

## HOUSE OF REPRESENTATIVES—Friday, July 30, 1999

The House met at 9 a.m.

The Chaplain, the Reverend James David Ford, D.D., offered the following prayer:

We recognize, O God, that as we focus on our communities and our world there are voices of anger and acts of violence. Yet, we know too that there are voices of singing and acts of kindness and love. We know there is pain and we know there is joy, there is enmity and there is reconciliation.

Teach us, gracious God, so to number our days that our mouths will speak of wisdom and faith and our deeds will be of justice and righteousness.

Bless all Your people, O God, this day and every day, we pray.

Amen.

### THE JOURNAL

The SPEAKER. 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. Will the gentleman from Illinois (Mr. LAHOOD) come forward and lead the House in the Pledge of Allegiance.

Mr. LAHOOD led the Pledge of Allegiance as follows:

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

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 819. an act to authorize appropriations for the Federal Maritime Commission for fiscal years 2000 and 2001.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain 1-minute requests at the end of today's business.

### RECESS

The SPEAKER. Pursuant to clause 12 of rule I, the Chair declares the House in recess for 5 minutes.

Accordingly (at 9 o'clock and 5 minutes a.m.), the House stood in recess for 5 minutes.

□ 0910

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LAHOOD) at 9 o'clock and 10 minutes a.m.

### APPOINTMENT OF CONFEREES ON H.R. 1501, JUVENILE JUSTICE REFORM ACT OF 1999

Mr. HYDE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1501) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants to ensure increased accountability for juvenile offenders; to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. CONYERS

Mr. CONYERS. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Conyers moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 1501, be instructed to insist that—

(1) the committee of conference recommend a conference substitute which—

(A) includes a requirement that background checks be conducted on all firearms sales at gun shows so as to effectively preclude criminals and other prohibited purchasers (e.g. murderers, rapists, child molesters, fugitives from justice, illegal aliens, stalkers, and batterers) from obtaining firearms from non-licensed persons and federally licensed firearms dealers at gun shows;

(B) does not include any measure that would weaken the effectiveness of background checks currently conducted on individuals seeking to purchase a firearm from a federally licensed firearms dealer;

(C) does not include any measure that would otherwise weaken or eliminate any other provision of Federal firearms law or regulation; and

(D) includes provisions which would authorize funding for school resource officers and school violence prevention programs, including school counselors;

(2) all meetings of the committee of conference—

(A) be open to the public and to the print and electronic media;

(B) be held in venues selected to maximize the capacity for attendance of the public and the media; and

(C) be held during reasonable hours;

(3) the committee of conference allow sufficient opportunity for all members of the committee of conference to offer and debate amendments at all meetings of the committee of conference; and

(4) the committee of conference recommend a conference substitute before Congress adjourns for the August recess so that Congress can pass reasonable gun safety measures before children return to school.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CONYERS) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. HYDE) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CONYERS).

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

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

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

Mr. HYDE. Mr. Speaker, I want to say to the gentleman from Michigan (Mr. CONYERS) that I have no objection to the instructions proposed by the gentleman from Michigan and we will accept them.

I just have one caveat, and that is putting time constraints on this may make it more difficult to resolve. We will do our best. It would be in an ideal world that we could finish this next week.

Mr. CONYERS. Mr. Speaker, reclaiming my time, I say to the chairman, it is not binding, that we are going to do our best to accomplish that.

Mr. Speaker, as disappointed as I have been about the senseless delays that have prevented this Congress from sending to the President's desk reasonable and moderate gun safety measures, I am pleased that we are finally ready to appoint conferees.

□ 0915

On August 16, in just a few weeks, the children who attended Columbine High School in Littleton, Colorado, will be returning to school. It has been over 3 months since the tragedy in Columbine occurred. But because of the delaying tactics by the National Rifle Association and its allies, we have only 1 week to settle the gun safety issues before we adjourn for the summer recess.

We should not delay longer. How can we do nothing when 13 children are killed as a result of gun violence in this Nation every single day?

Nine people were shot to death in Atlanta, Georgia, yesterday, and 12 were wounded. We do not know all the facts, but this was clearly a disturbed man who should not own a gun. We need a

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

comprehensive system of background checks to keep this kind of person from buying a gun. We need to plug the loopholes.

We still have time to make this back-to-school season free from worries about gun violence for our Nation's children and their parents.

Kids should not have unsupervised access to guns. Teachers and parents should know that their children are carrying books, pencils and paper in their backpacks, not guns.

No dangerous criminal should be allowed to buy a gun at a gun show.

That is all that we are asking for.

My motion to instruct conferees is simple:

Number one, it says that a conference report should include measures that prevent criminals from getting guns at gun shows. A murderer, rapist or batterer should not be able to buy a gun at a gun show. It should not matter whether a murderer tries to buy the gun from a licensed or an unlicensed dealer. The murderer should not get the gun. This is common sense.

Number two, it says that a conference report should not weaken current gun laws. After the tragedies in Littleton, Colorado, and Conyers, Georgia, American parents cried out for measures that do more to protect their kids from gun violence. How can we as a Congress do less?

Number three, it says that a conference report should provide more school resource officers and counselors for our schools. We need to prevent gun violence in schools before it happens. We need to give teachers, school administrators, and parents the tools they need to make schools safer.

Number four, it says that we need to have a fair and open conference. This House should be ashamed that so much of the House debate on gun safety took place in the dead of night while American families were sleeping and unaware that new loopholes that would give more criminals access to guns were being written. The NRA and its allies should not be allowed to hide any longer.

Mr. Speaker, the young people are going back to school. It is time for this Congress to get back to work and pass modest and reasonable gun safety legislation. With nearly 5,000 of our children being killed by gun violence this year, we certainly cannot afford to put this legislation on hold any longer.

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

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

Mr. Speaker, I rise to support the motion to instruct conferees. The gentleman from Michigan's motion makes several points that I know we all agree with, and hence we need no instruction to do. But I am concerned that the motion would also, or might also constrain the work of the conferees in

such a way that might well be counterproductive.

The first instruction in the motion is that conferees craft the conference report in such a way that no criminal will be able to buy a gun, at a gun show or anywhere else. I know of no dispute on this point.

The second instruction in the motion is that the conferees not weaken any existing gun laws. I can assure you this side intends for that to happen. In fact, a cursory review of H.R. 1501 as passed by the House shows that the intent of this body is to strengthen the laws that punish the illegal possession and use of a gun. We do not need to be instructed to avoid doing the opposite.

The third point raised by the motion, to ensure that the conference report addresses the issue of school resource officers, is one that can be raised at conference certainly, and I am not aware of any controversy on this point that requires a vote of the full House at this time. I am certain we can address it at the conference itself satisfactorily.

Mr. Speaker, if this motion instructed us to do only that which we intend to do anyway, it would be superfluous and not needed. But I am troubled by one aspect of it, and, that is, the time constraints. We all want to move with expedition. There have been inordinate delays in getting this to this point. But we all know the reasons for that. This is a very contentious and volatile issue and there are diverse interests tugging and pulling us in different directions. And so I expect this to be a difficult but certainly not impossible conference. But I am fully hopeful that we can emerge with a conference report that can command the support of the majority of this House and a majority of the other body.

I also note that next week is going to involve a number of important measures that will be brought to the floor of this House and that of the other body, all seeking to be reconciled and resolved before the August recess. The interruptions that votes on these measures would cause to a conference, were one to be held, might be enough to prevent us from finishing within a week. Simply put, next week is not the wisest deadline for the work of this conference to be completed. But we are going to try. We are going to give it our very best effort.

And so I support the motion to instruct conferees, and I ask my colleagues to support it. I give you in return my assurance that I intend to complete the work of the conference as quickly and as effectively as possible, while still doing all the work expected of us, in as thoughtful and thorough a manner as possible.

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

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

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Michigan (Mr. CONYERS).

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

Mr. CONYERS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 305, nays 84, not voting 44, as follows:

[Roll No. 354]

YEAS—305

Abercrombie	Davis (IL)	Hooley
Ackerman	Davis (VA)	Horn
Allen	DeFazio	Houghton
Andrews	DeGette	Hoyer
Baird	Delahunt	Hyde
Baker	DeLauro	Inslee
Baldacci	DeMint	Isakson
Baldwin	Diaz-Balart	Istook
Ballenger	Dickey	Jackson (IL)
Barcia	Dingell	Jackson-Lee
Barrett (NE)	Dixon	(TX)
Barrett (WI)	Doggett	Jefferson
Bateman	Dooley	John
Becerra	Doyle	Johnson, E.B.
Bentsen	Dreier	Jones (OH)
Bereuter	Duncan	Kanjorski
Berkley	Dunn	Kaptur
Berman	Edwards	Kasich
Berry	Ehrlich	Kelly
Biggert	Eshoo	Kennedy
Bilbray	Etheridge	Kildee
Bishop	Evans	Kilpatrick
Bliley	Ewing	Kind (WI)
Blumenauer	Farr	King (NY)
Blunt	Fattah	Klink
Boehlert	Filner	Knollenberg
Boehner	Foley	Kolbe
Bonior	Forbes	Kucinich
Bono	Ford	Kuykendall
Borski	Fossella	LaFalce
Boswell	Franks (NJ)	LaHood
Boyd	Frelinghuysen	Lampson
Brady (PA)	Frost	Larson
Brown (OH)	Ganske	Latham
Bryant	Gedden	LaTourette
Buyer	Gephardt	Lazio
Calvert	Gilchrest	Leach
Camp	Gillmor	Lee
Campbell	Gilman	Levin
Canady	Gonzalez	Lewis (CA)
Capps	Goodling	Lewis (GA)
Capuano	Gordon	Linder
Cardin	Goss	Lipinski
Carson	Granger	LoBiondo
Castle	Green (TX)	Lofgren
Chambliss	Green (WI)	Lowey
Clay	Greenwood	Maloney (CT)
Clayton	Gutknecht	Maloney (NY)
Clement	Hastings (FL)	Martinez
Clyburn	Hastings (WA)	Mascara
Combest	Hefley	Matsui
Condit	Herger	McCarthy (MO)
Conyers	Hill (IN)	McCarthy (NY)
Cook	Hilliard	McCollum
Cooksey	Hinchee	McGovern
Costello	Hinojosa	McHugh
Coyne	Hobson	McInnis
Cramer	Hoefel	McKeon
Crowley	Hoekstra	McKinney
Cunningham	Holden	McNulty
Danner	Holt	Meehan

Meek (FL)	Price (NC)	Smith (WA)
Meeks (NY)	Pryce (OH)	Snyder
Menendez	Quinn	Spratt
Metcalfe	Radanovich	Stabenow
Mica	Ramstad	Stenholm
Millender-McDonald	Rangel	Strickland
Miller (FL)	Regula	Stupak
Miller, Gary	Reyes	Sweeney
Miller, George	Reynolds	Tancredo
Minge	Rivers	Tanner
Mink	Rodriguez	Tauscher
Moakley	Roemer	Terry
Moore	Rogan	Thomas
Moran (KS)	Rohrabacher	Thompson (CA)
Moran (VA)	Ros-Lehtinen	Thompson (MS)
Morella	Rothman	Thurman
Myrick	Roukema	Toomey
Napolitano	Roybal-Allard	Trafficant
Neal	Royce	Turner
Nethercutt	Rush	Udall (CO)
Northup	Ryan (WI)	Udall (NM)
Norwood	Sabo	Upton
Nussle	Sanchez	Velazquez
Oberstar	Sanders	Vento
Obey	Sandlin	Visclosky
Oliver	Sawyer	Walden
Ose	Saxton	Walsh
Oxley	Schakowsky	Watt (NC)
Packard	Sensenbrenner	Waxman
Pallone	Serrano	Weiner
Pascrell	Shaw	Weldon (FL)
Pastor	Shays	Weldon (PA)
Payne	Sherman	Wexler
Pease	Sherwood	Weygand
Pelosi	Shuster	Wilson
Peterson (MN)	Simpson	Wolf
Petri	Skeen	Woolsey
Phelps	Slaughter	Wu
Pomeroy	Smith (MI)	Wynn
Porter	Smith (NJ)	Young (FL)
Portman	Smith (TX)	

NAYS—84

Aderholt	Hall (TX)	Rogers
Archer	Hansen	Ryun (KS)
Armey	Hayes	Salmon
Bachus	Hayworth	Sanford
Barr	Hill (MT)	Scarborough
Bartlett	Hilleary	Schaffer
Bass	Hostettler	Sessions
Bilirakis	Hulshof	Shadegg
Bonilla	Hunter	Shimkus
Boucher	Jenkins	Shows
Brady (TX)	Jones (NC)	Sisisky
Callahan	Kingston	Souder
Cannon	Largent	Spence
Chabot	Lewis (KY)	Stump
Chenoweth	Lucas (KY)	Sununu
Coble	Lucas (OK)	Talent
Coburn	McIntosh	Taylor (MS)
Collins	McIntyre	Taylor (NC)
Deal	Mollohan	Thornberry
DeLay	Murtha	Thune
Doolittle	Ney	Tiahrt
Emerson	Paul	Vitter
Everett	Pickering	Wamp
Fletcher	Pickett	Watkins
Gibbons	Pitts	Watts (OK)
Goode	Pombo	Whitfield
Goodlatte	Rahall	Wicker
Graham	Riley	Wise

NOT VOTING—44

Barton	Fowler	McDermott
Blagojevich	Frank (MA)	Nadler
Brown (FL)	Galleghy	Ortiz
Burr	Gekas	Owens
Burton	Gutierrez	Peterson (PA)
Cox	Hall (OH)	Skelton
Crane	Hutchinson	Stark
Cubin	Johnson (CT)	Stearns
Cummings	Johnson, Sam	Tauzin
Davis (FL)	Kleccka	Tierney
Deutsch	Lantos	Towns
Dicks	Luther	Waters
Ehlers	Manzullo	Weller
Engel	Markey	Young (AK)
English	McCrery	

□ 0954

Messrs. COBURN, COLLINS, STUMP, HAYES, PICKERING, PICKETT, HILLEARY, WHITFIELD, BACHUS,

WAMP, CALLAHAN, ROGERS, HALL of Texas, TAYLOR of Mississippi, HULSHOF, MCINTYRE, PITTS, SISISKY, WISE, RAHALL, BILIRAKIS, DEAL of Georgia, SPENCE, COBLE, RYUN of Kansas, SUNUNU, ARCHER, ARMEY, MOLLOHAN, TALENT, DELAY, SOUDER, MURTHA, GRAHAM, and BARTLETT of Maryland changed their vote from "yea" to "nay."

Mr. ROEMER changed his vote from "nay" to "yea."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. EHLERS. Mr. Speaker, on rollcall No. 354, I was inadvertently detained. Had I been present, I would have voted, "yea."

Mr. WELLER. Mr. Speaker, on rollcall No. 354, I was inadvertently detained. Had I been present, I would have voted "yea."

Mr. DEUTSCH. Mr. Speaker, I was unavoidably absent from the Chamber today during rollcall vote No. 354. Had I been present I would have voted "yea."

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the Chair appoints the following conferees:

From the Committee on the Judiciary, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. HYDE, MCCOLLUM, GEKAS, COBLE, SMITH of Texas, CANADY of Florida, BARR of Georgia, CONYERS, FRANK of Massachusetts, SCOTT, BERMAN and Ms. LOFGREN.

Provided, that Ms. JACKSON-LEE of Texas is appointed in lieu of Mr. FRANK of Massachusetts for consideration of sections 741, 1501, 1505, 1534-35, and titles V, VI, and IX of the Senate amendment.

Provided, that Mr. MEEHAN is appointed in lieu of Mr. BERMAN for consideration of sections 741, 1501, 1505, 1534-35, and titles V, VI, and IX of the Senate amendment.

From the Committee on Education and the Workforce, for consideration of the House bill, and the Senate amendment (except sections 741, 1501, 1505, 1534-35, and titles V, VI and IX), and modifications committed to conference: Messrs. GOODLING, PETRI, CASTLE, GREENWOOD, DEMINT, CLAY, KILDEE, and Mrs. MCCARTHY of New York.

From the Committee on Commerce, for consideration of sections 1365 and 1401-03 of the House bill, and sections 1504, 1515, and 1523 of the Senate amendment, and modifications committed to conference: Mr. BLILEY and Mr. DINGELL.

Provided, that Mr. BILIRAKIS is appointed for consideration of section 1365 of the House bill and section 1523 of the Senate amendment.

Provided, that Mr. TAUZIN is appointed for consideration of sections

1401-03 of the House bill and sections 1504 and 1515 of the Senate amendment. There was no objection.

APPOINTMENT OF MEMBERS TO BOARD OF TRUSTEES OF HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

The SPEAKER pro tempore. Without objection, and pursuant to section 5(b) of Public Law 93-642 (20 U.S.C. 2004(b)), the Chair announces the Speaker's appointment of the following Members of the House as members of the Board of Trustees of the Harry S. Truman Scholarship Foundation:

Mrs. EMERSON, Missouri and

Mr. SKELTON, Missouri.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain 1 minutes until approximately 10:45 this morning.

WELCOME HOME TO THE MEMBERS OF THE RED HORSE SQUADRON

(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, on June 8, the Secretary of Defense, Bill Cohen, ordered three U.S. Air Force Red Horse Squadron combat engineer teams from Nellis Air Force Base to Albania.

Their mission was to execute critical road and bridge repairs in this war-torn region as part of NATO's efforts to see a peaceful and safe return to a countless number of refugees.

Tonight will be a special evening at Nellis Air Force Base as many of these dedicated troops will be returning to their families and friends. Mr. Speaker, 61 members of the Red Horse Squadron will arrive on base tonight to a warm Nevada welcome.

This last spring, I had the opportunity to visit the Balkan region with some of my House colleagues and we were able to witness firsthand the enormous damage caused to the Kosovo region.

The task of removing land mines and repairing this region is an enormous challenge for our servicemen and women and continues to be to this date.

So on behalf of all Nevadans, let me say "welcome home" to the members of the Red Horse Squadron. I salute them for their valuable service to this country and to this effort.

As we continue to help these refugees back to their farmlands and homes, let us hope that all of our American troops will remain safe and return home in the very near future.