as ever, the lack of acrimony expressed to date is a tribute to the chair's skill in searching out to the community and analyzing the issues. I look forward to passage of this bill and a productive conference.

Let me address some of the items that are contained in this bill. The $177 million for the D.C. College Access Act, which I sponsored and which has passed the House and I think will be marked up in the other body next week, is the House's first attempt to a State university system.

Sen. Voinovich held a productive hearing on this bill a few weeks ago, and I look forward to working with him and Chairman ISTOOK and my colleagues, ELEANOR HOLMES NORTON, and others to authorizing this legislation in advance.

Likewise, I appreciate the 7.5 million for a study of the 14th Street Bridge, a matter I worked on with my colleagues, the gentlemen from Virginia (Mr. Moran) and (Mr. Wolf), for some period of time. This is also money well spent. I applaud the $25 million in the budget for drug treatment and testing and the $8.5 million to expand foster care, and I compliment the chairman on adding this to the legislation.

The $3 million to help clean up the Anacostia River needed approval of the city’s consensus for tax cuts will make the District a friendlier place to live and to work and to own and operate a business. The city needs a tax base. That is why we have taken such an interest in its revitalization. Last year, we passed the new Washington Convention Center to be built downtown. Working in concert with the MCI Center, we are creating a synergy to enliven the downtown area, increase tax revenues, and create job opportunities for its residents.

In the 5 years I have had the honor to serve as the chairman of the District’s Authorizing Subcommittee, it has been my philosophy that one cannot have a healthy region without a healthy city. Working in a bipartisan manner, building consensus, I am proud of the way we are turning this city around. The budget that we are considering today continues these efforts. I think it is a step in the right direction, and again I compliment the gentleman from Oklahoma, and I hope this legislation will pass.

Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I thank the honorable gentleman from Virginia for yielding time to me.

Mr. Chairman, I want to make an observation. I agree with the ranking member, the gentleman from Virginia (Mr. MORAN), and the gentleman from Virginia (Mr. DAVIS) with reference to the product of this committee. I think it is one of the most positive products in a D.C. bill that I have seen since I have been here.

I also want to make an observation, as someone who is one of the senior members from the Washington regional delegation, that I think this delegation from the Washington metropolitan area is as positive a partner in working with our co-members of this region, the District of Columbia, and the gentlewoman from the District of Columbia (Ms. NORTON).

In particular, I would be remiss if I did not say once again what an extraordinary job the gentlewoman from the District of Columbia (Ms. NORTON) does on behalf of the District. She is attentive, able, energetic, tough as nails when she needs to be, and is smart as she needs to be in terms of dealing with a very, very difficult situation.

It continues to be, however, I think, a travesty that the representative of the District of Columbia does not have a full vote on this House floor. Even absent that vote, Mr. Chairman, she does an extraordinarily good job in representing the people of the District of Columbia. I congratulate her for it.

Mr. Chairman, I want to just make a couple of comments. I want to thank the gentleman from Oklahoma (Chairman ISTOOK) for, again, his work on this bill. I agree, of course, as he knows, with the gentleman from Virginia (Mr. Moran) about the Committee on Rules’ actions, and with respect to a couple of other provisions in the bill as well that we will discuss tomorrow.

Basically, this is a good bill. The gentleman from Virginia (Mr. Moran) I think is absolutely correct. As an appropriations bill, that is, without the extraneous matter, it is a bill that I think all of us could support.

I also would like to thank the chairman and the ranking member for adding report language in the full committee that deals with the fire service. I have been a longtime advocate of the interests of the fire service. We lost a very distinguished firefighter, John Carter, in 1997. The gentlewoman from the District of Columbia (Ms. Norton) and I have been at the funeral of two of the firefighters in the District of Columbia that have died in the last 60 days.

There was a report after Mr. Carter’s death. That report made a number of recommendations. It was called the Reconstruction Committee. Two of the recommendations it made were dealing with assistance to battalion chiefs and the number of firefighters that were assigned to the trucks as they leave the station.

I believe that matter deserves very serious consideration. I know the D.C. City Council has a concern. It is report language and not mandatory, but I am hopeful that we can work on this matter and focus on it in the months ahead.

I again congratulate the gentlewoman from the District of Columbia (Ms. Norton) for her outstanding work.

Mr. MORAN of Virginia, Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from Maryland (Mr. HOYER) for his outstanding cooperation for the Washington metropolitan region. He does a lot for the District of Columbia specifically.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. Norton), the elected representative of the District of Columbia and our last speaker.

Ms. NORTON. Mr. Chairman, I want to thank the gentleman for yielding time to me, and take this opportunity to thank him for his wonderful attention and his hard work on behalf of the District.

In May, I would like to thank the gentleman from Maryland (Mr. HOYER) for his very generous remarks concerning me.

This year had promised to be far smoother for the D.C. appropriation than recent years. The gentleman from Illinois (Speaker HASTERT) himself, the gentleman from Florida (Chairman Young), the ranking members, the gentleman from Wisconsin (Mr. Obey) and
the gentleman from Virginia (Mr. MORAN), and especially the gentleman from Oklahoma (Chairman ISTOOK) worked hard to achieve consensus on the D.C. budget, and they succeeded beautifully. The District’s consensus budget, containing only locally-raised revenue, also found consensus in committee.

The D.C. budget is balanced and frugal, with prudent spending, a tax cut, and a surplus.

How, then, can we now allow this thoroughly cooperative give-and-take process to be destroyed by its opposite, the authoritarian imposition of attachments, strongly and unanimously opposed by all the local officials, without exception, who alone are accountable to the residents who live here? How, can we allow inflammatory and unbalanced imposed attachments to overwhelm the excellent work the gentleman from Oklahoma (Chairman ISTOOK) has done on public safety in this bill, for example? He has crafted language which added Federal funds to require drug testing and treatment for 30,000 people on parole. I thank him.

How can we take an excellent appropriation bill and bring it down with a veto that has been promised if we squelch it with irrelevant appendages that are wholly disrespectful of local self-govern-ment? How can we repeat the performance of last year’s pitiful D.C. appropriations debacle?

Make no mistake, this appropriation is headed for a completely avoidable train wreck. After listing all the attachments before us, the administration’s statement of policy says, and I am quoting, “If such amendments are adopted and included in the bill presented to the president, the senior advisors and I am bound to the President veto the bill.”

Out of respect for the half million people I represent, the new reform mayor, and the revitalized city council, I ask for a clean appropriation. Members and I may well disagree with local law, but a vote to leave a local law standing is no vote in favor of that law. They did not make it; they cannot leave it standing. Rather, it is an exer-cise in the oldest of American Federalist exercises. It is a vote for demo-cracy at the local level.

Members jealously guard the local prerogatives of their districts. I demand no less respect for the people I represent. Please respect our rights as American citizens and vote against each and every one of the riders that will come before us on the District appropriation.

I want to close, Mr. Chairman, by drawing to the Members’ attention a recent article in the Washington Post that struck me with deep concern. It is headed, “U.S. to Host Russians for a Look at Democracy.” We are told that this body has appropriated $10 million in an emergency appropriation, no less, to bring Russians here to see how American democracy works.

James Billington, the Librarian of Congress, was quoted in the article, that “The U.S. Government is bringing ‘a genuinely large number of young Russians, the entire cohort of young leaders, especially from the provinces, to observe American life and democratic institutions.”

Mr. Chairman, I can only ask that for their sake and ours, we deny the Russians gallery passes to witness the D.C. appropriation on Thursday. We are told that bringing large numbers of Russians to the United States, according to Mr. Billington, and I am quoting him now, “Avoids the patronizing syn-drome of sending Americans to Russia to tell the Russians how to run their lives.”

Instead, Mr. Chairman, the Russians will see this House telling the residents of the District how to run their lives. It is not the Russians who will be pa-tronized on Thursday if these amend-ments are offered, it is the people I rep-resent.

We are told that the first 3,000 Rus-sian participants are scheduled to ar-rive July 28. Fate, how cruel. This is just in time to see the sorriest spec-tacle left against our stated demo-cratic principles.

Mr. Billington apparently wrote an op-ed piece for the New York Times, where he criticized, according to this article, criticized the United States for doing too little to support the develop-ment of democracy in Russia. Mr. Chairman, the criticism belongs with this House and on this bill. We are doing or will do, if we continue in the way we are going, too much to destroy democracy in the Nation’s Capitol with the attachments before us.

There is still time to show the Rus-sians that democracy works, even in the Capitol of the United States. I urge my colleagues to vote against all the anti-democratic amendments that will come to the House floor on Thursday. Do it not for the Russians, do it for the people I represent, and do it in the name of American democracy.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from Cali-fornia (Mr. Bilbray).

Mr. BILBRAY. Mr. Chairman, I hope, as the Russians come and witness this action, they will be reminded by all of us that we are a constitutional repub-lic, and that the Constitution specifi-cally allows us to delegate authority within the Federal district that was formed by that Constitution, but does not give us the right to delegate the re-sponsibility for what happens in this District.

Mr. Chairman, I am rather concerned when I hear my colleagues talk about that the President will veto this bill if any of these amendments go forward. I cannot believe that William Jefferson Clinton would veto this bill just be-cause we said that children in Wash-ington, D.C. should not be possessing tobacco.

I just cannot believe the President would veto the bill just because we want to send a clear message that mi nors should not drink and should not smoke. I just cannot believe that this president would veto a bill just to make sure that Washington, D.C. is not a sanctuary for underage consumption of tobacco.

Today in Virginia, the law that I am proposing this week is the same law that Virginia has. Maryland does not allow minor possession, Virginia does not allow it. Over 20 States do not allow it. I think that after trying to work with the administration and the city, they have been so busy reforming other things that were very, very im-portant to them that they have not gotten around in the year to addressing this issue.

I just ask that we do not say that this president would kill an entire bill just because this president thinks it is outrageous for Congress to say minors should not consume tobacco.

This is a resident issue, but it is also an American issue. We bring pages into this city. We bring our children into this city from all over the country. The message we send to our children and to our pages when we tell them do not go to Virginia and do not go to Maryland and smoke, but here in D.C., it is okay. I do not think anybody in Congress wants to take that responsibility.

Mr. Chairman, I am sure that the President will not veto this bill if we outlaw minor possession and use of to-bacco in D.C. I am sure the President will support us in sending a clear mes-sage, not just to the children of D.C., but the children across this country that minor use of tobacco needs to stop and start here.

Mr. Chairman, I include the following letters for the RECORD:

HON. ANTHONY WILLIAMS,
Mayor, District of Columbia, Washington, DC.

DEAR MAYOR WILLIAMS: I would like to take this opportunity to congratulate you on your recent election victory. As a part-time resident of the District and as someone who spent twenty years in local government, including two years as a councilman and six years as mayor, I wish you the best of luck in your first term as Mayor of the District of Columbia.

As you may already be aware, during the House of Representatives Fiscal Year (FY) 1999 appropriation process I introduced an amendment to the D.C. Appropriation Act (H.R. 3800) that prohibited individuals under the age of 18 years of age from possessing and consuming tobacco products in the Dis-trict of Columbia. This amendment received strong bipartisan support and passed through the House by a 238-138 vote on August 6, 1999, but unfortunately it was not included in the final conference report.

At the time I introduced this amendment, only 21 states in the nation had minor pos-session laws outlawing tobacco, and my
amendment would have added the District of Columbia to this growing list of states. An amendment was very straightforward and easy to understand. It contained a provision to exempt from this prohibition a minor individual making a delivery of cigarettes or tobacco products in his or her employment while on the job.

My amendment also contained a penalty section, which was modeled after the state of Virginia’s penalty section for minors found in violation of tobacco possession. For the first violation, the minor would, at the discretion of the judge, be subject to a civil penalty of not to exceed $50. For the second violation, the minor would be subject to a civil penalty not to exceed $100. For a third or subsequent violation, the minor would have his or her driver’s license suspended for a period of 90 consecutive days. The 90 day suspension is consistent with penalties for minor possession of alcohol in the District of Columbia. Any minor found to be in possession of tobacco may also be required to perform community service or attend a tobacco cessation program. Each of these penalties are at the judge’s discretion.

I understand that the District of Columbia already has tough laws on the books to address the sale of tobacco products to minors. My amendment focused specifically on the possession of tobacco products by minors in order to put minor possession of tobacco with possession of alcohol. All cities in my district have passed anti-possession laws, so that I am not asking the District to do anything my own communities have not already done.

I was an original cosponsor of the strongest anti-tobacco bill in the 106th Congress, the Bipartisan NO Tobacco for Kids Act (H.R. 3480). My amendment focused specifically on the need to encourage youth to take responsibility for their actions. If individuals under the age of 18 know they will face a penalty for possession of tobacco, they might be deterred from ever starting to smoke in the first place.

As we move forward in the 106th Congress I would like to know whether you plan to address this issue at the local level. I think it is important that all levels of government work together to help stop children from smoking. My amendment would have sent the right message to our children, and the first step in this process would be for the District of Columbia to join Virginia, Maryland, and the twenty other states who have passed laws on youth possession and consumption laws. I would appreciate knowing of your intentions, and to work with you and Members on both sides of the aisle in 1999 to make sure this important piece of legislation becomes law.

Again, congratulations on your new position as Mayor and I look forward to working with you in the future.

Sincerely,

BRIAN P. BILBRAY
Member of Congress

May 21, 1999

Hon. ANTHONY WILLIAMS
Mayor, District of Columbia

RE: teen smoking in the District and your letter sharing your concern about this important piece of legislation becomes law.

This is what a youth consumption law in the District will accomplish.

My amendment contains a penalty section, which is modeled after the Virginia penalty section for minors found in violation of tobacco possession. For the first violation, the minor would, at the discretion of the judge, be subject to a civil penalty not to exceed $50. For the second violation, the minor would be subject to a civil penalty not to exceed $100. For a third or subsequent violation, the minor may also be required to perform community service or attend a tobacco cessation program.

Finally, the school system recently elevated possession of tobacco to a “level one” infraction—which means violators could incur the severe disciplinary measures, including possible suspension. To assess our progress, the District is tracking youth smoking related data through grants provided by the Center for Disease Control.

I want to assure you that I share your concerns about teenage smokers. Sandra Allen, Chairperson of the City Council’s Committee on Human Services, and I are working diligently to strengthen enforcement which should, in combination with the other initiatives, result in a real reduction of teenage smoking.

Again thank you for bringing this issue to the forefront of my attention. I agree that tobacco use by children is a serious public health problem and the District is working to combat this tragic and inevitable long-term effects.

Sincerely,

ANTHONY A. WILLIAMS
Mayor, District of Columbia

HOUSE OF REPRESENTATIVES
Washington, DC

As we move forward in the 106th Congress I intend to reintroduce this amendment to the FY 2000 D.C. Appropriations Bill later in the year when Congress takes up this legislation. I believe at the same time we are educating youth on the dangers of tobacco and curtailing advertisements by the tobacco industry, we need to strive for new and innovative ways to reduce tobacco use along with sending a clear message to our youth that we will not tolerate the consumption of tobacco. This is what a youth consumption law in the District will accomplish.

My amendment contains a penalty section, which is modeled after the Virginia penalty section for minors found in violation of tobacco possession. For the first violation, the minor would, at the discretion of the judge, be subject to a civil penalty not to exceed $50. For the second violation, the minor would be subject to a civil penalty not to exceed $100. For a third or subsequent violation, the minor may also be required to perform community service or attend a tobacco cessation program.

The CHAIRMAN. Guests of the House in the gallery are not allowed to demonstrate their support or opposition to anything that happens on the House floor.

Mr. ISTOOK. Mr. Chairman, I only have my closing comments. I do not know if the gentleman from Virginia (Mr. MORAN) desired to take any further time or not.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Would the Sergeant at Arms remove the people from the gallery? Mr. MORAN of Virginia. Mr. Chairman, I would say to the distinguished gentleman from Oklahoma (Mr. ISTOOK) that we are prepared to conclude. So if the gentleman from Oklahoma is prepared, the gentleman can conclude, and we will renew this debate on Thursday.

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

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I very much appreciate the articulate comments of the gentleman from the District of Columbia (Ms. NORTON). I especially appreciate the passion with which she represents her community.

Mr. Chairman, I would like to address a couple of comments that were raised by the gentleman from Virginia (Mr. MORAN) and by the gentleman from the District of Columbia (Ms. NORTON) because I think they are worthy of considered response.

I realize that we are going to have certain votes when amendments are offered to this bill on Thursday. As we do in elections, so, too, here in the House of Representatives, we accept the results of votes. We have those votes. We handle our differences. But we do not let the things upon which we differ keep us from uniting to accomplish the things that we agree are good. I think that is important in this.

There may be certain senior advisors of the President who recommends to
him that he veto a bill over just one issue. I personally doubt that he would ever do so. I think that needs to be explored briefly.

I had the opportunity, Mr. Chairman, to serve in local government as a city council member in my community, a library board member over a consolidated county system, and a library chairman, and as a member of the State legislature in Oklahoma. Frequently, especially in the legislature, I found that, as a member of the Oklahoma legislature, we not only established the public policy for State government, but we established public policy for the communities within the State of Oklahoma.

That is true in every State, Mr. Chairman, because cities, counties, villages, townships, parishes, these are established by State government. State government gives them the parameters within which they may function.

It is not uncommon in State government to have issues come up that, this governs not only how the State itself is going to operate, but also how the political subdivisions within the State are going to be able to operate, what they can do, or what they cannot do.

Washington DC, of course, is a very different situation. It is not a State that has a State government. It is a Federal district that has one city. It is established by the Federal Constitution.

Ms. NORTON. Mr. Chairman, will the gentleman yield on that?

Mr. ISTOOK. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, I appreciate the gentleman yielding to me. I accept the gentleman’s great American analogy, federalism analogy. But as the gentleman himself observed in local government, he will, I think, recognize that, at the local level, there was voting representation so that there had been agreement to live by majority vote. Because even at the lowest local level, there was voting representation.

The gentleman recognizes that I have no vote in this body, and what vote I did have was taken from me. I just want to indicate that I would, in fact, agree if, in fact, this State analogy were fully applied.

Mr. ISTOOK. Mr. Chairman, I understand the gentlewoman’s concerns, and I appreciate them. As I said before, I appreciate the great passion that she brings to her representation of D.C. I recognize the concerns that she has over the fact that she is not a voting Member on the floor of this body. I realize her argument. I do not think that undercuts the principle of whether or not the Congress of the United States has responsibilities and authority, even though it is not popular with everyone that we do so.

Because just as the State constitutions create cities and counties and other political subdivisions, the United States Constitution created one special entity called the District of Columbia to be the seat of government for the Nation’s Capitol.

Article I, section 8 of the U.S. Constitution states that Congress shall have sole legislative authority over this District. We have delegated through home rule, but, nevertheless, the Constitution established a unique situation. Certainly, of course, the city has the Federal Government here, and it, frankly, has an assurance that this Federal Government is going to be here and will always enjoy the benefits as well as the things which are not benefits of being the seat of the Nation’s Government.

But we are given a responsibility over public policy within the District by a voice vote. It would have probably been a difficult issue, because it brings forth the feelings and the passions such as the gentlewoman is expressing, and others are, too.

But what we are considering in the bill, with amendments that different Members intend to offer on Thursday to this bill is not unique. I think it is very important to note, if my colleagues look at the amendments that the Committee on Rules chose to place in order for Thursday, we have the amendment to be offered by the gentleman from Oklahoma (Mr. Largent), which states that adoptions should, if they are by multiple persons, be by persons who are related by blood or by marriage. That is an amendment which was adopted by this House of Representatives a year ago. The vote was 227 to 192. It is not something new that has been brought to bear in this bill.

The amendment that the gentleman from California (Mr. Bilirakis) intends to offer regarding minors and tobacco is not new. It is virtually the same as the amendment which was considered by this House and passed last year by a vote of 293 to 138.

The amendment that the gentleman from Georgia (Mr. Barr) intends to offer is somewhat different from the one last year. Last year, it was adopted by a voice vote. There was not even a recorded vote requested. It was adopted by a voice vote. It prohibited the District from counting the results of the initiative and the election that was conducted regarding medical use of marijuana.

But it is important to note that that provision was not only adopted by the House of Representatives, it was also approved by the United States Senate, and it was signed into law by the President of the United States.

This year, the amendment which the Committee on Rules chose to place in order for the gentleman from Georgia (Mr. Barr) does not go that far. It simply states that the District shall not legalize a drug that is a restricted drug under schedule I of the Federal Controlled Substances Act.

I view the amendment that causes some controversy that the gentleman from Kansas (Mr. Tiahrt) intends to offer on the floor this Thursday, which states that no public money may be used within the District for a program of needle exchange regarding illegal drug usage, that is not a new provision. That was adopted last year by the House of Representatives on a vote of 250 to 169. It was approved by the United States Senate. It was signed into law by the President of the United States.

Maybe this year the President’s advisors want him to change his mind and say he should veto it if that provision remains there. But the case remains that that is a provision that was approved by the House, the Senate, and the President a year ago.

The language which the gentleman from Virginia (Mr. Moran) has in the bill in place of the Tiahrt language, that makes it a very difficult issue, because it brings forth the feelings and the passions such as the gentlewoman is expressing, and others are, too.

But the amendment that the gentleman himself served in local government, I would like to say that the limitation is on the use of Federal funds, but not a limitation on local funds within the District, is an amendment which was disapproved last year by the House on a vote of 173 to 247.

These are not new issues that have been brought up. In fact, I have encouraged my fellow Members not to bring up new issues to tack on to this particular bill. But I have recognized that positions have been taken by the House, by the Senate, by the President, acting in concert, and that those remain issues that have previously been considered appropriate for this body; and, therefore, we have the votes on Thursday on those issues again.

Ms. NORTON. Mr. Chairman, will the gentleman yield?

Mr. ISTOOK. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, it was this gentleman himself who advocated that those provisions be taken by the House, by the Senate, by the President, acting in concert, and that those remain issues that have previously been considered appropriate for this body; and, therefore, we have the votes on Thursday on those issues again.

Ms. NORTON. Mr. Chairman, it was within an omnibus appropriation.

Ms. NORTON. Mr. Chairman, it was within an omnibus bill. The President’s agents sought to get each and every one of those amendments off, did get the adoption amendment off, for example, but was not able in the course of negotiations to get all of the amendments off.

So the President is not being inconsistent when he says he will veto this year.

Mr. ISTOOK. Well, as I said correctly, Mr. Chairman, the President signed that provision into law last year. Yes, it was in a bill that had many other things within it, but it was signed into law by the President, the very provision that his advisors now say that they would recommend he veto if that provision remained within the bill.
We all know there is a great difference between what an advisor may counsel, what a member of one of the staff moves for us on Capitol Hill, what they may counsel, and what we may deem that we should do or choose to do. I think we have to have perspective.

We have not brought up new issues within this bill. We have the continuation of the issues that have already been brought before this body, and this body has previously determined that they were appropriate to consider.

Those are still live issues. These include issues that were signed into law by the President a year ago. I think it is appropriate for us to consider something that the President did agree to sign into law a year ago.

We will have those debates Thursday. I will abide by the results. I expect that other Members of this body will abide by those results. I just want to put those in perspective, Mr. Chairman.

But I do not want to lose track of the positive things that we have worked together to do in this bill. After we have those votes on the disagreements, I expect that we can and will and should unite to promote those things that we have put in this bill to make the District of Columbia a better, safer, more prosperous place to live, to work, and to visit.

I think that is a worthwhile goal for the capital city of the United States of America. I hope that every Member of this body will join me in that commitment, regardless of our differences on different votes, unite together and approve this bill for the common good of the capital of the United States of America.

Mr. ISTOOK of California. Mr. Chairman, I rise to congratulate my colleagues, Chairman ISTOOK and Ranking Member MORAN, on a fine bill that they have put together.

Though I disagree with certain portions of it—specifically those prohibiting the use of local funds for abortion and the local domestic partner law—I believe the bill is generally even-handed.

There is one issue I wish to raise, however, that is not addressed in this bill and has never, to my knowledge been raised before: pit bulls.

The recent death of a veteran firefighter on the DC fire squad because of a pit bull attack during a fire run is only the latest of tragedies associated with vicious pit bull attacks.

I am an animal lover and for the most part will give animals the benefit of the doubt for their right to share this planet with us. I abhor animal cruelty and am grateful for the support I received from this House in passing a partial ban on steel-jaw leghold just traps two weeks ago.

But this city has a problem with maintaining proper control over pit bulls and Firefighter Robinson was only the most recent addition to a sad list of statistics.

According to Mary Healy, Executive Director of the Washington Humane Society, over ⅓ of all the animals that come into their animal shelters every year is a pit bull. Just think of it: of all the breeds of all the dogs out there, only one breed is labeled like no other. These dogs are turned in or found or captured because they are not suitable as pets. It is the nature of this beast to be other-animal aggressive which leads to unprovoked attacks on other dogs and by proximity, on people. As such they pose a public health and safety threat and for this reason the Humane Society supports full ban on pit bulls.

Originally I had considered offering an amendment to this bill specifically calling on the DC Council to do something about this problem. I will refrain from doing so only because I have learned that the DC Council is moving in the right direction on this issue due to the leadership of Councilmember Carol Schwartz. Ms. Schwartz in March introduced strong legislation that would put sensible restrictions in place in the District. I applaud her vision and dedication to solving this troublesome aspect of life in DC. I understand from Councilmember Schwartz that she has been guaranteed a hearing in October by Sandy Allen. Councilmember from War and Councilmember of the Council Committee on Human Services. I fully hope to see the Council enact Ms. Schwartz’s legislation on an emergency basis and work toward a more permanent solution—maybe even an out-and-out ban like that enacted in Prince Georges County, Maryland—in the next several months.

We can’t wait for the next headline to tell us of the next tragedy of a person hurt or maimed or even killed by these vicious dogs. Firefighter Robinson gave his life; Councilmember Schwartz has the answer. Congress should honor the memory of fireman Robinson by enacting a District-wide pit bull ban like that enacted in Prince Georges County, Maryland.—within the next several months.

We need to support a comprehensive bill that addresses the most serious aspects of this problem.

I support Ms. Schwartz’s legislation. I think the Senate version of this bill, which made its way to the floor before we left for recess, is about the best that could be done.

I will not allow my strong support for this legislation to be an impediment to the passage of this important legislation.

Several Members have spoken about the need for comprehensive drug testing, including those of us who sit on the Judiciary Committee. It is critical that we pass a bill that includes drug testing and education as a core element.

We have the opportunity to pass a strong bill that would put sensible restrictions in place in the District, while providing a model for comprehensive drug testing for prison inmates.

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