

Horn	Miller, Gary	Skeen
Houghton	Miller, George	Skelton
Hoyer	Mink	Slaughter
Hulshof	Moakley	Smith (MI)
Hunter	Mollohan	Smith (NJ)
Hutchinson	Moran (KS)	Smith (TX)
Inlee	Morella	Smith (WA)
Isakson	Murtha	Snyder
Jackson-Lee	Myrick	Spence
(TX)	Nadler	Spratt
Jenkins	Napolitano	Stabenow
John	Neal	Stearns
Johnson (CT)	Nethercutt	Stenholm
Jones (NC)	Norwood	Strickland
Kanjorski	Olver	Stump
Kelly	Ortiz	Sununu
Kennedy	Packard	Sweeney
Kildee	Pastor	Talent
Kilpatrick	Pease	Tanner
King (NY)	Pelosi	Tauzin
Kingston	Peterson (PA)	Taylor (MS)
Klink	Phelps	Taylor (NC)
Knollenberg	Pickering	Thomas
Kuykendall	Pickett	Thompson (CA)
LaFalce	Pitts	Thompson (MS)
Lampson	Pombo	Thornberry
Larson	Price (NC)	Thurman
Lazio	Quinn	Tiahrt
Levin	Radanovich	Towns
Lewis (CA)	Rahall	Traficant
Lewis (GA)	Rangel	Turner
Lewis (KY)	Regula	Udall (NM)
Linder	Reyes	Upton
LoBiondo	Reynolds	Vitter
Lowe	Riley	Walden
Lucas (KY)	Rivers	Walsh
Lucas (OK)	Rodriguez	Wamp
Maloney (CT)	Roemer	Watkins
Martinez	Rogers	Watt (NC)
Mascara	Ros-Lehtinen	Watts (OK)
McCarthy (MO)	Roukema	Weiner
McCarthy (NY)	Ryun (KS)	Weldon (FL)
McCollum	Sanders	Weldon (PA)
McCrery	Sandlin	Wexler
McGovern	Saxton	Weygand
McHugh	Schaffer	Whitfield
McInnis	Scott	Wicker
McIntosh	Serrano	Wilson
McIntyre	Shadegg	Wise
McKeon	Sherwood	Wolf
McKinney	Shimkus	Woolsey
McNulty	Shows	Wynn
Meeks (NY)	Shuster	Young (AK)
Metcalf	Simpson	
Mica	Sisisky	

NOES—140

Archer	Frank (MA)	McDermott
Arney	Galleghy	Meehan
Baldwin	Ganske	Meek (FL)
Barrett (NE)	Goss	Menendez
Barrett (WI)	Green (WI)	Millender-
Becerra	Gutierrez	McDonald
Biggart	Gutknecht	Miller (FL)
Bilbray	Hall (OH)	Minge
Blagojevich	Hefley	Moore
Blumenauer	Herger	Moran (VA)
Boehner	Hobson	Ney
Boswell	Hostettler	Northup
Brown (OH)	Hyde	Nussle
Buyer	Istook	Oberstar
Calvert	Jackson (IL)	Obey
Campbell	Johnson, E. B.	Ose
Capps	Johnson, Sam	Owens
Carson	Jones (OH)	Oxley
Chabot	Kaptur	Pallone
Chenoweth	Kasich	Pascrell
Clay	Kind (WI)	Paul
Conyers	Kleccka	Payne
Cox	Kolbe	Peterson (MN)
Crane	Kucinich	Petri
Davis (IL)	LaHood	Pomeroy
Davis (VA)	Lantos	Porter
DeGette	Largent	Portman
Delahunt	Latham	Pryce (OH)
DeLay	LaTourette	Ramstad
Dixon	Leach	Rogan
Doggett	Lee	Rohrabacher
Dooley	Lipinski	Rothman
Doolittle	Lofgren	Roybal-Allard
Dreier	Luther	Royce
Ehlers	Maloney (NY)	Rush
Eshoo	Manzullo	Ryan (WI)
Evans	Markey	Sabo
Ewing	Matsui	Salmon

Sanchez	Souder	Udall (CO)
Sanford	Stark	Velazquez
Sawyer	Stupak	Vento
Schakowsky	Tancredo	Visclosky
Sensenbrenner	Tauscher	Waters
Sessions	Terry	Waxman
Shaw	Thune	Weller
Shays	Tierney	Wu
Sherman	Toomey	Young (FL)

NOT VOTING—8

Berman	Dickey	Jefferson
Bono	Ford	Scarborough
Coble	Fowler	

□ 1823

Mrs. MEEK of Florida changed her vote from "aye" to "no".

Ms. PELOSI changed her vote from "no" to "aye".

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. COMBEST. 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. 1402, the bill just passed.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 1402, CONSOLIDATION OF MILK MARKETING ORDERS

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill (H.R. 1402), the Clerk be authorized to correct section numbers, punctuation, citations, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

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

There was no objection.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO FILE SUPPLEMENTAL REPORT ON H.R. 2559, AGRICULTURAL RISK PROTECTION ACT OF 1999

Mr. COMBEST. Mr. Speaker, I ask unanimous consent for the Committee on Agriculture to file a supplemental report to accompany H.R. 2559, the Agricultural Risk Protection Act of 1999.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 1555, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2000

Mr. GOSS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1555) to authorize appropriations for fiscal year 2000 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, 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 Florida? The Chair hears none and, without objection, appoints the following conferees:

From the Permanent Select Committee on Intelligence, for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Messrs. GOSS, LEWIS of California, MCCOLLUM, CASTLE, BOEHLERT, BASS, GIBBONS, LAHOOD, Mrs. WILSON, Mr. DIXON, Ms. PELOSI, and MESSRS. BISHOP, SISISKY, CONDIT, ROEMER and HASTINGS of Florida.

From the Committee on Armed Services, for consideration of defense tactical intelligence and related activities:

Messrs. SPENCE, STUMP and ANDREWS. There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2506, HEALTH RESEARCH AND QUALITY ACT OF 1999

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 106-328) on the resolution (H. Res. 299) providing for consideration of the bill (H.R. 2506) to amend title IX of the Public Health Service Act to revise and extend the Agency for Health Care Policy and Research, which was referred to the House Calendar and ordered to be printed.

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

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

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

The Clerk read as follows:

Ms. LOFGREN moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 1501, be instructed to insist that the committee of conference recommend a conference substitute that—

(1) includes a loophole-free system that assures that no criminals or other prohibited

purchasers (e.g. murderers, rapists, child molesters, fugitives from justice, undocumented aliens, stalkers, and batterers) obtain firearms from non-licensed persons and federally licensed firearms dealers at gun shows;

(2) does not include provisions that weaken current gun safety law; and

(3) includes provisions that aid in the enforcement of current laws against criminals who use guns (e.g. murderers, rapists, child molesters, fugitives from justice, stalkers and batterers).

The SPEAKER pro tempore. Under clause 7 of rule XX, the gentlewoman from California (Ms. LOFGREN) and the gentleman from Illinois (Mr. HYDE) each will control 30 minutes.

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

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

Mr. Speaker, 13 children a day are being killed by gun violence. Perhaps we have repeated this statistic so frequently that we do not fully feel it anymore that these are children, and that is a shame.

I ask the Members here in this Chamber and listening to this discussion in their offices, how we can possibly ignore any legislative measure that could help protect these children?

I ask the Members on all sides of this issue to agree with me that, whatever else we do, we agree we shall not pretend we are making children safer at the same time we are building into our legislation weasel worded modifiers and exceptions that make the promised protections meaningless.

After I gave notice of this motion to instruct the conferees last night, the Associated Press was told there was a compromise being circulated by the chairman of the Committee on the Judiciary. I wish to make that A.P. article a part of this RECORD.

Since the A.P. article was received in my office this afternoon, I have asked the chairman for a copy of his proposal so I can determine for myself whether it is, indeed, a compromise I could embrace; and I am hopeful that I can get a copy of the proposal. I have had members of the press call my office about this proposed compromise, and I am all the more concerned that we not offer some proposal that might have loopholes.

□ 1830

That is why I thought it was necessary to propose this motion to instruct.

Since there has been no joint meeting of the conference or staff since early August, and I have had to read the AP wire to learn what is going on, even as a conferee, I ask the Members of this body to instruct the conference:

One, not to include loopholes that favor the wrong people getting guns, those who have been arrested, those who have restraining orders, and those who have been adjudicated mentally ill;

Two, not to weaken current gun safety laws;

And, three, not to compromise the ability of law enforcement officers to find those criminals who use guns in the crimes that they commit.

First, my colleagues may ask what loopholes I am worried about. I am worried we are going to define gun shows or gun vendors in such a way to make the Lautenberg gun show provision ineffective, if not meaningless. I am worried that we are not going to define background checks in such a way as to exclude some persons we really should be concerned about.

Second, my colleagues may wonder how we could weaken current gun safety laws. Would anyone in this chamber want to permit the interstate shipment of firearms by mail again? Do we want to repeal the Lee Harvey Oswald gun provision?

Third, my colleagues may wonder what could compromise law enforcement's ability to fine those criminals who use guns in the crimes they commit. Well, suppose the records to run the gun check on the purchaser were destroyed immediately after the check was run. And suppose the gun show vendor did not have to retain the serial number of the gun? How would law enforcement follow the trail to the bad actor who bought that gun?

There are those in this House who prefer that we do nothing. The NRA's chief lobbyist says, and I quote, "Nothing is better than anything." That is what this House did only a few months ago. The House majority whip made his position crystal clear when he was quoted in *The Washington Post* as saying that killing the gun safety bill was "a great personal victory." Does the majority whip really want this House to do nothing when it comes to the safety of our children? Does the majority prefer to release its proposal to the press rather than to the conferees? In other words, does the majority really prefer to have a news story rather than a legislative solution? I hope not, and I trust not.

I ask my colleagues to support this motion to instruct as a further guarantee that this Congress does something, that it does something meaningful, that it does something soon, and that it does it in a bipartisan way, in the best interests of the mothers and children of this country.

Mr. Speaker, the Associated Press article I referred to earlier is included for the RECORD herewith.

HYDE FLOATS COMPROMISE PROPOSAL ON NEW GUN CONTROLS
(By David Espo)

WASHINGTON (AP).—The chairman of the House Judiciary Committee is circulating a proposal designed to break a months-long deadlock over the sale of weapons at gun shows, congressional officials said Tuesday night.

The officials, who spoke on condition of anonymity, said Rep. Henry Hyde, R-Ill., is

proposing a two-step system of background checks. Most gun show sales could be cleared within 24 hours but others could be delayed for up to three additional business days for additional investigation.

Republican and Democratic aides said Hyde's proposal includes a ban on importing certain large capacity ammunition clips as well as a requirement for the sale of safety devices with handguns.

It also includes a lifetime ban on the purchase of a handgun by anyone convicted of a gun-related felony as a juvenile. And minors would be prohibited from possessing assault weapons.

Separately, GOP aides said any compromise juvenile crime bill would likely include a House-passed provision allowing the posting of the Ten Commandments in schools. Supporters claim that would help promote morality; critics say it is unconstitutional.

Any compromise is also expected to toughen prosecution of juvenile gun-related crimes, and provide additional federal funding for anti-crime programs.

Hyde has outlined his gun proposal to Rep. John Conyers of Michigan, the senior Democrat on his committee, as well as to Sen. Orrin Hatch, R-Utah, chairman of the Senate Judiciary Committee. It was not clear if any senior GOP leaders had yet turned their attention to the issue.

The gun control issue has been percolating in congress since last spring, when two students invaded their high school in Colorado and killed 12 fellow students and a teacher before taking their own lives.

The Senate passed a series of gun control provisions a few weeks later, but a slightly different set of proposals died in a House crossfire when Republicans complained the measures were too strong and some Democrats griped they were too weak.

Efforts at a compromise have moved fitfully since, and Hyde's proposal marked an attempt to find middle ground before lawmakers go home for the year.

The gun show issue is widely regarded as the hardest to resolve, given close votes in the House and the Senate.

Under Hyde's proposal, all gun show purchasers would be subject to a 24-hour check under the proposal. Those that hadn't been cleared by then would be subject to a wait of up to three additional business days.

Hyde's proposal defines a gun show as any gathering of five or more sellers.

The Senate-passed measure would give the government three days to complete the required background check. The House measure that was defeated called for one day, but extended that to other sales outside gun shows that now are covered by the three-day rule.

Current law regarding gun shows requires background checks only for sales by licensed dealers.

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 wish to inform the gentlewoman from California that we do not have a text of a bill yet, despite the Associate Press's somewhat premature remarks. The gentleman from Michigan (Mr. CONYERS) and I have been meeting for many hours with our staffs, and we are still negotiating, so any text would be premature. I would prefer releasing a text when we have one, a final one.

I rise actually to support the gentlewoman's motion, but first I want to commend the senior Senator from Utah, who is the chairman of the Senate Committee on the Judiciary and chairman of the Juvenile Justice Conference. And he has shown tremendous leadership on this issue and has done everything in his power to bring the Senate, the House, and the administration together and hammer out a proposal that can pass both Houses of Congress and be signed into law. He and his staff have put politics aside, rolled up their sleeves and sought a solution.

I also want to thank the Speaker of the House and the leadership of this House. I have had their constant support and cooperation in finding the appropriate balance of juvenile justice, enforcement, gun safety, and cultural provisions to respond to the horrific violence that plagues our society.

And, finally, I want to commend my colleague from Michigan, the ranking member of the House Committee on the Judiciary. I have had the pleasure of working closely with him over the last few months to resolve the differences in the House over this juvenile justice provision. It is worth noting that, after 4½ years, we came to a bipartisan agreement on juvenile justice legislation early this year. Unfortunately, that proposal is now wrapped up in a larger package of much more controversial items, including gun safety measures. I respect the courage of the gentleman from Michigan to seek a meaningful resolution to issues that others would rather exploit than solve.

Now, the gentlewoman's motion calls for background checks at gun shows without loopholes, no weakening of current law, and improved enforcement of current firearms laws. To the gentlewoman I say, consider me instructed. I can state unequivocally that I support each of these goals. Since the tragic school shooting at Columbine high school in April, the Committee on the Judiciary has been holding hearings and working on legislation to address the growing culture of youth violence. And the three goals stated in the gentlewoman's motion have been our guiding effort. And they were reflected in the legislation we brought to the House floor in June, legislation that she and many of her colleagues, unfortunately, did not support.

While I support these laudable objectives, I do not support using them as a Trojan horse for more invidious goals. I support mandatory background checks at gun shows without loopholes. I do not support eliminating gun shows. I agree we should not weaken current law. I do not agree that we should allow for a national registry of firearms.

But as I rise to support the motion, I want to make a few points that I think shed important light on the issues that

the gentlewoman's motion addresses. Her motion directs that our conference report include a loophole-free system that ensures that no criminals or other prohibited purchasers obtain firearms from nonlicensed persons and federally licensed firearms dealers at gun shows.

Well, I hope the gentlewoman knows that current law already requires federally-licensed firearms dealers at gun shows to perform background checks prior to the sale of any firearm, and I trust the gentlewoman knows that H.R. 2122, the legislation the House considered on the floor back in June, that addressed gun shows, would have required that all vendors at gun shows, including nonlicensed vendors, perform background checks prior to the sale of any firearm.

I assume the gentlewoman knows that all of the persons on her list of prohibited purchasers, "murderers, rapists, child molesters, fugitives from justice, undocumented aliens, stalkers and batterers," are prevented under current law from lawfully purchasing a firearm. And does the gentlewoman know that the list of prohibited purchasers under current law is actually much longer than her list? All felons, not just the few she lists, are prohibited purchasers under current law.

Furthermore, an individual does not even have to be a felon to be prohibited, but merely needs to be under indictment for a felony to be prohibited. And the list also includes persons that have been dishonorably discharged, and persons who have denounced or renounced their U.S. citizenship. That is all under current law.

Now, I want to say that while I will vote for this motion, I am concerned about what the gentlewoman means when she calls for a loophole-free system. If by that she means mandatory background checks at gun shows prior to the sale of any firearm, with no exceptions and no loopholes, then I am with her all the way. If she means, however, to define gun shows to include every private gun transaction under the sun, then I am not with her. That would be a gross incursion of the liberties that law-abiding U.S. citizens enjoy and would represent an unprecedented degree of Big Brother.

And that is why I do not support the so-called Lautenberg gun show provision. It goes far beyond requiring mandatory background checks at gun shows. Permit me to list a few of its excesses. Its definition of a gun show is so broad that it could include a few family members or neighbors who gathered together to trade firearms. It imposed myriad new excessive regulations on gun show organizers, seemingly with the aim of driving them out of business, including criminal penalties for conduct of persons not within their control. It required federally licensed vendors to do the background checks for nonlicensed vendors at gun

shows. That is for their competitors. And it would then impose new regulatory burdens on the federally licensed vendors, making it more difficult for them to stay in business.

And get this, it would further allow Federal ATF agents to search a gun show promoter or a federally licensed vendor without reasonable cause and without a warrant. And, finally, it created a new huge gun control bureaucracy with vast new authority. Indeed, the most oft repeated phrase in the Lautenberg provision is, "as shall be required by regulation from the Secretary of the Treasury."

This new gun control bureaucracy would make organizing and participating in a gun show so onerous and costly that it appears to have been designed to shut down gun shows altogether. One example is handing to every participant a copy of title 18's gun control regulations and statutes, plus a copy of the regulations. As such, it is my considered view that the Lautenberg amendment does not represent reasonable common ground as we continue to work toward reasonable gun control.

What is reasonable gun control? Well, how about a ban on importing large capacity ammunition clips; a requirement for the sale of safety devices with handguns; Juvenile Brady, prohibiting juveniles convicted of a violent offense from owning a firearm; prohibiting minors from possessing assault weapons; and, yes, mandatory background checks at gun shows before the sale of any firearm. This is what we propose.

The gentlewoman's motion also urges the conferees to, and I quote, "include provisions that aid in the enforcement of current laws against criminals who use guns." I hope no one misses the point that the motion is concerned about the enforcement of firearms laws already on the books. Let me say that I share that concern, because the administration has been derelict when it comes to firearms enforcement.

Consider the following: In 1992, there were 7,048 Federal prosecutions of Federal firearms violations. In 1998, there were only 3,807 such prosecutions. This is a reduction of nearly one-half. Over the last 3 years, the total number of prosecutions of gun criminals has been pitiful. During that period, there were only 38 prosecutions of juveniles in possession of a handgun, that is over 3 years, even though juvenile gun violence is way up. There were only 22 prosecutions for illegally transferring a handgun to a juvenile. There were only 17 prosecutions for possession or discharge of a firearm in a school zone. And, get this, only one Brady Act violation or background check prosecution in 3 years.

Now, some can argue that the numbers fail to point out the States are doing a better job. Well, even if the States are picking up some of the

slack, it does not diminish the fact that the Federal Government has been prosecuting less. And less Federal prosecutions mean less prison time by gun criminals, because the Federal system is the toughest in the Nation.

I also wonder if the gentlewoman is aware that the McCollum amendment to H.R. 1501, which passed the House in June, included the armed criminal apprehension program. This program was precisely designed to, in the words of the motion, aid in the enforcement of current laws against criminals who use guns. The program in the McCollum amendment required the Justice Department to establish an armed criminal apprehension program in each U.S. Attorney's Office. Under the program, every U.S. Attorney would designate one or more Federal prosecutors to prosecute firearms offenses and coordinate with State and local authorities for more effective enforcement.

In conclusion, let me say I wholeheartedly agree that enforcement of current gun laws has become a national problem, even a national disgrace. I am glad the gentlewoman's motion makes the point and calls for improved enforcement efforts.

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

Ms. LOFGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. CONYERS), the ranking member of the committee.

Mr. CONYERS. Mr. Speaker, I begin my discussion by commending the gentlewoman from California. This motion to instruct is right on time. It tries to put together what the gentleman from Illinois (Mr. HYDE) and I are working on into a general picture that can lead to a resolution that will satisfy the majority of the Members of the House of Representatives and the American people.

□ 1845

Now, if we can accomplish this difficult goal, I think that we will have a successful conclusion to a serious problem that has been neglected for far too long.

May I also say to the gentleman from Illinois (Mr. HYDE) that negotiations have been in total good faith from the beginning. It is not out of order for me to let everybody know that we are meeting on this even as the motion to instruct is being resolved here on the floor; and these meetings will go on as long, as often, as frequently is necessary if between us and the forces that we represent we can hammer out a consensus that will lead us to a position that the majority of the Members of this House can repair. If that happens, I will be very personally gratified.

Now, these discussions are in good faith. They have been productive over the last 2 months. The possibility of reaching a bipartisan agreement on

reasonable and commonsense gun safety legislation is good. It is positive. It is in that spirit that I join both the gentlewoman from California (Ms. LOFGREN) and the chairman of the committee in urging that the motion to instruct be adopted by as great a majority as is possible.

It is true that the descriptions of the compromises that the chairman and I are working on have been inaccurate and incomplete. But that is not news with the press. The media has not been a party to our meetings. They do not know what we have been talking about and what agreements have been reached. But let me tell my colleagues what, in my mind, are the kind of things that we should be looking for if we are going to resolve the question of commonsense gun safety legislation.

Would it not be wonderful that there would be no exemption of a substantial number of gun shows for events where guns are sold simply because other items are sold as well? I think that is reasonable, and I hope that we will include this in our thinking on both sides of the aisle.

Would it not be wonderful if proposals for independent check registrants that will invite fly-by-night background checkers who will consummate sales that are difficult to trace may be impossible, making the enforcement of our gun laws against dangerous criminals who use guns even more unlikely, eliminating sufficient recordkeeping requirements which might tempt fraud to enter into this system?

There should be, in my view, no exclusion of coverage of domestic violence offenders and mentally disturbed individuals from the background check requirement. And hopefully, unconstitutional provisions, the Ten Commandments proposal, for example, is something that probably does not materially fit into the notion of how we achieve commonsense gun safety in America.

So personally, my colleagues, I believe that these matters are resolvable. We are still confronted with the goal of coming to a conclusion and then going into conference. After all, the meetings are not going to solve the problem. The meetings are laying the groundwork for the conference committee to come to the agreements that the chairman and I are struggling toward.

There are over 35,000 gun-related deaths in the country, and the ease with which wrongdoers can obtain semiautomatic weapons and other firearms is a national outrage.

So what we seek is to meet the modest goals established in the Senate-passed bipartisan gun violence bill. I will continue to commit to do everything in my power to see that this is accomplished.

Again, I commend the gentlewoman from California (Ms. LOFGREN).

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

Mr. Speaker, I appreciate the wise comments of the chairman and ranking member. I am concerned, however, that despite all the good will and the coming together about this motion, we met last on August 3, we gave speeches to each other as conferees; and now it is September, midterms are almost here, and we still have not gotten anything into law.

So that is a concern, and it is shared by the gentlewoman from New York (Mrs. MCCARTHY).

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

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in support of the motion to instruct the conferees on the Juvenile Justice Reform Act.

The gentlewoman from California (Ms. LOFGREN) and I offer this motion to help move the conference committee forward towards approval of effective juvenile justice legislation that will help save children's lives.

I will skip part of my written testimony mainly because of what I have already heard tonight. I think what is important to realize is why did we even start this journey. It all had to do with the shooting at Columbine.

We know the gun that was used in that particular shooting was bought at a gun show. No questions asked. That is why we are dealing with the gun show loophole. That is why we are here. That is what the American people want us to do.

Our job here is to listen to the American people. Our job here is certainly not to be on an emotional fever but certainly to say we are listening and we are trying to work something out.

But I have to say, people in this chamber seem to think that we might be able to get through some sort of a gun show amendment that is not going to close the loopholes. The American people are watching this. Being somewhat of a newer Member, I have a great deal of faith in the American people now knowing when there is a good bill and there is a bad bill, and they will judge us on that. And I think that is the important thing to remember.

Tomorrow, on the steps of this Capitol, the beginning of the yearlong procedure as far as a million women, mothers, grandmothers will be starting so they can be here next Mother's Day. They are going to be the ones that are going across this country saying that we have to do something.

I say to all of us, let us work together, let us put a good bill through, and let us not have the NRA write something up knowing that they do not want anything done.

Mr. Speaker, I rise in support of the motion to instruct the Conferees on the Juvenile Justice Reform Act. The Gentlewoman from California and I offer this motion to help move the

Conference Committee forward, toward approval of effective Juvenile Justice legislation that will help save children's lives.

The motion is simple and straightforward. It contains a 3-part instruction:

(1.) The Juvenile Justice legislation should include a loophole-free system that assures that no criminals or other prohibited purchasers obtain firearms from gun shows; (2.) The Juvenile Justice bill should not include provisions that weaken current gun safety law; (3.) The Juvenile Justice legislation should include provisions that aid in enforcement of current laws.

I urge all of my colleagues to support the motion to instruct. I believe it is fundamentally important that the House overwhelmingly support this balanced motion because the American people are looking to Congress for leadership. The American people want Congress to help make our schools safer.

If we are going to make our schools safer, we have to address the issue of easy access to guns. In every one of the tragic school shootings over the last two years, it was too simple for children to get a hold of guns. In Littleton, Colorado, Eric Harris was able to purchase a TEC-9 used in the Columbine High School shooting no questions asked at a gun show. The motion to instruct includes a provision requesting that the conferees close the deadly gun show loophole.

The motion to instruct also includes a provision that states we must NOT weaken current gun law. Before Members vote on the motion, I think it is important that we remember why we are having the debate over juvenile justice. As my colleagues know, legislation regarding juvenile justice stalled last year. And the Juvenile Justice bill was moving slowly this year until the shooting at Columbine High School caused the American people to stand-up and say that Congress must do something about kids and guns.

It would be a total disaster if Congress responds to the recent outbreak of school shootings by approving a Juvenile Justice bill that actually weakens our current gun safety laws. I would warn my colleagues that the American people will not be fooled by a juvenile justice bill that responds to the deaths in our schools with NRA-drafted proposals that do not truly address the problem of children's access to firearms.

We are fighting for children's lives here. Congress must approve a bill that truly protects our kids by keeping guns out of the hands of juveniles and criminals. I urge my colleagues to support the motion to instruct and show the American people that Congress is listening to their concerns.

Ms. LOFGREN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me add my appreciation to the gentlewoman from California (Ms. LOFGREN) for this motion to instruct. It is constructive because it says to those of us who are conferees that, one, we still have a task to do and this is how we should do it.

In addition, let me frankly thank the chairman, the gentleman from Illinois (Mr. HYDE), and the ranking member,

the gentleman from Michigan (Mr. CONYERS). It tells us, I say to the gentleman from Illinois (Chairman HYDE) that we should not believe everything we read.

I am delighted that there are ongoing discussions regarding gun safety laws in America and that, in fact, even though there are ongoing discussions, those of us conferees will be included in those discussions, for we have a great concern about gun safety but, more importantly, gun violence that needs a response.

Needless to say, our Nation leads the world in firearm deaths. Particularly as it relates to deaths, the leading cause of death in 100,000 people are firearms.

We already heard many times before, particularly this morning as many of us read, a number of children who have died from gun violence since Columbine that 13 children die every day and that firearms are the fourth leading cause of deaths among children age 5 to 14.

I would like to just simply refer my colleagues to a series that was done, "America Under the Gun." I think it is worth noting some very important factors here that talk about the number of killings that we have had, the weapons used, the Uzi semiautomatic, a .40 caliber Glock semiautomatic, a .9 millimeter pistol Glock, a .357 Magnum revolver, a Tec DC-9 handgun, .22 Ruger, a .38 caliber Smith & Wesson revolver. A number of these that were used to do a series of killings across this Nation had an automatic ammunition clip.

At this point in time, Mr. Speaker, we do not have that provision nailed down in the conference. But I am glad that our chairman has indicated, along with my support and that of the gentlewoman from Colorado (Ms. DEGETTE) and Senator FEINSTEIN that we are going to discuss and get into this bill the prohibition on automatic clips. This is important because this is what we see as one of the main causes of deaths.

In addition, Mr. Speaker, I do not know how many of us know in addition to the loopholes in gun shows that in many States children can go unaccompanied into these gun shows. I would be looking for the chairman to work with him to at least do as much as we do for children going into R-rated movies where children under 17 cannot go into these movies of violence without an adult; but yet we allow children randomly to go into gun shows where we found that many of the perpetrators of violent crimes have gotten their guns.

This instruction emphasizes to us that we must not weaken gun safety laws. And as well, Mr. Chairman, it emphasizes to us that we must get down to our task.

I simply close, Mr. Chairman, by saying that although the Second Amendment stands strong, guns are not relics;

guns can be regulated. We must regulate guns on behalf of our children. Let us get to the conference and do our job.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, the Chicago Tribune, September 22, 1999:

Two Fenger High School students were injured Tuesday when a gunman opened fire on a crowd of students walking home, Chicago police said.

Authorities said between 6 and 12 shots were fired, sending the students scurrying for cover. Witnesses told the police the shooter was a 17-year-old male who had been expelled from the South Side High School a year ago.

The shooting near Fenger took place about 3 p.m. A large group of students walking south on Wallace began arguing with a smaller group of at least four people near the intersection.

The gunman, who was in the smaller group, allegedly pulled out a handgun and began firing into the other crowd of students. It was unclear whether the gunman intended to hit the two injured students or whether he knew them.

"It's crazy. It's just crazy out there," said Crystal Allen, Darrell Allen's mother, as she rushed into the hospital's emergency room. "Your kids can't even walk to school without being shot. It's a shame. They have metal detectors in the schools. But what happens when they walk outside?"

Conferees, please do something meaningful to keep guns from turning school yard brawls into injury and death.

Mr. HYDE. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Speaker, I would like to thank the distinguished chairman of the Committee on the Judiciary for his courtesy in yielding me the time and also for his leadership on these most important issues.

I think perhaps, colleagues, the best thing we could do in this debate, which will certainly not be the final word, we will debate this issue many, many days this session and the next session of Congress, is to provide a little bit of background.

All of us talk about prosecution of violent crimes, prosecution of crimes involving firearms.

□ 1900

We also talk about providing the necessary resources to our Department of Justice to enforce those federal laws that relate to violent crime. I think it is important to place this debate in context, to look at the increases in the Clinton administration Department of Justice budget that had been provided by the Congress for the administration to carry out its mandate to enforce those Federal criminal laws including, but not limited to, those that relate to the use of firearms.

One does not have to see the small print on this chart to recognize that there has been a substantial increase

just over the last 6 years of the Clinton administration in the billions of dollars that have been provided to the Department of Justice for its budget increasing from 9.63 billion to 14.82, well over a 50 and close to a 55 percent increase. One would expect to see not necessarily a 55 percent increase in the prosecution of the criminal use of firearm statutes during the same period of time, but perhaps leave something close to it. Certainly one would not expect to, given the rhetoric of the Clinton-Gore administration, expect to see even a modest decrease in the prosecution of criminal use of firearms during the last 6 years.

Unfortunately, Mr. Speaker, that is, in fact, what we see. We see a substantial decrease in the prosecution of the criminal use of firearms during each year from 1992 to 1998, nearly a 50 percent decrease.

So at the same time as we have increased the budget for the Department of Justice to prosecute violent crimes by over 50 percent, we have seen a 50 percent decrease in the actual prosecutions of these cases. Therefore, those of us on this side of the aisle serving on the conference committee on this piece of legislation are concerned that we, in fact, provide something more than simply more money for the Clinton administration to prosecute violent crime, and that is in fact one of the things that we are looking at. We are looking at, for example, programs that actually work, such as Project Exile in the Richmond, Virginia area which resulted over about a 2-year period in a 40 percent decrease in the incidents of violent crimes in that jurisdiction.

The way that this came about was very simple. An Assistant United States Attorney in Richmond called the local prosecutors and law enforcement officials into his office and said, "If you bring me the gun cases, I will prosecute them. If you build it; they will come. If you bring me those cases, they will be prosecuted; I guarantee you," he told them, "and I will seek maximum penalties under the federal laws." The fact of the matter is that he did just that. He developed the credibility with local law enforcement, and the results speak for themselves. That is what we need to be doing, Mr. Speaker.

Now I understand the gentlewoman from California, and I would presume that she agrees with us that what we ought to be looking at is more than simply providing more money to an administration that has received substantially more money to prosecute cases yet has not done so, that we ought to be looking at ways to prod the administration and future administrations to actually prosecute gun cases, to actually prosecute those who commit a felony every time they provide misleading or false information on the instant background check form. Rather

than talk about so many tens, if not hundreds of thousands, of felons who have escaped, who are not able to purchase firearms because of the NICS system, let us talk also about those very, very few, .2 percent, that have actually been prosecuted for committing what amounts to about as close as one can get to an open and shut felony. They put false information on that form; the form says if they do so, they are subject to a 5-year penalty in the Federal penitentiary, and, in fact, those cases, if they were prosecuted, would send a very important message to the American people.

So in conclusion, and in support of what the chairman and us on this side of the aisle, those of us on this side of the aisle concerned with doing something that actually does more than just talk about these problems; what we are trying to do is to work with the conferees and present back to this body something that this body actually had a chance to vote on. Yet the vast majority of Democrats, even most of those who voted for the so-called Dingell amendment to tighten up on provision of background checks, national instant checks at gun shows, they turned around and then voted to kill the bill that had that provision in it.

What we are trying to do is to put politics aside and look at the substance of these issues, look at the substance of providing the guarantees insofar as we are able and the impetus for prosecuting these gun cases to provide the resources to the Department of Justice, that it needs to do so. None of us are interested in weakening current gun laws. That is a red herring. None of us are interested in doing that, and there is nothing in the bill that we are considering in the conference report that would do that.

So, Mr. Speaker, one really has to wonder when one looks at the language of the gentlewoman from California which provides for a loophole-free system, includes provisions that do not weaken current gun safety law; we are not in disagreement on those, and includes provisions that aid in the enforcement of current laws; we certainly support that. One has to wonder, since she disagrees with what we are saying what the agenda is. Is there a hidden agenda there? What is the purpose of this other than to provide a smoke-screen for perhaps other legislative initiatives that the House has already voted down?

So, Mr. Speaker, I would urge my colleagues to vote against this motion to recommit with instructions, allow the flexibility to our conferees, as provided by the House and by the Senate, to work on these matters, bring this matter back to the House and to the Senate with measures that have some actual teeth in them, that have more than sound bites, that provide our law enforcement officials and our prosecu-

tors at the national level and at U.S. Attorneys' offices across the country the tools that they need to actually get something done.

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

Mrs. MALONEY of New York. Mr. Speaker, I rise in strong support of the motion to instruct offered by the gentlewoman from California (Ms. LOFGREN), and I applaud her for her consistent leadership on this issue.

With approximately 13 young people dying each day since the Columbine massacre, almost 2,000 young people have been victims of gun violence, and yet as more and more children become statistics, this Congress continues to look the other way.

Since the beginning of this debate, opponents of tough gun safety measures have relied on the strategy of delay, delay, delay. This motion to instruct is a signal to the conference committee that delay is no longer acceptable. It tells the conferees that we cannot wait until another child falls victim to gun violence before we act.

This motion does three things.

First, it says that the bill should ensure that no criminals are able to purchase guns at gun shows; second, it says that a conference report should not weaken current law; and third, it says that we should work to strengthen enforcement of existing gun laws.

I cannot think of a single reason why anyone would oppose this motion to instruct. Please vote for the motion to instruct.

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

Mrs. JONES of Ohio. Mr. Speaker, I rise today to add my voice to the debate on juvenile justice. Mr. Speaker, the gentlewoman from California (Ms. LOFGREN) has introduced this motion to instruct conferees. Since we approved the bill in the House on June 17, and the Senate on July 28, to date there has been no motion on the conference between the House and the Senate on this legislation. In the meantime, children across America die as a result of violent crime.

My colleague has instructed the conferees that would require a loophole-free system. People keep saying, "Well, what do you mean a loophole-free system?" We are talking about the fact that under a 24-hour gun check in a gun show people whose records are not clear in records like on post cards or index cards in little communities might get a gun because if one does not reveal it within 24 hours, they still get a gun. That is what we are talking about, loophole-free, loop-free situations.

Let me say this to my colleagues. Innocent children like those in Fort Worth, those in Columbine, and those across our country whose names unfortunately never reach the media because they die on the streets of this

Nation unnoticed are worried about what is happening with this gun control legislation. I encourage all of my colleagues who are here on this floor within my voice to vote in favor of the motion.

Mr. HYDE. Mr. Speaker, I yield myself 1 minute to respond to the gentlewoman from Ohio (Mrs. JONES) who just spoke.

We are not delaying this. We are working as hard as we can. It is no easy matter to reconcile the left, the right, the center, the pro-gun, the anti-gun, the liberals, the conservatives. This a very difficult question.

The gentleman from Michigan (Mr. CONYERS) told us earlier that we have been meeting even today, and we are going to meet tomorrow. We are working very hard, and please do not beat us over the head that we are trying to delay this. We are moving with all deliberate speed, I can assure the gentlewoman from Ohio, and if she doubts it, ask Mr. CONYERS.

Mrs. JONES of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I Yield to the gentlewoman from Ohio.

Mrs. JONES of Ohio. Mr. Speaker, I do not mean to point a finger. What I want to say is the people of these United States want to hear from us. If I am part of the delay, I accept the delay. I am standing here saying let us get it on.

Mr. HYDE. I understand that, Mr. Speaker, and I am here to tell the gentlewoman we are getting it on as fast as we can, believe me.

Mrs. JONES of Ohio. With all deliberate speed.

Mr. HYDE. Yes, speed. Emphasize speed, but it takes deliberation, too. We cannot do this, as my colleagues know, with a snap of the fingers.

I know the gentlewoman has had vast experience in negotiating these matters, and I want to defer to her, but I want her to know we are trying as hard as we can. Believe me.

Ms. LOFGREN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, while we haggle over tax breaks and F-22 bombers, 13 children are dying each day in this country as a result of gun violence. While we play politics with spending caps and budget priorities, 13 children will be killed by guns. So I ask who is taking care of our children?

Nearly 5 months after the tragedy at Columbine, we have done nothing to strengthen gun laws or to enact commonsense gun regulations, but while we have done nothing, 13 families every day are faced with burying a child. This is disgraceful that we have not passed gun safety legislation this Congress, and it would be even more disgraceful to pass a bill that actually weakened current gun laws.

This is not a game. We are talking about children's lives.

I urge my colleagues to support the Lofgren motion to instruct; and after that when we tighten gun control laws, then when we ask who is taking care of our children, the answer can be and will be:

We are.

But until then our children remain at risk.

Mr. HYDE. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. MCCOLLUM).

Mr. MCCOLLUM. Mr. Speaker, I thank the gentleman from Illinois for yielding this time to me.

This is a motion that I rise today to support. As one of the conferees on H.R. 1501 and as the principle sponsor of the bill, I do very much want to support the gentlewoman's motion; but I want to take a few moments to speak on the motion and on the ongoing conference that is going on this bill.

First, let me address the first part of the motion, that the conference report include a, quote, loophole-free system that assures that no criminals or other prohibited purchasers obtain firearms from nonlicensed persons and federally licensed firearm dealers at gun shows, unquote.

□ 1915

I hope everybody knows that federally licensed firearm dealers now under current law are required to perform background checks prior to the sale of any firearm, whether they are making that sale in their own store or at a gun show. It does not make any difference. That is current law.

The law currently provides that it is a crime for these prohibited persons to possess a firearm of any kind. What we have been working long and hard on is a provision that will address the other sellers of guns at gun shows, ordinary citizens who do not have as their principal business the sale of guns.

I introduced a bill, H.R. 2122, to do just that, which was debated on this floor in June. Unfortunately, the bill was voted down largely because most of the Members on the gentlewoman's side of the aisle voted against it. Since that time, some of us on this side of the aisle have been working to come up with a new and different approach, one that attempts to address many of the concerns that Members of the gentlewoman's side of the aisle have expressed during the debate on H.R. 2122.

I must say that our inability to find common ground is caused by some of the Members, including perhaps the majority on the gentlewoman's side, taking an all-or-nothing approach. We really do need to find a way to compromise this issue.

There is nothing magical in the language that passed in the other body. In fact, we have heard from thousands of our constituents that the provisions of the bill passed there would reach far beyond what its proponents represent

that it would do. I know that the gentlewoman and others on her side of the aisle appreciate that there almost always are a number of ways to write a law to reach the same end. All we are asking is that she encourage the conferees on her side of the aisle to be open to a different way to accomplish the goal that I believe we all share.

I must also express some confusion at the provision of the motion that states that we should achieve a, quote, "loophole-free system," unquote. I do not think anybody intends to construct a system with a loophole and I hope that the gentlewoman is not intending to use this provision to broaden the debate on the bill. Up to this point, we have been discussing ways to ensure that no prohibited purchaser can buy a gun at a gun show, that is, nobody who is a convicted felon or has any other disability that says they are not permitted to own a gun. I am committed and I have been committed to making that a reality, but I must say that if the gentlewoman seeks to use her motion to move the debate into regulating every private gun transaction, then we part company.

I believe that it is clear the American public does not support the Government regulating private firearms transactions any more than they already do.

The gun show issue is another story, and I agree with the gentlewoman on that; and I think we should reach a common ground to resolve this.

Finally, I must point out that the gentlewoman's motion speaks to only one small part of the bill. I think it is vitally important for Members to bear in mind this bill contains a number of very important provisions. Many of them have enjoyed bipartisan support for quite some time. It would be a shame if we did not allow these other provisions to become law because Members cannot agree on a single provision.

The underlying bill is the juvenile justice bill. It is a bill that was totally bipartisan when it came out of the Subcommittee on Crime and it is, I believe, totally bipartisan today, which deals with an effort to put consequences for juveniles who commit misdemeanor crimes, the lesser crimes than the ones with violence and guns, give them consequences early on because all of the experts say that without those consequences in the law, which are not there today for a variety of reasons, but principally because we have an overworked and understaffed juvenile court system in the States, without those consequences we see kids thinking they can get away with crime when they rob a store or they steal a car or they steal a radio out of a car or whatever, and later on then they think they can get away also with violent crime. They don't believe they are going to get punished.

I know that is a simple concept, but it is a valid concept; and it is one that all law enforcement and sociologists who deal with kids understand.

The underlying bill addresses that problem by providing a grant program to the States to allow them to improve their juvenile justice systems with more probation officers, more judges, more of all of those things they need, including diversion programs for kids, with only one caveat, and that is that every juvenile justice system in the Nation, every State, assure the United States Attorney General that they are going to punish a juvenile for the very first misdemeanor crime and every crime of a more serious nature thereafter with an increasingly greater punishment. That does not mean jail time. It does not mean lock-up time. It means community service or whatever, but some kind of punishment.

So I certainly support the motion the gentlewoman is offering, but I hope that Members on both sides will see it as a call to work more closely together to reach what I believe is a widely accepted goal and pass what is fundamentally a good bill and close the existing loophole in the gun show law.

Ms. LOFGREN. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. COOKSEY). The gentlewoman from California (Ms. LOFGREN) has 10 minutes remaining. The gentleman from Illinois (Mr. HYDE) has 5½ minutes remaining.

Ms. LOFGREN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. MCCARTHY) for purposes of a notification.

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

Mrs. MCCARTHY of New York. Mr. Speaker, pursuant to clause 7 of rule XXII, I give notice of my intent to offer a motion to instruct conferees on H.R. 1501 tomorrow. The form of the motion is as follows:

Mrs. MCCARTHY of New York moves that the managers on the part of the House at the conferees on the disagreeing votes on the two Houses on the Senate amendment to the bill, H.R. 1501, be instructed to insist that, one, the committee of the conferees should this week have its first substantive meeting to offer amendments and motions, including gun safety amendments and motions; and, two, the committee of conference should meet every weekday in public session until the committee of conference agrees to recommend a substitute.

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. DELAHUNT), a Member of the Committee on the Judiciary.

Mr. DELAHUNT. Mr. Speaker, I rise in support of the motion to instruct. I think the motion to instruct is important to correct a deeply flawed bill, a bill that, in fact, left this House and weakened the Brady statute; therefore, has put lethal weapons, if it should be

enacted, into the hands of criminals. Let me explain why.

During the past 5 years, the Brady instant-check system has prevented illegal gun purchases by more than 400,000 fugitives, convicted felons, drug addicts and others who cannot lawfully possess a firearm. If we pass this bill, we will be handing them a loaded weapon and inviting them to pull the trigger. That is because the House-passed bill denies the FBI the 3 days it needs to complete its background check on the very people most likely to have a criminal history, like a convicted rapist who traveled from Virginia to North Carolina several months ago for the purpose of buying a gun; or the man convicted of armed robbery and burglary in Georgia who drove to Missouri last March for the purpose of buying a gun; or the murderer in Texas; or the arsonist in New Jersey who went all the way to Mississippi last April for the purpose of buying a gun.

These are just a few of the thousands of criminals who tried to purchase handguns in the last 6 months and were stopped because a 3-day background check revealed their criminal history before the sale could be consummated.

If the House bill had been the law of the land 6 months ago, 9,000 of these people would have been walking the streets with a license to commit crime. I ask my colleagues to think about that before they vote. Think about the lives that could very well be destroyed because one of those 9,000 criminals got a hold of a weapon and pulled the trigger. Think about what we would have to say to the families of the victims if we allow the House bill, which weakens the Brady bill, to become law.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, I rise today in strong support of the Lofgren motion to instruct for juvenile justice conference. Mr. Speaker, I find it hard to believe that despite the overwhelming desire by the American people for reasonable and common sense limitations on access to guns, this Congress has still not passed and sent to the President the Senate version of the juvenile justice bill.

The parents of America are concerned, and given the tragedies that have occurred across this Nation, they have a right to be. They are concerned about the proliferation of guns, of kids gaining access to guns without trigger locks, of guns being bought and sold at gun shows and flea markets without adequate background checks, and of the ability to buy guns anonymously over the Internet.

They are concerned, Mr. Speaker, because current U.S. law is inadequate to prevent guns from easily falling into the wrong hands. They are concerned and want action by this Congress. In

fact, Mr. Speaker, they demand action by this Congress. I would urge all of my colleagues to support the Lofgren motion, which instructs the conferees to include a loophole-free system that assures murderers, rapists, child molesters, and other criminals do not gain access to guns, and instruct them not to weaken existing gun safety laws.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. BLAGOJEVICH).

Mr. BLAGOJEVICH. Mr. Speaker, within the last 6 months, America has witnessed shootings at Columbine High School, the Jewish Community Center in Los Angeles, hate crime shootings in Illinois and in Indiana and now most recently the shootings in Fort Worth, Texas. In each one of those shootings, guns were involved that were purchased at either gun shows or at flea markets. No surprise, last year in America 54,000 guns were confiscated in crimes that originated at gun shows. The Senate-passed legislation, mirrored on the Brady law, would simply apply the background check requirements at gun shows that we require at retail gun stores. This Congress has yet to do that. I urge the conferees to do what the Senate did, provide common sense, basic background requirements at gun shows that we apply to retail gun stores.

This is not, Mr. Speaker, about gun control. This is about crime prevention and about public safety.

Mr. HYDE. Mr. Speaker, may I ask how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Illinois (Mr. HYDE) has 5½ minutes remaining, and the gentlewoman from California (Ms. LOFGREN) has the right to close.

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

Mr. Speaker, I am looking forward to supporting this resolution. I will say it is a little distressful, and I searched for a word and I came up with distressful, to be unjustly criticized for foot dragging. I would presume to direct those who criticize us for lack of progress, I would direct them to their committee staff and to their ranking member for verification that no one has been delaying a solution.

I want a solution. I am in good faith. So is our staff. We have met time and time again. These are difficult, emotional issues; and they are not going to be solved easily. It seems to me by accusing us lopsidedly, one-sidedly, of foot dragging, my colleagues are injecting a distinctly political tone into an issue that deserves nonpolitical treatment.

There is a lot of hard work ahead, believe me. We are a long ways from agreement, but we are closer than we have ever been. I am committed to remaining at the negotiating table, and not get stampeded, as long as it takes to try and find reasonable, common ground.

If my colleagues really want a bill, and that is a question number one, do my colleagues really want a bill? Or are we to encounter gridlock and failure and say, see, these guys cannot govern; they really cannot run the House? There is that question, and I have tried to dispel it. I certainly do not think it animates the gentleman from Michigan (Mr. CONYERS) and his staff, because we have had excellent discussions in the best of good faith, and so I discount that.

There may be others who do not want a bill because they do not want the Republicans to have any success whatsoever. I would look upon this not as a Republican success but as congressional success that we can respond to the tragedies that have bloodied our country.

If we really do not want a bill, there are a couple of ways we can kill it.

□ 1930

One is to draw a bill that is empty and hollow and meaningless, and the other is at the opposite end of the spectrum: strengthen a bill to death.

Now, when we are negotiating, we have people who we have to appeal to differently on different issues. It is not easy. We have to get some democratic support. I do not think we have enough on our side to pass this.

Now, either they can kill it, or they can help us. But I ask my colleagues for their help. They certainly have mine. But to any of my colleagues who accuse us of foot-dragging, please talk to the staff, please talk to the ranking member. My democratic colleagues do not have to accept our statement that we are doing the best we can.

Now, tomorrow, the gentlewoman from New York (Mrs. MCCARTHY) is going to instruct us to meet every day in public. I will not object to that, but we do not get things solved with formal meetings. We talk, and we talk out, and we find out what we can agree on, what we cannot. We make trade-offs; we do the best we can; and we come up with a bill. Do we want a bill, or do we want an issue? I want a bill.

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

Ms. LOFGREN. Mr. Speaker, may I inquire as to the time remaining.

The SPEAKER pro tempore (Mr. COOKSEY). The gentlewoman from California (Ms. LOFGREN) has 5½ minutes remaining.

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

I am confident that this motion to instruct will receive support when we vote on it from both sides of the aisle, and that is a good thing, but it certainly does not solve the concern that brought me here today and has consumed our time here this evening.

As I think through the scenario of how we got to this point in time, I think back to earlier in the summer

when we had almost a surprise, really, to some of us that the United States Senate was able to come together after the terrible tragedy in Colorado at Columbine High School and to come up with a set of modest, centrist measures that would make the availability of guns less so, in the hopes that the violence that beset the youngsters in Columbine and in other schools in other parts of our country would be diminished.

When this House took that measure up, and I believe it was something like 1 o'clock or 2 o'clock in the morning, we ended up with a measure, when all was said and done and the amendments concluded, that the NRA said vote "yes" on the bill, and handgun control urged us to vote "no" on the bill. We did not have a strong bill, as the Senate had done. So, we moved on to conference.

Now, the conference committee met just once, on August 3, and each member of the conference committee was permitted to make a statement, and I did as well, and then we left town, and the conference committee has not met again since.

Now, I understand that the chairman has, in fact, on many occasions supported centrist gun control measures. He voted for the Brady Bill; I was proud to be a part of the Hyde-Loftgren amendment on clips, and I am hopeful that we can get some sound things done. I realize that this is not easy, but it also needs to move apace, because it is now September 22; and when we talked in July, we were anxious to get a good measure that would be in place before school started. And now, as I mentioned, my two high school students are starting to fret about the mid-terms that are almost here; and we will be recessing soon if the target date is to be believed. And so unless we can pick up the pace, I am concerned that we will not achieve our goal of getting good, strong, solid, sensible gun control, gun safety measures adopted; and I want to do that.

I can assure the chairman, I want a bill. I want to be able to tell my children that we managed to get something done that might make them a little bit safer from gun violence. I want a bill.

Mr. Speaker, the chairman said, do we want to prove that the Republicans cannot run the House. Well, no. I think on September 22, without our appropriations done, that has already been proven. We do not need to prove it with a gun bill stalled in the conference committee and not brought to the floor. I want strong legislation. I will work on a bipartisan basis to get that done, but what I will not do is to stand silent if the measure comes back and there is actually less safety for the children of America than exists in current law. That I cannot do. That is what we were faced with that early

morning in July when the House took up its measure.

It is not comfortable. It is not a delight to stand here and make motions to instruct and to be somewhat obstreperous; but I would rather do that than not come to a conclusion, than not to stand up for the mothers who I represent in this House. And when I go home and I am in the grocery store, the other mothers want to know how come we cannot get this done, something this simple. They cannot understand it. And I cannot really explain it to them, because I cannot understand it either.

So let us reach out across the aisle, let us work together, let us get this done. Let us make sure it is solid, that it is valid, that it is honest, it is true, it is tough, and it is done promptly. I would urge that we bring some of these discussions out into the open. There have been many discussions between the chairman and the ranking member, I understand, and I have no doubt that they are sincerely done and difficult discussions. But sometimes the light of day can help move things forward a bit.

So I am hopeful that we will be able to do that.

With that, Mr. Speaker, I am pleased at the participation of all of the Members of the House. I look forward to a very positive vote on this motion to instruct.

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

The SPEAKER pro tempore. 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 gentlewoman from California (Ms. LOFGREN).

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed until tomorrow.

SENSE OF HOUSE IN SUPPORT OF NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK

Mr. OSE. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the resolution (H. Res. 293), expressing the sense of the House of Representatives in support of "National Historically Black Colleges and Universities Week," and ask for its immediate consideration in the House.

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