

the importance of Veterans Day by sharing Veterans Day with any other even which distract our attention from the veterans who have served this country.

Veterans Day is a sacred day to honor veterans for their patriotism, love of country and willingness to make sacrifice for our nation.

I urge my colleagues to vote for House Resolution 298 and maintain the integrity of the day set aside to focus the nation's attention on the important sacrifices made by Veterans.

Mr. EVANS. Madam Speaker, I rise in strong support of House Resolution 298 and urge all of my colleagues to support this important measure. Mr. Speaker the purpose of House Resolution 298 is simple, but it is as profound as it is simple.

House Resolution 298 expresses the sense of the House of Representatives that Veterans Day should continue to be observed on November 11. In addition, Veterans Day should be observed separate and apart from any other Federal holiday or day for Federal elections or national observances. Our nation has a long-standing tradition of honoring our veterans on November 11. As many know, the observance of Veterans Day on November 11 has historic significance. On the 11th hour of the 11th day of the 11th month, the guns used to wage World War I were officially silenced. This day, Armistice Day, became known as Veterans Day as our nation recognized the sacrifice and service of all our Nation's veterans.

Veterans Day should be preserved and continue to be the day our nation pauses to recognize all veterans. Let us retain November 11 as Veterans Day and honor all those who have served our nation in uniform.

Mrs. MORELLA. Madam Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentlewoman from Maryland (Mrs. MORELLA) that the House suspend the rules and agree to the resolution, H. Res. 298.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. TERRY. Madam 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### CRIMINAL JUSTICE COORDINATING COUNCIL RESTRUCTURING ACT OF 2001

Mrs. MORELLA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2305) to require certain Federal officials with responsibility for the administration of the criminal justice system of the District of Columbia to

serve on and participate in the activities of the District of Columbia Criminal Justice Coordinating Council, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2305

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Criminal Justice Coordinating Council Restructuring Act of 2001".

#### SEC. 2. AUTHORIZING FEDERAL OFFICIALS ADMINISTERING CRIMINAL JUSTICE SYSTEM OF DISTRICT OF COLUMBIA TO PARTICIPATE IN CRIMINAL JUSTICE COORDINATING COUNCIL.

(a) IN GENERAL.—Each of the individuals described in subsection (b) is authorized to serve on the District of Columbia Criminal Justice Coordinating Council, participate in the Council's activities, and take such other actions as may be necessary to carry out the individual's duties as a member of the Council.

(b) INDIVIDUALS DESCRIBED.—The individuals described in this subsection are as follows:

(1) The Director of the Court Services and Offender Supervision Agency for the District of Columbia.

(2) The Director of the District of Columbia Pretrial Services Agency.

(3) The United States Attorney for the District of Columbia.

(4) The Director of the Bureau of Prisons.

(5) The chair of the United States Parole Commission.

(6) The Director of the United States Marshals Service.

#### SEC. 3. ANNUAL REPORTING REQUIREMENT FOR CRIMINAL JUSTICE COORDINATING COUNCIL.

Not later than 60 days after the end of each calendar year, the District of Columbia Criminal Justice Coordinating Council shall prepare and submit to the President, Congress, and each of the entities of the District of Columbia government and Federal government whose representatives serve on the Council a report describing the activities carried out by the Council during the year.

#### SEC. 4. FEDERAL CONTRIBUTION FOR COORDINATING COUNCIL.

There are authorized to be appropriated for fiscal year 2002 and each succeeding fiscal year such sums as may be necessary for a Federal contribution to the District of Columbia to cover the costs incurred by the District of Columbia Criminal Justice Coordinating Council.

#### SEC. 5. DISTRICT OF COLUMBIA CRIMINAL JUSTICE COORDINATING COUNCIL DEFINED.

In this Act, the "District of Columbia Criminal Justice Coordinating Council" means the entity established by the Council of the District of Columbia under the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Maryland (Mrs. MORELLA) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Maryland (Mrs. MORELLA).

GENERAL LEAVE

Mrs. MORELLA. Madam Speaker, I ask unanimous consent that all Mem-

bers may have 5 legislative days within which to revise and extend their remarks on the legislation under consideration, H.R. 2305.

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

There was no objection.

□ 1900

Mrs. MORELLA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 2305, as amended, formally establishes the Criminal Justice Coordinating Council, a joint Federal-local effort designed to foster cooperation among the various agencies that have law enforcement responsibility in our Nation's capital. I introduced this measure in June of this year, was joined by the gentlewoman from the District of Columbia (Ms. NORTON) as the original cosponsor of H.R. 2305. The bill was amended in subcommittee, and that is the version that we are now considering.

The amended bill authorizes the heads of six Federal agencies, the Court Services and Offender Supervision Agency for the District of Columbia, the District of Columbia Pretrial Services Agency, the U.S. Attorney for the District, the Bureau of Prisons, and the U.S. Parole Commission, as well as the U.S. Marshal Service, to meet regularly with District law enforcement officials. It also requires the CJCC to submit an annual report detailing its activities to the President, Congress and the appropriate Federal and local agencies.

The District of Columbia Financial Responsibility and Management Assistance Authority, known as the Control Board, originally established the CJCC 3 years ago through a memorandum of agreement. Cooperation between Federal and local law enforcement agencies has become even more critical in recent years because the Federal Government has assumed the responsibility of the District of Columbia courts and corrections functions under the 1997 Revitalization Act.

The CJCC is important because it brings the leaders of all participating agencies to the same table. They will work at getting rid of the interagency obstacles that are hindering attainment of the District of Columbia's criminal justice objectives. There are more than 30 law enforcement agencies with a presence in the Nation's Capital. There are 13 governmental agencies that have a direct role in the criminal justice activities in the District from arrest and booking to trial and correctional supervision. Four of these are city agencies such as the Metropolitan Police Department, six are Federal agencies such as the Office of the U.S. Attorney for the District of Columbia. And, finally, there are three agencies, Superior Court, Defender Services, and

Office of the Corrections Trustee that are local in nature but are funded by the Federal Government.

There is plenty of evidence, including recent reports from the GAO and the Council for Court Excellence, that shows that these individual agencies of the District of Columbia's criminal justice system are not always working in concert; and as a result, efforts at reform have sometimes stalled.

Some prime examples of the lack of coordination have been in the area of police overtime. According to the General Accounting Office the Metropolitan Police Department continues to lose millions of dollars each year because officers are waiting for court appearances or to consult with the U.S. Attorney's Office. The agencies use 70 different information technology systems that are not linked to one another. And most tragically, miscommunication among agencies have led to mistakes in correctional supervision, sometimes with fatal consequences. For instance, the killing of Bettina Pruckmayr, who was robbed and stabbed 38 times in 1995 by a convicted murderer who should have had his parole revoked on a drug charge but for the failures of the criminal justice system. This shows a terrible waste of human and monetary resources which I hope will be corrected by the CJCC.

With proper funding and structure, I believe the Criminal Justice Coordinating Council can be a very useful tool in fostering interagency cooperation. Not only can it assist in making day-to-day operations of the various criminal justice agencies more efficient, but in doing so the CJCC can help ensure that broader policy goals such as reducing violent crime and meting out justice more swiftly are also accomplished.

The language of H.R. 2305, as amended, reflects the input received from the Department of Justice. I thank the Department for its suggestions.

I recognize the gentlewoman from the District of Columbia (Ms. NORTON) for her support of this legislation; and I would particularly like to thank the chairman of the Committee on Government Reform, the gentleman from Indiana (Mr. BURTON), for his interest in issues affecting the District of Columbia and his help in bringing this important legislation affecting our Nation's capital expeditiously to the floor. I also thank the gentleman from California (Mr. WAXMAN) of the full committee. I urge all Members to support H.R. 2305.

Madam Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of H.R. 2305, the Criminal Justice Coordinating Council Restructuring Act of 2001, a bill to strengthen the

District of Columbia's Criminal Justice Coordinating Council by ensuring Federal participation and funds.

I also thank the Chair of the D.C. subcommittee, the gentlewoman from Maryland (Mrs. MORELLA), for working closely with the ranking member, the gentlewoman from the District of Columbia (Ms. NORTON), to develop this measure.

In 1998, the District of Columbia's financial authority created the D.C. Criminal Justice Coordinating Council. The goal of the CJCC was to coordinate criminal justice activities between the various Federal and D.C. agencies that have responsibility for different aspects of the criminal justice system in the District of Columbia. This coordination is essential because following the passage of the District of Columbia Revitalization and Self-Government Improvement Act in 1997, most of the District's criminal justice entities were either Federal agencies or D.C. agencies funded by the Federal Government.

Currently, there are 13 agencies with responsibility for some aspect of D.C.'s criminal justice system. All of these agencies are members of the CJCC, in addition to the Mayor's office and the Council of the District of Columbia. The goal of the CJCC is to provide a forum to identify and resolve coordination issues that arise in the District of Columbia's criminal justice system and to help implement critical justice reforms.

The Criminal Justice Coordinating Council Restructuring Act meets the legitimate concerns by District actors and the CJCC not to become a super agency while at the same time ensuring that supremacy clauses and federalism notions are respected. Specifically, the bill recognizes the Criminal Justice Coordinating Council as the appropriate entity set up by District legislation, the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001 to coordinate criminal justice activities in the District.

In addition, the bill requires that Federal agencies with a role in criminal justice matters in the District, including Court Services and Offender Supervision, Pretrial Services Agency, Office of the U.S. Attorney, the Bureau of Prisons and the United States Patrol Commission, serve on the CJCC, participate in its activities, and take such action as may be necessary to fulfill their duties on the CJCC.

However, in keeping with the mandates, no District official can compel a Federal official to take any action. The bill also authorizes Federal funds to carry out the duties of the CJCC. This measure will strengthen and enhance the CJCC as a vital coordination entity for the District's multi-jurisdictional criminal justice system.

Madam Speaker, I again thank the gentlewoman from Maryland (Mrs.

MORELLA) for her work in bringing this important legislation to the floor. I urge its passage.

Madam Speaker, I include for the RECORD the statement of the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Madam Speaker, I rise in strong support of H.R. 2305, the Criminal Justice Coordinating Council Restructuring Act of 2001, a bill to strengthen the District of Columbia Criminal Justice Coordinating Council by ensuring federal participation and funds. I want to thank the Chair of the D.C. Subcommittee, Representative CONNIE MORELLA, for working closely with me to develop this measure.

In 1998, the District of Columbia Financial Authority (control board) created the D.C. Criminal Justice Coordinating Council (CJCC). The goal of the CJCC was to coordinate criminal justice activities between the various federal and D.C. agencies that have responsibility for different aspects of the criminal justice system in D.C. This coordination is essential because following the passage of the District of Columbia Revitalization and Self Government Improvement Act (Revitalization Act) in 1997, most of the District's criminal justice entities are either federal agencies, or D.C. agencies funded by the federal government. In the Revitalization Act, the District exchanged its traditional static federal payment for the federal funding of several functions normally funded by states. These functions included such criminal justice matters as prisons, offender supervision, public defender service, and courts.

Currently, there are 13 agencies with responsibilities for some aspect of D.C.'s criminal justice system. These agencies can be broken down into three categories: (1) D.C. agencies that are D.C. funded: the Metropolitan Police Department, Office of the Corporation Counsel, Department of Corrections, and Office of the Chief Medical Examiner; (2) federal agencies that are federally funded: the Office of the U.S. Attorney, the Bureau of Prisons, the U.S. Marshals Service, the U.S. Parole Commission, Court Services and Offender Supervision Agency, D.C. Pretrial Services Agency; and (3) D.C. agencies that are federally funded: the Superior Court, the Public Defender Service and the Office of the Corrections Trustee.

All of these agencies are members of the CJCC in addition to the Mayor's Office and the Council of the District of Columbia. The goal of the CJCC is to provide a forum to identify and resolve coordination issues that arise in the D.C. criminal justice system and to help implement criminal justice reforms.

The Fiscal Year 2000 District of Columbia Appropriations Act mandated that the General Accounting Office (GAO) perform a study to examine the effectiveness of coordination among the various entities charged with the operation of the District's criminal justice system. GAO released its report, entitled D.C. Criminal Justice System: Better Coordination Needed Among Participating Agencies in March 2001.

On May 11, 2001, the D.C. Subcommittee held an oversight hearing to examine the coordination of criminal justice activities in the District of Columbia and the GAO report.

GAO found that the CJCC is the “primary venue in which D.C. criminal justice agencies can identify and address interagency coordination issues.” The CJCC has worked on many such issues, including positive identification of arrestees, halfway house operations, and drug treatment of defendants. GAO praised the CJCC for its work on coordination projects where all participants stood to gain, such as data sharing and technology issues among agencies. However, GAO found that the CJCC was less successful on projects where one agency stood to gain at the expense of another, because the CJCC operates by the consent of the members and does not contain an enforcement mechanism.

GAO cited numerous projects where poor coordination led to inefficient operations and poor program performance. One example discussed at length in GAO report is case processing. In the District of Columbia, as many as six agencies are responsible for processing a case before a court appearance on a felony charge can occur. Unlike many jurisdictions, the U.S. Attorney’s office requires officers to meet with prosecutors personally before they determine whether to charge an arrestee with a felony or misdemeanor. GAO found that during 1999, the equivalent of 23 full time officers were devoted to these appearances, reducing the number of officers on patrol.

GAO cautioned that although the CJCC had been funded by the D.C. control board, the board did not include funding for the CJCC in the District’s Fiscal Year 2001 budget. The last remaining staff person, working almost exclusively on technology issues, was funded by a grant. GAO recommended that “Congress . . . consider funding CJCC—with its own director and staff—to help coordinate the D.C. criminal justice system, and to require CJCC to report annually to Congress, the Attorney General, and the D.C. Mayor.”

In addition, GAO found that as of November 2000, the CJCC and other agencies reported “93 initiatives for improving the operation of the [D.C. criminal justice] system.” Although GAO stipulated that many of these coordination projects are ongoing and therefore cannot yet be fully evaluated, it found that of the 93 current projects there were 62 instances where participating agencies did not agree on the initiative’s goals (11 instances), status (10 instances), starting date (1 instance), participating agencies (22 instances), or results to date (18 instances).

Several of the CJCC members disputed these findings, explaining that GAO did not examine closely enough the actual work performed on these projects and merely relied on summaries provided by the participants that may have appeared inconsistent. However, GAO found that “this lack of agreement underscores a lack of coordination among the participating agencies that could reduce the effectiveness of these initiatives.” GAO therefore recommended that Congress require all D.C. criminal justice agencies to report multi-agency activities to the CJCC, which would serve as a “clearinghouse” for these initiatives.

Although members of the CJCC agree that coordination among the various agencies that have responsibility for the District’s criminal justice system needs to be improved, several members disagreed with GAO’s recommenda-

tion for a congressionally created and funded entity to oversee coordination and reform initiatives.

For example, Deputy Mayor Margaret Nedelkoff Kellems, formerly the Executive Director of the CJCC, wrote in response to the GAO report, “It has been my experience [however] that to the extent that reforms have taken root in the District through the CJCC, it has been not only because of coordination resources, but equally because the member agencies have felt ownership over the body. As reporting to the new entity you describe becomes a requirement, criminal justice agencies might perceive it to be threatening and respond on a perfunctory basis. Nevertheless, I concur in your basic premise that there must be a coordinating organization and it must have dedicated resources.”

Similarly, Superior Court Chief Judge Rufus King wrote, “it is important that any successor [to the CJCC] not become a “superagency” which dictates to the different criminal justice agencies what the agenda should be or how problems which involve more than one agency should be approached . . . The most important thing to preserve in any newly constituted council is that it remain a council of independent agencies who are able to recognize their responsibilities to different funding authorities.”

Finally, former U.S. Attorney Wilma Lewis offered the following criticism of GAO’s recommendation: “I have some concern about your proposal that Congress ‘consider requiring that all D.C. criminal justice initiatives that could potentially involve more than one agency be coordinated through the new independent entity’ . . . I question whether such review is necessary for all initiatives that could potentially involve more than one agency. Given the interrelatedness of agencies in our system, it is difficult to think of any initiative—no matter how limited in scope or application—that would not fit that definition and require review by that entity. As such, I am concerned that such a requirement would be counterproductive, as it would hamstring each agency’s ability to implement policies and practices within its appropriate sphere of activity.”

The Criminal Justice Coordinating Council Restructuring Act meets these concerns of District actors while at the same time ensuring that supremacy clause and federalism notions are respected. Specifically, the bill recognizes the Criminal Justice Coordinating Council (CJCC) as the appropriate entity set up by District legislation (the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001) to coordinate criminal justice activities in the District. In addition, the bill requires that federal agencies with a role in criminal justice matters in the District, including Court Services and Offender Supervision (CSOSA), Pretrial Services Agency, Office of the U.S. Attorney, the Bureau of Prisons, and the United States Parole Commission, serve on the CJCC, to participate in its activities and take such action as may be necessary to fulfill their duties on the CJCC. However, no District official can compel a federal official to take any action. The bill also authorizes federal funds to carry out the duties of the CJCC.

This measure will strengthen and enhance the CJCC as a vital coordination entity for the District’s multi-jurisdictional criminal justice system. I once again thank Chairwoman MORELLA for her leadership in bringing this important legislation to the floor. I urge its passage.

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

Mrs. MORELLA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I commend the gentlewoman from the District of Columbia (Ms. NORTON) for joining with me in this important act, and I thank the gentleman from Illinois (Mr. DAVIS) for being a floor manager and for being so supportive of this legislation. I urge this body to endorse this bill by its vote.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentlewoman from Maryland (Mrs. MORELLA) that the House suspend the rules and pass the bill, H.R. 2305, as amended.

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

The title of the bill was amended so as to read: “A bill to authorize certain Federal officials with responsibility for the administration of the criminal justice system of the District of Columbia to serve on and participate in the activities of the District of Columbia Criminal Justice Coordinating Council, and for other purposes.”

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on three motions to suspend the rules on which further proceedings were postponed earlier today. The remaining questions postponed earlier today will be taken tomorrow.

Votes will be taken in the following order:

- H.R. 3323, by the yeas and nays;
- H.R. 3391, by the yeas and nays;
- S. 494, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

#### ADMINISTRATIVE SIMPLIFICATION COMPLIANCE ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3323, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by