

HOUSE OF REPRESENTATIVES—Thursday, May 5, 1994

The House met at 11 a.m.

The Rev. Doctor Ronald F. Christian, office of the bishop, Evangelical Lutheran Church in America, Washington, DC, offered the following prayer:

Almighty God, on this National Day of Prayer, we pause at this moment and give thanks that:

You have created this world for all of us to enjoy and to maintain in good order and beauty;

You have given this land, our country, with its vast storehouse of treasures, and around it you have cast, like a mantle, the sea;

You provide mercies new every morning, and offer, in abundance, supplies enough for everyone's daily need;

Give us Your Spirit, O God, that we may heartily acknowledge Your goodness.

But also, teach us to bear one another's burdens so that all may come to Your table of bounty.

Open our eyes to the woes and needs of others so that all shameful wrongs may be put right.

Make us all to be Your servants, whatever our station or title in life.

And never let us be so proud or so busy that a prayer to You, O God, is not a necessary ingredient for life. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. BARRETT of Wisconsin. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 248, nays 160, not voting 24, as follows:

[Roll No. 154]

YEAS—248

Abercrombie	Gilman
Ackerman	Glickman
Andrews (ME)	Gonzalez
Andrews (NJ)	Gordon
Applegate	Green
Bacchus (FL)	Greenwood
Baesler	Gutierrez
Barca	Hall (OH)
Barcia	Hall (TX)
Barlow	Hamburg
Barrett (WI)	Hamilton
Bateman	Harman
Becerra	Hastings
Beilenson	Hayes
Berman	Hefner
Bevill	Hilliard
Bilbray	Hinchee
Bishop	Hoagland
Bonior	Hochbrueckner
Borski	Holden
Boucher	Houghton
Brewster	Hoyer
Brooks	Hughes
Browder	Hutto
Brown (FL)	Inglis
Brown (OH)	Inslie
Bryant	Johnson (GA)
Byrne	Johnson (SD)
Cantwell	Johnson, E. B.
Cardin	Johnson
Carr	Kanjorski
Clayton	Kaptur
Clement	Kasich
Clyburn	Kennedy
Coleman	Kennelly
Collins (IL)	Kildee
Collins (MI)	Kingston
Combest	Kleczka
Condit	Klein
Conyers	Klink
Cooper	Kopetski
Coppersmith	Kreidler
Costello	LaFalce
Coyne	Lambert
Cramer	Lancaster
Danner	Lantos
Darden	LaRocco
de la Garza	Laughlin
Deal	Lehman
DeFazio	Levin
DeLauro	Lewis (GA)
Derrick	Lipinski
Deutsch	Lowe
Dicks	Mann
Dingell	Manton
Dixon	Margolies-
Dooley	Mezvinsky
Durbin	Markey
Edwards (CA)	Martinez
Edwards (TX)	Matsui
Engel	Mazzoli
English	McCloskey
Eshoo	McCollum
Evans	McCurdy
Everett	McDermott
Farr	McHale
Fazio	McKinney
Fields (LA)	McNulty
Filner	Meehan
Fingerhut	Meek
Fish	Menendez
Flake	Mfume
Foglietta	Miller (CA)
Ford (TN)	Mineta
Frost	Minge
Furse	Mink
Gejdenson	Moakley
Gephardt	Mollohan
Geren	Montgomery
Gibbons	Moran
Gillmor	Murtha

Myers	Nadler
Nader	Neal (MA)
Neal (NC)	Neal (NC)
Oberstar	Obey
Ortiz	Orton
Owens	Pallone
Park	Parker
Pastor	Payne (NJ)
Payne (VA)	Pelosi
Penny	Peterson (FL)
Peterson (MN)	Pickett
Pickle	Pomroy
Pomroy	Poshard
Price (NC)	Rahall
Reed	Reynolds
Richardson	Riener
Rosen	Rostenkowski
Rowland	Roybal-Allard
Rush	Sabo
Sanders	Sarpalius
Sawyer	Schenk
Schumer	Scott
Serrano	Sharp
Shepherd	Sisisky
Skaggs	Skelton
Slatery	Slaughter
Smith (IA)	Smith (IA)
Smith (NJ)	Spratt
Stark	Stenholm
Stokes	Studds
Stupak	Swift
Synar	Tanner
Tauzin	Tejeda
Thompson	Thomson
Thornton	Thurman
Torres	Torricelli
Towns	Trafficant
Tucker	Unsoeld
Valentine	Velazquez
Vento	Visclosky
Volkmmer	Watt
Waxman	Wheat
Williams	Williams

Wilson
Wise

Woolsey
Wyden

Wynn
Yates

NAYS—160

Allard	Gooding	Packard
Archer	Goss	Paxon
Armey	Grams	Petri
Bachus (AL)	Grandy	Porter
Baker (CA)	Gunderson	Portman
Baker (LA)	Hancock	Pryce (OH)
Ballenger	Hansen	Quillen
Barrett (NE)	Hastert	Quinn
Bartlett	Hefley	Ramstad
Barton	Herger	Ravenel
Bentley	Hobson	Regula
Bereuter	Hoekstra	Roberts
Billakis	Hoke	Rohrabacher
Bliley	Horn	Ros-Lehtinen
Blute	Hunter	Roth
Boehler	Hutchinson	Roukema
Boehner	Hyde	Royce
Bonilla	Inhofe	Santorum
Bunning	Istook	Saxton
Burton	Jacobs	Schaefer
Buyer	Johnson (CT)	Schiff
Callahan	Johnson, Sam	Schroeder
Calvert	Kim	Sensenbrenner
Camp	King	Shaw
Canady	Klug	Shays
Castle	Knollenberg	Shuster
Clay	Koib	Skeen
Clinger	Kyl	Smith (MI)
Coble	Lazio	Smith (OR)
Collins (GA)	Leach	Smith (TX)
Cox	Levy	Snowe
Crane	Lewis (CA)	Solomon
Crapo	Lewis (FL)	Spence
Cunningham	Lightfoot	Stearns
DeLay	Linder	Stump
Diaz-Balart	Livingston	Sundquist
Doolittle	Machtley	Talent
Dreier	Manzullo	Taylor (MS)
Duncan	McCandless	Taylor (NC)
Dunn	McCreery	Thomas (CA)
Ehlers	McDade	Thomas (WY)
Emerson	McHugh	Torkildsen
Ewing	McInnis	Upton
Fawell	McKeon	Vucanovich
Fields (TX)	Meyers	Walker
Fowler	Mica	Walsh
Franks (CT)	Michel	Weldon
Franks (NJ)	Miller (FL)	Wolf
Gallely	Molinari	Young (AK)
Gallo	Moorhead	Young (FL)
Gekas	Murella	Zeliff
Gilchrest	Murphy	Zimmer
Gingrich	Nussle	
Goodlatte	Oxley	

NOT VOTING—24

Andrews (TX)	Frank (MA)	Rangel
Blackwell	Huffington	Ridge
Brown (CA)	Jefferson	Rogers
Chapman	Lloyd	Sangmeister
Dellums	Long	Strickland
Dickey	Maloney	Swett
Dornan	McMillan	Washington
Ford (MI)	Oliver	Whitten

□ 1126

Mr. GILCHREST and Mr. MCCANDLESS changed their vote from "yea" to "nay."

So the Journal was approved. The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. McNULTY). Will the gentleman from

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

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

Kentucky [Mr. MAZZOLI] kindly come forward and lead the House in the Pledge of Allegiance to our flag.

Mr. MAZZOLI led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed bills, a joint resolution, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 783. An act to amend the Fair Credit Reporting Act, and for other purposes.

S. 1927. An act to increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

S.J. Res. 168. Joint resolution designating May 11, 1994, as "Vietnam Human Rights Day."

S. Con. Res. 68. Concurrent resolution to authorize printing of Senator Robert C. Byrd's addresses to the United States Senate on the History of Roman Constitutionalism.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that he will entertain up to 15 1-minute statements on each side of the aisle.

THE PRESIDENT'S HEALTH CARE PLAN IS A BIG WINNER FOR SMALL BUSINESS

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

Mr. VISCLOSKY. Mr. Speaker, small business is a vital and truly American part of our economy. Small business creates good jobs and provides the opportunity to realize the American Dream.

Unfortunately, the skyrocketing cost of health care is threatening small business.

Four out of five small businesses already provide health coverage for their employees. Because small businesses don't have the buying power of large firms, they face an uphill climb against larger corporations. Small business owners—who can least afford it—are paying 35 percent more than big business for health care.

President Clinton understands this problem and that's why his plan will level the health care playing field. Under President Clinton's plan small business will have the purchasing clout to contain health costs. And small, low-wage business will receive large discounts of 25 to 85 percent for health care coverage.

Mr. Speaker, it is clear President Clinton's health care plan is a big winner for American small business and the American people.

REPUBLICANS SHARE ADMINISTRATION'S CONCERNS ABOUT HEALTH CARE REFORM.

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

Mr. LINDER. Mr. Speaker, yesterday, Mrs. Clinton spoke emotionally about the need for health care reform. After hearing heartwrenching stories from families who had spoken about high costs and cancelled insurance, she asked, "How could it be that everyone doesn't share your concerns?" Well, Mrs. Clinton, everyone does share their concerns. And if the President would support the Michel plan or a bipartisan health care reform plan like Rowland-Bilirakis, we might be able to help these people.

Instead, the White House continues to demand that health care reform include employer mandates that would cost America hundreds of thousands of jobs. Where is the First Lady's concern for those people who will be thrown out of work if the President's plan passes? Job loss has been estimated at over 1 million jobs under the Clinton plan. In my State of Georgia, job loss has been estimated at over 28,000 working Americans.

Mrs. Clinton, we care about the people you heard from yesterday and we care about the American worker. Most importantly, we care about crafting a health care reform bill that will provide quality medical care to our citizens without costing so many American jobs.

Mrs. Clinton, you can do better and you must.

□ 1130

A PRAYER TO BAN ASSAULT WEAPONS

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

Mr. TUCKER. Mr. Speaker, I rise today in strong support of the ban on assault weapons.

Mr. Speaker, today is an annual day of national prayer, and yet, Mr. Speaker, the media have said and has pretended that we do not have a prayer to pass this bill. Well, Mr. Speaker, if we ever needed a prayer, we need one today, because assault weapons have got to be taken off our streets.

We are not talking about quashing the right for upstanding citizens to own weapons or their constitutional right to own firearms. We are talking about 19 specific types of firearms that

are high-powered, that are combat-type firearms, that must be taken off our streets.

It is a national day of prayer, Mr. Speaker, and I hope that we get a prayer through and ban assault weapons like we should in this country.

AN EMPLOYER MANDATE WILL DO NOTHING BUT GROW

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

Mrs. JOHNSON of Connecticut. Mr. Speaker, if an employer mandate were enacted, my State would lose 14,300 jobs.

As we debate yet another mandate on America's employers, let us not forget the real world implications of such mandates. I challenge each of my colleagues to find one government mandate that has not been expanded over time. Further, while many in this Congress have labored to describe the employer tax to pay 80 percent of premiums as anything other than a tax, I challenge each of my colleagues to find a tax on employers that hasn't grown with time. One need only look as far as the HI tax or the OASDI or FICA tax. Does anyone remember the temporary 2-percent surcharge for unemployment compensation which was recently extended for the umpteenth time?

My colleagues, years of experience at the State level provides us with plenty of real world examples of how a limited government mandate does nothing but expand over time. For example, many of the reform proposals before us today have provisions which would override State health benefit mandates. Yet what has the experience been with benefit mandates? The answer is simple, these mandates have priced millions of Americans out of the health insurance market.

By pursuing an employer mandate at the Federal level we are courting disaster. Such a mandate would have nowhere to go but up, and each time Congress in its infinite wisdom decides to expand this mandate we will encounter another round of layoffs as employers on the margin are forced out of business. Early last year this Congress enacted the family and medical leave mandate, already this year there are calls for expanding the mandate to require employers to provide paid leave. The startling precedent is there, one only has to look to find countless examples of expanding mandates.

The ironic part of this whole debate is that employer mandates are not necessary for real, effective, successful health care reform. We should be focusing on the specific solutions to the specific problems of our unemployment compensation system for which there is broad bipartisan support and move forward to enact real bipartisan reform.

VOTING AGAINST ASSAULT WEAPONS BAN WILL HURT AMERICA

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

Mr. TRAFICANT. Mr. Speaker, today's debate is not about guns. It is about politics.

Congress is getting phone calls. People are saying, "Vote 'no'" vote "no"; from good Americans who believe Congress will ultimately take away their guns.

As a former sheriff, let me remind Members today that Congress is getting no phone calls from the graves of victims in cemeteries all over America.

It is time to stand up. The President is right. Ladies and gentlemen, there is a limit to this madness.

Mario Andretti cannot drive his Indianapolis 500 race car on the Pennsylvania Turnpike, and you do not need a machine gun with a grenade launcher and a bayonet to kill a rabbit.

Congress, stand up. This vote will hurt me today politically, but a "no" vote by JIM TRAFICANT and by this Congress will hurt America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. McNULTY). Members in the gallery are reminded that we are delighted to have them with us, but they are to refrain from responding either positively or negatively to statements made on the floor.

AN EMPLOYER MANDATE HURTS SMALL BUSINESSES

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

Mr. MCCRERY. Mr. Speaker, before I talk about employer mandates, some of us do need a grenade to hit a rabbit, so I take issue with that.

An employer mandate would cost my State 15,300 jobs according to the American Legislative Exchange Council, the Nation's largest bipartisan organization of State and local legislators.

A health benefits mandate on employers will not only force layoffs in the short run, but also make it significantly more difficult for employers to grow and hire people. Louisiana's economy faces continuing layoffs because of mounting defense cuts, the instability of oil prices, and the downsizing of major employers. At this time, we need to encourage job growth for small businesses—not place additional burdens on entrepreneurs who are quiet heroes trying to create more jobs for all Americans.

The mandate proposed by President Clinton would require small employers

to pay for 80 percent of the cost of a Fortune 100-style health benefits package that does not permit self-insuring, and does not permit low-cost, high deductible coverage. This would lower worker's wages, increase employer costs, and reduce incentives for employers to cut health costs.

Further, the premium subsidies in the President's bill would not flow to many above average wage companies in my State. For example, to be eligible for the full tax credit, a company would need to have fewer than 25 employees with average annual wages of \$12,000 or less. Even with subsidies, the paperwork and cost burden of an employer mandate will destroy jobs.

Such negative economic effects are not necessary to solve our problems in health care. The serious problems of our health care system can be addressed without employer mandates.

THE NRA MUST TAKE A NEW DIRECTION

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

Mr. HUTTO. Mr. Speaker, when the assault weapon ban bill is considered I shall vote no. I am persuaded that the bill may be more expansive than the 19 weapons mentioned. This was not an easy decision for me. I support the constitutional right to have and bear arms, but we must do something about the onslaught of millions of dangerous guns that are easily obtainable by those who senselessly kill innocent people in our country.

I call on the NRA to take a new direction. The NRA is intransigent. Its leaders constantly whip their membership into a frenzy in believing all their guns are going to be taken away.

Hiding behind the second amendment and calling only for stricter law enforcement is not enough. The NRA should take the lead in coming up with a national plan to reduce the availability of guns and level of violence in America while maintaining the constitutional right of Americans to hunt and to protect their homes.

EMPLOYERS WILL PAY FOR HEALTH CARE MANDATES

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

Mr. CASTLE. Mr. Speaker, many of us are concerned about the proposed mandate on our businesses to provide a comprehensive benefits package. Employers are being mandated to float money into the system only to create a bigger system, a system we cannot afford.

Many of us are concerned about job loss, and projections range from 600,000

to 3 million. Jobs should not be sacrificed to furnish a health care reform proposal that will far exceed its estimated costs.

We can easily look into the future of employer mandates by looking at another Government-run health care program: Medicaid. In 1966, combined Federal and State Medicaid payments were \$1.7 billion. In 1992, they were \$119 billion. No one came close in predicting the costs of this program.

No jobs were directly eliminated to cover the program's costs, but the extensive benefits packages put an expensive burden on our States and Federal budgets.

Under the President's plan, our employers are the payers, and they will pay in more ways than laying off jobs. They will pay every time Congress decides to ratchet up the comprehensive benefits package and the employer contribution.

President Clinton pledged to end welfare as we know it, not end health care as we know it.

We need to reform our health care system, but when enacting mandates, we must remember that employers, not just government, will be picking up the tab.

STOP DEMONIZING AFRICAN-AMERICAN COLLEGES AND UNIVERSITIES

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

Mr. FLAKE. Mr. Speaker, I rise today to talk about another kind of assault, that is, the assault against Howard University, and by implication, many other historically black colleges and universities.

Even the Anti-Defamation League has stated that of the 122 anti-Semitic incidents that have been recorded, only 3 of them were on the campuses of black universities. In 81 colleges last year there were reports made including Yale and Harvard and Columbia and Brigham Young universities. None of them was from African-American colleges.

I think it is time for us to stop applying a double standard, a standard against Howard University and against African-American universities which is not appropriate.

Mr. Speaker, it is my hope that we will be fair to Howard and understand that students on all campuses voice their opinions and have their meetings.

Even at Howard, when the meeting was held, only 100 students from Howard were present among 2,000 people.

Let us stop demonizing Howard. Let us stop demonizing African-American colleges.

□ 1140

EMPLOYER MANDATES RESULT IN SIGNIFICANT JOB LOSSES

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

Mr. PORTMAN. Mr. Speaker, I rise today to join my colleagues to express my opposition to an employer mandate in any health care reform plan, particularly because of its impact on small businesses. This is the very sector of the economy that is the engine of economic growth and job creation in my district and across America. Studies have concluded that an employer mandate would not just stunt this growth, but result in significant job losses. For example, NFIB's recently released study projected that 850,000 jobs will be lost as a result of the Clinton plan, 410,000 of which will occur in firms with fewer than 100 employees. The American Legislative Exchange Council estimate that more than 45,000 jobs would be lost in Ohio alone.

This is not the time to burden small businesses with national policies that discourage job creation. In the Cincinnati area I represent, many of the larger companies have laid off workers in the last few years. It's the smaller firms that have been adding jobs and keeping our local economy growing. Following a national trend, our local small businesses added about 12,000 jobs from June 1992 to June 1993. We should be doing all we can to further this job creation, not destroy it.

I support the goal of providing universal access to affordable health care. But there are better ways to get at health care security than risking people's job security.

ASSAULT WEAPONS HAVE NO PLACE ON OUR STREETS OR WITHIN REACH OF OUR CHILDREN

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

Ms. DELAURO. Mr. Speaker, last month, the House passed sweeping crime legislation that is both tough and smart. Final passage of the crime bill is critical to ending the wave of violence that plagues our streets and so is the legislation we consider today: the assault weapons ban.

This legislation would ban 19 semi-automatic weapons—weapons with names like street-sweepers, Uzis, and AK-47's. If the names sound familiar, it is because these weapons have achieved notoriety as the weapons of choice of gang leaders, drug dealers, cop killers and terrorists.

When these rapid-fire weapons fall into the hands of disturbed individuals, the results can be horrific. Just last

month here in the Nation's Capital, gang members opened fire on a marketplace, injuring several shoppers and killing one teenaged boy.

In my home State of Connecticut and across the country assault weapons are being confiscated with increasing regularity. In Bridgeport, the number of assault weapons confiscated by police doubled last year. In one case in Wallingford, CT, police responded to a call where a 10-year-old boy was critically wounded when a .22 caliber pistol he was playing with accidentally went off. When police searched the scene they also found 37 assault rifles.

Assault weapons are weapons of war and they have no place on hunting trips; they have no place on our streets; and they have no place in our homes within the reach of our children.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. McCathran, one of his secretaries.

SMALL BUSINESS WEEK 1994

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

Mrs. MEYERS of Kansas. Mr. Speaker, 1994 Small Business Week celebration is almost over and the outstanding representatives from the small business community from every State are in Washington to receive their awards. The number one issue on their minds was health care reform. Many of these entrepreneurs—recognize as exemplary small business owners from their respective States—said they have seriously looked at the President's health care reform proposal, looked at their bottom line, and they simply could not survive the mandate.

As the winner from my State of Kansas said to me at lunch on Tuesday,

Congresswoman Meyers, I've run the numbers and we just can't do it. Eight percent of payroll completely wipes out our profit margin—and our profits don't just go into our pockets, after taking out a wage for my wife and myself, our profits are in our inventory—put back into our business.

Mr. Speaker, it is time the administration and those pushing employer mandates stop trying to sell their employer mandate, and actually listen to our Nation's employer—small business. Numerous, reputable studies show that mandated, employer-provided health insurance will cause substantial job loss. Small business owners want reforms in our Nation's health care system that will help them to provide health insurance coverage for their employees. However, cramming a mandate down their throats is not the solution. Let us listen to our small businesses,

our Nation's economic engine, and work with them to find some solutions to our health care crises.

Mr. Speaker, the best tribute this body could pay to small businesses is to really listen to their concerns. Health care coverage, at the expense of one's job, is not the answer. Let us work together for a solution that moves us toward universal health care coverage, without crippling the American economy.

ASSAULT WEAPON BAN PART OF A MULTIFACETED ANTICRIME EFFORT

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

Mr. MAZZOLI. Mr. Speaker, I speak today about the assault weapon ban measure which will come up shortly. I voted for it in subcommittee, again at the full committee level, and I intend to support it today.

Many of the arguments are valid on both sides of the issue, but one that I have heard so much is that these kinds of guns fire the same, they have the same action and use the same bullets. Then the argument goes on that they are used for the same purpose.

Well, the first three of those assertions I can agree with; the last one, "used for the same purpose," I disagree with. The guns, the weapons that we would ban today if this bill passes, are not used normally by hunters or normally by target shooters, but they are used normally by people on the streets to wreak havoc and to create acts of mayhem.

Another argument I have heard is the shrouds and the flash suppressors and the pistol grips and folding stocks, that they are really only cosmetic additions to the weapons. At the full committee I asked that very question of the chairman of the committee, "Are these in fact cosmetic changes, or do they have some substantive facility for the people who would use them for wrong purposes?" In fact, they do have a use for wrong purposes: You can fire more quickly, you can do more damage with these features than without.

So at the end of the day, Mr. Speaker, I think that this bill, which only prohibits specifically 19 weapons and releases 650, is a good piece of legislation and is one facet of a multifaceted anticrime bill that this Nation very much needs.

CURE WORSE THAN THE DISEASE

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

Mr. HASTERT. Mr. Speaker, let us be sure that when we reform our health care system we don't prescribe a cure that is worse than the problem.

All studies show that an employer mandate is just that—maybe more Americans would have health insurance, but at the same time, more Americans would be without jobs. And those who would be hit the hardest are those who are currently falling through the cracks. Job losses would be experienced by those working for small businesses and part-time and low-wage workers. And ironically, the self-employed.

Jobs should not be pitted against health care reform. Adding another tax on business is not the prescription for health care reform. It is time that we reject the employer mandate and instead, enact a commonsense bill that treats the real problems.

Reforming our health care system is supposed to cure the patient, not send the patient back to the emergency room with another illness.

ASSAULT WEAPONS—THE MACHO SYMBOL OF LAWLESSNESS

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

Mr. DERRICK. Mr. Speaker, last Thursday in Easley, SC, staff at a local bank reported a man for suspicious behavior. As police officers approached the man, he reached into a bag for a 9mm pistol, whereupon an officer shot him.

In the man's nearby car police found a loaded AK-47 assault rifle with extra magazines of ammunition. One officer said, "I doubt he was going deer hunting."

Whether the man intended to rob the bank, or was merely dangerously insane, one thing is clear: He knew what kind of tools he needed.

Think of AK-47's or TEC-9's and you think of criminals. You think of violence, drive-by shootings, random murder, destruction.

These weapons are the macho symbol of lawlessness. More and more the lawless employ them. It is clear what place these weapons have in our society: It is a place of self-destruction.

Vote to ban these tools of anarchy. If we do not, we enshrine this violence in our culture.

A TO Z SPENDING CUTS WOULD PRESAGE WELCOME CHANGE

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

Mr. ZELIFF. Mr. Speaker, we were tremendously encouraged by the long lines yesterday, to sign the A to Z spending cuts discharge petition.

We are convinced that, as we move closer to the election cycle, Members will hear loud and clear from their constituents back home, and pay less at-

tention to the leadership enticements that would prevent them from doing the right thing.

We must remember that business as usual, has resulted in a \$4.5 trillion debt. Our annual interest payments are now over \$200 billion, and slated to hit \$278 billion by the year 2002. The amount of money that we pay for non-productive interest payments, exceeds our annual expenditure for vital areas, such as research into cancer, AIDS, and other diseases; interest payments exceed our Federal aid to education; these interest payments also exceed our budgets for other vitally needed areas such as environmental protection, veterans health care, and our widely heralded anticrime efforts.

It is time for change. We can no longer afford business as usual. Sign the A to Z discharge petition today. It is time to start cutting that \$4.5 trillion debt.

□ 1150

SUPPORT H.R. 3527, PUBLIC SAFETY AND RECREATIONAL FIREARMS PROTECTION ACT

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

Ms. FURSE. Mr. Speaker, I rise today to express my strong support for H.R. 3527 which would ban 19 assault weapons.

Now I am a gunowner myself, but I am not here to express my personal opinion. I am here to report why the real experts in my district support this assault weapon ban.

I would like to quote Police Chief David Bishop:

I support banning assault weapons. These types of weapons create problems on the streets for police officers, and unfortunately the criminals are often better armed than the police.

Police Chief Charles Moose of Portland:

These military type weapons have no place in our urban communities and should be removed from our streets. It won't impact our hunters or recreational shooters. These guns are used to kill people.

Police Chief Ron Louie:

Plain and simple, these guns were designed to kill humans, not animals. They were designed for war, not hunting.

Mr. Speaker, this ban will help families, children. It will give our communities the security they deserve. I urge my colleagues to vote yes and to support our law enforcement community.

CAMPAIGN REFORM—THE REST OF THE STORY

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

Mr. BARRETT of Nebraska. Mr. Speaker, unlike Paul Harvey, the Democrats aren't telling—the rest of the story—when it comes to campaign finance reform.

They keep hiding the fact that the congressional reform bills will never take effect, unless we increase taxes to pay for campaigns.

The bills depend on taxpayer-financed subsidies for candidates, otherwise known as welfare for politicians. In this morning's Roll Call newspaper, the FEC's initial estimate could cost taxpayers \$117 million.

Mr. Speaker, good old Uncle Sam is going to help voters make up their minds about who to support in elections—no longer trusting the voters to make up their own minds.

Instead, Congress should encourage candidates to seek campaign financing from the people who elect them to office. This idea was recently supported by 70 percent of the American public in a recent poll published in the Washington Post.

Mr. Speaker, it is time we go back to the table and hammer out real bipartisan reform, that Americans can afford and deserve.

UZIS ARE NOT FOR SPORTSMEN

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

Mr. MENENDEZ. Mr. Speaker, today we are each asked a simple question: Do you think we should allow the sale of assault weapons to continue unchecked? Make no mistake, a "no" vote today means that you think it's just fine to go ahead and keep flooding the streets with these guns by the thousands. A "no" vote means, "Yes, I saw the news last night, I saw that child's life was snuffed out by a stray bullet from an Uzi. But you know, they are entitled to those Uzis." Well, Mr. Speaker, I think most of America says they are not.

Our country has become a battlefield and semiautomatic assault weapons have become the armaments of choice. Far too many people have been killed or crippled for us to pretend that these weapons are merely for sportsmen and hunters.

Today we are asked to decide whether the blood in the streets is simply an acceptable loss in the defense of liberty, or an intolerable slaughter of our neighbors and families. Who do you expect will thank you for defending—this slaughter?—your version of liberty? Say no to the killing. Say no to weapons designed for murder. Say yes to life—vote yes on the assault weapons ban.

SOCIAL SECURITY

(Mr. BLUTE asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. BLUTE. Mr. Speaker, a plan unveiled recently by the Ways and Means Chairman would cut COLA's and raise taxes, yet again, on Social Security beneficiaries.

Wringing more money from the Social Security system and stealing from the pocketbooks of senior citizens is not the way to attack our Federal deficit, and Members should reject such proposals out of hand.

Instead, we should redouble our efforts to protect the Social Security system, and make sure that everyone who pays in will benefit from it when their time comes.

Yesterday's approval by the Ways and Means Committee of a bill to make Social Security an independent agency is a step in the right direction. Separating Social Security will protect it from politics and budget cuts; it will make it more difficult for politicians to put their hands into funds which belong to seniors who have paid into the system their entire life.

Let us have an administrator of Social Security who would have the ability to make tough, independent decisions—reducing fraud and inefficiency. This would make Social Security more secure in future years.

I urge all of my colleagues to stand up for our seniors by voting to make Social Security an independent agency. Let us protect the sanctity of the Social Security system, and restore the trust of the American people.

IMPORTANT VOTE TODAY

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

Mr. BROWN of Ohio. Mr. Speaker, today we will have the opportunity to vote for an additional \$13 billion in spending cuts. This is an important vote. With this vote we will go over \$500 billion in deficit reduction when we take last year's \$496 billion package cut and this additional cut:

More than \$500 billion, one-half trillion dollars, that the American people will not have to pay;

More than \$500 billion, one-half trillion dollars, that we will not be passing along to the next generation;

More than \$500 billion, one-half trillion dollars, that will cut the fat, but not the muscle, out of Federal programs.

Mr. Speaker, let us just hope that the Federal Reserve is paying attention.

NATIONAL DAY OF PRAYER

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

Mr. DUNCAN. Mr. Speaker, today has been designated as the National Day of

Prayer. Church and religious leaders all over the Nation have asked people to pray for their families, their friends, their Nation.

I believe that prayer really does work. This Nation would be a much better place today if we had more people kneeling in prayer. Government simply cannot solve all of our problems, yet today we seem to have turned the Federal Government into some type of god. We are placing too much faith in men and laws and not enough faith in God, and in many social, personal and moral ways we are seeing almost a disintegration of our society.

Mr. Speaker, we need to come together as a nation again, and we need to remember what the Bible tells us in Second Chronicles:

If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways, I will hear their cries from heaven, and will forgive their sin, and heal their land.

How desperately, Mr. Speaker, our Nation needs to be healed today.

A CHOICE BETWEEN POLITICAL LIVES OF GUN LOBBYISTS OR THE LIVES OF POLICEMEN

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

Mr. DURBIN. Mr. Speaker, Congress has a choice today on the assault weapons ban. Members of Congress can stand with the gun lobby, or they can stand with the police. The well-funded National Rifle Association lobbyists got up this morning determined to save their jobs by threatening Members of Congress that a vote for the weapons ban would endanger their political lives. But thousands of men and women also got up this morning, put their badges on, their police uniforms on and their lives on the line to protect our families and our communities. These policemen are begging Congress to help take these combat weapons off the street and out of the hands of the mentally unstable, the criminally violent, and the drug gangs.

So, Mr. Speaker, I say to my colleagues, "Take your pick, Members of Congress. Protect the political lives of gun lobbyists or the lives of policemen across America."

History will undoubtedly view today's debate with incredulity if we fail. A nation awash in violent crime watches as its national legislature cannot bring itself to prohibit 19 of the most dangerous weapons available. Let us hope that Congress has the courage today to take this small step toward making American families a little safer.

REAL CRIME CONTROL

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

Mr. MANZULLO. Mr. Speaker, this proposed ban on so-called assault weapons will not deter crime in the United States. Automatic weapons, or one pull, many shots, including machine guns, have been banned for 50 years. This bill bans one pull, one shot, also called semiautomatic firearms purely on how they look as opposed to what they do.

The semiautomatic shotgun used by the President on a hunting trip last winter is more powerful than many so-called assault weapons banned under the bill. The lever action Winchester rifle used by Chuck Connors is the old "Rifleman" television show is more powerful than the firearms banned under the bill. And, so-called assault weapons are used in less than one-half of one percent of all violent crimes.

The week the Rockford, IL City Council voted overwhelmingly against a similar ban. Those aldermen recognized, as I do, that such a ban will not deter crime.

What is really offensive is President Clinton's proposal to virtually eliminate mandatory minimum sentences for drug traffickers, setting free 16,000 imprisoned felons. You cannot talk about fighting crime while releasing drug traffickers. Mr. Speaker, we need to focus on the criminals and punish them severely.

□ 1200

THE WILL OF THE AMERICAN PEOPLE—BAN ASSAULT WEAPONS

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

Mr. ENGEL. Mr. Speaker, today the American people are waiting with bated breath to see if this Congress stands with the American people in an assault weapons ban or stands with the special interests that are desperately trying to prevent this body from doing the will of the American people.

Polls have shown that 77 percent of Americans want an assault weapons ban. Violence is in our streets, violence is in our cities and our towns, and yet we sit and wring our hands and do not react to it at all.

In the killings on the Long Island Railroad, if that person did not have an assault weapon, many people would still be alive today.

One percent of all privately owned firearms are assault weapons, yet they accounted for 8 percent of all firearms deaths last year, in 1993.

These weapons are not for hunting or for legitimate sports purposes. They are only for one thing—to kill people, to be put in the hands of the unstable to kill people. The logic that somehow the fact that we are not banning all assault weapons means that we should not ban some escapes me.

Mr. Speaker, the American people are watching. If we do not do what the American people want us to do in this instance, shame on us all.

WAR AGAINST DIABETES ESPECIALLY CRITICAL TO HISPANIC COMMUNITIES

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

Mr. BONILLA. Mr. Speaker, diabetes is a tremendous public health problem in this country. More than 14 million Americans have the disease and nearly 650,000 new cases will be diagnosed this year. Of particular concern to me is the disproportionate impact diabetes has on racial and ethnic minority populations, particularly Hispanics.

As a child growing up in heavily Hispanic South San Antonio, I witnessed first hand the devastation diabetes can render in a community. Many of my family members and friends were afflicted with diabetes. In fact, in our community it was not just who you knew with diabetes but how many people you knew with the disease.

As an adult, I have witnessed the negative impact of diabetes in my own congressional district in Texas. The district spans 600 miles of border with Mexico from El Paso to Laredo and the majority of my constituents are Hispanic. Diabetes has personally touched many of their lives.

Mr. Speaker, I strongly support those programs that identify people with diabetes and provide them with the information they need to prevent the disease's deadly complications. The Division of Diabetes Translation at the Centers for Disease Control is an excellent program of this type. By helping States conduct prevention and control activities, it has proven to be extremely successful in limiting the impact of diabetes. Another very successful program which specifically seeks to address the impact of diabetes among Hispanics is the American Diabetes Association's diabetes assistance and resources program.

Mr. Speaker, I look forward to working with my colleagues in the House to ensure that those programs dealing with the treatment, prevention, and control of diabetes get the attention they deserve.

Diabetes is the fourth leading cause of death by disease in the United States, taking the lives of more than 160,000 Americans annually. More than 1 million Hispanics, nearly 1 in 10 adults, have diabetes. These individuals are at substantial risk for developing one or more of the disease's debilitating complications: kidney disease; leg, foot, and toe amputations; blindness; heart disease; and stroke. More than \$92 billion is spent each year in the fight against diabetes.

Fortunately, modern medicine has shown that the complications of diabetes can be avoided with routine preventive medical care. By maintaining a good diet, exercising regularly, and stabilizing one's blood glucose levels as close to normal as possible, one can dramatically reduce the odds of developing the disease's complications. However, there are many millions of Americans who are not even aware that they have diabetes, let alone know how to properly manage it. It is critical that these people are properly diagnosed and treated.

BANNING ASSAULT WEAPONS: PETTY SYMBOLISM AT ITS WORST

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

Mr. KNOLLENBERG. Mr. Speaker, today, the House will take up the much-publicized ban on so-called assault weapons.

It is important to understand that, despite the way it looks, this debate has almost nothing to do with assault weapons themselves.

Military-style semiautomatics are no more powerful, no more accurate, and no more deadly than dozens of other firearms that would remain legal under this bill.

Furthermore, according to the FBI they are no more likely to be used in the commission of crime than other guns.

So why are these weapons being singled out by the gun control advocates? Simply because they look scary and they make great props for soundbite politicians. That's it.

To me, it is totally absurd that while hundreds of law-abiding citizens are being murdered, raped, and assaulted every day by criminals who should be in jail, we are debating whether or not to ban guns simply because they have bayonet mounts.

Folks this isn't crime control, it's petty symbolism at its worst, and I for one, refuse to be a part of it.

HEALTH CARE REFORM AND ITS IMPACT ON JOBS

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

Mr. GALLO. Mr. Speaker, I appreciate this time to address the economic implications of health care reform. Whether we mandate employers to pay for coverage, control prices of prescription drugs, slash Medicare, or increase taxes to reform health care, each of these measures will impact jobs.

I am concerned about the future of a health care industry that employs nearly 9 million Americans.

Before we vote on a health care reform plan, we should have in hand an

official congressional job impact statement. Congress should have a clear indication of how any measure will impact people's jobs.

With my colleague from Kansas, JAN MEYERS, I have introduced a bill that would require that be done—H.R. 3882, the Health Care Reform Jobs Preservation Act. I urge you to cosponsor this bill. The American people deserve to know whose jobs might be lost as a result of reforming the health care system.

Thank you, Mr. Speaker.

THURSDAY, MAY 5—TAX FREEDOM DAY

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

Mr. SMITH of Michigan. Mr. Speaker, I rise today to remind my colleagues that today, May 5, is a very special day. It is Tax Freedom Day.

What that means is that for the first 125 days of this year you have been earning enough money to pay it all to government to pay your taxes.

How big do we want government to be? Think about it. One answer is to say "Why don't we just borrow more money?"

Well, let me ask the Members a question. Out of all the money lent in this country, out of all the money borrowed in this country, guess how much money government borrows? The answer is: 52 percent. So guess who is driving up the interest rates of this country. The answer is: government. Government is taking 52 percent of all the available money, taking it away from people who want to use it for a college education, for a car, a home, or, more importantly, maybe for business expansion.

We have got to reduce spending. If you are an average American, local, State and national taxes take 41 cents out of every \$1 you earn. We have got to cut spending.

Coincidentally, we have a petition that would allow this Chamber to vote from A to Z to cut spending. Let us be fair to the American people. Let us be fair to our grandkids. Let us cut spending. Let us sign the A to Z petition and cut spending.

PUBLIC SAFETY AND RECREATIONAL FIREARMS USE PROTECTION ACT

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 416 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 416

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for

consideration of the bill (H.R. 4296) to make unlawful the transfer or possession of assault weapons. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute and no other amendment to the bill shall be in order. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendment as may have been adopted. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. MAZZOLI). The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

□ 1210

Mr. DERRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from New York [Mr. SOLOMON], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 416 is a rule providing for the consideration of H.R. 4296, the Public Safety and Recreational Firearms Use Protection Act. The rule provides for 2 hours of general debate equally divided and controlled by the chairman and ranking minority member of the Judiciary Committee. The rule provides that the Judiciary Committee amendment in the nature of a substitute now printed in the bill shall be considered as read. All points of order are waived against the committee substitute. The rule provides that no amendment to the committee substitute nor the bill shall be in order. Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, the Assault Weapons Ban Act would ban the manufacture, possession or sale of assault weapons. The bill exempts from the ban, weapons that are already legally owned at the time of enactment. In addition, the bill is very specific in defining which semiautomatic rifles, pistols, and shotguns would be prohibited. The bill exempts 650 specified sporting guns including Browning and Remington rifles and all bolt, pump, slide, and level action guns from the ban. The legislation does not affect the use of these weapons by governmental agencies, such as law enforcement officials and the mili-

tary. Finally, the bill's provisions contain penalties for those who violate the ban.

Mr. Speaker, our Nation is under siege. Our emergency rooms are overflowing with victims of gun violence from assault weapons. In Los Angeles military trauma physicians have been recruited in hospitals to relieve the workload resulting from gun violence. Physicians in these hospitals receive practice in treating wounds from high-velocity assault weapons—wounds similar to the type seen in the Vietnam War.

Mr. Speaker, every year the problem of gun violence only seems to get worse as more assault weapons find their way into the hands of criminals. It is estimated that there are roughly one million assault weapons in the United States. According to the Bureau of Alcohol, Tobacco, and Firearms between 1990 and 1993, reports of assault weapons increased by 35 percent. From 1990 to 1993, the percent of firearms traced that were assault weapons rose from 5.9 percent to 8.1 percent. Since studies show that assault weapons make up only 1 percent of the firearms in circulation, assault weapons are in proportion used more often to commit crimes. In fact, these weapons are 18 times more likely than other guns to be cop-killers, and 16 times more likely to be traced to crime than other firearms.

Mr. Speaker, enough is enough. Assault weapons are used by criminals, not hunters or sport shooters. The sole purpose of these weapons is to kill a lot of people quickly. What was originally intended for military combat, has now become the weapon of choice for drug dealers and gangs.

These large-capacity ammunition weapons have resulted in death and injury throughout our Nation. Last year alone assault weapons resulted in: The killing of 6 and the wounding of 19 on a Long Island commuter train; the killing of 2 CIA workers and the wounding of 3 others in McLean, VA; the killing of 8 and the wounding of 6 in a San Francisco high-rise office building, and the list goes on.

Foreign nations are now issuing travel advisories to warn their citizens about traveling to our Nation due solely to the epidemic of gun violence. And foreign visitors are not the only ones fearful, most U.S. citizens experience this same fear daily. My own constituents who live in small rural towns now rate crime as the No. 1 issue.

Mr. Speaker, according to a recent Washington Post editorial:

One of the latest excuses a House member can parrot from the [assault weapons ban opponents] is that there's no difference between assault-style weapons and the firearms of sporting. If this is so, why are law enforcement groups from coast to coast pleading for passage of a bill to ban the sale of 19 specific models? Who's more believable—the cops who are out there dealing

with armed criminals everywhere, or representatives of the weapons manufacturers worldwide who promote anything with a trigger?

The Assault Weapons Ban Act has the support of every major law enforcement group including the National Association of Police Organization, the National Sheriffs' Association, Police Executive Research Forum, Police Foundation, Police Management Association, the International Brotherhood of Police Officers, the International Association of Chiefs of Police, and the Federal Law Enforcement Officers.

In addition, organizations representing education, children, the medical community, social services providers, civic groups, lawyers, clergy, and government have voiced their support for a ban on assault weapons. Groups such as the American Bar Association, American Nurses Association, American Public Health Association, American Academy of Pediatrics, International Ladies Garment Workers Union, U.S. Conference of Mayors, National League of Cities, National Association of Counties, League of Women Voters, AFL-CIO, National Urban League, NAACP, Handgun Control, and the National Education Association all support the bill.

The bill has also been endorsed by three former Presidents including Ronald Reagan, Jimmy Carter, and Gerald Ford.

Mr. Speaker, the American people are demanding an end to the growing epidemic of gun violence. H.R. 4296 cannot end all the violence brought on by guns, but it is a step in the right direction. In California where assault weapons are now banned, preliminary statistics indicate that it has slowed down the growth in the use of these weapons as compared to the rest of the Nation.

Mr. Speaker, it is time to take back our streets from the criminals and to end the carnage that has made us all prisoners of our own fear. We cannot wait any longer. House Resolution 416 is a fair rule that will enable us to consider this very important legislation. I urge my colleagues to support the rule and the bill.

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

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

Mr. Speaker, I rise in opposition to this rule and the bill it makes in order.

This bill is misguided because it penalizes good law-abiding American citizens, not the criminals who are the cause of the problem. The criminals will ignore this law. The law abiding will have their rights taken away.

In the Rules Committee yesterday I moved to make in order a substitute for this bill offered by the gentleman from Florida [Mr. MCCOLLUM].

The McCollum substitute is a rational solution to the problem of gun violence. It provides mandatory prison

terms for use of a firearm during a State crime of violence or State drug trafficking crime.

This approach penalizes the criminal who is guilty of abusing a gun, not law-abiding American citizens.

My motion was turned down in the Rules Committee and the main objection was that the substitute would have required a waiver of points of order. But, Mr. Speaker, this rule before us today waives all points of order against consideration of the bill and also waives all points of order against the committee substitute.

Why should our substitute not have been given the same waiver? The rule also prohibits all other amendments.

Mr. Speaker, this bill is the second shoe to drop on the way to taking away the right of Americans to bear arms. The first shoe to drop was the Brady bill which was signed into law last November. Mark my words, this will turn out to be a centipede with a lot of shoes.

If this bill is passed, there will soon be another one cutting away a little more of the right to bear arms provided under the second amendment to the Constitution.

The ironic part of this is that many of the same people who are cutting away our rights under the second amendment, are the ones who would be most insistent about protecting rights under the first amendment, like free speech. All of our rights under the U.S. Constitution should be protected, not just ones that the current President happens to favor.

Mr. Speaker, supporters of this bill have given the impression that weapons banned by this bill produce a spray of bullets. This is just not the case. The firearms banned in this bill are not machine guns. Machine guns are already restricted by law. The guns being banned in this bill are semiautomatic and fire only one shot with each pull of the trigger.

They are useful for target shooting, self-defense, and hunting, just as other firearms are.

Moreover, the supporters of this bill repeatedly make reference to the 19 weapons which are specifically banned under this bill. But the actual number which would be banned is much greater than that.

In the CONGRESSIONAL RECORD of May 2 Senator LARRY CRAIG inserted correspondence with the Director of the Bureau of Alcohol, Tobacco, and Fire-

arms, concluding that the actual number of weapons banned under Senate language similar to this bill is approximately 180, not just the 19 often cited by supporters of this bill.

Some supporters of this bill give the impression that so-called assault weapons are used in a large percentage of crimes. But I would like to cite an unimpeachable source, namely the chairman of the House Judiciary Committee, my good friend JACK BROOKS, who in dissenting views accompanying this bill notes a number of relevant facts.

For example, Chairman BROOKS points out that most of the firearms labeled as assault weapons in this bill are rifles—yet rifles are the category of firearms used least often in the commission of violent crimes.

The next fact which should be kept in mind is this. The FBI Uniform Crime Reports, 1992, the most recent comprehensive data available, shows that rifles of any description are used in only 3.1 percent of homicides, while knives are used in 14.5 percent of homicides. This means that knives are used in more than four times as many homicides as all rifles, not just rifles banned in this bill.

But there is more. It turns out that fists and feet are used in 5 percent of all homicides. When are we going to ban those? Also blunt objects are used in another 5 percent of homicides. Are we going to ban rocks, for example?

Professor Gary Kleck, of Florida State University, the 1993 recipient of the American Society of Criminology's Hindelang Award, estimates that only one half of one percent of violent crimes are committed with assault weapons. This bill is clearly missing the target, Mr. Speaker.

But there is more. Right here in Washington, DC, which has the highest per capita rate of homicides of any major city in the United States, between 1980 and 1993 there occurred only four rifle related homicides out of a total of more than 4,200 homicides in the period according to the metropolitan police.

Mr. Speaker, there is a problem with crime out there, but this bill is not the solution. It is not even a meaningful part of the solution.

Mr. Speaker, the actual purpose of this bill is to direct attention away from the real cause of crime, namely, the criminal. This bill is part of an agenda which advances the notion that things other than the criminal—such

as guns, root causes, or sociological conditions—are the cause of crime.

If Congress adopts the theory that limiting access to firearms reduces crime, there will be increasing pressure to ban more and more of them. Eventually the right to bear arms will be nullified.

At the same time murder and mayhem will continue, because we are failing to do the things that need to be done to deter crime, take criminals off the street and keep them off the street.

The House had an opportunity to get tough on crime when the Republican anticrime agenda was offered a few weeks ago.

It included such things as prison construction combined with truth in sentencing, a workable death penalty, and reform of the exclusionary rule. That bill was the way to reduce crime. This bill is not.

In the Rules Committee yesterday there was another opportunity to do something real about crime, when the McCollum substitute was offered. But that opportunity was voted down.

This bill is a step in the wrong direction, that is, taking away the constitutional rights of American citizens. And the sad part is that crime will still be just as much of a problem if this bill is passed as it is now. This bill should be defeated.

Mr. Speaker, I include for the RECORD the following information:

OPEN VERSUS RESTRICTIVE RULES 95TH-103D CONG.

Congress (years)	Total rules granted ¹	Open rules		Restrictive rules	
		Number	Percent ²	Number	Percent ³
95th (1977-78)	211	179	85	32	15
96th (1979-80)	214	161	75	53	25
97th (1981-82)	120	90	75	30	25
98th (1983-84)	155	105	68	50	32
99th (1985-86)	115	65	57	50	43
100th (1987-88)	123	66	54	57	46
101st (1989-90)	104	47	45	57	55
102d (1991-92)	109	37	34	72	66
103d (1993-94)	62	13	21	49	79

¹ Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

² Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

³ Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources: "Rules Committee Calendars & Surveys of Activities," 95th-102d Cong.; "Notices of Action Taken," Committee on Rules, 103d Cong., through May 4, 1994.

OPEN VERSUS RESTRICTIVE RULES: 103D CONG.

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 58, Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D-5; R-25)	3 (D-0; R-3)	PQ: 246-176. A: 259-164. (Feb. 3, 1993).
H. Res. 59, Feb. 3, 1993	MC	H.R. 2: National Voter Registration Act	19 (D-1; R-18)	1 (D-0; R-1)	PQ: 248-171. A: 249-170. (Feb. 4, 1993).
H. Res. 103, Feb. 23, 1993	C	H.R. 520: Unemployment compensation	7 (D-2; R-5)	0 (D-0; R-0)	PQ: 243-172. A: 237-178. (Feb. 24, 1993).
H. Res. 106, Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D-1; R-8)	3 (D-0; R-3)	PQ: 248-166. A: 249-163. (Mar. 3, 1993).
H. Res. 119, Mar. 9, 1993	MC	H.R. 4: NIH Reauthorization Act of 1993	13 (D-4; R-9)	8 (D-3; R-5)	PQ: 247-170. A: 248-170. (Mar. 10, 1993).
H. Res. 132, Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental Appropriations	37 (D-8; R-29)	1 (not submitted) (D-1; R-0)	A: 240-185. (Mar. 18, 1993).
H. Res. 133, Mar. 17, 1993	MC	H. Con. Res. 64: Budget resolution	14 (D-2; R-12)	4 (1-D not submitted) (D-2; R-2)	PQ: 250-172. A: 251-172. (Mar. 18, 1993).
H. Res. 138, Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D-8; R-12)	9 (D-4; R-5)	PQ: 252-164. A: 247-169. (Mar. 24, 1993).
H. Res. 147, Mar. 31, 1993	C	H.R. 1430: Increase Public debt limit	6 (D-1; R-5)	0 (D-0; R-0)	PQ: 244-168. A: 242-170. (Apr. 1, 1993).
H. Res. 149 Apr. 1, 1993	MC	H.R. 1578: Expedited Rescission Act of 1993	8 (D-1; R-7)	3 (D-1; R-2)	A: 212-208. (Apr. 28, 1993).

OPEN VERSUS RESTRICTIVE RULES: 103D CONG.—Continued

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 164, May 4, 1993	O	H.R. 820: Nate Competitiveness Act	NA	NA	A: Voice Vote. (May 5, 1993).
H. Res. 171, May 18, 1993	O	H.R. 873: Gallatin Range Act of 1993	NA	NA	A: Voice Vote. (May 20, 1993).
H. Res. 172, May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	NA	NA	A: 308-0 (May 24, 1993).
H. Res. 173, May 18, 1993	MC	S.J. Res. 45: United States forces in Somalia	6 (D-1; R-5)	6 (D-1; R-5)	A: Voice Vote (May 20, 1993).
H. Res. 183, May 25, 1993	O	H.R. 2244: 2d supplemental appropriations	NA	NA	A: 251-174. (May 26, 1993).
H. Res. 186, May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D-19; R-32)	8 (D-7; R-1)	PQ: 252-178. A: 236-194 (May 27, 1993).
H. Res. 192, June 9, 1993	MC	H.R. 2348: Legislative branch appropriations	50 (D-6; R-44)	6 (D-3; R-3)	PQ: 240-177. A: 226-185. (June 10, 1993).
H. Res. 193, June 10, 1993	O	H.R. 2200: NASA authorization	NA	NA	A: Voice Vote. (June 14, 1993).
H. Res. 195, June 14, 1993	MC	H.R. 5: Striker replacement	7 (D-4; R-3)	2 (D-1; R-1)	A: 244-176. (June 15, 1993).
H. Res. 197, June 15, 1993	MO	H.R. 2333: State Department. H.R. 2404: Foreign aid	53 (D-20; R-33)	27 (D-12; R-15)	A: 294-129. (June 16, 1993).
H. Res. 199, June 16, 1993	C	H.R. 1876: Ext. of "Fast Track"	NA	NA	A: Voice Vote. (June 22, 1993).
H. Res. 200, June 16, 1993	MC	H.R. 2295: Foreign operations appropriations	33 (D-11; R-22)	5 (D-1; R-4)	A: 263-160. (June 17, 1993).
H. Res. 201, June 17, 1993	O	H.R. 2403: Treasury-postal appropriations	NA	NA	A: Voice Vote. (June 17, 1993).
H. Res. 203, June 22, 1993	MO	H.R. 2445: Energy and Water appropriations	NA	NA	A: Voice Vote. (June 23, 1993).
H. Res. 206, June 23, 1993	O	H.R. 2150: Coast Guard authorization	NA	NA	A: 401-0. (July 30, 1993).
H. Res. 217, July 14, 1993	MO	H.R. 2010: National Service Trust Act	NA	NA	A: 261-164. (July 21, 1993).
H. Res. 220, July 21, 1993	MC	H.R. 2667: Disaster assistance supplemental	14 (D-8; R-6)	2 (D-2; R-0)	PQ: 245-178. F: 205-216. (July 22, 1993).
H. Res. 226, July 23, 1993	MC	H.R. 2667: Disaster assistance supplemental	15 (D-8; R-7)	2 (D-2; R-0)	A: 224-205. (July 27, 1993).
H. Res. 229, July 28, 1993	MO	H.R. 2330: Intelligence Authority Act, fiscal year 1994	NA	NA	A: Voice Vote. (Aug. 3, 1993).
H. Res. 230, July 28, 1993	O	H.R. 1964: Maritime Administration authority	NA	NA	A: Voice Vote. (July 29, 1993).
H. Res. 246, Aug. 6, 1993	MO	H.R. 2401: National Defense authority	149 (D-109; R-40)	NA	A: 246-172. (Sept. 8, 1993).
H. Res. 248, Sept. 9, 1993	MO	H.R. 2401: National defense authorization	NA	NA	PQ: 237-169. A: 234-169. (Sept. 13, 1993).
H. Res. 250, Sept. 13, 1993	MC	H.R. 1340: RTC Completion Act	12 (D-3; R-9)	1 (D-1; R-0)	A: 213-191-1. (Sept. 14, 1993).
H. Res. 254, Sept. 22, 1993	MO	H.R. 2401: National Defense authorization	NA	91 (D-67; R-24)	A: 241-182. (Sept. 28, 1993).
H. Res. 262, Sept. 28, 1993	O	H.R. 1845: National Biological Survey Act	NA	NA	A: 238-188. (10/06/93).
H. Res. 264, Sept. 28, 1993	MC	H.R. 2351: Arts, humanities, museums	7 (D-0; R-7)	3 (D-0; R-3)	PQ: 240-185. A: 225-195. (Oct. 14, 1993).
H. Res. 265, Sept. 29, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D-1; R-2)	2 (D-1; R-1)	A: 239-150. (Oct. 15, 1993).
H. Res. 269, Oct. 6, 1993	MO	H.R. 2739: Aviation infrastructure investment	NA	N/A	A: Voice Vote. (Oct. 7, 1993).
H. Res. 273, Oct. 12, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D-1; R-2)	2 (D-1; R-1)	PQ: 235-187. F: 149-254. (Oct. 14, 1993).
H. Res. 274, Oct. 12, 1993	MC	H.R. 1804: Goals 2000 Educate America Act	15 (D-7; R-7; I-1)	10 (D-7; R-3)	A: Voice Vote. (Oct. 13, 1993).
H. Res. 282, Oct. 20, 1993	C	H.J. Res. 281: Continuing appropriations through Oct. 28, 1993	N/A	N/A	A: Voice Vote. (Oct. 21, 1993).
H. Res. 286, Oct. 27, 1993	O	H.R. 334: Lumbee Recognition Act	N/A	N/A	A: Voice Vote. (Oct. 28, 1993).
H. Res. 287, Oct. 27, 1993	C	H.J. Res. 283: Continuing appropriations resolution	1 (D-0; R-0)	0	A: 252-170. (Oct. 28, 1993).
H. Res. 289, Oct. 28, 1993	O	H.R. 2151: Maritime Security Act of 1993	N/A	N/A	A: Voice Vote. (Nov. 3, 1993).
H. Res. 293, Nov. 4, 1993	MC	H. Con. Res. 170: Troop withdrawal Somalia	N/A	N/A	A: 390-8. (Nov. 8, 1993).
H. Res. 299, Nov. 8, 1993	MC	H.R. 1036: Employee Retirement Act-1993	2 (D-1; R-1)	N/A	A: Voice Vote. (Nov. 9, 1993).
H. Res. 302, Nov. 9, 1993	MO	H.R. 1025: Brady handgun bill	17 (D-6; R-11)	4 (D-1; R-3)	A: 238-182. (Nov. 10, 1993).
H. Res. 303, Nov. 9, 1993	O	H.R. 322: Mineral exploration	N/A	N/A	A: Voice Vote. (Nov. 16, 1993).
H. Res. 304, Nov. 9, 1993	C	H.J. Res. 288: Further CR. FY 1994	N/A	N/A	
H. Res. 312, Nov. 17, 1993	MC	H.R. 3425: EPA Cabinet Status	27 (D-8; R-19)	9 (D-1; R-8)	F: 191-227. (Feb. 2, 1994).
H. Res. 313, Nov. 17, 1993	MC	H.R. 796: Freedom Access to Clinics	15 (D-9; R-6)	4 (D-1; R-3)	A: 233-192. (Nov. 18, 1993).
H. Res. 314, Nov. 17, 1993	MC	H.R. 3351: Alt Methods Young Offenders	21 (D-7; R-14)	6 (D-3; R-3)	A: 238-179. (Nov. 19, 1993).
H. Res. 316, Nov. 19, 1993	C	H.R. 51: D.C. statehood bill	1 (D-1; R-0)	N/A	A: 252-172. (Nov. 20, 1993).
H. Res. 319, Nov. 20, 1993	MC	H.R. 3: Campaign Finance Reform	35 (D-6; R-29)	1 (D-0; R-1)	A: 220-207. (Nov. 21, 1993).
H. Res. 320, Nov. 20, 1993	MC	H.R. 3400: Reinventing Government	34 (D-15; R-19)	3 (D-3; R-0)	A: 247-183. (Nov. 22, 1993).
H. Res. 336, Feb. 2, 1994	MC	H.R. 3759: Emergency Supplemental Appropriations	14 (D-8; R-5; I-1)	5 (D-3; R-2)	PQ: 244-168. A: 342-65. (Feb. 3, 1994).
H. Res. 352, Feb. 8, 1994	MC	H.R. 811: Independent Counsel Act	27 (D-8; R-19)	10 (D-4; R-6)	PQ: 249-174. A: 242-174. (Feb. 9, 1994).
H. Res. 357, Feb. 9, 1994	MC	H.R. 3345: Federal Workforce Restructuring	3 (D-2; R-1)	2 (D-2; R-0)	A: VV (Feb. 10, 1994).
H. Res. 366, Feb. 23, 1994	MO	H.R. 6: Improving America's Schools	NA	NA	A: VV (Feb. 24, 1994).
H. Res. 384, Mar. 9, 1994	MC	H. Con. Res. 218: Budget Resolution FY 1995-99	14 (D-5; R-9)	5 (D-3; R-2)	A: 245-171. (Mar. 10, 1994).
H. Res. 401, Apr. 12, 1994	MO	H.R. 4092: Violent Crime Control	180 (D-98; R-82)	68 (D-47; R-21)	A: 244-176. (Apr. 13, 1994).
H. Res. 410, Apr. 21, 1994	MO	H.R. 3221: Iraqi Claims Act	N/A	N/A	A: Voice Vote. (Apr. 28, 1994).
H. Res. 414, Apr. 28, 1994	O	H.R. 3254: NSF Auth. Act	N/A	N/A	A: Voice Vote. (May 3, 1994).
H. Res. 416, May 4, 1994	C	H.R. 4296: Assault Weapons Ban Act	7 (D-5; R-2)	0 (D-0; R-0)	

Note.—Code: C-Closed; MC-Modified closed; MO-Modified open; O-Open; D-Democrat; R-Republican; PQ: Previous question; A-Adopted; F-Failed.

□ 1220

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

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1½ minutes to the gentleman from Pennsylvania [Mr. FOGLETTA].

Mr. FOGLETTA. Mr. Speaker, There is an old joke about a lawyer who is representing the owner of a dog that bit somebody. First, he says the dog did not bite the man. When that does not work, he says that the client did not own a dog. And when that does not work, he says that the dog was not a dog.

That is exactly what the National Rifle Association is doing. First, they said that assault weapons do not kill people, people kill people. When that did not work, they said that these assault weapons are not assault weapons. When that did not work, they said that there is no such thing as a semi-automatic assault weapon.

Well, to go back to that old expression: These dogs won't hunt.

It is so rare that we deal with issues that are so clear cut, that make such basic common sense. These are weapons of war and now the artillery of the drug trade. Let me tell you about one

story from my city I heard from my district attorney. It happened last year. Four men, three of them brothers, were standing on a corner in west Philadelphia. They were not involved in crime; they were just on the wrong corner at the wrong time. Because, it was a drug corner, and they were getting in the way of business.

Four of the men who controlled the corner arrived, all armed, one with an M-11. They opened fire. Nineteen shells were recovered from the M-11. Two men died. One brother is confined to a wheelchair. One man was shot eight times and, remarkably, survived.

I have said enough. Let us vote for the rule, and then vote to rid our streets of these killing machines.

Mr. SOLOMON. Mr. Speaker, I yield 2½ minutes to a very distinguished member of the Committee on Rules, the gentleman from Florida [Mr. Goss], who has to go back up to the Committee on Rules, which is meeting right now.

Mr. GOSS. Mr. Speaker, today's discussion presents a unique legislative situation. While technically H.R. 4296 is a free-standing bill, there are many strings attached. The fact is, H.R. 4296 is a vehicle for this House to clearly state its will on a selective assault

weapon ban, not to tinker with the fine print of such a proposal. I understand the benefits of focusing on the broad philosophical issue: Will this ban on selected assault weapons help to reduce violent crime in our communities? Statistics and evidentiary experience show the answer is no. But this rule precludes discussion of the other half of this crucial question: Wouldn't the guarantee of tougher penalties do more to reduce violent crime in our communities? I am convinced the answer to that question is a resounding yes. Many of us who feel this selective gun ban will prove ineffective in combating crime believe very strongly that tough and consistent penalties for abuse of firearms will work. Yet, under this rule, the House is denied the chance to debate Mr. MCCOLLUM's proposal to ensure tough, mandatory, minimum sentences for possession and use of guns in the commission of a crime.

Most law enforcement officials tell us that assault weapons are not the key to crime in this country—in fact, even proponents of this bill know that assault weapons are responsible for only a small fraction of all violent crimes. We have failed to hold people accountable for their actions—we have

failed to guarantee that heinous crimes and violence will lead to sure, swift, and stringent penalties. We have failed to make sure that crime in this country will not pay. In the Rules Committee, we were told that Mr. McCOLLUM's proposal for mandating tough minimum sentences in cases of unlawful activity with guns is nongermane or, not relevant to this discussion. In my view, this ban on certain, selected assault weapons is nongermane and not relevant to solving our very serious crime problem in this country.

Mr. Speaker, a 1990 Florida commission studied the merits of a ban on assault weapons, and concluded that such a ban would have no impact on crime-related deaths in our State. In fact, an informal survey of law-enforcement officials in southwest Florida confirms that only three deaths can be traced to assault weapons—although they are not necessarily those on the select ban list—and one of those deaths was a suicide. Americans have a constitutional right to own guns for self-protection, for deterrence, for hunting, for target sport shooting, for collection, and for other lawful activity. I make a very clear distinction between ownership and use of those weapons. Sadly, a selective ban on assault weapons will not stop criminals from getting their hands on deadly weapons and committing deadly crimes. What it will do is further restrict law-abiding folks from going about their business.

Mr. Speaker, the understandable passions and thoughtful, sincere concern on both sides of this debate demonstrate the true problem: Americans are fed up with being afraid—we have had enough of our misguided and ineffective criminal justice system, which is sending the signal that crime in America still does pay.

So as we struggle to make our neighborhoods safe once again for law-abiding citizens—let us not be fooled by high-profile, but unfillable promises.

I wish I could believe that this ban will reduce violent crime. But after listening to the arguments on both sides and looking at the facts of crime in this country, I am convinced the criminals will go right on committing violent crimes and they will still be able to get their hands on guns—selective ban or no selective ban. Who knows, some may actually become emboldened by knowing that their law-abiding victims will not be able to match their firepower. In the end, this bill asks Americans to give up part of their freedom. But what do Americans get in return? I am afraid it will be little and we will have once again missed the chance to do something significant to stop crime. I oppose this rule and will vote "no" on H.R. 4296.

□ 1230

Mr. DERRICK. Mr. Speaker, for purposes of debate only I yield 2 minutes

to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Politics of guns. Politics of guns. Tough issue. Congress has traditionally put this sensitive and tough political issue on automatic pilot.

Mr. Speaker, the truth is today Air Force One has taken leadership and they are bringing it down to Earth by calling for a vote. I want to give President Clinton credit today. He is going out politically on a limb and, Congress, if you are not prepared at some time in your life to go out on a limb, you will never collect the fruit and if there is a time to go out on the limb politically, today, is that day.

Mr. Speaker, I am a former sheriff and let me say this: The second amendment to the Constitution makes sure that Americans can bear arms and have the right to protect themselves, but the Constitution never intended for individuals to strap a stinger missile on their back and then cite the second amendment privilege.

Mr. Speaker, there is a reality here, a real reality. I have a gun, and if I catch somebody in my house at 3 o'clock in the morning, I hope I have the drop on them and I am not going to ask them if they are there from the local welcome wagon. But there is a limit here, folks. You do not have to give up your assault weapon, America. If you have one, you can keep it. And if you decide to sell it to another sportsman, there are provisions that you can do that. But I am going to submit a bill and ask our Congress to authorize that the President, the NRA, the police, and the Congress all get together and develop a plan about guns that America can live with, live with.

Mr. Speaker, we are getting phone calls from people who say "no" and they mean well, and they are good Americans, but we are not getting calls from the grave sites and cemeteries all over America today.

Mr. Speaker, today we have got to stand up, we have a President who has come out and shown some courage. Let us stand with the President today.

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee [Mr. QUILLEN], the distinguished ranking member emeritus of our Committee on Rules.

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

Mr. Speaker, I rise in opposition to the bill itself. I think it will be another foot in the door if it passes to do away with all guns, any brand, any kind whatsoever.

Mr. Speaker, I think the American people are entitled by the second amendment of the Constitution to bear arms. I oppose the measure on its final vote and urge my colleagues to do likewise.

Mr. Speaker, I said on the floor when the Brady bill was up that I believed

we would have other measures before us to ban any kind of guns and weapons. These assault weapons are used by many people for target practice, sports competitions, collections, and for other good purposes. It is a shame and a disgrace to kill anybody, and I do not condone that, nobody does.

Mr. Speaker, again I urge my colleagues to vote "no" on the final passage of this measure.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1½ minutes to the gentleman from Maine [Mr. ANDREWS].

Mr. ANDREWS of Maine. Mr. Speaker, this Chamber is very, very close to doing the right thing and passing the assault weapons ban. This vote could very well be decided this afternoon by those in this body who want to do the right thing and vote for this bill but who are feeling enormous political pressure from some very powerful interests. My colleagues have probably heard from these interests, have probably heard the passage of this bill is a slippery slope that could end up in the banning of hunting rifles from law-abiding citizens.

Mr. Speaker, I am here to say that nothing could be farther from the truth. Hunting is a strong tradition and heritage in my State of Maine. There are many thousands of hunting sportsmen and women who own and use firearms, they are responsible citizens and should not have to worry if politicians or bureaucrats from Washington are going to deny them or their children the right to own their firearm and carry on this proud tradition and heritage. But let us be clear. This vote is not about the firearms used by hunters in Maine and America. It is a vote to ban from our streets military assault weapons that were designed to kill on-rushing enemy troops in close combat, killing machines designed to kill large numbers of people in very short periods of time.

Mr. Speaker, the National Rifle Association provides some very important services. Growing up I learned to shoot safely and responsibly through an NRA gun safety instruction program, but on this issue they are dead wrong. There is a great deal of difference between responsible sportsmen and women of Maine and America and the gangs, drug dealers, and drug-crazed criminals that roam the main streets of America, turning them into killing fields with these powerful assault weapons.

Mr. Speaker, the line must be drawn; protecting the rights and heritage of sportsmen and women in States like Maine while addressing the terror of military assault weapons on our streets. That is exactly what this bill is designed to do. I urge its passage.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from Miami, FL, Mr. LINCOLN DIAZ-BALART, a very distinguished new Member of this House.

Mr. DIAZ-BALART. Mr. Speaker, this bill reminds me of the anecdote, the man gets home, finds his wife being unfaithful on the sofa, mobilizes to sell the sofa and prohibit all sofas.

The issue, Mr. Speaker, is not to sell or prohibit the sofa where 3 percent of the matter occurs or to prohibit the beds where 97 percent of the matter may occur. The issue is the need to take strong and nonhypocritical measures to prevent the action from occurring, not this fatally flawed legislation which is in effect hypocritical.

Mr. Speaker, let me show two photographs here. One of these weapons is prohibited by this bill; the other one is not. The crucial issue here is that the weapon that is prohibited by this bill is made in the United States of America. The other one is a Chinese Communist produced, with slave labor, weapon. This very lethal weapon produced in Communist China, the SKS, will continue to be available, and few measures would help the Communist Chinese weapons manufacturing business that, as I said, utilizes slave labor and takes advantage of most-favored-nation status with the United States more than this hypocritical legislation.

Mr. Speaker, we need to call this legislation what it really is: The Communist Chinese Slave Labor Gun Manufacturing Relief Act.

Mr. Speaker, this is not serious crime fighting legislation. There are serious business undercurrents in this legislation; serious business undercurrents. People that apparently do not have the power here, the business power to have gotten out of the legislation are in the legislation. I know the Communist Chinese whom we are being very nice to in our commercial dealings in the United States, they are not prohibited, and I have here the photograph of the Communist Chinese weapon, and there are others. There are others that I have not been able to get a straight answer about that also will be able to be imported and sold in this Nation.

Mr. Speaker, this is not a serious measure. I have supported all serious gun control legislation like the Brady bill to keep guns out of the hands of felons and to prevent crimes of passion, but this is hypocritical. This is window dressing and it should be defeated.

□ 1240

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1½ minutes to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Speaker, this bill is a good first step toward what I hope will one day be a more comprehensive Federal system of gun control legislation—a system that does not prohibit sportsmen from hunting but does protect our citizens from mayhem in the streets. This bill prohibits military style assault weapons that spray a large number of rounds in a relatively

short period of time. These weapons and large-capacity clips have no legitimate civilian use, period. They are useless to hunters—five rounds fired into a duck will only make duck soup. They are military weapons designed for use against people—they are perfect for wiping out an opposing gang, arming a paramilitary organization, or shooting yeshiva students on a bridge.

These weapons of war are the guns of choice of terrorists and criminals. They have names like "Striker 12" and "Street Sweeper." I can assure my colleagues that these military style weapons are not being used to sweep the streets of New York City of deer. "Street Sweepers," Uzis, AK-47's, and similar assault weapons are sweeping our children off street corners.

Mr. Speaker, the people I represent are tired of attending the funerals of children murdered with these legally available weapons of war. We have been subjected to a lot of rhetoric about the rights of gunowners. On behalf of my neighbors, I am here today to speak on behalf of the right of law-abiding, tax-paying citizens to go to work, to school, and to the corner store without being slaughtered by weapons of war.

In Brooklyn, just last week, a gun battle erupted in which police officers were outgunned by narcotics dealers, one carrying a TEC-9. In Buffalo, there have been four assault weapons incidents and two deaths from assault weapons in the first 4 months of 1994. Firearm deaths now surpass motor vehicle fatalities in my home State of New York.

Polls have consistently shown that between 77 and 80 percent of Americans support this bill, as do more than 90 percent of New York City residents. Former Presidents Carter, Ford, and Reagan support this bill. In my State, all those charged with law enforcement, from the attorney general to the Association of New York State District Attorneys, to the New York State Association of Chiefs of Police, to the New York County District Attorney, support this bill. Let us stop the killing. Let us take the first step. Let us pass this bill.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. BARCA].

Mr. BARCA of Wisconsin. Mr. Speaker, I rise in strong opposition to this rule.

Too often, the House has a closed rule, allowing for no amendments, even in situations when legislation has not been considered before the House.

With an issue of this significance it is particularly egregious. It is clear that there are significant concerns in this bill that must be addressed and with this rule those concerns cannot be considered.

In fact, the Chairman has circulated a letter to Members of the House from the conference committee supporting a reporting change that

needs to be made in this legislation. While I support this reporting change by the conference committee, this should have been done by amendment on the House floor. Additionally, other concerns should be equally considered by the Members on the floor. Therefore, it is important that we vote down this rule.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from New Mexico [Mr. SCHIFF], a very distinguished former prosecutor, a Member of this House and a member of the Committee on the Judiciary.

Mr. SCHIFF. Mr. Speaker, I rise to correct five misstatements about this bill and the weapons it contains that have already been made on the House floor this morning.

First, these are not assault weapons. True assault weapons are true military weapons. That means pull the trigger once, or they have the capacity to set and pull the trigger once, and it continuously fires. Such weapons are already banned.

These are semiautomatic weapons. That means pull the trigger once, it fires once.

Second, these are not battlefield or combat weapons. None of these weapons are issued by any standing army on Earth.

Third, the claim is that this bill bans 19 and only 19 weapons. That is not correct. This bill bans a specific list of 19 weapons plus any other firearm that meets certain other criteria. Such criteria can be that it has the capacity for holding a bayonet.

When was the last time criminals launched a bayonet charge at anybody?

Fourth, these weapons are not more effective at killing than any other kind of weapon. Obviously whether a weapon has a bayonet mount or not has nothing to do with how it fires. The proof could have been arranged by the proponents of this bill, and it was not. They could have staged a range test. They could have publicly demonstrated in a comparison between what they call assault weapons and other weapons how the assault weapon is able to fire better, faster, more accurately. They have not done it, because they cannot do it.

Finally, the claim has been made there is no valid use for these weapons other than committing crimes. This may become the most important part of the bill, because if the proponents believe their rhetoric, why do they exempt all of what they call assault weapons from confiscation today? What this bill is, is the future manufacture of these weapons is banned.

If these weapons were only used by criminals, if these weapons had no law-abiding purpose, which we have just heard over and over again, would it not be logical to say they should be banned right now? They do not say it, because a million law-abiding Americans do own them right now.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1½ minutes to the gentlewoman from New York [Ms. SLAUGHTER].

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

Mr. Speaker, I want to begin by saying that more New Yorkers die on a yearly basis from gunshot wounds than die from vehicular accidents, and that the cost to the American health care system from gunshot wounds is \$1.4 billion a year and rising.

Mr. Speaker, whatever the gun advocates say, the facts prove a different story: when a firearm is used for crime, it is 19 times more likely to be an assault weapon than some other type of gun. When a police officer is shot to death, it is 18 times more likely that an assault weapon was used. These deadly machines are the armament of choice for the gangsters and the drug dealers infesting our neighborhoods.

It is clear why criminals prefer assault weapons. Their rapid rate of fire and their random spray make them the most dangerous and fearsome guns around. In just five horrible seconds, an Uzi can fire 30 bullets. In the underworld of gang warfare, this destructive power is the key to success.

Mr. Speaker, the American people are fed up with teenaged tyrants packing AK-47's. They are fed up with the crazed loners who randomly fire assault weapons to terrorize schoolyards and offices and commuter trains. Parents are fed up with sending their children out into streets that have become war zones.

Assault weapons are not used primarily for target shooting or for hunting.

Mr. Speaker, hunters in my district say they would certainly not go hunting with one unless they were hunting for hamburger.

They are used to intimidate and to murder. They were designed for combat. They have no place in our society.

Banning them means saving lives, and do not let anyone tell you otherwise.

Mr. GINGRICH. Mr. Speaker, let me say I think this is a very sad day for this House on two standards. It is a sad day procedurally, and it is a sad day in substance.

Let me talk first about procedure. After 40 years of the Democrats controlling the House, as they get further and further away from normal Americans and from the average citizens, they more and more rig the game by restricting rules.

Back in 1977 and 1978, only 15 percent of the rules were restrictive; 85 percent were open. Today in this Congress so far, 79 percent of the rules, virtually 4 out of every 5, are restricted by the Democrats because they are afraid.

Let us take this bill. The gentleman from Florida [Mr. MCCOLLUM], a mem-

ber of the Committee on the Judiciary, of great standing, a man who knows the subject, had a very powerful amendment which would have focused on violent criminals, which would have, in fact, added a new felony for possessing one of these firearms in the commission of a crime, would have counted it as the second strike towards a three strikes and you go to life imprisonment, would have made this bill not just harass the middle class, irritate people who honestly own a gun, but actually go after violent criminals: lock them up, do something real about the dangerous people who haunt our streets. Because the truth is if you were to take every weapon mentioned today off the street, you would have pistols, you would have guns that work precisely like these, that are in fact specifically exempted by this bill, 650 kinds of guns specifically exempted, and the dangerous criminal, the one who shoots everybody in the liquor store, and I just want to continue to make the point that after 40 years of Democratic Party control of this House, the Committee on Rules and the Democratic leadership were so afraid that an amendment aimed at locking up violent criminals would pass, that the people in this country would insist that we focus on the people who are violent, that we take them off the street, that we lock them up permanently, that they refused to make it in order.

□ 1250

Not only do they refuse to make it in order under the normal amending process, but they restricted the Republicans from their right to offer a motion to recommit with instructions.

Now, why is the Democratic leadership so afraid that we will focus on locking up real criminals? Because they know that what they brought to the floor today is a press release; it is not involving real crimes, involving real people, because real murderers, such as the man who killed Polly Klaas can use a variety of weapons. For Polly Klaas the knife that that man held was an assault weapon.

The fact is that real criminals, real murders, real rapists do a variety of evil things because we refuse to build prisons, we refuse to pass the sentences, we refuse to insist on locking them up. I think that it is sad commentary on the Democratic leadership, after 40 years, that they were afraid to allow their Members to face a vote on locking up violent criminals, and I think it is a fatal flaw of this bill that it does not focus on the criminal, it does not focus on the act of violence, it does not focus on the people who are doing things wrong; it just tries to give those people who have refused to do that a nice press release to send back home saying, "Oh, I am really tough." The truth is no people are going to be

saved by this because the really violent are going to get other weapons and are going to do what they do as long as we allow them to stay on the street.

I think there are two crimes involved: The violent crime on the street, and the crime against decent participatory legislation by this Committee on Rules once again passing a closed rule out that blocks the Members from having an honest chance to amend.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1½ minutes to the gentleman from California [Mr. TUCKER].

Mr. TUCKER. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in support of the rule and in support of the bill and hope that it will meet final passage. We have here a lot of rhetoric today from the other side about the fact that we want to be concerned about the criminals and if in fact we are serious about crime, that we should be concerned about the criminals. Just a couple of weeks ago, when we had a crime bill here on the floor of the House, Mr. Speaker, the same people who are giving us that rhetoric today were very hesitant about providing prevention money. They think that the answer to the concerns for the criminal is just to build more prisons. Mind you, if we have more crime and more criminals, we have to have more prisons.

But if we are really concerned about the crime in this country, certainly we should be trying to treat crime futuristically and prospectively and providing more prevention money so that we can get to the root cause of crime instead of just housing more criminals in prisons, which are a festering hole for crime, so that when they get back out on the streets they are just more hardened than they were when they got in.

What this bill is really about is not the criminals, whether criminals are going to have access to AK-47's in a black market. What it is really about is those people who want the right to bear arms. This bill does not prevent those who are already existing gun owners of street sweepers and AK-47's from relinquishing those guns; they can still continue to own them, it is grandfathered in.

What it is talking about is a cessation and a rescission of the manufacturing, so that we will stop the continuation of all these guns proliferating out on our streets.

If one or two lives can be saved, Mr. Speaker, then it is certainly worth it. The Constitution is not in jeopardy, their rights are not in jeopardy, but certainly crime and violence can be abated by the passage of this bill.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to one of our newer Members, the distinguished gentleman from Arkansas [Mr. DICKEY].

Mr. DICKEY. I thank the gentleman for yielding this time to me.

We have before us this gun control amendment. In the backdrop, let us imagine that there is a special interest lobbyist group that we will call the Right to Crime. This group is made up of criminals everywhere, past and present, and new members are being recruited every day even as we speak. Now, what does this Right to Crime organization have to sell? Well, they really have some momentum going for them. They have not had to work too hard to accomplish the following in 5 or 6 short years:

First, assert and reinforce the impression that they are victims; second, completely submerge the absence of rights they gave to the victims at the time of the crime; third, lessen the consequences of their acts by making it hard to get conviction, give the criminal, the members of this lobbyist group an easy time in prison, gymnasiums, weight rooms, college scholarships, color TV's, Walkmans, access to the courts at will, and medical care, the very finest, on demand, and an early release from their sentence after their minor inconveniences, and also the freedom to do it again.

What diversion does this group, the Right to Crime, use? First, they direct attention to emotionalism rather than justice, they give high visibility to Jim Brady and others rather than talking about justice. Second, they direct attention to less than 1 percent of the crime as being caused by these semiautomatic weapons rather than enforcing the laws when people violate them with guns. Third, they direct attention to the NRA when they cannot explain the failure of the gun control laws in Washington, DC, New York City, or when they are faced with the statement of the proposition that the second amendment is being abolished.

Fourth, try to get us to believe that guns kill people, not people killing people. Fifth, try to describe the guns as ugly while hiding the fact that it is the criminal who is ugly.

Sixth, try to say that this is not a progression toward full gun registration and control, when in fact we have not forgotten the same words when they were said about the Brady bill.

For the people who feel estranged from this Government, for the respect of our Constitution, and for our rights and control of our lives, vote against this bill and the amendment.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman who has the privilege of representing, among other parts of Kentucky, Southgate, his home town in Kentucky, the gentleman from Kentucky [Mr. BUNNING].

Mr. BUNNING. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in opposition to the rule and the bill, H.R. 4296.

Mr. Speaker, I rise in opposition to H.R. 4296, the misguided attempt to ban so-called assault weapons.

A couple weeks ago, when we were considering the crime bill, we had an opportunity to do something about crime—to get tough on crime—but the majority of the Members of this body weaseled out.

We had the chance to enact truth in sentencing guidelines, reform of the exclusionary rule, real habeas corpus reform and a workable death penalty—changes that would have made a difference. This body refused to do that. This body refused to get tough on criminals and now it wants to change the subject and get tough on guns.

H.R. 4296, is a circus sideshow. It will do nothing to reduce crime. It is simply one more bite into personal freedom, one more expansion of the Federal Government's role in our personal lives and one more nibble into the right to bear arms.

The notion that assault weapons are disproportionately used in crime is unsubstantiated. Criminals rarely use semiautomatic rifles. The ATF recently estimated that there was roughly one assault weapon trace for every 4,000 violent crimes reported to the police. Clearly these are not the weapons of choice for criminals.

Gun bans do not work. They disarm the law-abiding citizens—not the criminals.

And make no mistake about it, this is not the last we will hear from the gun-control crowd. If we pass this measure, they are not going to fold their tents and go home satisfied. They are going to be back wanting more and more and ever more restrictions on guns. Their eventual goal is registration and confiscation.

If we pass this bill today, we will be setting a dangerous precedent that could lead us down a very slippery slope. Once Congress adopts the theory that limiting access to firearms reduces crime, there will be tremendous pressure to ban more and more of them until the right to bear arms is effectively nullified.

I urge my colleagues to vote against this bill. Let's not try to blame crime on weapons. Let's put the blame where it belongs—on a criminal justice system that worries more about protecting the rights of criminals than the rights of victims and on a U.S. Congress that wastes its time on gun bans instead of getting tough on crime.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from Indiana [Mr. ROEMER].

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

Mr. Speaker, "this bill is vague, broad and an indiscriminate ban on firearms in this country that leaves our Second Amendment rights in the hands of Federal bureaucrats."

Those were my words in 1991 when this chamber debated a proposal to ban certain semiautomatic weapons. H.R. 4296 is not the bill we considered in 1991, and I urge my colleagues to vote in favor of the legislation before us today.

This bill is tightly focussed. It prohibits by name the manufacture and sale of 19 specific semiautomatic weapons. Instead of the sweeping authority

contained in the 1991 bill, the legislation before us today limits the ban to those guns with characteristics useful only for military combat and violent crime.

It is unthinkable that in our society, we continue to allow citizens to walk the streets with guns that have grenade launchers, flash suppressors, and bayonet mounts. What legitimate recreational purpose could these characteristics possibly serve? As a hunter, I tell you assuredly: "none."

Opponents of this bill cite statistics which indicate that assault weapons account for only 1 percent of the guns in circulation. What they neglect to point out is that this 1 percent is used for over 8 percent of criminal activity. From 1986 to 1991, 20,526 semiautomatic weapons were traced to criminal activity, and of those, 1,349 were specifically traced to murders and 4,031 were linked to drug trafficking activities.

The simple fact is that we will not completely stop the violence on our streets with this ban. What we are doing with this bill is finally taking a definitive stand against violence in our streets and in our schools. We are letting the American people know that we have listened to their concerns about escalating and indiscriminate violence by prohibiting companies to manufacture and sell these assault.

Mr. DERRICK. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Speaker, I thank my friend for yielding this time to me.

□ 1300

Mr. Speaker, I rise today to support the rule for H.R. 4296, the ban on military style assault weapons, and to urge my colleagues to do the same.

Mr. Speaker, there is no legitimate reason for any individual to own an Uzi, an AK-47 or a TEC-9. These are the vicious instruments of war, the implements of death. They are inviting and inflicting a reign of terror on the people of this land, on the people of New York, Los Angeles, Chicago, and Atlanta.

There are those who would have us believe that this is an issue of sport and freedom, but it is not, this issue, this vote today, is an issue of war and the loss of security in the cities and in the streets of America. Let us take this step, this small step, to restore a sense of peace and tranquillity to our communities by removing these instruments of violence.

Mr. Speaker, I am tired, tired of attending the funerals of young men and young women killed by the hail of bullets spewed from these instruments of mass destruction. I am tired of consoling the weeping mothers and bereaved fathers of innocents caught up in the slaughter, in this madness. We must stop this insanity.

I appeal to my colleagues, on both sides of the aisle, to summon up the courage, to stand up and be strong, to do what in your hearts, you know to be right. Support this bill, support the ban on assault weapons.

Mr. DERRICK. Mr. Speaker, I yield 2½ minutes to the distinguished chairman of the Committee on the Judiciary, the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I rise today in support of the rule crafted by the Rules Committee for consideration of H.R. 4296.

Some of you might legitimately wonder why I am here today instead of negotiating with the Senate in a conference meeting on the crime bill—the No. 1 issue concerning all Americans across this country. I am here because of the delay sought by proponents of H.R. 4296 from having a simple up or down vote on the assault weapon issue immediately following the April 21 passage of the crime bill. That certainly was my preference. At the very least, I had hoped that we could have a separate vote the following week—the week of April 25. That also was not to be.

The proponents sought additional time to try to convince all who might listen that this ill-conceived initiative would, in a single stroke, stop all violent crime in America. Whether it would infringe on the second amendment rights of honest American gun owners who use arms for lawful purposes such as target shooting, hunting, and self-defense, never entered their minds, and now 2 weeks after the crime bill passed, the House finally has before it a bill, H.R. 4296, that closely tracks the Feinstein amendment appearing in the Senate crime bill. Given this history, I think it is appropriate that the Rules Committee, after careful deliberation, chose to adopt a closed rule not allowing any perfecting amendments that favor one side or the other.

The opponents of H.R. 4296—of which I am proud to include myself—have bent over backwards to be fair in every way. At both the Judiciary Crime Subcommittee and then again at full committee, the proponents of this bill were given full opportunity to offer any amendments they wished. And they did so. Some other Members came to the Rules Committee seeking further amendments. But the pro's and con's of this issue have been laid out exhaustively in a number of Congresses.

For this and other reasons, I believe the rule before us making no additional amendments in order is the proper rule. The rule provides for a generous amount of time for general debate and then the House can get on with the vote. And after the vote, the House will then have a position on the issue, and the crime bill conferees—finally—can begin to do the real work of the American people.

I urge my colleagues to adopt the rule.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from Wyoming [Mr. THOMAS], a very distinguished Member of this House, and a former marine. The gentleman is from Casper, and he is the single Representative of the entire State of Wyoming.

Mr. THOMAS of Wyoming. Mr. Speaker, my wife always reacts to that single Member business, but, at any rate, I appreciate the opportunity, and I rise in opposition to the rule and to the bill.

Despite Secretary Bentsen's comments otherwise, the battle to protect the second amendment is indeed a grassroots campaign. I have heard from hundreds of law-abiding citizens and gun owners in Wyoming that are opposed to this legislation: Sportsmen, law enforcement officers, and citizens who want to protect their rights.

For example, let me read a little bit from a grassroots group, and I quote:

We've got to get serious about crime. But a weapons ban is like shooting in the dark. History assures us the only people affected by the ban are honest folks—the potential victims—not the criminals. In reality, we're disarming the law-abiding, making them easy targets for violent criminals who roam our streets at will.

Mr. Speaker, I have been listening closely as this debate has gone on, and I just want to make a couple of points, kind of deviating from my previous thought. First of all, this is not a specific bill. I quote here and show my colleagues the correspondence from Senator LARRY CRAIG and the Department of Alcohol, Tobacco and Firearms, and they list—they list the following firearms up here that meet the general characteristics of this bill. It is not specific. Indeed there is a long list of weapons that could very well be.

The other one is that, if anyone in this place thinks that the bad guys are not going to get a weapon to do what they want to do, that is the greatest fallacy I have ever heard. If we thought for a minute that banning some arms was going to keep people who wanted to commit crimes with weapons from doing that, everyone would be for that. We know that is not the case. We know that is not going to happen.

Mr. Speaker, I urge my colleagues to vote against the rule and the bill.

STATEMENT OPPOSING BAN ON ASSAULT WEAPONS

(By Joel Carlston, Wyoming President of Americans Against Gun Control [AAGC])

Right now this body is considering a ban on certain semi-automatic weapons. This begs the question, "Why a ban?"

The answer, obviously a political one, is "We need to address crime in this Nation and protect the people of the United States. Banning semi-automatic weapons is a step in the right direction."

The facts differ with this political answer. Ninety-eight percent of serious crimes do not involve firearms. Thus, a complete weapons ban could at best address only 2 percent of the problem. In fact, more kids get killed playing little league baseball than from as-

sault weapons. Should we ban little league baseball?

What about assault weapons and crime? Florida State University criminology professor Gary Kleck estimates that less than .5 percent of all violent crimes involve so-called assault weapons.

Chicago is a case in point. In 1993, there were over 940 homicides. More than 30 percent were police shootings, another 30 percent were suicides, and not one homicide involved the use of a semiautomatic rifle. Further, over one hundred homicides were committed with the use of duct tape and hose, i.e. strangulation. Perhaps, we would be more effective in addressing crime if we were to ban hose or at least specify a five-day waiting period for the purchase thereof.

Consider this. Of all weapons confiscated by law enforcement in this Nation, only 4 percent were assault weapons. Of that 4 percent, 87 percent were confiscated in searches, not used in the commission of any crime.

We've got to get serious about crime. But a weapons ban is like shooting in the dark. History assures us the only people affected by the ban are honest folks—the potential victims—not the criminals. In reality, we're disarming the law-abiding, making them easy targets for violent criminals who roam our streets at will.

Why do criminals roam the streets? Because we waste our valuable time on useless Brady bills, weapons bans and other gun confiscation measures instead of addressing crime as constituents demand.

Patrick Purdy is an example of the ineffectiveness of gun control laws and the need to address crime itself. Purdy, you will recall, was the crazed madman who gunned down students in a California school playground.

Mr. Purdy's record speaks for itself. He spent several months in a California psychiatric hospital. He had seven prior felony arrests, four of which were firearms related. On Purdy's last arrest, a police psychiatrist stated that Purdy was a menace to himself and to society. Yet, each of these felonies were plea-bargained down to misdemeanors and Purdy was released. Consequently, as a result of our revolving door justice system, Mr. Purdy was legally allowed to purchase weapons—having complied with California's 15-day waiting period—even though his record clearly showed his instability and criminal intent. The rest is history—a tragic but real example of the ineffectiveness of gun control laws.

To further illustrate, let's look at States which have implemented some form of gun control:

New Jersey: 1967-1989—violent crime has increased 223 percent. The Attorney General's office reports "There is not a really high percentage of crimes committed with assault weapons." Only 1 percent of any kind of rifle was used in homicides from 1987-1992, compared to knives (28 percent), and feet (11 percent). This tells us that it is not the configuration of the weapon which makes it an assault weapon, but the intent of the assailant wielding it.

Massachusetts: 1967-89—violent crime has increased 429 percent. 1986-91—only 0.5% of homicides involved are "assault rifles."

Connecticut: 1967-89—violent crime has increased 434 percent. Connecticut law enforcement reports no assault weapons homicides through 1991. And of the 11,000 weapons seized by police between 1988 and 1992, only 1.8 percent were assault weapons.

"Has crime decreased anywhere in the United States?" you ask.

Yes.

In April 1982, Kennesaw, Georgia, enacted a law requiring every household to own a firearm, with the exception of criminals and those with religious objections. In only 10 months, residential burglary dropped an astounding 89 percent. In 1991, not one murder occurred in this suburb of Atlanta.

In contrast, our city here in the District of Columbia has one of the most restrictive gun laws making it virtually impossible for law-abiding citizens to own guns. From 1975 to 1991, Washington, DC's murder rate rose 134 percent while the rest of the Nation experienced a 2-percent decline.

Why, then, if gun control laws are so ineffective at stopping crime, are we spending so much time on such bills? I don't know.

Perhaps it's the politically correct thing to do. Pass laws banning weapons, attempting to convince our constituents we're tough on crime. I'm afraid they won't buy that argument, especially when they find out we took their most effective means of self-defense away.

Perhaps there are other agencies. In a previous attempt to pass legislation similar to what we're considering here, Sarah Brady told Howard Metzbaum, "Our task of creating a socialist America can only succeed when those who would resist us have been totally disarmed."

Those are strong words. Frightening words. But Brady's right. The protection of the American citizen's rights, including yours and my rights, is directly linked to our Right to Keep and Bear Arms!

Mind you, Brady is not the first to realize the importance of gun ownership. Thomas Jefferson said, "No free man shall ever be debarred the use of arms. The strongest reason for the people to retain their right to keep and bear arms is as a last resort to protect themselves against tyranny in government." James Madison said, "Americans need never fear their government because of the advantage of being armed, which the Americans possess over the people of almost every other nation."

Former President Reagan said, "There are only two things that make people do right—love of God and fear of punishment." Criminals don't regard God, so we must instill the fear of punishment in them.

The reason crime is so rampant is because it pays and pays big. It's our job to remove the profit, not the victim's most effective means of defense.

Our problem is we don't punish the criminal. According to a study by the National Center of Policy Analysis, a person who committed a serious crime in 1990 could expect to spend only eight days in prison on the average.

Here's the breakdown: A person committing murder could expect to spend 1.8 years in prison; for rape—60 days; robbery—23 days; arson—6.7 days; aggravated assault—6.4 days and for auto theft—a measly day and a half!

It's a known fact that repeat offenders commit the majority of violent crimes. It's been reported that murder is mainly one criminal killing another. 85% of the murders have past arrest records and 61% of the victims have past arrest records, too.

Why is this happening? Because our criminal justice system is turning 90% of the felons loose without them having to spend a single day in jail. Each year, 60,000 felons, like Patrick Purdy, are plea-bargained, placed on probation and never incarcerated.

Additionally, Reader's Digest reports that only 2.8 cents of every dollar we allocate for building prisons actually goes toward prison construction. I suggest we find ways to put

more actual dollars into prison buildings and get predators like Patrick Purdy off the streets permanently.

No "assault" or any other type of firearms has ever, of its own volition, committed a crime. Therefore to ban a tool will only result in the criminal finding another tool and using it. And it's doubtful any ban would stop criminals from getting the weapons they want. As the saying goes, "When guns are outlawed, only outlaws will have guns."

If we foolishly persist in banning these weapons from law-abiding citizens (which is exactly what this bill will do), we are playing right into the hands of criminals by disarming millions of law-abiding Americans, making them extremely vulnerable to criminal attack.

Further, we are depriving these same law-abiding Americans a constitutional right—a right each of us here swore to protect when members took office.

So if you vote for this gun prohibition bill, when you know this ban/prohibition will do nothing to stop crime, then be honest enough to tell your constituents you voted for gun prohibition for no good reason other than you wanted * * * you wanted * * * to take firearms away from the American public.

Thank you.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from New Jersey [Mr. KLEIN].

Mr. KLEIN. Mr. Speaker, today we have an opportunity to save American lives. The 19 specific weapons we seek to ban are all copies of military-style submachineguns; they were designed to kill people at close quarters with rapid fire lethal bursts and they have succeeded.

These guns have been connected with more than 1,100 murders; they are the weapons of choice for drug dealers, and they have been linked to approximately 2,000 narcotics arrests.

Ninety percent of these weapons are in the hands of criminals. Although they are only 1 percent of all guns, they account for nearly 10 percent of violent crimes.

Let us take a look at some typical examples of how these weapons have been used by violent criminals, drug dealers, and murderers:

A suspect was arrested in St. Louis for dealing in cocaine. He had 30 assault weapons in his possession, including an FN/FNC, banned under this bill.

A self-styled survivalist was arrested in Dallas for possession of a large quantity of cocaine—they also found two Steyr AUG's and Two AR-15's with a grenade launcher attachment plus equipment to convert them to fully automatic guns.

In New Orleans, a known gang member and multiple conviction felon with a conviction for a drive-by shootings was found in possession of a street sweeper and a TEC-22.

In Minneapolis, authorities confiscated a tax protester's street sweeper shotgun decorated with swastikas and "White Power" insignias.

A vanload of Hasidic Jews on the Brooklyn Bridge were fired upon with

absolutely no provocation. Five innocent pedestrians were brutally murdered on the Long Island Railroad. The list of assault gun atrocities goes on and on and on.

Today we do not seek gun control—simply gun sanity.

We can save many American lives merely by passing this bill. And if we fail to act, the criminal world will be laughing and the rest of the free world will think we don't have the backbone to be tough on crime.

Let us show both that they're wrong. Let's get rid of these weapons of destruction and pass this bill.

I have traveled all across my own State and I know that New Jerseyans are tough on crime and tough on guns. My constituents are tired of seeing the streets controlled by heavily armed criminals. In Essex County, a typical New Jersey county, more people died in gun-related deaths in 1 year than in Great Britain, Australia, and Sweden combined. And that's just one country.

Americans are horrified at the skyrocketing, gun-related death tolls and it's time for Congress to do something about it. New Jersey has the toughest assault weapon ban in the country, but it does no good if criminals can buy assault weapons in neighboring States and sell them on the streets of Newark and Paterson.

I say to my friends, it is high time for America to follow our lead and pass a national assault weapons ban. It is the least we can do for our Nation's next generation. Support H.R. 4296.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the very distinguished gentleman from Ocala, FL [Mr. STEARNS].

□ 1310

Mr. STEARNS. Mr. Speaker, I rise in opposition to the rule.

Mr. Speaker, today we consider a further erosion of every citizen's right to keep and bear arms. This bill is about honest Americans exercising a precious right but being forced into the same category of punishment as the criminal.

The argument for this bill is that the banning of semiautomatic weapons will have a significant impact on the reduction of crime and won't effect sportsmen. I disagree. Let's get some facts straight about what the bill really does.

It bans over 180 different types of firearms and leaves the door open for the banning of hundreds of others.

It does affect sporting guns such as the Springfield M1A rifle. The rifle is used by the highpower rifle target shooter in national matches, which incidentally were established by an act of Congress in 1903.

The bill supposedly exempts 670 hunting and recreational rifles and shotguns, but 586 of these firearms are not even semiautomatics.

The Bureau of Justice statistics reported in 1993 that violent criminals

only carry or use a military-type gun in about 1 percent of the crimes nationwide.

However, according to the FBI, people have a much greater chance of being killed by a knife, 14.5 percent, or fists, 5 percent, or clubs, 5 percent, than by any kind of rifle, including an assault rifle.

A recent FBI report from 1989-92 showed that police are almost two times more likely to be injured today by stabbing and beatings, than they are by an assault weapon.

Banning firearms and concentrating on gun control should not be the business of this House. There are already over 20,000 gun control laws on the books:

It is a crime punishable with 10-years imprisonment for anyone to trade or sell such a converted semiautomatic firearm.

It is a crime punishable with 10-years imprisonment for a convicted felon to possess any firearm.

It is a crime punishable with a mandatory 15-year imprisonment for a criminal with three prior violent or drug-related felonies to possess any firearm.

It is a crime punishable with 10-years imprisonment to transfer a firearm knowing that it will be used to commit a violent or drug-trafficking crime.

It is a crime punishable with 10-years imprisonment to travel from one State to another and acquire, or attempt to acquire, a firearm with the intent to use it in a violent felony.

Obviously, the lack of determined enforcement of our country's laws are what are, in part, at the bottom of our Nation's crime problem. Concentrating on enforcement, strict incarceration, absence of parole, and the death penalty where appropriate would do more to protect our citizens and clean up our streets than this feel-good yet ineffective measure that ignores the real problems.

For example, the people of Union County, FL, have been trying for over a year to build a prison in their county. They have donated the land and offered to pay for the prison's construction. They will build it to Federal specifications and are willing to turn it over to Federal control, if only the Federal Government will say they will use the prison. Yet, incredibly the Justice Department has repeatedly turned down the offer. What a waste of innovation and community ingenuity to fight crime.

The FBI Uniform Crime Reports show that from 1980-91, the 10 States with the greatest increases in criminal incarceration rates experienced the greatest decreases in the rates of crime. If we want to reduce crime, then the common sense approach is to put them behind bars and not back out on the street.

The Congress must abandon the flawed and emotional reasoning behind

H.R. 4296 and look at the facts and start making real choices on how to stop crime.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentlewoman from California [Ms. SCHENK].

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

Mr. Speaker, I rise in support of the rule on the assault weapons ban because it is smart, sensible legislation that will make our streets safer. Our common sense tells us that.

They say, "Guns don't kill people, people kill people." Tell that to the parents of my 24-year-old constituent who was gunned down Sunday night by a spray of bullets as he was coming out of a theater in a very popular park. Lest you think it cannot happen to someone you know or it cannot happen to you, I was in that exact spot 1½ hours before he was killed. But for the fact of the time element of 1½ hours, it could have been me.

With innocent people being gunned down weekly by these weapons, this country cannot afford complacency. Let me again paraphrase last year's campaign phrase: "It is the guns, stupid."

Mr. Speaker, I ask my colleagues, will their vote belong to the NRA or to the American people? I think the answer is clear.

Mr. SOLOMON. Mr. Speaker, we seem to be overwhelmed by Californians. Let me yield 1 minute to the gentleman from San Diego, CA [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, the gentlewoman from California who comes from the district next to mine well knows that that weapon used in San Diego was not 1 of these 19 weapons.

Second, I empathize with folks who are not aware of the problems we have or what the real issues are. They are talking about weapons of war. Not a single 1 of these 19 weapons was used by any military in any war. They were not designed as weapons for criminals, yet consistently people say that over and over again.

I have flown an F-14 over this Capitol with a 20-millimeter gun that could shoot 6,000 rounds a minute. I could disintegrate this Hall in a half-a-second burst. Yet the gentleman from New York [Mr. SCHUMER] would tell me that I cannot carry a 10-shot .22. So it does go beyond this.

Let us take a look at the problem. There are too many guns on the streets. We need to get rid of them. We need instant check systems; we need to limit the number of people who can sell these weapons, and we should find ways to put stiffer penalties on criminals. A drive-by shooter should be charged with first-degree, not second-degree murder, and anyone in a car involved should automatically go to boot camp.

Mr. Speaker, let us look at meaningful legislation, not just rhetoric.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 30 seconds to the gentleman from Ohio [Mr. FINGERHUT].

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

This is a very important day in this House. I believe that every Member is diligently considering this issue and talking to their constituents and their supporters and their friends. This is not a debate where we are likely to persuade each other, but I urge the Members to talk to their law enforcement officers in their communities, talk to the prosecutors, and talk to the police. They are calling me. They are beginning the House to pass this bill. They are asking us to take the weapons off the streets so they will stop being outgunned day after day by the criminals.

Yes, criminals are the problem, but right now they have greater fire-power than our law enforcement officers. Let us support our law enforcement officers. Vote for the rule and for the bill.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana [Mr. BUYER].

Mr. BUYER. Mr. Speaker, I rise in opposition to H.R. 4296, and urge my colleagues to defeat the rule which allows for consideration of this bill.

Once again, this House, through this semi-automatic weapons ban, is advocating symbolism instead of substances. This bill is an insult not only to the millions of law-abiding gun owners throughout our Nation, but also to the hundreds of millions of Americans who are demanding substantive action be taken to end our rampant crime problems. This measure, along with other efforts which make it impossible for this body to pass truth-in-sentencing and address nearly 80 percent of all violent crimes, Congress is skirting the true assault weapon—the criminal.

Data from several States which already have banned these types of weapons show that this measure will do nothing to stop the proliferation of crime. Criminals will always find a way to arm themselves. The supporters of this measure are holding up these deadly-looking weapons and proclaiming they will stop a significant amount of our violent crimes.

The semi-automatic firearms which would be banned by this measure are used in less than 1 percent of all violent crimes. Knives account for 14.5 percent of all homicides in the United States, and fists and feet account for another 5 percent. Unfortunately, Congress' debate on the crime issue is continuing to focus the majority of its efforts on the outer edges of this problem.

Last weekend, I held two crime forums in my district where I discussed the issues involved with Federal, State, and local law enforcement officials. The overwhelming consensus from them was that Congress does not need to address gun control, but needs to get tough on criminals.

We already have Federal laws which prohibit convicted criminals from possessing fire-

arms, and, since 1934, have highly regulated and restricted the possession and manufacture of assault weapons, which are those that are fully automatic, have the ability to spray bullets, fire faster and fire more powerfully as well as destructive ammunition. These weapons do not have these capabilities. These weapons are no more destructive than many semi-automatic firearms which are widely accepted as having legitimate uses—for hunting, sporting, and self-defense.

The criminal is the true assault weapon, with the deadliest being those repeat offenders which commit three-quarters of all rapes and robberies and almost all murders. It has been difficult for Congress to focus its efforts instead on correcting the reality that these criminals serve only about one-third of their sentences. It has also been difficult for this Congress to stop coddling the criminals and advocating ineffective measures.

Supporters of this measure constantly argue that law-abiding citizens don't need these weapons and that these weapons are primarily used by criminals. Well, we've already proven criminals rarely use these weapons. And, we should realize Congress' purpose is to uphold the Constitution and protect the rights and privileges of the American citizens, not to determine what they need and don't need.

As this debate has surely argued, we are all well aware that the second amendment to the Constitution, which is part of the Bill of Rights, reads: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." Congress' support for this amendment should be as unyielding as our efforts to end our Nation's crime problems.

I urge my colleagues to stop the symbolism, and to devote our time to those efforts which will substantively deter crime. I urge my colleagues to fulfill their duty of upholding and preserving the Constitution of the United States by defeating this most definite infringement on law-abiding Americans.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to another Californian, the gentleman from Huntington Beach, CA [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Speaker, I rise in opposition to the rule and to the bill. Mr. Speaker, preventing honest hard-working citizens from owning certain semi-automatic weapons will not bring down crime any more than the last liberal-left fantasy that passed this House: Namely, a so-called anti-crime bill that guts the death penalty.

Three police chiefs came to lobby me for this bill. I asked each: Has anyone in your city ever been murdered by an assault weapon? The answer was "no, no, no."

One did point out that his department had confiscated 253 such semi-automatic weapons from drug dealers and other criminals.

That is the point. It is already illegal for criminals to possess these weapons. Today, liberals want us to mandate that the police spend their limited time and resources to ensure that innocent citizens who have never committed a crime can not possess these weapons.

It is a fraud, against victims who are crying out for safety against criminals who murder, rape and rob. And after the liberals make our criminal justice system a joke, with procedural and evidentiary rules that prevent the conviction of the guilty, they now move to limit the right of honest citizens to own weapons to protect themselves.

Let us not perpetuate this travesty. Vote no on this abominable closed rule, and vote against this misdirected weapons ban.

Mr. DERRICK. Mr. Speaker, for the purposes of debate only, I yield 30 seconds to the gentleman from Wisconsin [Mr. KLECZKA].

Mr. KLECZKA. Mr. Speaker, let me say to the Members that I want to respond to the previous speaker, who is one of those Members on the floor who is fortunate not to have had a police officer murdered in his district by an assault weapon. I take the floor to say that I am sorry to say I am not that fortunate.

Last Thursday Captain Lutz of the Waukesha police department was in pursuit of two robbers in Waukesha, WI.

□ 1320

One of the robbers stole the van they were in, got out, sprayed the officer with his assault weapon, hitting him 20 times. The officer did not have a chance to get out of his squad car, to unharness his seatbelt or get out his service revolver.

Yes, it is happening across this country. I am proud it has not happened in your district. It is sad to say, gentlemen, it happened in mine this last Thursday.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 30 seconds to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, I rise in support of the rule and the bill.

Mr. Speaker, we have a rare opportunity today. We have a rare opportunity to pass legislation that will save lives in this country. The 19 weapons we are discussing today were designed with one purpose and one purpose only—to kill people. Unfortunately, they are far too efficient in reaching that goal. They are extremely effective in killing people.

We should pass this legislation today, for if we do so, we will save lives in Milwaukee, WI, in Waukesha, WI, throughout the Midwest and throughout this entire country. We should not let this opportunity pass. For the people of this country and for the police officers who are outgunned by drug dealers, we should pass this legislation.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 30 seconds to the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Speaker, the Constitution does not permit Americans to

own bazookas. It does not permit Americans to own antitank weapons. And it does not permit Americans to own assault weapons.

Terrorized Americans in their neighborhoods across this country are right. The National Rifle Association is wrong. We should ban these weapons, to disarm the criminals and the teenagers in this country that are terrorizing citizens of this country right now on every neighborhood corner in this country.

Mr. SOLOMON. Mr. Speaker I yield one minute to the gentleman from Ramsey, MN [Mr. GRAMS].

Mr. GRAMS. Mr. Speaker, as we debate this rule I must voice my strong opposition to H.R. 4296.

With the recent passage of the Brady bill the camel's nose finally made it inside the tent. And the camel's long neck, not too unlike the long arm of Government, will be in the tent too if we continue to assault the constitution by banning semiautomatic firearms.

The people of this country have sent a strong message to Congress: Do something about crime. Now.

And our response? A wimpy crime bill that lets drug criminals out early and a proposal that could lead to the banning of 200 semiautomatic firearms that will do nothing, let me repeat, nothing, to address the serious issue of crime in this country.

The proponents of this bill have two objectives: Long term they want to ban guns altogether by taking chunks out of the second amendment; and short term they want to fool Americans into thinking Congress is addressing their concerns about crime.

Mr. Speaker, the American people want and deserve real protection from crime, not political cover for politicians. Instead of focussing on the cosmetics of firearms, let's concentrate on meaningful crime legislation that punishes criminals and not law-abiding citizens.

We must kick that camel completely out of the tent before we make a mockery of the second amendment to the Constitution and the citizens of this country.

Mr. SOLOMON. Mr. Speaker, I yield our remaining time to a very distinguished Member, formerly from La Verne, CA, but now from Claremont, the gentleman from California [Mr. DREIER], a member of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my very good friend from Glens Falls for his very generous introduction.

Mr. Speaker, over the past hour, I have been listening to some extraordinarily emotional stories about crimes that have been perpetrated which concern every single one of us. I believe we have shared goals with this. But the question is, what route are we going to take?

I believe very strongly, Mr. Speaker, that the American people want us to address the issue of violent crime.

Now, clearly, if we defeat this rule, what will we do? We will bring out an amendment which gets at the root of this. It is called the McCollum amendment. The McCollum amendment does what we want. It addresses the person who is using the gun, not the person who legally owns the gun.

What we need to do is we need to tackle those criminals. We do not need to tackle law abiding citizens. Unfortunately, this measure opens the door for further movement against law abiding citizens.

Vote against this rule. And, if the rule by chance passes, vote against this measure.

Mr. DERRICK. Mr. Speaker, I yield myself 3½ minutes.

Mr. Speaker, we have a peculiar situation in the world today. The United States of America does not wish to send its Armed Forces to Bosnia, because they are scared they are going to get killed. The rest of the world does not want to send their citizens to the United States, because they are afraid they will get killed over here.

Mr. Speaker, all of us know what the problem is. There are large parts of our country today that government can no longer protect its citizens in. You know, if we want to see the route that we are headed for out in the future, what we need to look at is the places of crisis in the world today, to look at Bosnia, to look at Somalia, to look at Haiti, to look at other places around the world where guns have gotten out of control and government can no longer protect its citizens.

The longer we fail to deal with this problem, the more certain it is that one of these days, our country is going to be another Bosnia, another Somalia, another Haiti, where we cannot protect our citizens, government cannot protect our citizens. And we all know what it is.

I talk to Members. I talked to a Member this morning who has been up here on the floor and other places against this resolution. I said, "Surely you do not believe that." He said, "Well, you know, I really do not. I am having a hard time with it. But I am getting these telephone calls in my office."

Well, 80 percent of the people in this country want to ban assault weapons. You have got another 10 or 15 percent that do not, and of that you have got another 5 or 6 percent that are very active.

My colleagues, what they are doing is working that 5 or 6 percent by calling your offices. They are intimidating this legislative body. They are intimidating you into believing that the average citizen out there does not want to do away with assault weapons.

The average citizen out there has a lot more sense than this body has. The average citizen out there is not going to be intimidated, as many Members of this body are, by these calls.

You know, there comes a time I would suspect in everyone's political career—man, woman—that you have to pull up your britches, buckle your britches and say this is right. And I do not care what the special interest groups want, I am going to vote for what is right.

Mr. Speaker, now is the time for this country, now is the time for this House, now is the time to vote for this rule and to vote for this ban on assault weapons.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered. The SPEAKER pro tempore. The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 220, nays 209, not voting 3, as follows:

[Roll No. 155]
YEAS—220

Abercrombie	Dicks	Kennelly
Ackerman	Dingell	Kildee
Andrews (ME)	Dixon	Kleccka
Andrews (NJ)	Dooley	Klein
Andrews (TX)	Durbin	Kopetski
Applegate	Edwards (CA)	Kreidler
Bacchus (FL)	Edwards (TX)	LaFalce
Barcia	Engel	Lantos
Barrett (WI)	English	Laughlin
Becerra	Eshoo	Lehman
Beilenson	Evans	Levin
Berman	Farr	Lewis (GA)
Bevill	Fazio	Lipinski
Bilbray	Fields (LA)	Lloyd
Blackwell	Filner	Lowey
Bonior	Fingerhut	Maloney
Borski	Flake	Mann
Boucher	Foglietta	Manton
Brewster	Ford (MI)	Margolies-
Brooks	Ford (TN)	Mezvinzky
Brown (CA)	Frank (MA)	Markey
Brown (FL)	Frost	Martinez
Brown (OH)	Furse	Matsui
Bryant	Gejdenson	Mazzoli
Byrne	Gephardt	McCloskey
Cantwell	Gibbons	McCurdy
Cardin	Glickman	McDermott
Carr	Gonzalez	McHale
Chapman	Gordon	McKinney
Clay	Gutierrez	McNulty
Clayton	Hall (OH)	Meehan
Clement	Hamburg	Meek
Clyburn	Harman	Menendez
Coleman	Hastings	Mfume
Collins (IL)	Hefner	Miller (CA)
Collins (MI)	Hilliard	Mineta
Conyers	Hinchey	Mink
Cooper	Hoagland	Moakley
Coppersmith	Hochbrueckner	Mollohan
Coyne	Hoyer	Montgomery
Cramer	Hughes	Moran
Danner	Inslee	Morella
Darden	Jacobs	Murphy
de la Garza	Jefferson	Murtha
DeFazio	Johnson (SD)	Nadler
DeLauro	Johnson, E.B.	Neal (MA)
Dellums	Johnston	Neal (NC)
Derrick	Kaptur	Oberstar
Deutsch	Kennedy	Obey

Olver	Sabo
Ortiz	Sanders
Owens	Sangmeister
Pallone	Sarpalius
Pastor	Sawyer
Payne (NJ)	Schenk
Payne (VA)	Schroeder
Pelosi	Schumer
Peterson (FL)	Scott
Pickett	Serrano
Pickle	Sharp
Price (NC)	Shepherd
Quillen	Sisisky
Rahall	Skaggs
Reed	Slattery
Reynolds	Slaughter
Richardson	Smith (IA)
Ridge	Spratt
Roemer	Stark
Rose	Stokes
Rostenkowski	Strickland
Roukema	Studds
Rowland	Stupak
Roybal-Allard	Swift
Rush	Synar

Tejeda
Thompson
Thornton
Torres
Torricelli
Towns
Trafiacant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Washington
Waters
Watt
Waxman
Wheat
Whitten
Wise
Woolsey
Wyden
Wynn
Yates

NAYS—209

Allard	Gingrich	Miller (FL)
Archer	Goodlatte	Minge
Army	Goodling	Molinari
Bachus (AL)	Goss	Moorhead
Baessler	Grams	Myers
Baker (CA)	Grandy	Nussle
Baker (LA)	Green	Orton
Ballenger	Greenwood	Oxley
Barca	Gunderson	Packard
Barlow	Hall (TX)	Parker
Barrett (NE)	Hamilton	Paxon
Bartlett	Hancock	Penny
Barton	Hansen	Peterson (MN)
Bateman	Hastert	Petri
Bentley	Hayes	Pombo
Bereuter	Hefley	Pomeroy
Bilirakis	Heger	Porter
Bishop	Hobson	Portman
Bliley	Hoeekstra	Poshard
Blute	Hoke	Pryce (OH)
Boehert	Holden	Quinn
Boehner	Horn	Ramstad
Bonilla	Houghton	Ravenel
Browder	Huffington	Regula
Bunning	Hunter	Roberts
Burton	Hutchinson	Rohrabacher
Buyer	Hutto	Ros-Lehtinen
Callahan	Hyde	Roth
Calvert	Inglis	Royce
Camp	Inhofe	Santorum
Canady	Istook	Saxton
Castle	Johnson (CT)	Schaefer
Clinger	Johnson (GA)	Schiff
Coble	Johnson, Sam	Sensenbrenner
Collins (GA)	Kanjorski	Shaw
Combest	Kasich	Shays
Condit	Kim	Shuster
Costello	King	Skeen
Cox	Kingston	Skelton
Crane	Klink	Smith (MI)
Crapo	Klug	Smith (NJ)
Cunningham	Knollenberg	Smith (OR)
Deal	Kolbe	Smith (TX)
DeLay	Kyl	Snowe
Diaz-Balart	Lambert	Solomon
Dickey	Lancaster	Spence
Doollittle	LaRocco	Stearns
Dornan	Lazio	Stenholm
Dreier	Leach	Stump
Duncan	Levy	Sundquist
Dunn	Lewis (CA)	Swett
Ehlers	Lewis (FL)	Talent
Emerson	Lightfoot	Tanner
Everett	Linder	Tauzin
Ewing	Livingston	Taylor (MS)
Fawell	Machtley	Taylor (NC)
Fields (TX)	Manzullo	Thomas (CA)
Fish	McCandless	Thomas (WY)
Fowler	McCollum	Thurman
Franks (CT)	McCrary	Torkildsen
Franks (NJ)	McDade	Upton
Galleghy	McHugh	Volkmer
Gallo	McInnis	Vucanovich
Gekas	McKeon	Walker
Gerren	McMillan	Walsh
Gilchrist	Meyers	Weldon
Gillmor	Mica	Williams
Gilman	Michel	

Wilson	Young (AK)	Zeliff
Wolf	Young (FL)	Zimmer

NOT VOTING—3

Long	Rangel	Rogers
------	--------	--------

□ 1349

The Clerk announced the following pair:

On this vote:

Mr. Rangel for, with Mr. Rogers against.

Mr. HOLDEN, Mr. PETE GEREN of Texas, Mrs. JOHNSON of Connecticut, Mr. LEACH, and Mr. LAZIO changed their vote from "yea" to "nay."

Mr. BARCIA of Michigan and Mr. LAUGHLIN changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above.

A motion to reconsider was laid on the table.

□ 1350

The SPEAKER pro tempore (Mr. MAZZOLI). Pursuant to House Resolution 416, and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4296.

In this instance, the Chair appoints the gentleman from Missouri [Mr. VOLKMER] to preside over the Committee of the Whole for the first hour of debate and the gentleman from Maryland [Mr. MFUME] to preside over the Committee of the Whole for the second hour of debate.

□ 1351

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4296) to make unlawful the transfer or possession of assault weapons, with Mr. VOLKMER in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 1 hour and the gentleman from Wisconsin [Mr. SENSENBRENNER] will be recognized for 1 hour.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, I yield 30 minutes to the gentleman from New York [Mr. SCHUMER] and I ask unanimous consent that he may control that period of time and yield such blocks of time within that as he desires.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SENSENBRENNER. Mr. Chairman, I ask unanimous consent that I may yield 30 minutes to the gentleman from Illinois [Mr. HYDE] and that he be allowed to yield such time as he desires to other Members.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. HYDE. Mr. Chairman, I ask unanimous consent that I may yield the 30 minutes that has just been assigned to me to the gentleman from Connecticut, Mr. CHRIS SHAYS, and that he may be authorized to yield such time as he may control under the rule.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BROOKS. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I rise in opposition to H.R. 4296, the so-called Public Safety and Recreational Firearms Use Protection Act. It is time we set the record straight and after doing so, vote down this misguided effort. If ever the name of a bill was misleading, this one is classic.

Mr. Chairman, H.R. 4296 does nothing to ensure public safety or recreational use of firearms. Rather, it places unnecessary, unjustified restrictions on the legitimate use of certain weapons. The sole purpose of this legislation is to ban certain semiautomatic weapons.

Mr. Chairman, why is it we are doing this thing? Well, during last week's subcommittee hearing, supporters of H.R. 4296, such as Mr. Magaw, the new director of the Bureau of Alcohol, Tobacco, and Firearms, said that specified guns should be banned because—and listen carefully—because they are intimidating.

Mr. Chairman, under that line of reasoning, I am surprised that they are not just proposing to do away with the second amendment of the U.S. Constitution, for as a hunter and sportsman myself, I can assure each Member that any gun, even a dart gun or BB gun or 22 rifle is very intimidating when the barrel of that gun is pointed directly at you. Accessories found on some semiautomatic weapons, such as folding stocks, flash suppressors, pistol grabs, bayonet mounts, detachable magazines, may look menacing to persons unfamiliar with firearms, but there is no evidence that any one of them provides any advantage to the criminal. Semiautomatic weapons function in the same manner as any other firearm. They fire once when the trigger is pulled. They use the same ammunition. They are useful for target shooting, for self-defense, for hunting, for other legitimate purposes.

Mr. Chairman, let us remember that H.R. 4296 bans not only certain types of weapons, it also bans any automatic feeding device that holds more than 10 rounds of ammunition. If one has a Smith and Wesson 9-millimeter pistol that holds more than 10 rounds in it because they stagger the rounds, then that is illegal, as well as a combination

of parts that can make up such a device, such as a spring or a roll pin or a piece of sheet metal. All of these are defined as firearms under this bill. The penalty for having such device, or any combination of these parts, is to up 5 years in prison as well as a fine.

Mr. Chairman, the drafters of the legislation find the pieces of sheet metal just as intimidating as they do the actual guns themselves, which carry the same penalty.

Mr. Chairman, H.R. 4296 misidentifies the causes of violent crime. It diverts national priorities away from meaningful solutions to the problem of violent crime and punishes honest American gunowners who buy and use firearms for legitimate, lawful purposes.

Mr. Chairman, the criminals do not mind. This will not bother them, not one lick. They can steal them or buy them on the black market, and everybody knows that is the fact. Go outside and put up about \$200 or \$300, and you can get a weapon without a problem. If my colleagues do not believe it, go do it.

Mr. Chairman, there is no need to belabor the flaws in this proposal. The entire premise is fatally flawed. Most fundamentally, 4296 unduly infringes on the constitutionally protected rights of honest, law-abiding Americans on the basis of myth and misinformation.

Mr. Chairman, let us put an end to this mockery of our Bill of Rights. Let us stand up for the millions of law-abiding citizens who are not criminals.

Mr. Chairman, I will say this: The criminals will not worry a bit about this bill. It is only honest, hard-working American people that will be bothered and harassed by this legislation. Let us vote no today once and for all.

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

□ 1400

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

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Before the gentleman begins, the Chair would like to remind all persons in the gallery that they are here as guests of the House, that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House. The Chair would rather that the people in the gallery respect the House and the decorum of the House.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to this bill. It is before us today as pretend crime control.

The other side has shown us scary guns, used the emotion of fear and the tragedy of others for political purposes.

On our side, all we have are the facts and common sense. The fact is that this will not fight crime.

Assault weapons are not the weapon of choice by killers. These guns are

used in less than 1 percent of all murders, according to the FBI. The public knows that the real causes of crime are the breakdown of the family, drugs, and lenient sentencing.

Two of my colleagues from Wisconsin earlier today have attempted to use the tragic killing of a police officer to whip up support for this bill. I extend my condolences to the officer's family, but the fact is that the weapon that was used in this tragedy would not have been banned if this bill were law a month ago. It was grandfathered in under the grandfather clause.

Chief Donald Steingraber of Menomonee Falls, WI, my hometown, who stood beside the President on Monday seeking passage of this bill, has admitted to me that if this bill were law a month ago it would have no effect on the tragic killing of Captain Lutz of Waukesha last Thursday.

Two-thirds of all violent crime is committed by 3 percent of the people. That same 3 percent commit three-quarters of all rapes and robberies and virtually every murder.

Let us arrest those people, not law-abiding gun owners who may own one of these weapons for self-defense or any other legitimate reason.

Mr. Chairman, this bill does not distinguish between criminals and honest citizens. You may recall that I supported the Brady bill because I thought it would help keep handguns away from criminals. The NRA attacked me for that.

But this is a different debate. I support laws that keep guns away from criminals, but, on the other hand, this bill will take away everyone's right.

Ironically, while the bill does not distinguish between law-abiding gun-owners and criminals, it does distinguish between good guns and bad guns, and unfortunately it fails even at that. Look at the text of the bill. Many of the bad guns, although they look different, perform exactly the same as the good guns. They shoot the same, they use the same bullets, and the only difference is how they look.

A man in his home or a woman on her farm should be able to defend themselves and their family even with scary-looking guns.

Let us look at the facts; let us use common sense. If a criminal has a gun, arrest him. If law-abiding citizens want to use guns to defend their families and homes, let them decide what kind of gun they want to use.

The millions of honest gunowners know they are not criminals, and they should not be treated as such by the Congress of the United States.

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

Mr. SCHUMER. Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois [Mr. ROSTENKOWSKI], the distinguished chairman of the Committee on Ways and Means.

Mr. ROSTENKOWSKI. Mr. Chairman, I rise in strong support of this legislation.

Automatic weapons are nothing more than an efficient way of killing people, a task that is already being done too efficiently by too many people in too many American cities.

Automatic weapons greatly increase the odds that what begins as an uncomfortable incident will result in a fatality.

Mr. Chairman, I have seen the carnage they cause in my neighborhood. Just a few weeks ago, on Easter, within a stone's throw of my own home in Chicago, a young man was murdered on the steps of a church while a thousand parishioners were inside praying. In the parking lot, two more young men were shot, and in the other parking lot, two children were shot and injured.

These automatic weapons must be abandoned. We must come to our senses. We must stop adding to the weapons already on our streets. Crime is out of control. The killing has got to end. It must stop.

It is time to take a step to reverse the tide of violence that threatens to destroy our cities. It is time to get these guns off our streets. We must stop them before they kill again.

My colleagues, I urge you to vote in favor of this important measure.

Mr. SHAYS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, the final version of this bill, when it goes to conference, will ban the manufacture and sale of specific assault weapons that are only used to kill people. These are weapons with no hunting, sporting, or other legitimate purposes and for which there is no reason for anyone to own except to aid in the commission of crime.

Is a constitutional right being impinged by this legislation? No. The Supreme Court throughout our entire history has held repeatedly that the right to keep and bear arms is subject to reasonable police power to regulate the type of weapon that is being owned.

Seventy-five to eighty percent of the American people favor a ban on assault weapons, while 20 to 25 percent, perhaps, oppose it and say that they have a right to own and use any weapon they choose. And they stress over and over their right.

Mr. Chairman, we are balkanizing America in so many ways, with so many special interests insisting that their rights, their needs, and their desires must be addressed. We heard so often in the debate on the deficit, we want to bring down the deficit, yes, but we do not want to give anything of ourselves to accomplish that end. We want to address the crime problem, yes, but do not ask us to give anything of ourselves to actually do so.

Mr. Chairman, I am chairman of the Congressional Human Rights Caucus, but believe me, it is time that we talked in America not just about rights but also about responsibilities, what we individually owe to make this country work.

Our police say to us, please, please, put controls on these kinds of weapons. We are the people that have to face them. Please, do something and rein them in.

And are we to say, no, no, we insist upon our rights even though you face the firepower?

Yes, we need tough and effective law enforcement and, yes, we need a criminal justice system that works to deter criminals. That certainly is a part of it.

But we also need reasonable controls on the ready access to weapons, especially weapons of this type that have no other purpose except to kill people. We need both.

Mr. Chairman, yes, we need the courage to pass a tough crime bill, and we have shown that courage, but we also need the courage to tell the 20 percent who want any gun at any price to society that they have responsibilities, too, and it is time they lived up to them. Vote aye.

Mr. BROOKS. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. GENE GREEN].

Mr. GENE GREEN of Texas. Mr. Chairman, I must regretfully rise in opposition to H.R. 4296. The supporters of this legislation argue that this bill will ban 19 specific types of assault weapons, however, they fail to mention that aside from these 19 specifically named weapons this bill also contains a far reaching ban of other guns and allows the Treasury Department to determine which of these guns would be banned. I agree that we should restrict access to guns such as the Uzi, the Tec 9 and the AK-47 assault rifle. These guns have become the gun of choice for gangs and drug dealers and they have no other legitimate use other than to kill people.

There are two sides to this debate and both sides have legitimate fears. One side sees its right to keep and bear arms slipping away and the other sees its right to a safe and secure neighborhood slipping away. There has to be a middle ground that addresses the concerns of both sides and for that reason I offered an amendment to this bill that would have only banned the 19 assault weapons listed in the bill. However, due to the restrictive rule that was issued on this bill I am not allowed to offer this compromise amendment. Had this amendment passed I could have voted for this bill.

The issue of gun control is not an easy issue since it involves weighing the concern for public safety against the rights of individuals. These individual rights are guaranteed in the Constitution and we should be extremely careful when the legislation we consider might affect these rights. A broad based gun ban infringes on these rights and while the need for public safety justifies the restriction of specific

weapons it does not justify this broad based ban.

Both sides of this issue have shown an unwillingness to compromise and it is apparent that they both are taking an "all or nothing" approach. This is an unfortunate commentary on what our political system has become and it represents a significant loss for the American people no matter which side of this issue they are on.

Mr. BROOKS. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. Mr. Chairman, H.R. 4296 is a public relations approach to crime prevention, election year valium to calm constituents' fear of crime. But nothing in this bill will take a single gun out of the hands of criminals.

I have heard people smugly declare that true hunters don't need these weapons, so therefore they should be banned.

This is not about hunting, or target practice. This is about protection. This is about giving people the chance to protect their families from criminals with a proven disregard for human life or property. Just like police, who are exempt from this bill, private citizens protecting their families deserve a fighting chance.

The proponents of this bill claim support from law enforcement. The sheriffs I know do not support this legislation. People are crying out to us to do something about crime and punish those who misuse firearms.

In Florida, in 1975, we impose a 3-year minimum mandatory sentence on anyone committing a crime with a handgun.

Large billboards with an orange background and a black silhouette of a handgun were placed along our highways and posters were placed in convenience store windows and retail establishments in high-crime areas.

The message was simple: Do the Crime—Do the Time. Florida imposes a mandatory 3-year prison term for using a gun in a crime.

The results were dramatic. During the first year following passage of the 3-year mandatory, gun crimes were down and the armed robbery rate alone was down 40 percent.

We were clearly on the right track to reducing crime. The word was out: Stay out of Florida if you use a gun because Florida will throw you in prison for 3 years. The impact was dramatic—until word got out that Florida was only joking. Criminals quickly learned they could plea bargain out and it was back to business as usual.

The Florida House Criminal Justice Committee recently researched the incidence of plea bargaining on the 3-year mandatory sentence for using a gun in a crime and reported that in 80 to 90 percent of the cases, the 3-year mandatory is plea-bargained away.

In 1989, the Florida Legislature passed an 8-year minimum mandatory

penalty for possession of any semiautomatic firearm with a high capacity magazine during the commission or attempted commission of a crime.

However, if you check with the State Court Administrators Statistical section, you will find that practically no one has been sentenced under that provision. That says one of two things—either semiautomatics are not the problem that some would have you believe, or they're simply refusing to send the really bad guys to prison for a minimum of 8 years.

In 1989, faced with the emotional fire storm of assault weapon rhetoric, the Florida Legislature formed the Florida Assault Weapons Commission to study the issue. The commission surveyed 415 Florida law enforcement departments on the use of assault weapons in crime in their jurisdiction over the past 4 years. Responding jurisdictions experienced a total of less than 50 assault weapons used in crimes, while other weapons—guns, knives, hands, etc.—were used in 108,600 crimes, .0004 percent. Even the Metro Dade Police survey shows no assault weapons experience in 1986-87-88 and only 5 assault weapons in over 36,000 weapons crimes, .0001 percent, during 1989.

The 8-year minimum mandatory sentence for using a so-called assault weapon in the commission of a crime was the obvious answer in 1989 and it is the obvious answer today. Banning guns never works. Look at Washington, DC, New York City, California, and New Jersey. Criminals will always get guns regardless of the law.

What will work is less plea bargaining, stiffer penalties, more judges, prosecutors, police officers, and prisons. Get criminals off the street—then and only then will our streets be safe.

It's time to bite the bullet and spend the money to build the prison beds necessary to incarcerate violent criminals.

Everyone in this Chamber loves the Constitution. So do the people who are opposed to this bill. They feel just as strongly about the right to bear arms as others do about free speech. Let's not foolishly compromise a constitutionally protected right of free people when aiming at criminals.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Chairman, I think that a police officer in Michigan stated the problem to me very well a couple of months ago when he said the real issue in crime this year is not repeating rifles, it is repeating offenders. The truth of the matter is that there are less than 1 percent of violent crime committed in this country by assault weapons described in this bill. The truth of the matter is that if we ban all these weapons that are listed in this bill, still hundreds more than function exactly the same way with the same

killing power that these guns have will still be on the streets, still available to the criminals and nothing will have been solved by passing this except to absolve some people in the political world we live in today from this next year's election.

The fact of the matter is 6 percent of the criminals in this country commit 70 percent of the violent crimes and are serving less than a third of their sentences. The answer to the violent crime problem in this country is not banning the few assault weapons in this bill, it is taking the repeat violent offenders off the streets, locking them up, and throwing away the keys. It is forming the Federal-State partnership with the States to build sufficient prison space and then doing what this House did not do in its crime bill, and we need to have come out of the conference, requiring for the States to get these monies that they guarantee that they abolish parole for the violent repeat offenders and serve 85 percent of their sentences, at least. And it is doing things we were not allowed to do in offering the amendment I wanted to offer here on the floor today that would say to those who commit crimes with guns of any sort that if you do so, then you are going to have a separate Federal crime in addition to the underlying crime that carries with it minimum mandatory sentences for the first offense, 10 years, for the second offense 20 years, and for the third offense 30 years. That would put certainty and swiftness of punishment back in our criminal justice system and to put some kind of effort in the deterrence again to send the message out there to the violent criminal. That is what the real answer is to the violent crime crisis in our country. The bill before us should be voted down, it does not do the job, and it affects only law-abiding people who would like to continue to be able to possess guns for legitimate purposes. We have no business today passing this sham, and that is exactly what it is. Let us get tough with the criminals, lock them up, throw away the key, and let us make sure that we do something significant to stop the wave of violent crime; not this bill.

Mr. SCHUMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona [Mr. COPPERSMITH].

Mr. COPPERSMITH. Mr. Chairman, I rise in support of the bill.

Mr. Chairman, I support law-abiding citizens' rights to keep and to bear arms for personal protection and for recreation. But I also believe we need to keep Uzis and AK-47s off our streets and out of the hands of cop-killers and driveby shooters. These weapons are not designed for hunting or to protect people's homes. They are military weapons that can carry dozens of bullets, guns designed to do one thing and one thing only—kill a lot of people fast.

Yesterday, my office in Arizona was targeted by citizens opposed to taking assault

weapons off the street and out of the hands of gangs and violent criminals. They wanted to pressure me. But I have already been affected by the pressure of grieving families and police officers mourning their fallen colleagues. I have been persuaded by too many killings and too many children cut down by these weapons of war.

It's time for mainstream Americans to draw the line and say enough. This vote is not about rights, it's about responsibilities. Talk is cheap when it comes to fighting crime. We need to support our local police. We must stand up to the NRA and others who oppose this overdue and reasonable step to prevent crime. We need to fight crime, a step at a time. Vote "yes".

Mr. SCHUMER. Mr. Chairman, I yield 1¼ minutes to the gentleman from New Hampshire [Mr. SWETT].

Mr. SWETT. I thank the gentleman for yielding this time to me.

Mr. Chairman, after months of serious deliberation and discussion with Members on both sides of the aisle, conservatives and liberals, I have decided that this ban on a limited and specific group of violent assault weapons adequately protects Second Amendment rights while recognizing that there is absolutely no justification or need for anyone to have ready access to Uzi's and street sweepers nor any other semiautomatic weapons designed exclusively for mass murder.

Times are changing in our country. I fear not all for the best. The growing violence, murders of our law enforcement officers and innocent children cannot be ignored. That is why I voted against the rule, because I felt we needed to have stricter punishments for those who use guns in crimes. But the fact is that true sportsmen and sports-women do not use sophisticated war machines to mow down animals. Average citizens, protecting their property and family, do not use Uzis and street sweepers to defend their homes. These weapons are used by criminals to overcome the innocent and to overcome our police officers in the line of their duty. I am committed to defending the second amendment rights, and that is why I struggled with this ban. 3 years ago I voted against the semiautomatic weapons ban because it did not address the important second amendment rights. However, after discussion with staunch defenders of the second amendment, such as President Reagan and President Ford, Members of Congress, such as HENRY HYDE, I have been convinced that these rights are adequately protected.

I ask the Members to support this ban on semiautomatic weapons.

Mr. SHAYS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York, Mr. LAZIO.

Mr. LAZIO. Mr. Chairman, if I appear nervous, it might be because I am a first-term Congressman, it might be because this may be a close vote, but probably because people are relying on me to make the right choice.

I rise today in support of H.R. 4296. Several factors affected my recent decision to support this legislation which would ban the continued manufacturing of semiautomatic assault weapons. The most significant of these factors was the overwhelming support of this ban by both national and local law enforcement organizations and officials. In New York, this includes the Suffolk County Policeman's Benevolent Association, the Deputy Sheriff's Benevolent Association, the Superior Officers Association of Suffolk, the Police Conference of New York, as well as New York City's police commissioner and the president of New York City's Patrolman's Benevolent Association. National groups include the Fraternal Order of Police, with over 230,000 members, the National Association of Police Organizations, the International Association of Chiefs of Police, and the Federal Law Enforcement Officer's Association. All are experts on crime, and as a former criminal prosecutor, I respect their collective judgment that H.R. 4296 is necessary for the public safety.

According to the Bureau of Alcohol, Tobacco, and Firearms, while semiautomatic weapons comprise only 1 percent of privately owned guns in America, they account for more than 9 percent of guns used during a crime and traced. Between 1986 through 1992, ATF statistics show that these particular weapons were used in 1,578 homicides, 940 assaults, 224 robberies, and over 4,500 narcotics offenses. Since only about 10 percent of all firearms used in crimes are traced, the number of crimes involving these weapons could be more than 10 times as high. These statistics are unacceptable and demonstrate the number of these weapons that are making it onto our streets and into the hands of criminals. Our police cannot, and should not, have to face these weapons in the line of duty.

Also supporting the ban on assault-style weapons are former Presidents Ronald Reagan, Gerald Ford, and Jimmy Carter. In 1989, President Bush was instrumental in banning the import of 43 types of foreign-made assault weapons. Closer to home, New York City Mayor Rudolph Giuliani has also stated his support of this legislation.

H.R. 4296, unlike some proposals in the past, designates 19 specific weapons to be banned by name, while explicitly exempting over 670 hunting and recreational weapons. At the same time, this bill includes provisions to control the spread of so-called copycat weapons as well as a grandfather clause, permitting owners of banned weapons, or large capacity magazines, acquired before enactment of this legislation to keep their firearm(s).

Although opponents of this bill claim these weapons have a sporting purpose, I disagree with that argument. I have seen firsthand the carnage and may-

hem these weapons can cause. A chilling example is illustrated by last December's massacre aboard the Long Island Railroad commuter train. I was recently contacted by the widow of one of those victims. Her husband was killed and her son seriously wounded. I also spoke with one of the actual victims. Their message was how anyone could vote against this ban if they'd seen what took place when the killer went down the aisle methodically executing person after person. Had this legislation been in effect at that time, the ammunition feeding device used by Colin Ferguson would have been banned, and fewer lives may have been lost.

Opponents also claim that this bill will ban all hunting and recreational semiautomatic weapons. This is untrue. While all assault weapons are semiautomatics, all semiautomatics are not all assault weapons, an example being the popular Winchester Model 1400 semiautomatic shotgun.

I have been, and I remain, a staunch supporter of the second amendment. But as a lawyer, I simply do not believe that these weapons—whose functions are so adaptable to the destruction of human life—are protected under second amendment rights. If they were, I would oppose this bill.

Mr. BROOKS. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. STRICKLAND].

□ 1420

Mr. STRICKLAND. Mr. Chairman, I rise in opposition to the bill.

Last week a very offensive event took place in my hometown; the Ku Klux Klan held a rally. While I was offended by their presence and despise their brand of hate mongering, I will defend their right to exercise their first amendment freedoms.

I oppose this bill because, however inconvenient it may be, we must adhere to the principles contained within our Constitution and our Bill of Rights.

The first amendment leads the list of our constitutional freedoms by guaranteeing rights that we all embrace: The freedom of religion; freedom of speech; freedom of the press; and the freedom to peaceably assemble.

We revere and value these rights and at times die for the preservation of them. They embody the right of the minority to be protected against the tyranny of the majority.

Following the first amendment in the Bill of Rights is the often-forgotten and much-maligned second amendment, that guarantees the right to keep and bear arms. In fact, the phrase used by the drafters is, "shall not be infringed."

So, regardless of where you stand on the political spectrum—conservative or liberal, Republican or Democrat—if you are one who values the Constitu-

tion and the Bill of Rights you should not pick and choose from among these constitutional rights under the temptation to vote for this hollow promise of false security.

Do not vote for this misdirected effort aimed at law-abiding gunowners, rather than dealing with the real causes of violence in our society.

I urge my colleagues to defeat the bill.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Chairman, my fellow colleagues, I rise in opposition to this legislation.

With freedom comes responsibility; with responsibility comes freedom. What we are doing today in asking us to vote for this legislation is to take the responsibility from those who would like to take the freedom away from us, the law-abiding citizens.

We heard much about the NRA, and yes, I am an NRA member. But I am also a proud gunowner in order to defend myself and the lives of my children. I ask my colleagues, "If you really want to think about changing things—and I heard other speakers saying this is a chance to do something that is correct—I ask you was it correct about Waco when the Government overstepped its bounds and killed innocent people?"

And I cannot understand someone like the gentleman from New York that could support this legislation. Maybe he has not gone to the Holocaust museum in Israel. I have done that three times, and I asked the question, "How could 6 million people have been herded and walked to their deaths?" I asked, "Why didn't they protest?"

Mr. Chairman, my guide said, "With what? They had nothing to protest with. The citizenry was disarmed. The government was the one that did the great carnage."

I heard the gentleman from South Carolina [Mr. DERRICK] today say, "The Government must protect its people. It is not a criminal I fear; it is, in fact, the Government." The Government should not have the right to protect me; I should have the right to protect myself, and yes, to own, and operate, and have those firearms as long as I am a law-abiding citizen.

And many speakers before me talked about the criminal, and that is what we are not addressing. The person that commits the crime, the 7 percent that commits 90 percent of the violent crimes, we are not addressing, nor are we given the opportunity to do so.

But I will tell my colleagues and everybody that will listen to me: It is my right, my constitutional right, to pick that weapon which I think I can defend my family with, and I should do so. It will be a hot day in Fort Yukon in Jan-

uary before this Government takes my firearms.

Mr. SCHUMER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Texas [Mr. ANDREWS].

Mr. ANDREWS of Texas. Mr. Chairman, I have always believed in the old Texas saying that gun control means steady aim. As such, I have always opposed gun control. Today, however, the House of Representatives is expected to vote on legislation that would make it illegal to manufacture or sell specified military-style semiautomatic assault weapons in the United States, and I intend to vote for the assault weapons ban.

I did not reach this decision easily. In the last Congress I opposed a similar assault weapons ban bill because it was too vague and undefined. That bill could have included my shotgun and the weapons of other legitimate sportsmen. It simply left too much to the discretion of the Federal Government. This bill, however, protects hunters' rights.

The bill has drawn tremendous attention because it specifically targets high-velocity, rapid-fire weapons—like Uzi's, AK-47's, TEC-9's, MAC-10's, and AR-15's—that have become the weapons of choice for drug dealers, street gangs, and hate groups. The telephone lines and fax machines in my office are working overtime to respond to concerned citizens on both sides of this emotional and important issue.

I am a lifelong hunter; gun ownership is a way of life for my family, as it is for most Texans. During my tenure in Congress, I have resisted attempts to restrict the rights of law-abiding Texans to own firearms for sport or to defend their families and homes. I believe that gun control laws hamper legitimate sportsmen far more than criminals, and my votes have consistently supported this position.

At the same time, as a former Harris County prosecutor and a father of two teenage daughters, I cannot help but be appalled at the rising number of random violent crimes that are occurring on our streets. In our own city of Houston, a teenage boy was slain by a rival gang member with an AK-47 at a Halloween party. The problems we have experienced in Houston mirror those in other cities and towns across this country.

Federal statistics show that, although semiautomatic assault weapons account for only 0.5 percent of privately owned firearms in this country, they are involved in 8.4 percent of crimes involving firearms. In other words, assault weapons are 17 times more likely to be traced to crimes than conventional firearms. Between 1986 to 1990, 1,088 assault weapons were traced to murders in the United States. Another 3,505 were linked to drug traffickers. For every assault weapon confiscated by law enforcement officers,

many more are manufactured and sold on our streets.

Police say that just one of the weapons that would be banned, the TEC-9, has been involved in 319 murder cases, 234 instances of assault, and over 600 narcotics investigations. The TEC-9 can fire 32 rounds in 30 seconds. At a time when there is a very real and palpable fear of violent crime in this country, when law enforcement officials are outgunned by the offenders they hope to apprehend, and when driveby shootings and murder of innocent bystanders have become a weekly occurrence, we must do something significant to protect our families and children.

The assault weapons ban we are debating today is different from previous proposals. Legitimate sportsmen can be assured that 650 hunting rifles and shotguns are specifically exempted from the ban. In addition, the bill specifically defines hunting and sporting weapons as those operated by bolt, pump, lever, or slide action; or a semiautomatic rifle that cannot accept a detachable magazine that holds more than five rounds of ammunition. That assures that my shotgun, your deer rifle, or your son's or daughter's .22-caliber rifle are not considered under the ban.

The bill is equally specific on what weapons are to be prohibited. For example, semiautomatic rifles with detachable magazines would be included under the ban if they possess at least two of the following features: A folding telescoping stock, a pistol grip that sticks out conspicuously beneath the rifle's action, a bayonet mount, a flash suppressor, or a grenade launcher. Who can in good conscience defend such weapons as appropriate for hunters or sportsmen? Anyone that needs a 20-round clip of high-velocity ammunition to fell a duck or kill a deer needs to take up golf.

The bill's "grandfather" provision will allow existing weapons owners to keep their weapons without any recordkeeping requirements, unless the weapon is sold or transferred after the bill is enacted. The bill also contains a "sunset" provision: The ban will automatically expire 10 years after its enactment.

Supporters of the ban make a convincing argument on its ability to reduce violent crimes. Previous experience in cutting off access of these deadly weapons to criminals—as in California, New Jersey, and Connecticut, for example—has shown that it does reduce their use in violent crimes. Likewise, the use of assault rifles in crimes dropped by 40 percent the first year after President Bush banned their importation in 1989. States and municipalities that have banned assault weapons have experienced similar results.

That is why support for an assault weapons ban in this country is strong,

particularly among law enforcement organizations, such as the International Association of Police Chiefs, the National Sheriff's Association, the National Association of Police Organizations, and the Fraternal Order of Police. And despite the denial of its organizational leadership, a significant number of NRA members recognize that the weapons targeted under the bill are dangerous and unnecessary. This bill will not stop all crime on Houston's streets, but it will help our local police fight crime and it will save lives.

Gun ownership has a long and proud tradition in Texas—but so does public safety and respect for law and order. Our individual right to keep and bear firearms is based on responsibility and common sense. We have laws that seek to guarantee the safety of our citizens: People cannot fish with dynamite, scream fire in a crowded theater, or purchase many kinds of military weapons. I am convinced that if we limit the availability of military-style assault weapons, we will be taking a meaningful and prudent step toward improving the safety of our streets without trampling on our constitutional rights.

Mr. Chairman, I strongly urge my colleagues to support the Assault Weapons Ban Act of 1994.

Mr. SHAYS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Delaware [Mr. CASTLE], a former Governor.

Mr. CASTLE. Mr. Chairman, I thank the gentleman from Connecticut [Mr. SHAYS] for yielding this time to me. I would just like to share my thoughts on this legislation.

Mr. Chairman, I rise in support of the legislation, the ban on assault weapons in the United States of America, and I know this is a very difficult issue for a lot of Members here today and who are watching back in their offices, and it probably should be, but it is one I wrestled with quite a while ago as Governor of a State and with the Governors of New Jersey and Virginia among others. I have called for a ban on assault weapons. I have introduced legislation in Delaware. We have not achieved where I would like to go with that, but it was a relatively simple issue, working with our police officers, and others, who believe so strongly in this, and I have looked at this legislation, and a lot of people will look at this legislation, and they will say: "Well, we can go beyond this because it's going to give the ability to Federal officials to ban other kinds of weapons."

And all variety of arguments come up with respect to that, but I think this whole thing is relatively simple, and there are just a few points, perhaps, we should look at as we try to reach our decisions as to whether we are going to vote for this or not.

First of all, and I do not necessarily agree with this, but this is a future

bill. This does not include weapons which people presently own and under which they have control. That is a significant point, I think, in determining whether we should vote for it or not.

The question then becomes: is this an appropriate piece of legislation? What are these assault weapons or semiautomatic weapons? How are they used?

Well, we hear they are used in target practice. I do not know of a lot of target practice, frankly, in which these are used, and, quite frankly, I do not know of a lot of hunting in which these kinds of weapons are used. It just is not something which is very prevalent in the United States of America, and I suggest we look very carefully at what these weapons are and exactly what their uses are in the United States of America.

Some people have gotten up today and said they have not had any incidents in their districts. I hope we do not have to have an incident in a majority of our districts involving an assault weapon before we can pass this legislation. The bottom line is that there have been incidents across the United States of America. More than incidents of the use of assault weapons there have been a lot of crimes committed with assault weapons in which they have not actually been used. Let us keep that in mind as well. These are expanding in the United States of America.

Mr. Chairman, our law enforcement officers are strongly for this piece of legislation, and I think that is also very, very significant. They are the ones who are on the firing line, and they are the ones who are saying, "Do something to help protect us."

And then there is the whole issue of, I say to my colleagues, Well, if you are for this ban on assault weapons, you are not tough on crime. I would like to think I am as tough on crime as anyone else here. As a matter of fact, when I was Governor, we in Delaware did a lot of things that include mandatory minimums for using weapons in crimes. We have truth in sentencing in the State of Delaware. We have looked at all these issues, and my belief is that we can still have those very strong measures.

□ 1430

I wish we perhaps could have amended this bill to put in some stronger measures with respect to what the penalties would be if one had assault weapons. But the bottom line is that we can be very tough on crime but we can also be against assault weapons because they expand the crime that we see in the United States of America.

There was a young man who was caned today by our time in Singapore. That individual was caned in a city or a state which basically does not allow any weapons at all. I tried to find out, but I do not know what the penalties

there may be. But the bottom line is that they have stronger penalties but they also ban the use of these weapons.

Mr. Chairman, I think we should start by supporting this legislation.

Mr. BROOKS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. PETE GEREN].

Mr. PETE GEREN of Texas. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in opposition to this bill to ban ugly guns.

This debate is perhaps a perfect metaphor for politics today. It is all about form and appearance, little about substance. This bill is the proverbial blow-dried, golden-maned, straight-teeth, red tie, blue shirt, game show host, good-looking politician. How could anyone be against it? Who could be against a bill that bans ugly guns?

To confirm that this bill is all and only about appearance, let us look at the criteria that the bill's authors use as a basis for banning these guns. But first let us note what they do not use. They do not consider how fast a gun can shoot, the size or speed of its projectile, how hard it hits the target, or how accurate a weapon is. They do not use that type of criteria because there is no difference in the fire power of the guns they ban and those they do not.

Let us look at the criteria they do use. The bill bans a gun if it has two of the following five criteria: A folding stock, a pistol grip that protrudes conspicuously—yes, conspicuously, a bayonet mount, a flash suppressor attachment, or a grenade launcher attachment.

Not one deals with fire power. We talk of stopping the shooting, and we ban bayonet mounts. A gun with all five criteria may be mud-fence ugly, but it is not more deadly.

And these criteria have nothing at all to do with crime. Eighty-eight percent of our police chiefs agree.

When was the last time we heard of a crime that involved a fixed bayonet or a launched grenade? If the criminals of America for some reason agreed to abide by this bill and removed their flash suppressors and bayonet mounts, would we save a single life?

If our Government is going to take anything away, anything even ugly things, from anyone, it has the burden to prove that it is more than ugly. It has the heavy burden of proving the furtherance of a public purpose.

For many and probably most Americans, this debate is bewildering. Why would anyone oppose a ban on these ugly weapons? Because ugly is not enough.

In a democracy that cherishes liberty, yes, even eccentric expressions of liberty, the burden is on the bill's proponents to prove, not that this bill will not hurt, but that it will advance a legitimate and overriding social purpose, a purpose that overrides the liberty

that it takes away, however trivial some may consider that liberty to be.

The proponents have not done this, and they cannot, because ugly is not enough.

Mr. Chairman, this proposal is a golden-maned, talk show host, good-looking measure, and in spite of those boasting of their courage in supporting it, it is popular, very popular. The politically unpopular vote is no. It is the right vote. Ugly is not enough.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Chairman, this proposed ban aids the criminal and hits the law-abiding citizen squarely in the face, and the criminal sprints away laughing at the whole scene, because it is the law-abiding citizen whose rights have been hurt.

To what avail is this ban to that criminal who has just escaped the thrust of this bill? That criminal can look at the 650 other weapons that are exempted by this very same piece of legislation and commit any crime that criminally intended mind sets out to commit.

On the other hand, let us ask ourselves this question. Can the law-abiding citizen utilize one of the 19 banned weapons for lawful purposes? The answer is, yes, for self-defense, collection, hunting, and sports activities. But conversely, is it not true that the criminal mind, the criminal who is intent on committing a crime, can use any of the 650 items that are exempted here to commit a crime?

The priorities are completely reversed, and the effort to ban guns makes the criminal laugh at us.

The criminal will find ways and means, if he intends to do so, to rob a convenience store. We should aim at that criminal, aim at the one who intends to commit a crime and does. Our aim is way off here. In the meantime the criminal is cackling, chortling, laughing all the way to the next spot where he can pick up a semiautomatic, if he wants to, and use it for unlawful purposes.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. LEHMAN].

Mr. LEHMAN. Mr. Chairman, the other night a constituent called my office and asked me to vote against this bill. I could tell that he was knowledgeable about guns. So he read me the list of weapons that would be banned. He said, "Those are not legitimate weapons."

Mr. Chairman, 5 years ago, on a school playground in my district, 5 children were murdered and dozens injured because they could not get out of the way fast enough. The weapon that was involved was purchased legally.

Mr. Chairman, people do have the right to keep and bear arms. We should

resist any attempt to deny law-abiding citizens weapons for personal protection, sport, and pleasure. Banning the continued manufacture of these tools of mass destruction does not ban that right. Let us sum up the courage today to end the policy that give street gangs, criminals, and deranged killers access to more firepower than our police, and let us give our children on our school playgrounds a fighting chance to get out of the way.

Mr. SHAYS. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of this initiative to ban certain types of semiautomatic assault weapons that fire rapidly with ease.

These weapons have no sporting use. They are suitable for combat.

Recently we received support for the banning of assault weapons by former Presidents Ford, Carter, and Reagan, and this support reflects their experience in leading the American people. It is also indicative of the bipartisan support which exists for getting these murderous weapons off the streets.

We just recently passed the crime bill. The assault weapons ban, together with the crime bill, represents the kind of comprehensive approach needed to address the problems of crime and violence in our society.

I would also like to stress again the fact that our colleagues should bear in mind that this is not a partisan issue. We remember that with the support of former President Reagan, President Bush imposed a ban on the importing of assault weapons. Well, following that ban, imported assault weapons traced to crime declined by 45 percent, whereas the domestic assault weapons traced to crime remained the same.

Barry Goldwater has affirmed that assault weapons "have no place in anybody's arsenal." Jack Kemp endorsed the ban last year, and Gov. William Weld has endorsed legislation to ban assault weapons and high-capacity magazines.

In my State of Maryland, the State Police have endorsed this ban. I am pleased that the Governor of Maryland has supported the ban, and the State legislature just recently passed very similar legislation.

Yes, each side of this debate has its statistics bolstering its point of view, but how could anyone honestly think that the banning of assault weapons will not save lives and reduce violence? After all, although semiautomatic assault weapons are less than 1 percent of this Nation's privately owned guns, they accounted for 8.4 percent of all violence traced to crime from 1988 to 1991. And also I do believe that this legislation makes fair, reasonable accommodations to the interests of hunters

and sportsmen. It specifically exempts 670 hunting and recreational rifles and shotguns. It bans only 19 assault weapons which are the weapons of choice for gangs, drug dealers, and organized crime.

It is time to act to get these rifles off the streets and protect our families, our children, and our communities. Ask the parents of a child killed in a drive-by shooting, the children of a police officer gunned down with an AK-47, or a young man permanently paralyzed because he went to the grocery store when gang members swept through his neighborhood, how they would vote on assault weapons. We know the answer. They would vote, yes.

Mr. Chairman, I urge my colleagues to do the same.

□ 1440

Mr. BROOKS. Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington [Mrs. UNSOELD].

Mrs. UNSOELD. Mr. Chairman, the violence that is ripping apart our families, classrooms, and communities is nothing short of a crisis. No one can feel good about society's collective impotence in lessening the impact violence has on our everyday lives—and the siren call for stricter gun control measures may on the surface sound "oh so appealing." But we must ask ourselves if a ban on so-called "assault weapons" will actually be effective or fair. The proponents of this ban would eliminate in one fell swoop an entire class of legitimate firearms based solely on its looks: from military look-alikes to sporting guns like the Springfield M1A, the firearm used by the majority of this country's most successful competitive shooters. Banning this gun or that gun based solely on cosmetic appearance and subtle mechanics is a tragic misplacement of legislative priorities sure to lead to greater disillusionment for those who yearn for a greater sense of security.

The proponents also claim that passage of this bill will go a long way toward ending violent crime yet auto-loading arms are involved in less than 1 percent of all serious crimes in this country. Responsible use of firearms by responsible owners would be prohibited because of the false premise that gun bans are the cure-alls of the crime problem—all the while this body looks away from the roots of the antisocial behavior that truly cause crime. Guns are not at the root of criminal behavior. Rather, their use in criminal acts is a derivative of criminal behavior—and banning them doesn't solve the problem. Stemming the rise in crime takes a Congress dedicated to preventing crime at its roots—not taking rights away from law-abiding citizens.

There is nothing more important to our Nation than how we rear our children. We must break this cycle of

unloved, neglected, and abandoned children who mindlessly lash out in their own form of self-hatred and destruction.

Last month I held forums in my district on early childhood education and violence prevention. The overwhelming testimony expressed by expert panelists and attendees alike was that crime begins from failed human relations at a very early age—when conscience and compassion have not been taught. We must help families with young children and more must be done to help children and families avoid the problems that lead our youth to gangs, drugs, and senseless violence. In April I introduced a bill to help do just that. If we assist struggling families with young children, we help all families and all children. Parents will be given the opportunity to interact with other parents and to learn more about basic child development, positive discipline techniques, and parent-child communication skills. The foundation of antisocial behavior is laid in those very early years of childhood so it is not only wise to invest in children and families, it is incumbent on elected officials to do so.

That does not mean we should ignore gun controls that are already law, we should throw the book at anyone who uses a firearm in the commission of a crime. We should demand maximum punishment under the law for anyone who traffics in stolen weapons and demand unequivocally at least 30 years for any supplier of firearms to juveniles. These are heinous crimes that deserve every ounce of determined enforcement.

I want to end with this thought: the emotions we have expressed today over this issue are as strong as any I have witnessed in this great body. Fear; Anger; Frustration; and Despair. And at the pit of it all, in the gut, the need to do something about it. I understand—I feel that, too. So I reach out to all of you, I urge you not to settle on ineffective and unconstitutional firearm restrictions, but rather to fight with me to get the real roots of violence, the anti-social behavior that leads to tragedies in our families and on our streets.

Mr. SENSENBRENNER. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Maryland [Mr. BARTLETT].

Mr. BARTLETT of Maryland. Mr. Chairman, I rise in strong opposition to this bill, which will do nothing to fight crime and infringe on our second amendment rights.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico [Mr. SCHIFF].

Mr. SCHIFF. Mr. Chairman, this is an attempt to legislate through label. By mistakenly placing the title "assault weapons" arbitrarily on this group of firearms, and having the term

"assault weapons" repeated over and over and over again in much of the media, it has served to totally confuse the issue about what weapons we are talking about here.

It has even confused matters on the House floor. I heard a senior Member of the House just a moment ago say we need to ban automatic weapons. There is not a single automatic weapon in this bill. That is because automatic weapons—these are the true military combat weapons which can be set for constant fire with one pull of the trigger—are banned today.

The weapons we are actually talking about do not fire any differently than the weapons that are not banned. If there were a difference between them, the proponents of this bill would have demonstrated that on the range by placing one against the other in a test that the media and the public could see.

But I think that the real crux of this bill, the real way to know if this is legitimate law enforcement, in which I consider certain gun control proposals apart, or just grandstanding is the fact that this bill, if it becomes law today, will not ban a single weapon today. The law exempts all of the weapons that are called assault weapons today. Every one who owns one legally can keep one legally.

If the proponents believed all the rhetoric they have been stating, if they believed these weapons have no useful purpose in society, then they would ban them today. The reason they do not do that is that they know that over one million Americans, law-abiding Americans, have chosen to own these weapons, and the Government does not relish the thought of confiscating these weapons from so many law-abiding Americans and all the bad publicity that would bring to the proponents' argument that these weapons are supposedly owned by criminals and drug dealers.

Mr. SCHUMER. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY. Mr. Chairman, the NRA apparently has never seen a gun it didn't like.

The "R" in NRA clearly no longer stands for rifle; I say it stands for reprehensible.

It managed to hold Congress hostage for years over the Brady bill. Now the NRA is really insulting our intelligence. It's suggesting that it would be a blow to democracy for Congress to regulate guns whose sole purpose is to kill as many people as possible as quickly as possible.

Violent crime in our country has reached atrocious proportions when in a few seconds of gunfire, a violent and deranged person can slaughter dozens of innocent people.

Doctors from all over the world come to America's major cities for intensive training in emergency medicine. It is a sad commentary on our American way of life—and death—that in our emergency rooms, they will receive

more experience in treating penetration wounds in one night than they would in a whole year back home.

It boggles the mind to imagine how we can fail to limit the availability of weapons and ammunition which have no legitimate sporting purpose.

The American people and the people of New York City that I represent want safe streets and neighborhoods for themselves and their children. They don't buy the NRA argument that the second amendment should allow some screwball with a street sweeper to blow away whole playgrounds full of their children.

This Congress had the courage to break the stranglehold of the NRA over the Brady bill, and its more than high time for us to do the obvious today.

Mr. Chairman, the assault weapons included in this bill are not instruments of sport or self-defense; they're instruments of murder—and I don't want to be an accomplice. Vote for the assault weapons ban.

Mr. SCHUMER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Oklahoma [Mr. MCCURDY].

Mr. MCCURDY. Mr. Chairman, this is an issue of common sense. My colleagues, what kind of country do we want?

The first time I went to a foreign country and saw uniformed police in the airports and street corners with military assault weapons, I shuddered. And yet today, we are now manufacturing and selling these very weapons not for our military, but for public use.

In 1991, Mr. Chairman, I voted against a ban that I considered was worded too broadly. But this bill is narrower and specifically protects sporting guns. I own two shotguns that are even on the list of the 670. This ban does not affect a single weapon legally owned.

Mr. Chairman, every one in this Chamber also knows that this ban is not going to solve crime and is not going to eliminate all the violence. But I voted for the toughest prevention, punishment, and police provisions in the recent crime bill. I successfully offered the police corps amendment that will add 100,000 police officers to our cities and towns.

But we should not let them be outgunned. The police chief in my hometown said, "It is just too easy to purchase these high capacity assault weapons. They have become an officer's worst nightmare."

There is much talk about individual rights. But we as citizens also have a responsibility to our community and our Nation. We do not need these military-style assault weapons on our streets. I urge passage of the bill.

Mr. SHAYS. Mr. Chairman, I yield 3½ minutes to the distinguished gentleman from California [Mr. HORN].

Mr. HORN. Mr. Chairman, I grew up on a ranch near San Juan Bautista, CA. I was taught to shoot at a very young age. If the guns we are banning in this

particular piece of legislation had been in existence, any hunter that used them to shoot a deer or to shoot at rabbits, would have been laughed out of San Benito County.

I now live in urban America. My policy consistently has been if you want a gun in your home, have one in your home. If you want a gun at your business, have one at your business. However, if you have a gun in a car and you are driving around urban America, as far as I am concerned, you better have a permit or off to jail you go. You should live in urban America, where we have people shot by the thousands, by teenagers, by young hoods, from all walks of life and all ethnic groups.

I happen to have taken a stand against assault weapons several years ago. It was in the Republican primary. My seven opponents got up and parroted the NRA. I won.

I remember an issues survey we did of Republicans during the 1992 primary. That survey cost \$10,000. One of the questions was on banning guns, on banning assault weapons.

□ 1450

Sixty-five percent of the Republicans in my district favored that ban. I suggest that a few of my colleagues ought to get in touch with what the grassroots in urban and suburban America really thinks.

On February 22, a Los Angeles police officer and mother of two, Christy Lynne Hamilton, was gunned down in the line of duty. The weapon used was an AR-15, the civilian version of the M-16 assault rifle. The shooter was not a hardened criminal. The implication by some in this debate has been "If only those hardened criminals were put away, then we would solve the problem." Sure, those criminals ought to be put away. I support the proposals of the gentleman from Florida [Mr. McCOLLUM]; I voted against the rule which precluded him from having a vote on his amendment. The Committee on Rules should have permitted his amendment. It did not. That decision was shameful.

But the hardened criminal, the drug dealer, or the gang member was not the individual shooting at Christy Lynn Hamilton. It was a 17-year-old former honor student. The assault rifle used in this crime was not stolen. It was not transferred illegally. It was a gift from his father, who also was killed in the incident.

Now, if this legislation has no effect, as many of those in opposition have said, why do they not humor us? Why do they not pass it? Maybe we can save a few lives.

Just yesterday I was visited in my office by Stephen Sposato, whose beloved wife, mother of his 10-month-old daughter, Meghan Marie was tragically killed by a spray of automatic fire in an office in San Francisco. She was not

killed in the cross fire of two gang members. That happened in Long Beach.

One of our staff at California State University Long Beach, lost his daughter who was innocently sitting in the back of a pickup truck going down the street. One gang member was driving east. The member of a rival gang was driving west. When one of them shot at the other, they killed the daughter of the university employee.

Now, the tragedy occurred while Mrs. Sposato mother of Meghan Marie, was at work in a San Francisco law firm.

What we are talking about here are banning weapons that have absolutely no valid purpose, but to kill others very rapidly.

I can recall Tom Likus' call-in radio show in Los Angeles. The issue was the second amendment. Two very articulate individuals phoned in and claimed that they had a constitutional right under the second amendment to have nuclear weapons in their home.

Now, think about it, folks. How silly can some of this get?

What we are prohibiting in terms of new purchases are weapons that no legitimate hunter and no citizen who wants to defend his or her home needs or would use. Since May 1st, 369 constituents have telephoned supporting this measure, 286 constituents have telephoned their opposition. It is clear that those in the 38th Congressional District in 1992 and 1994, by a majority, want reasonable, limited restrictions on these weapons designed to kill many people very rapidly. Those weapons need to be taken off of our streets. So for those who think this bill will be ineffective in reducing crimes where guns are used, humor us. Pass this much-needed, long overdue legislation. Maybe, as I have said, just maybe we can save a few lives.

Mr. SCHUMER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from North Carolina [Mr. VALENTINE].

Mr. VALENTINE. Mr. Chairman, I have many fond memories of hunting ducks and geese with my sons in eastern North Carolina.

My father taught me the joys of hunting. He also gave me a healthy respect for the sanctity of life. I hope that I have done the same for my children, and that they will be able to do the same for their children.

No one on this floor today, and no one who has ever served in this august body, has ever believed more strongly in preserving a citizen's constitutional rights than do I.

But, no one in this body is more aware than I am of the daily escalation of weaponry facing our law enforcement officials and other citizens. No one is more concerned about the children of this country who, instead of playing dodge ball, are having to learn to dodge bullets fired from semi-automatic weapons.

We, in Congress, have the sworn responsibility to preserve and defend the Constitution and the rights it bestows on our citizens. We also have a responsibility to promote the safety and well-being of our citizens.

Mr. Chairman, there is no place in this country where it is legal to carry a sawed-off shotgun. The right to bear arm does not give an American the right to park a Howitzer in the garage.

It is time to put a stop to the proliferation of dangerous weapons such as the AK-47, the Street Sweeper, and the Striker 12. These weapons serve no reasonable, lawful purpose except to kill people.

God help us all if we do not seek to bring sanity back to our cities and towns, to get these weapons of war off of our streets.

Recently, I received a letter from a Federal judge in North Carolina. In his letter, Judge Earl Britt writes,

I was raised in the country * * *. I have been a lifelong hunter. I am an active quail and deer hunter. I value and cherish the hunting heritage and have passed it on to my two sons, and hope to pass it on to my present and future grandsons.

However, something must be done about the proliferation of assault weapons and handguns. The carnage in our society from these type weapons has reached crisis proportions. For the sake of our children and grandchildren, please cast your vote for this sensible legislation.

I urge my colleagues, especially those concerned about the rights of gunowners and innocent citizens, to listen to the wisdom of Judge Britt and join me in support of this legislation.

Mr. SCHUMER. Mr. Chairman, I thank the gentleman for his courageous stand.

Mr. Chairman, I yield a minute and a half to the gentleman from Georgia [Mr. JOHNSON], whose district constitutes southern rural Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I support the assault weapon ban because very simply, I believe that it will save lives. Let me be clear, I do not think it will reduce crime in America. Hopefully the measures in the crime bill will do that.

What this bill does is to reduce the number of victims of violent crime. This measure simply saves lives.

The most important thing this bill does is to ban large capacity clips like those used in the recent California schoolyard and New York commuter train killings in which dozens of people died. In fact, the madman in New York was subdued only when he stopped to reload.

We cannot stop sick individuals from getting guns, but what we can do is make it harder for them to get weapons equipped to fire dozens of shots without reloading. This is the real effect of this legislation.

I support the second amendment. I grew up in a culture that values and respects guns. I enjoy hunting and have

guns in my own home for protection. Hunting and home protection are not the issue in this case. Killing people is the issue.

I firmly believe that if these guns are banned, the effect will be to reduce the potential for mass killings in America.

I will leave Members with this question: If a madman walks into a fast food restaurant where your wife and children are eating, would you rather he have a six-shooter or a weapon that can wipe out every person in the building? That is what this bill is about. I urge its adoption.

Mr. Chairman, I support an assault weapons ban because, very simply, I believe that it will save lives. Let me be clear—it will not reduce crime in America. Hopefully, the tough measures in the Crime bill will do that. But what this bill will do is reduce the number of victims of violent crime. This measure simply saves lives.

The most important thing it does is to ban large-capacity clips like those used in the recent California schoolyard and New York commuter train killings in which dozens of people died. In fact, the madman in New York was subdued only when he stopped to reload. We can't stop these sick individuals from getting guns, but what we can do is make it harder for them to get weapons equipped to fire dozens of shots without reloading. This is the real effect of this legislation.

I have heard from a lot of my constituents on this issue. Some of them supported the ban; others didn't. I talked to police officers who said they wanted to maintain their ability to get these kinds of weapons for protecting the public. This bill allows them to do that. I heard from hunters and sportsmen who told me of the guns they use for those pastimes. This bill protects 650 specific weapons that they use. I have also heard from people who cannot understand what legitimate purpose guns that fire 150 rounds without reloading can possibly serve.

I do not vote for much gun control legislation. I support background checks because I think they are effective, and I do not support waiting periods because I do not think they are effective.

I support the second amendment. I grew up in a culture that values and respects guns. I enjoy hunting and have guns in my home for protection. Hunting and home protection are not the issue in this case. Killing people is the issue. I firmly believe that if these guns are banned, the effect will be to reduce the potential for mass killings in America.

I leave with this question: If a madman walks into a fast food restaurant where your wife and children are eating, would you rather he have a six-shooter or a weapon that can wipe out every person in the building? That's what this bill is about, and I urge its adoption.

Mr. BROOKS. Mr. Chairman, I yield 3½ minutes to the gentleman from Michigan [Mr. DINGELL], the distinguished chairman of the Committee on Energy and Commerce.

Mr. DINGELL. Mr. Chairman, I rise in opposition to H.R. 4296.

This bill bans a class of commonly owned firearms based on technology

that has been in use for more than a century. We know about the 19 weapons banned by the bill. We also know about the 670 hunting and recreational rifles and shotguns specifically exempted by the bill. But let us look at all the facts:

First, 585 of the 670 firearms "protected" by the bill are not semiautomatics. They are bolt and slide action weapons that have nothing to do with the substance of this bill. For what purposes are those 585 guns listed, and why are only currently manufactured makes and models listed?

Second, the vast majority of semiautomatic handguns certainly do not have the assault features listed in the bill—but not one handgun is protected under the bill.

Third, the gentleman from New York says his bill would not affect sporting guns. That is contradicted by ATF Director John Magaw who told our colleagues in the other body that the Springfield M1A would be affected. That rifle is the most popular rifle used by high power target shooters in matches, including the National Matches, which were established by Congress in 1903.

Fourth, ammunition magazines holding over 10 bullets would be treated as banned and treated as "firearm" in the bill, but we are told magazines manufactured prior to enactment of this bill would be grandfathered. How does someone in possession of one of these magazines prove it was manufactured prior to the date of enactment so as to avoid criminal prosecution?

□ 1500

Fifth, the bill says that anyone owning a weapon banned by this bill prior to its enactment is not affected if a form 4473 is filled out and kept and that the form is transferred with the weapon. Yet, under the bill, the Secretary has the authority to require additional forms and additional information to be filled out and maintained. There is no guidance whether this form, or forms, are to be filed with anyone, or how these forms are to be maintained.

Completing a Federal form 4473 to prove compliance is not required under H.R. 4296 until the firearm is transferred. Under the legislation, if a father gives his son a gun that is classified as an assault weapon under this legislation, in order to comply with regulations to be written by the Bureau of Alcohol, Tobacco, and Firearms [ATF], the son must complete a form 4473 and both parties must keep a copy. The legislation leaves the details of the availability of these forms as well as any filing requirements with Federal or local authorities to the discretion of the ATF. This is the first incursion of the Federal Government into private firearms transfers, because all swaps, sales, gifts, and inheritances would re-

quire the completion of a form 4473, thereby leading to the registration of all firearms.

However, the provisions dealing with previously owned, lawful firearms covered by this legislation are even more alarming. According to the legislation, previously owned guns are grandfathered and not subject to registration. But proving a firearm was owned prior to enactment without a form 4473 is virtually impossible without registration. Additionally, although high capacity magazines are grandfathered under the bill, it will be equally difficult to prove that the magazine was owned prior to enactment. This would lead to de facto gun registration of both firearms and magazines.

Without a completed form 4473, an owner of a banned gun or restricted magazine could not prove that he or she owned the firearm prior to enactment. And without proving compliance—by forcing law-abiding citizens to fill out and maintain Federal Government forms—a gun owner could face a 6 month prison sentence and a \$1,000 fine.

Sixth, it is said by proponents that the legislation provides no additional authority to ATF to ban more guns. Yet, the Bureau of Alcohol, Tobacco, and Firearms has said that virtually any semiautomatic could be included on the list of banned guns by making cosmetic changes, or removed from the list for the same reason.

And additional firearms may be added by the Secretary of the Treasury if the semiautomatic firearm in question meets the criteria in the bill—an act which can instantly convert hundreds of thousands of innocent law abiding Americans into criminals.

How this bill would affect crime in this country. No reputable research done to date, including statistics gathered by the FBI, the Department of Justice, in the States, or by ATF, suggests that even the broadest definition of that class of firearms loosely defined as assault weapons occupy other than a statistically insignificant portion of the crimes committed with all firearms.

I have in hand a study conducted by ATF and other law enforcement offices in the Detroit area completed in 1992 which focused on narcotic related firearms seizures and shows that:

Thirteen of the 19 firearms listed in H.R. 4296 were not even represented among the 2359 firearms examined.

Of the firearms in the "top 24" by volume, only one of the firearms named on this bill is present.

The "firearm of choice" of narcotics violators is not an assault weapon at all, nor is the second or the third.

In fact, there were more Winchester model 1894 30-30's recovered, a 100 year old gun everyone would immediately recognize as the gun cowboys used to fight off rustlers in the movies, than the two more popular frequently mentioned firearm in this debate the Colt AR-15 or the TEC-9.

This same conclusion is reflected around the country and I urge you to contact your local law enforcement office to ask them to show you the data related to the use of any of the firearms in this bill in crime. In at least several instances such as with the Steyr Aug, the Beretta AR-70, or any Galil, your local law enforcement will never even see these firearms.

The majority of the other guns on this list will figure only marginally at worst. The lipservice paid to those who currently own these firearms by the sponsor of this bill that will be grandfathered is little more than a fig leaf hiding a much broader agenda. It has been suggested that because this bill does not immediately seize these firearms, or criminalize possession by current owners that those who now own them will be protected. I think that proves that there is a wider agenda here. That is the registration and licensing of all firearms owners, the primary purpose of which has historically been to locate and identify firearms for confiscation.

It is not difficult to surmise what the next step will be.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise today to speak in ardent opposition to the adoption of the so-called assault weapons ban legislation. I rise today not to speak eloquently like so many of my colleagues have on whether this bill will reduce crime, because it will not. I do not seek the House's attention on whether this bill will keep guns out of the hands of criminals, because it will not. I need not comment on whether there are any meaningful distinctions between these semiautomatic firearms and all the other semiautomatic firearms, because there are none. I am not obligated to explain if these rifles are truly weapons of war, because we all know they are not.

There are many good reasons why this legislation should be soundly defeated. But perhaps the most important one of all has been kept from plain view. Yesterday, Charlton Heston, one of the most beloved performing artists in the Nation, and a long time civil rights leader and spokesperson, summed up quite well what this ban is all about. He pointed out that movie studios often use back lots, such as in Westerns, that certainly look real on camera, but are simply facades. That, Mr. Chairman, is what this is all about. It's simply a facade with no substance behind it. But I will tell you what is behind it, and I hope that every Member listening at this moment reflects with care upon what their vote means.

When the Brady bill, now the Brady law, was passed, what you heard most

frequently on the part of those who had long campaigned for it was the comment, "Yes we know it will not really reduce crime at all, but it's a good first step." I can assure you that what you will hear from the supporters of this legislation, many of whom have testified before Representative SCHUMER, like Jim and Sarah Brady, is the statement: "Yes, we know that it may not be a terribly effective crime reduction measure, but it is another good step." Mr. Chairman, how many steps will it take? As every Member in this body is aware, the Brady's Handgun Control Inc., and some Members are now supporting in part or in whole legislative efforts to:

First, reduce the number of guns in this country as much as is feasible; second, require the licensing and registration of firearms owners and firearms; third, impose stiff and confiscatory taxation rates on law abiding purchasers of firearms and ammunitions; fourth, eliminate certain types of firearms from civilian possession, such as that proposed in this bill, as well as severely limiting how many cartridges a firearm can hold and use; and fifth, imposing an ever expanding zone of tort and product liability on the part of firearm owners, manufacturers, dealers, and others for engaging in lawful ownership and sales activities.

So, Mr. Chairman, what is behind the facade of this legislation? What is the real point of this bill? I submit to you and every Member of this Chamber that since there is no substance behind this bill, there must be a very good political reason. Oh yes, to be sure, the President, the Attorney General, and some Members of the Congress would like to be seen as tough on crime. There will be Americans, and I'm sure there are some watching now, that genuinely and sincerely believe that this political reason is both a valid and sufficient one for the legislation.

But there is also another reason that the President and others want this bill, and it too is a political one. It is a part of a political agenda which the President does not want to share fully with the American people. The truth in this case is that we have a President, an administration, and some Members of this Congress who believe that this country would be much better off if the law-abiding citizens of this Nation were essentially disarmed.

An unreleased section of the report to the President and the Domestic Policy Council from the interdepartmental working group on violence ought to disturb most law abiding citizens in this country. The report recommends, among other items that:

The Federal Government should study the effectiveness of strict licensing on reducing firearm deaths.

We should consider further limiting production of certain new firearms and ammunition.

In addition to bans on assault weapons, consideration should be given to placing much higher taxes on handguns.

Excise taxes on handguns and particularly dangerous ammunition could help offset the cost of providing medical care to gunshot victims.

Impose requirements on firearm purchasers to be licensed and/or mandated to register their firearms.

Increase firearms dealer liability for negligent sales.

Require firearm purchasers to pass a gun safety test and background check to receive a permit to purchase any firearms or ammunition.

Create a class of restricted firearms. This list would include all handguns and semi-automatic long guns that are not otherwise outlawed and could be purchased or carried only by persons holding valid registration certificates. These restricted weapons certificates could be issued by the local police or local licensing authorities only after applicants have passed a background check for felonies, violent misdemeanors, or mental illness; demonstrated the satisfactory knowledge of the safe and responsible use of firearms; accepted liability for injury for negligent use or storage of these weapons; and show that the firearms would only be used for specified legitimate purposes.

If you had a restricted firearm, you could only have it in your home, your place of business, or a target range, and the unlawful public carrying of a restricted firearm would be punishable as a Federal offense.

Set up three classes of firearms: banned, restricted and unrestricted.

The Federal Government would regulate secondary transfers of all firearms to prevent their delivery to those prohibited by law to have weapons. To transfer or sell a firearm to another resident, an unlicensed person, meaning a typical gun owner, would have to go through a licensed gun dealer and document the transfer in the dealers' records or mail a transfer application to the local police.

Impose new requirements on gun owners before they could acquire firearms regarding safe carriage, storage and use.

Regulate firearms under design and safety standards as dangerous consumer products.

Perhaps the most insidious part of the firearms section concerns recommendation No. 5, which recommends reframing the public debate of firearms. That, Mr. Chairman, is precisely what this assault weapons ban is all about. And perhaps the damning statement in the section of this report reads as follows: "We have learned a lot of lessons about how to change behaviors as well as focusing on the firearms themselves. You can't take guns away from men who are frightened, from women who are scared or from commu-

nities which are scared without giving them reassurance and a sense of security."

Every American should mark those words well, because there are really only two elements to that statement. The first is that there are many men and women across this country that are frightened. Frightened by what they confront on a daily basis. They lead good lives. They attempt to raise their children in a healthy and loving manner, they pay taxes, and yet they must suffer the indignity and the pain of being crime victims. But this administration wants them to suffer a further indignity. And that is to take away a civil liberty. They will be a victim twice—once from crime and the second time from their own government.

Ask yourself one simple question: Do you really think that the real purpose of this legislation is to reduce crime and to help our citizens? On Tuesday, the Wall Street Journal ran an editorial that deserves a response from this President. Why is the President concentrating his efforts on assault weapons, firearms that are involved in less than one-half of 1 percent of all violent crime, when the largest cause of our truly violent era of crime is drugs? He has cut his drug control staff by 80 percent; he has endorsed a strategy of cutting 600 or more Federal drug enforcement positions; he has proposed cutting more than 100 Federal drug prosecution positions. His attorney general wants to moderate mandatory minimum sentences for drug trafficking, and his Surgeon General wants to study drug legalization. That's no anti-drug or anticrime strategy.

So for those of you who are receiving phone calls from the President, and are having your arms twisted by the White House staff, or by other Members of Congress, why don't you ask them some simple questions: First, does it end here, Mr. President, or will you ask for confiscatory gun and ammunition taxes? Will you propose and support licensing and registration for all firearms owners? Will you ask for more banned guns? Will you have more restricted firearms? And in the end, also ask the President this question: If the police cannot provide a full measure of protection to myself and my family, will you?

I say to my colleagues—mark this question well—because these are the words that all citizens will ask us when we return home. It will be a simple question for them. Did you help us or did you hurt us? If you want to know why the public is fed up with legislation that masquerades as crime control, you need to really understand that the rest of the story behind the tragedy President Clinton cited this week to support adopting this bill.

Capt. James Lutz, a veteran Wisconsin police officer was killed last week.

Among the suspects is James Oswald. What is remarkable about this terrible death is not that Captain Lutz was killed by a semiautomatic firearm, but that Mr. Oswald was never prosecuted by Federal authorities months before last week's shooting for Federal firearms violations. And while reasonable men and women can disagree over much of what passes through these Chambers, I think the case here is very clear; this bill will not protect anyone, and the true agenda it supports will hurt the American people and all our freedoms.

Mr. SCHUMER. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Illinois [Mr. REYNOLDS], one of the lead cosponsors of this bill.

Mr. REYNOLDS. Mr. Chairman, today I come before this body and say we must pass 4296. First, we must pass this bill because of what is happening in our streets, neighborhoods, and towns in this country.

Second, we must pass this bill because the way in which our society has changed demands that all of us reexamine our consciences on these tough issues.

For myself, when I came here as a freshman this term, I never thought that I would be voting for the death penalty, but I voted for a crime bill that added over 60 crimes to the list of those that are death-eligible. I did so because the nature of violence in our society demands that our response to this be assertive, tough, and absolute.

Third, we must pass this bill if we are to be at all consistent in our approach on crime. I strongly contend that one cannot be tough on crime, yet exempt assault weapons from that approach. Such an approach tells the American public that we are not truly serious about being tough on crime. We punish the crime, but we hold the weapons of destruction sacred.

Recently, we were so tough on crime in this body that we took away the weights that prisoners use to exercise with. We were so tough on crime that we wanted to ban Pell grants for prisoners to get education. I voted for that.

We voted to make drive-by shooters eligible for the death penalty, because we wanted to be tough on crime. Yet, many of the people who went back home and told their constituents how tough they were on crime would allow that same gun that was used in the drive-by shooting to continue to exist in our society.

In other words, we will take a 17-year-old, we will try them as an adult if they drive by and shoot and kill someone. We will possibly send them to their death, but we will not do anything about the MAC-10 or the Uzi or the TEC-9 that they use. That is hypocrisy, and we ought to be ashamed of it. Let us have some courage and stand up and pass this bill.

Mr. SHAYS. Mr. Chairman, I will take this opportunity to yield 1 minute to the gentlewoman from the State of Connecticut, Mrs. BARBARA KENNELLY, the sister of the chief State's attorney.

Mrs. KENNELLY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, this is a difficult debate, for so many a tough vote. And as so often happens, with difficult situations, things get exaggerated or diminished.

There are those who say "pass this bill and we will have dealt with our serious crime problem in America." Of course that is not true. There are those who say these weapons are being given an unduly bad reputation, and taking them away from sportsmen is like taking away my new golf high-tech driver. Of course that is not true.

What is happening here today is what happened with the Brady bill. We are beginning to face the truth—that guns in the wrong hands are devastating the cities of our country.

I vote for this bill because we have to begin to end the insanity of innocent bystanders being caught in the crossfire of criminals.

I vote for this bill in memory of Marcellina Delgado, shot dead on the way to visit her grandmother in Hartford, CT.

I vote for this bill in memory of Samuel Arroyo, shot dead while picking up his pregnant wife at her mother's.

I vote for this bill in memory of Jacqueline Booth, shot dead pushing her 1-year-old daughter's stroller in Hartford.

These deaths all occurred in the last few months. These people were not drug dealers, they did not belong to gangs. They were just in the wrong place at the wrong time, and a gun was there too.

This country cannot sustain itself with this type of insanity going on in the streets.

(At this point Mr. MFUME assumed the chair as Chairman of the Committee of the Whole.)

The CHAIRMAN. The gentleman from Texas [Mr. BROOKS] has 13 minutes remaining, the gentleman from Wisconsin [Mr. SENSENBRENNER] has 17 minutes remaining, the gentleman from New York [Mr. SCHUMER] has 18½ minutes remaining, and the gentleman from Connecticut [Mr. SHAYS] has 13¼ minutes remaining.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Tennessee [Mr. CLEMENT].

Mr. CLEMENT. Mr. Chairman, this debate has sure aroused the attention of this country, and it needs to. Recently we debated and voted on a tough crime bill, but I rise today to encourage my colleagues to oppose this bill. I am one of those that were in the undecided category.

During the long debate over the Brady bill, which I supported, along with other colleagues, I received assurances that our States would be exempted from the Brady bill. Tennessee already had an even stricter 15-day waiting period which had successfully been in place for over 10 years.

To our surprise, on March 1 of this year, the long arm of the law, in the case the ATF, enforced the Brady law in Tennessee and other States, regardless of the fact that our current laws were even stricter. Now Tennesseans have to fill out both a Federal form and a State form that only causes bureaucratic delay and confusion.

I wonder why we did not get a cooling-off period? The ATF now has asked us to trust that this is only a ban on 19 weapons, only a ban on military-style weapons, only a ban on guns that are not used for sporting purposes, only a ban on magazines with a capacity greater than 10 rounds. Why, they even go as far as specifically protecting 650 guns by name, but only as long as they do not look like assault weapons.

Mr. Chairman, I am here today to say that I am of the opinion that this will only be the beginning of a long list of semiautomatic weapons that will be banned. As a matter of fact, the bill clearly allows the ATF to stop copycat models, but allows open-ended definitions of copycatting.

□ 1510

What assurances do we have that the 19 weapons banned in this bill will not eventually be 119 or 1,900 after the ATF has had a chance to interpret, define and even change the classification.

Mr. Chairman, I am continuously sickened by the number of violent and heinous crimes that are committed in this country. I know everyone else is as well. We live in a country with rights guaranteed by our Constitution, and let us work to preserve those rights. People need peace of mind, not a fear of losing their rights.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, it is a tragedy that we are not debating a real bill to ban real assault weapons today.

Let me show you an assault weapon. This is Russell Obremski. He is an assault weapon who was allowed out on our streets. After having served 1 year of a 20-year term for statutory rape, he was allowed to go back on our streets, back in our neighborhoods; after the brutal slaying of two women, he was sentenced to two life terms but he was paroled, and Mr. Obremski completed his criminal career sodomizing a 4-year-old girl.

Mr. Chairman, the point is our streets are not safe today because real assault weapons are on the streets and these real assault weapons are criminals and the one thing that this House

of Representatives cannot do, and pardon me if I disagree with my colleague who said we are tough on crime because we have deprived criminals of their weight-lifting apparatus in prisons, the one thing we cannot do is warehouse criminals, and this is a contest between those who want to confiscate weapons because they want to defer the warehousing of criminals and people who want to confiscate criminals.

Mr. Chairman, I have to say to my friend, the gentleman from New York [Mr. SCHUMER] and his compadres in this debate, they are not going to get a phone call from Russell Obremski and his colleagues, serious felons, saying, "You know, we saw that legislation pass and we are ready to turn our guns in." What you are going to do is initiate a string of citations and arrests of plumbers, of service station owners, of businesswomen, of people who unknowingly now have violated this list which we are told now can be extended to some 160 weapons. That is what we are doing.

Mr. Chairman, there is no common sense in this bill. In San Diego County, the M-1 rifle, the match rifle that our guys brought back some 50 years ago from World War II will be included on this list according to the authorities.

Mr. Chairman, we have had tens of thousands of these guns, but San Diego is not unsafe because those guns are there, it is unsafe because people like this, murderers and criminals, are turned right back on the street, and the average time a convicted murderer spends in jail in this country is 5 years.

Mr. Chairman, the man pictured on this chart is an assault weapon.

Mr. SCHUMER. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, the whole idea of our bill, if the gentleman would leave that chart there, is very simple: To prevent people like Mr. Obremski from getting assault weapons. He should be locked up, but if he is not and people like him are not, they should not have assault weapons.

Mr. Chairman, we need both. We need tough punishment and we do not want the criminals to have assault weapons.

Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. CONYERS], the distinguished senior member of our committee.

Mr. SHAYS. Mr. Chairman, I yield 30 seconds to the gentleman from Michigan [Mr. CONYERS], chairman of the Committee on Government Operations.

Mr. CONYERS. Mr. Chairman, I support this assault weapons ban because the time has come to halt the arms race in the United States and a ban be placed on these weapons of war. Semiautomatic assault weapons are lethal killing machines, designed to tear the life out of another human being as quickly and efficiently as possible. Street gang members, drug traffickers,

and other criminal elements prefer these weapons because they intimidate as well as they perform.

That we are even having to debate whether people should have access to these machines of death is a sign of how irrational this issue has become. These weapons do not belong on the streets, because if people have assault weapons, they are going to use assault weapons.

Yesterday, Mrs. Gloria Ghee, a mother in my district told me of the death of her son Yrral who was shot over 30 times with an AK-47 in broad daylight on a lovely morning in September. His body was so mutilated that she could barely recognize the person in the coffin as her son. Who is willing to tell her that the life of her child is not worth our taking action to prevent the manufacture and importation of these kinds of weapons?

Who will tell Mrs. Geneva Reiley, yet another mother in Detroit that the gun that killed her child is a sporting weapon? Her son was shot 18 times with a semiautomatic assault pistol. A model student set to graduate from high school will never realize his dream of going to college.

When I spoke with Mrs. Reiley, she urged me to help get guns off the streets so that other families would not have to suffer as hers has. For her, every day and night serves as a reminder of what was lost.

This debate is not about target shooting or hunting, it is about the safety of our children. This legislation will in no way encroach upon the legitimate gun ownership of game hunters or those citizens who believe they need personal firearm protection.

An assault weapon is 20 times more likely to be used in crime than a conventional firearm. We will only ban 19 specific weapons, and the few others with specific military characteristics that have been found to disproportionately affect crime.

The senseless slaughter and madness must stop for life is too precious to be snuffed out.

For 30 years I have stood in this Chamber and participated in this debate about the increasing proliferation of guns in our society. This is an important moment as we continue the regulation of weapons that are too numerous and too available in our Nation. We must send a message that lethal, destructive, assault weapons that are used to kill or maim people will not be tolerated.

I urge all my colleagues to support the ban on semiautomatic assault weapons. Future generations depend on it.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the gentleman from Rhode Island [Mr. REED], the only West Point graduate in our Chamber.

Mr. REED. Mr. Chairman, I rise in strong support of this legislation. I

spent 12 years in the U.S. Army, I commanded infantry, paratroopers, qualified as Army Ranger, and I was issued an assault weapon.

Mr. Chairman, I was not under any illusions as to why the Army gave me that weapon. It was not for target shooting, it was not for hunting. It was in defense of my country to kill people. That is why this weapon was designed, that is why this whole class of weapons were designed. The characteristics of high rates of fire, portability, being able to affix bayonets, all these things are designed for one purpose, a military purpose, and we should ban these weapons as we have banned other military weapons, like the machinegun, like Claymore mines, like a whole range of military weapons because in an ordered society where the rule of law should prevail and not who have the fastest draw or the most firepower, these weapons are not appropriate.

Mr. Chairman, I urge passage of this legislation.

Mr. SHAYS. Mr. Chairman, I yield 2½ minutes to the most distinguished gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I want to make a comment about the M-1 target rifle that was mentioned earlier to be considered illegal. It is my understanding after looking at the list that the M-1 rifle is still and remains legal.

Mr. Chairman, when I served in Vietnam, my fellow marines and I carried some of the most sophisticated assault weapons in the world. They were M-14 and M-16 rifles and could fire 20 rounds at lightning speeds. We generally fired them on semiautomatic. Some could also fire like machineguns.

The enemy carried AK-47's, which was the Soviet-made gun-of-choice in all of the Communist countries at the time. They functioned in essentially the same manner, and were capable of rapid fire. I took a bullet from an AK-47; I can attest to their deadliness.

Today, just about anyone can go to a gun store and buy guns which are just as sophisticated as the ones we carried in Vietnam, if not more so, with the only difference being the automatic fire function. I remember the 18- and 19-year-old soldiers in Vietnam and how they seemed too young to carry such powerful weapons. Today, 14- and 15-year-old kids are getting assault weapons through gangs and they are killing each other.

Police generally carry service revolvers—six-shot pistols which fire much less rapidly than semiautomatics. In too many cases, police are going up against criminals who are armed like infantry soldiers, leaving police outgunned. A few years ago, in Stockton, CA, a gunman armed with an AK-47 killed or wounded dozens of children,

some of whom might be alive were it not for the AK's rapid fire and long-range capabilities.

The House of Representatives has been considering H.R. 4296, a bill to ban the manufacture and sale and 19 specific types of assault weapons. Anyone who owns one of these guns now is grandfathered, and no one would be required to turn in their guns or register them. The bill simply requires that the manufacturers of these guns can no longer make them available for civilian use.

What are these guns? The AK-47, used on the school children in Stockton, is the military weapon used by most former Communist countries. The AR-15 is the civilian version of the M-16, the standard rifle of the U.S. Armed Forces. The TEC-9, MAC-10, and Uzi are all semiautomatic versions of sub-machine guns. The Street Sweeper/Striker 12 is a rapid fire, semiautomatic shotgun designed for riot control for the South African police. These are not hunting rifles—they are designed to kill people and nothing else. I doubt you'll find any of these in a duck blind.

Some opponents of this measure have argued the bill will ban hundreds of guns—not just the 19 specific types. What the legislation attempts to do is prevent the manufacturers from simply changing the name and selling the same gun. It sets up assault weapon characteristics that will not be allowed on any future gun. These include grenade launcher, bayonet mounts, and flash suppressors designed to prevent detection in night firing.

The bill also bans the future manufacture of ammunition magazines which hold more than 10 rounds. Many of these guns can accommodate magazines that can hold up to 50 rounds of ammunition before having to reload.

The bill does not affect firearms which are used primarily for hunting. I own hunting rifles, and I hunt from time to time. Instead, the bill specifically protects 650 sporting rifles and specifies that none of these weapons may be banned while the assault weapon ban is in effect. Contrary to a popular rumor, the bill does not involve registration of any firearm. People will still be able to buy guns to protect themselves and their families, but not guns that were designed to mow down enemy platoons.

I don't believe that crime control should focus solely on gun control. We will only control crime when we are willing to put criminals away, and I have supported tough anticrime measures.

I voted for truth-in-sentencing measures to ensure that convicts serve at least 85 percent of their sentences before becoming eligible for parole. I voted for efforts to streamline the appeals process for death row inmates. And I voted for the "Three Strikes and You're Out" bill that calls for crimi-

nals convicted of three violent felonies to serve life in prison without the possibility of parole.

Many of my constituents have suggested that this proposal is inconsistent with the conservative agenda that I usually support. I might mention that Barry Goldwater and Ronald Reagan—the fathers of modern conservatism—have both formally endorsed a ban on assault weapons. But both of these men, as hunters, recognize the difference between weapons of war and sporting rifles.

It is true that crime control should focus on criminals and not guns. But when a 15-year-old gang member is armed like a commando, or when a police officer is the most poorly armed person on the street, it's time to exercise a little common sense.

I urge support for the bill.

□ 1520

Mr. BROOKS. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, I rise in support of this very important bill.

Mr. Chairman, I can remember well standing in this Chamber talking about gun control. That was back in 1968. My how time flies. It's 26 years later and we are still talking about gun control. Although the issues have changed over the years, now our topic is assault weapons, the arguments have remained the same. Mr. Chairman, have we really progressed so little in all these years?

Today we are here discussing man's cruelty to man. Our ability and apparent willingness to design, manufacture and use weapons of destruction on one another. We have failed to live up to our sworn duty and obligation to protect the American people and insure domestic tranquility. It is ironic: As our trees grow and the rivers flow our children die in the streets from the gunfire of semiautomatic assault weapons.

Now we must make the hard choices. Now we must take the necessary steps and protect the American people from this wave of violence washing over our Nation. The time to take decisive action is at hand. Society demands it.

It is not my intention, at this time, to relate the grim details of the dreadful casualty lists resulting from a lack of such control, except to say they are there for all to see. I hope it will not be necessary for me to recite the long list of public opinion polls, conducted among gunowners alike, that show overwhelming support for a ban on assault weapons. Nor should it be necessary for me to remind us all of the flood of mail now passing through our offices demanding strong and effective gun control.

I have read and heard the NRA's arguments and I find them very difficult to take seriously. Nowhere in the basic document of the United States is there a constitutional right, written or implied, giving an individual a separate right to bear arms. Many have made arguments to the contrary, stating that the second amendment gives an individual the right to bear arms. This is untrue. The entire provision reads as follows: "A well regulated militia, being nec-

essary to the security of a free state, the right of people to keep and bear arms, shall not be infringed." This legislation will not infringe on the rights of any law-abiding American. The right to bear arms is not absolute. The second amendment relates to the organization of a militia; not the organization of thugs and gangsters.

The rhetoric that resounds throughout this Chamber, deploring the violence in our streets, is made hollow and meaningless by the reluctance of this body to take substantive action in restricting the use of assault weapons. How can we justify the easy availability of these "gangster" weapons to those families that have lost a father, or a mother, a son or a daughter. Our refusal to enact this legislation will have the effect of sanctioning further violence.

In no other civilized nation does the assault weapon enjoy such freedom as it does in the United States. It is our shame that we have done nothing to stop the proliferation of these deadly weapons over the years.

I will be voting for H.R. 4296 and I ask all my distinguished colleagues to do the same. This legislation will be the greatest inconvenience to the criminals, who have thus far virtually unlimited access to assault weapons, which, in their hands, become instruments of death and destruction. This bill, over the long run, will have the effect of steadily eroding the supply of assault weapons that find their way into criminal hands. Assault weapons are not necessary for hunters or sportsmen. They were designed for warfare with the specific intent to maim and kill an enemy. They should be banned for use by the general public.

Although I can understand the reluctance on the part of this Congress to limit in any way the freedom of responsible sportsmen to purchase weapons for hunting and target shooting, the fact remains that those same weapons can be used to perpetrate crimes of all descriptions.

It would, indeed, be fortunate for sportsmen and legislators alike if those weapons, generally recognized as suitable for sporting purposes, could be relegated to a specific category entirely exclusive of weapons used in violent crimes. This is difficult to achieve, but I believe this is exactly what this bill sets out to do.

Unfortunately, weapons that kill game or obliterate bulls-eyes are just as efficient as instruments of human destruction, as those weapons designed especially for that purpose. But that is an argument for another day.

In closing, I would like to quote an old Kenyan proverb, "treat the Earth well. It was not given to you by your parents * * *. It is loaned to you by your children." Is it not time for us to start repaying the loan. Let us vote today to give our children a safer world in which to grow. Vote yes on the assault weapons ban. It is long overdue.

Mr. BROOKS. Mr. Chairman, I will yield 1 minute to the gentleman from Texas [Mr. BREWSTER].

Mr. BREWSTER. Mr. Chairman, I rise in opposition to this gun ban. This legislation is misguided; it is not about crime control. This is not about taking guns out of the hands of criminals. This is about limiting the freedom and choices for law abiding Americans.

This argument over banning guns cheats the American people out of the real issue: that our criminal justice system is broken.

We must take a hard look at the conditions that breed disrespect for the law and disrespect for the rights of others. This false debate over gun control gives Congress an easy out and lets us abdicate our responsibility. As a society we must find alternatives to crime for young people. When we waste our energy and resources fighting over a simple, but wrong, solution to a complex problem, we cheat our constituents out of an honest debate over real solutions to our crime problem.

Sheriff Don Hass, the president of the Oklahoma Sheriffs' Association, faxed me a letter that clearly defines the crime problem in our country and the real solution. From his vantage point on the front line against crime, Sheriff Hass tells me that "a ban on weapons will not solve the crime problem." If we can put criminals away and keep them away we will reduce crime. We must provide our law enforcement officers with the tools to ensure that criminals will be brought to justice. That is the only effective deterrent to crime.

According to Federal crime statistics, less than one-half of 1 percent of all violent crimes committed last year involved these so-called assault weapons.

The bottom line is that this gun ban is part of a political agenda to reduce lawful ownership of guns in America.

This vote is not about protecting people or taking guns out of the hands of criminals. It is the political marker in a wholesale effort to reduce the lawful ownership of guns.

There are 94 bills pending in Congress to take guns out of the hands of law-abiding citizens. These 61 House bills and 33 Senate bills would take guns away from working Americans by outright bans, registration, or taxes.

Sixty-five million law-abiding American gunowners are not the cause of crime, denying their rights is not the solution.

Each year, 60,000 felons are placed on probation rather than incarcerated. Ninety percent of felons never spend a day in jail. That is the problem.

To deter crime we must make hard choices and spend tax dollars to punish criminals for criminal acts. Let us stop this useless debate over guns and let us work together to solve our real problem.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO], who has worked so hard on this bill.

Ms. DELAURO. Mr. Chairman, I rise today in strong support of the assault weapons ban, and urge my colleagues to join me in supporting this crucial measure.

This ban is not the same bill that the House defeated in 1991. It is stronger

and more narrowly drafted. It strictly defines semi-automatic assault weapons by an objective features-based test. It exempts 670 hunting and sporting rifles and shotguns, while explicitly banning 19 weapons that are clearly patterned after machine guns used by military forces for combat use. These weapons are not hunting and sporting firearms. They are weapons of war that are falling into the hands of dangerous criminals and being used everyday to kill and maim innocent people.

Let the statistics speak for themselves: Assault weapons comprise less than 1 percent of the guns in circulation in the United States, yet they account for 8 percent of the guns traced in the investigation of criminal activity. Assault weapons are 18 times more likely to kill police than conventional firearms. Since October 1993, there have been 59 shootings in 37 States involving semi-automatic assault weapons. The result: 34 people were killed and more than half were children or teenagers.

These weapons are designed for killing people. They do their job well. And for that reason alone they should be taken off the streets now. If not, it is on our conscience when they show up in our streets, school yards, and neighborhoods. I urge my colleagues to take a stand and support the bill we have before us today.

Mr. SCHUMER. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Chairman, the bill offered by the gentleman from New York [Mr. SCHUMER] should be supported. I rise in enthusiastic support for it and thank the gentleman from New York [Mr. SCHUMER] and the members of the subcommittee, the President, and the Attorney General.

Mr. SCHUMER. Mr. Chairman, I yield 30 seconds to the distinguished gentlewoman from Georgia [Ms. MCKINNEY].

Ms. MCKINNEY. Mr. Chairman, I rise in support of H.R. 4296, the ban of 19 specific guns made explicitly for the taking of human life. It seems reasonable, that weapons made for the battlefield stay on the battlefield. Today, however, the battlefield has shifted to the urban and rural warfare on street corners, school yards, and in organized crime.

Guns have been part of American folklore and culture from John Wayne to Nat Turner. I would not have supported this bill if it also had not protected over 600 weapons that are commonly used for sport. There are many responsible people for whom hunting and sports shooting are not only recreation, but a way of life.

Congress has a great debate ahead over what role guns should play in the future of our society. But today, we

face a test of courage greater than any John Wayne shootout. Are we going to act responsibly and in the public's interest or are we going to bow to the king of special interest groups. I urge my colleagues to vote for H.R. 4296.

Mr. SENSENBRENNER. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. ZIMMER].

Mr. ZIMMER. Mr. Chairman, I rise in opposition to the bill.

Mr. Chairman, I oppose this bill because it is essentially a sham, addressing the appearances rather than the realities of crime.

It would ban certain firearms on the basis of their fearsome appearance while protecting others that are functionally identical, but which just look different.

As a result, the bill is an exercise in political appearances as well. Semiautomatic firearms are used in a tiny fraction of U.S. homicides; criminals who currently use the designs that would be banned will simply use one of the many equivalent models that will remain legal or will use a banned gun in violation of the law.

Supporters of this bill usually begin their justification of it by asking why anyone should be permitted to own one of the ugly firearms that would be banned. As a conservative who believes in the protection of personal liberties, I begin my analysis by asking what compelling public interest would be advanced by limiting the freedom of Americans.

If the purpose of this legislation is to reduce the incidence of crime committed with firearms, that objective would be far more effectively addressed by the legislation I introduced last year that would increase the criminal penalties for those who use firearms in the commission of a crime, as well as those who possess, transport, or sell guns in violation of the law.

Unfortunately, that legislation, along with many other sensible proposals to reduce the illegal use of firearms, were not allowed to be voted on during consideration of the crime bill passed by the house in April.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Chairman, I do not have a problem with banning weapons that are not used for legitimate hunting or sporting. In fact, I voted for the Brady bill before it was popular, and I supported the President's crime bill as well.

I was appalled, in fact, by those who opposed the President's crime bill because it had too much in it for prevention.

I happened to speak to the President twice this week, and I reminded him of his work during this year's State of the Union Address when he said this: "What we have to do is build upon the Brady bill, the Brady law, to take further steps to keep guns out of the hands of criminals. I want to say something about this issue. Hunters must always be free to hunt. Law-abiding adults should always be free to own guns and to protect their homes." That

night, in fact, I was on my feet applauding those words, but despite those words, this bill, in fact, bans some legitimate hunting and sporting weapons as they are on the list.

The Colt AR-15 Sporter, I am told, in fact, is the most popular target rifle in the country and is even officially sanctioned by our Government in competition.

I do not have a problem banning the Uzi, the grenade launcher, the AK-47, or the Street Sweeper, and I have talked to law enforcement officers, probation officers, prosecutors, and the cops on the beat, the rank and the file. This is not politics for me. I have not accepted a dime from the NRA or the Handgun Control, either.

But I have tried to offer an amendment today that would remove the AR-15 Sporter from the list, and was denied regrettably. Not being a member of the Committee on the Judiciary, I am opposed to the process of bringing a fairly controversial bill to this House floor in a take-it-or-leave-it fashion. I do not know whether this bill is going to pass this afternoon or not, but I do know that if my amendment had been allowed to have been offered and it would have passed, this bill would have passed in double digits.

I ask my colleagues to vote against this bill.

Mr. SCHUMER. Mr. Chairman, I yield myself 30 seconds.

I would simply say to the gentleman from Michigan two things: First, he seems to agree with 80 percent of the bill, 90 percent of the bill, he says, and to vote "no" because he does not agree with 10 percent seems to me not to be the way to legislate.

Second, I would remind the gentleman that the closed rule was not suggested by the side that wants to pass this. So I would urge him not to take out his anger at that closed rule on us.

Mr. Chairman, I yield 1 minute to the distinguished gentleman from California [Mr. FARR].

Mr. FARR. Mr. Chairman, I rise to encourage my colleagues to support the ban on selling assault rifles.

This is not an issue of gun control. Legitimate hunters do not use them; assault rifles are not a target rifle; they have no place in a home or business, other than to kill people—a lot of people.

This is not an issue of second amendment rights.

In fact, when the California legislature banned these rifles after a long debate, just like today, the NRA testified that they would not appeal a court ruling upholding the California law.

This is not a political re-election issue.

The California election results show that every member of the California legislature who voted in favor of the assault ban was re-elected.

The U.S. Senate has placed this issue in conference. I urge my colleagues in this house to do the same. Support H.R. 4296.

Mr. SHAYS. Mr. Chairman, I yield 2½ minutes to the very distinguished gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I say to my colleagues that I rise in strong support of this legislation. We must take action to end the proliferation of assault weapons, and the epidemic of gun violence in our streets and cities. We know it, our law enforcement officers know it, and the American people know it.

Make no mistake: This debate is not about hunters, or sportsmen, or gun collectors.

This debate is no more about the second amendment, or subverting the Constitution, than anti-pornography laws violate our first amendment rights.

This legislation is about crime control and controlling the national epidemic of gun violence. We cannot begin to total the cost that the ready and easy access to high-power firearms has had on our society. Today, our cities are war zones, and our hospital emergency rooms are MASH units. Our health care system is ready to collapse under the burden of providing medical care for the victims of this war in the streets.

Moreover, the cost of the loss of security and safety for every American cannot be imagined. Citizens are not safe in their homes, and children cannot walk to school or play in the yard without fear of mounting crime and gun violence. We must take back our streets. We must take action today.

We do not pretend that an assault weapon ban will end all crime, or even all gun violence. But taken in step with a strong crime bill, this can start to end the national epidemic of violence.

It is important to note for the record exactly what this bill would do. Take note, my colleagues: This measure would ban the future manufacture and possession of specifically named weapons of war—semiautomatic assault rifles, and large-size magazines and clips. It exempts hundreds of legitimate hunting and sporting weapons, safeguards the rights of hunters and sportsmen, and does not take one gun out of the hands of a law-abiding owner.

Do not be fooled: As the distinguished gentlemen from Illinois, and countless others, have taken note, these guns are not designed for hunting or sporting, but to kill a lot of people very quickly.

Just listen to that, and realize what we are saying: In our country, extensive State laws presently regulate the weapons hunters and sportsmen use for shooting deer, but we are afraid to give

the same protection to human beings. That's lunacy.

Let me note also that this is not a partisan issue—Republicans and Democrats alike support this bill. Former Republican Presidents Gerald Ford and Ronald Reagan earlier this week endorsed a ban on military style assault weapons. So has former Senator (and NRA member) Barry Goldwater, who noted,

I don't see why they ever made semi-automatics. I've been a member of the NRA. I collect, make, and shoot guns. I've never used an automatic or a semiautomatic for hunting. There's no need to. They have no place in anybody's arsenal. If any SOB can't hit a deer with one shot, then he ought to quit shooting.

Finally, I support this bill in memory of Amy Locicero Federici, daughter of Jacob and Arlene Locicero of Hawthorne, NJ. Amy was killed in the Long Island commuter train massacre.

I pledged to her bereaving parents that Amy would not be just another statistic. We do this in her name and to benefit all of mainstream America—our neighbors, our towns, our districts, the man in the street and the cop on the beat.

Vote "yes" on H.R. 4296.

Mr. SCHUMER. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from New York [Mrs. LOWEY].

Mrs. LOWEY. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in strong support of H.R. 4296 and urge each and every one of my colleagues to support our Nation's police officers by voting for this bill.

Not long ago, I stood here in support of the Brady bill. At that time, the National Rifle Association was telling us that the Brady bill would not stop a single criminal. Well, the NRA was wrong. In the 10 weeks since the Brady law has been in effect, it has stopped over 1,000 convicted felons from purchasing firearms. If the NRA had gotten their way on that vote, these criminals would be walking our streets with firearms today.

So as we consider this bill we have to ask ourselves again, whose advice are we going to take; the NRA's or our Nation's police officers?

Again today, my vote will be with the people we rely on to fight crime on our streets every day. They have suffered the consequences of these assault weapons, and they are pleading with us to give them a fighting chance.

And my vote will also be with the firearms experts at the Bureau of Alcohol, Tobacco, and Firearms. The ATF has compiled tracing data that shows that these 19 specific weapons are used disproportionately in violent crimes. If only one percent of all guns held by the public are assault weapons, why are they used in seven percent of all crimes? While the NRA peddles the myth that these guns are used by hunt-

ers, we know the truth—these assault weapons are killing machines that are only used to hunt people.

Finally my vote will be with the victims of assault weapon attacks and their families. How can we look the survivors of the Long Island train massacre in the eye and say, "sorry, hunters need these assault weapons to shoot deer"?

I urge my colleagues to use common sense as you cast your votes and remember the voices of police, firearms experts, and victims of crime. Do not be misled by the gun lobby. It's time to call the NRA's bluff. Let us stand up to the NRA, stand up for our constituents, and pass this bill.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California [Ms. WATERS].

Ms. WATERS. I thank the gentleman for yielding this time to me.

Mr. Chairman, honorable esteemed leaders of this Nation, I rise not to engage in a dispassionate intellectual debate about weapons of death but rather to unashamedly make an emotional plea to my colleagues to vote to save human lives. I rise as a mother, a grandmother, a woman, a Member of the highest public policymaking body of this Nation. Please vote to stop the gun violence, the violence, the murders, the killing of human beings on the streets of the most advanced Nation in the world.

Mr. Chairman, there is no place in a civilized society for AK-47's, Uzis, street sweepers, and TEC-10's. They are not needed for hunting purposes, their only purpose is to kill human beings.

The killing of children in America is breaking my heart and the hearts of our citizens. The drive-by shootings in my own district and in many of your districts are draining my optimism and hope for our Nation.

The grieving mothers and traumatized families are relegating us all to shame and sorrow.

We cannot, as a Nation, survive, we cannot survive in a society that does not protect its children and its families.

Please vote to ban these dangerous and unnecessary weapons.

Mr. SENSENBRENNER. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona [Mr. STUMP].

Mr. STUMP. Mr. Chairman, I rise in strong opposition to H.R. 4296, legislation to ban so-called assault weapons.

George Washington referred to firearms as the "American People's liberty teeth and keystone under independence." Yet, today we are faced with modifying the rights of lawful people to keep and bear arms. We are asked to divide guns into groups of "good" and "bad," based upon Hollywood's portrayal of certain semiautomatic weapons as the "weapon of choice" among criminals.

Mr. Chairman, we would better serve the cause of crime fighting by dividing people into

groups. To truly fight crime and end violence, we must concentrate not on guns or types of guns, but upon who is using, or misusing them.

Those in this body who promote the nonsense that guns cause crime and that the poor criminals just somehow can't help themselves are aiding and abetting our crime problem by misdirecting our time and resources away from real solutions.

I urge my colleagues to oppose the ban.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. FIELDS].

Mr. FIELDS of Texas. Mr. Chairman, I rise in strong opposition to this piece of legislation, and I can speak with authority on this particular issue. I own a mini-14 Ruger with a collapsible stock. I even have a 30-shot clip.

Do I own this weapon, this firearm, for home protection? The answer is "no." Do I hunt with this weapon? The answer is "no." But I do like to shoot this particular firearm.

I feel I have a protected second amendment constitutional right. Now, to show you how poorly defined this particular piece of legislation is, the firearm I just described is banned under this legislation, and the mini-14 with a fixed stock is not banned. There is no functional difference between the two firearms.

Unfortunately, the majority of the people in this Chamber do not want to get tough on criminals. They view criminals as victims of society.

So, to look tough, they have to make multishot firearms the perceived problem. These are firearms that actually cause less than 1 percent of the homicides in this country. Firearms that are metal, they are wood, they are inanimate objects. Our focus should be on punishing and depriving those people who break the laws of America. The compelling question today is: Should we erode a constitutional right, my constitutional right along with my fellow Americans', because of an inanimate object? I say to my colleagues, do not provide cover for those people in this Chamber who view criminals as victims of society.

But I also give a warning and a reminder to my colleagues, this is one more incremental step in eroding the second amendment. Brady-I was passed last year. Today we are dealing with multishot firearms. Brady-II is now pending. Our next gun issue, Brady-II, says if you own more than 20 guns, you have to be licensed because you have an arsenal and you are going to be subject to unannounced checks by the Federal Government.

This legislation is absolutely wrong. It is morally wrong. This is constitutionally wrong.

Mr. BROOKS. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas [Mr. SARPALIUS].

Mr. SARPALIUS. I thank the chairman for yielding this time to me.

I want to commend him on his opening remarks because I think he was right on target when he stated this was one of the most misleading pieces of legislation that this body has ever undertaken. We are being led to believe that by passing this bill you are going to reduce crime and you are going to stop people from killing people.

□ 1540

Mr. Chairman, there is nothing further from the truth. Right here in this city of Washington, DC, there was an outrage. People were furious about murders that were going on in the 1970s. So in 1977 they passed the toughest gun control laws in the Nation. In this city one could not even own a hand gun. But yet from 1980 to 1993 there were 4,200 homicides. Murders tripled in this city. Out of that 4,200 homicides I ask, "Do you know how many of those deaths were caused by semiautomatic weapons?" Four.

Mr. Chairman, I say to my colleagues, "You are not going to stop people from killing people by passing this law. The answer is tougher punishment. Today in this country for a person that commits murder their average stay in prison is 5 years and 5 months, one-third of their sentence. We ought to increase the punishment for those people that commit crimes while using a gun.

Another misleading factor about this bill is, as we have been told by some of my colleagues, that this will only affect 19 guns. Well, I want to show my colleagues a list that has already been approved by the Bureau of Alcohol, Tobacco, and Firearms of guns that will be outlawed if this bill passes. There it is, almost 200 guns that will be outlawed.

Mr. Chairman, outlawing these guns is not going to stop people from killing people, so I challenge my colleagues and say, "If you want to get tough on crime, vote this bill down. Increase the punishment for those people who kill somebody while using a gun."

Mr. SCHUMER. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, the ATF letter did not refer to this bill. It is a letter of February 17. It is another bill. And that list should not have been used in reference to this bill.

Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Chairman, I rise in support of H.R. 4296, the Assault Weapons Ban Act.

California, along with three other States and more than thirty cities and counties, already has its own assault weapons ban in place. The Roberti-Roos Assault Weapons Control Act, which is currently in effect in California, is the Nation's oldest assault weapons ban. It was enacted in 1989 in response to the shooting spree at a Stockton schoolyard, where a gunman

armed with an AK-47 and several semiautomatic pistols fired over one hundred rounds, killing five children and wounding 30 other people before killing himself. Because it bans weapon names, instead of weapon features, however, the California ban has not been as effective as necessary in preventing the sale and use of new weapons. We are finding that some domestic manufacturers get around the ban by producing copy-cat weapons under different names.

On a national level, we are faced with a similar challenge. As a result of the current ban on the import of 43 foreign-made assault weapons, the Bureau of Alcohol, Tobacco, and Firearms [ATF] estimates that 750,000 assault weapons have been kept out of the country—that the number of imported assault weapons traced to crime declined by 40 percent. Unfortunately, domestic manufacturers are also producing copies of these banned weapons, so the number of domestic assault weapons traced to crime remains the same.

The Assault Weapons Ban Act that is now before us closes this loophole because it bans assault weapons by feature, rather than name. It imposes a ten year ban on the manufacture and possession of certain assault weapons and copies of assault weapons. Also prohibited are firearms that have certain features—like grenade launchers and bayonet mounts—as well as large-capacity ammunition feeding devices.

Law enforcement and the military are not included in the ban, and weapons that are currently legally owned are exempted, as are 650 specified sporting guns, none of which can be banned while the bill is in effect. Last, the bill requires that the Justice Department conduct a study of the impact that the ban has had on violent and drug trafficking crime 1 year after it is enacted, and that the Department submit the results of this study to Congress.

This legislation will have very little effect on the right of the average American to bear arms. They include weapons used almost exclusively by organized crime, gangs and drug cartels. They do not include any weapons, semiautomatic or otherwise, used for hunting.

In spite of claims that assault weapons bans do not work, the facts indicate otherwise. Although we do not have detailed, nationwide statistics on the misuses of these weapons, the Oakland Police Department weapons unit reports that criminal misuses of assault weapons in Oakland fell by virtually half since the enactment of the California ban. Additionally, the Atlanta Constitution found in a 1989 study that, although assault weapons make up only 2 to 3 percent of all guns owned by Americans, they show up in 30 percent of all firearms traced to organized crime, gun trafficking and ter-

rorism. And the ATF reports in 1989, assault weapons made up 10 percent of guns traced in crimes. Police in virtually every city in this country will tell you that they are outgunned and that an assault weapons ban would help them fight gun violence.

The further restrictions on the sales and ownership of assault weapons that are in this bill will not cause a major reduction in crime. However, they will make it much more difficult for drug dealers, violent criminals and psychopaths to get their hands on military-style semiautomatic rifles and certain shotguns and pistols.

Perhaps, with provisions like these in effect, disasters like the 1993 tragedy when a gunman with an assault pistol walked into a San Francisco law office, murdered eight innocent, unarmed people and wounded another six can be prevented. Just prior to testifying before the House Judiciary Committee in support of a ban on assault weapons, the widower of one of the victims of this massacre wrote:

It's been almost one year since my beloved wife was brutally murdered *** by a psychotic possessing an assault weapon with fifty round clips. These weapons of war have absolutely no place in our society and the all too common tragedies in which they are used must be stopped. Too many citizens dead; too many friends and family gone. *** This is not a partisan issue. Violence and assault weapons affect all citizens ***. As a Republican, I am calling on members of *** my party and Democrats to see that this bill becomes law. Hopefully no other ten month old girls will place dirt on their mommy's grave as my daughter Meghan did. Hopefully no other single parent will be left the task of telling their infant how their mother was brutally murdered with an assault weapon.

I like to recall the words and wisdom of my esteemed colleague from Illinois, Mr. HYDE, in his address to newly-elected Members of the 102nd Congress back in 1990. I feel that Mr. HYDE's advice to that freshman class is appropriate for all of us now, as we face a vote that is controversial, political, and hits close to home for many of us who have constituents on both sides of this issue—constituents who are passionate in their feelings about what we are going to decide.

Mr. HYDE told his audience that our responsibility as Members of this House is often greater than just representing our constituents—that we also have a responsibility to all Americans. This broader obligation and accountability demand that we take a national view on certain issues—even if it means risking the disfavor of the folks back home. We must look beyond the politics of career and be willing to take a principled stand for what we believe to be right and in the best interests of our Nation, as a whole, even if it means we risk losing an election. Mr. HYDE reminds us of why we are here in the first place—to serve not just our immediate constituents, but our country, as well.

This vote on the assault weapons ban is such a stand, and it is a small price to pay to help curb the unnecessary and senseless violence that plagues communities throughout our country. If one life or one thousand lives are saved because we are able to keep an assault weapon out of the wrong hands, it is worth the effort.

Mr. SENSENBRENNER. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman, I rise today to express my objections and opposition to this ill-advised piece of legislation, and I challenge the administration's intellectual honesty about its real purposes with this legislation. This bill is just the beginning of a more expensive and more intrusive dictate on our second amendment rights. That's right, this administration has no intention of stopping at the current list of banned semi-automatic weapons. I refer to them as semi-automatic weapons because that is what they are. They are not assault weapons, they are not machine guns, they are not military-style fire power, and they don't spray bullets. The name assault rifle is merely hype by the anti-gun lobby and the liberal media to make them seem more deadly. They may look more powerful, but the fact is they're not. In fact, there is no functional difference between what proponents of this bill call assault weapons and those they claim to protect through the exemptions.

So essentially, Mr. Speaker, we are beginning a process here for banning certain firearms because of how they look. They might have a folding stock or they might be mounted with a tripod, but these items affect the appearance, not the performance of the gun. I challenge anyone here to tell me how a tripod or a folding stock makes the gun more lethal.

Frankly, I just don't believe proponents of this bill who claim and profess that this bill is only intended to go after the most lethal weapons and that they have no designs to further restrict the rights of law-abiding citizens. Let's be truthful here, this bill is designed for one reason and one reason only—and that is to eventually take away the rights of law-abiding gun owners. And that is exactly what will happen if this bill is enacted. The definition of what constitutes a so-called assault rifle will continue to get more narrow. Soon, like many things that aren't politically correct around here, it will be so burdensome, so expensive, and so out of fashion, to be a legitimate gun owner and shooter that the anti-gun lobby will finally claim victory. That Mr. Speaker, is where we are heading if this legislation is passed.

There is a gun problem in this country. It is not perpetrated by the law abiding folks who hunt, shoot and collect. It is perpetrated by people who commit crimes with firearms, who won't give a hoot about what laws we pass about making certain guns illegal. They'll steal what guns they want and commit their crimes and it will be the law abiding citizen who will be at a disadvantage. The answer to the gun problem is to have mandatory sentencing of people who commit crimes with guns. Why were we denied the opportunity to offer an amendment to this bill to deal with the gun

problem in that way, rather than to lay the onus on law abiding folks?

Mr. SENSENBRENNER. Mr. Chairman, I yield 90 seconds to the distinguished gentleman from Idaho [Mr. CRAPO].

Mr. CRAPO. Mr. Chairman, let us get it clear what this debate is about. The question is whether we should try to stop crime or whether we should stop the ownership of firearms, and the first point that needs to be made is, if this legislation is far overbroad, as was mentioned by one of the previous speakers, it is not just 19 assault, battlefield-type weapons we are talking about. It is legitimate weapons being used for sporting, and hunting, and target purposes.

I recently visited with the police in my hometown in Idaho, and I asked them directly whether they thought that a gun control measure like this would impact their ability to control crime, would cause criminals not to have guns, and they indicated to me, no, they did not feel that that would be the case. And then recently the National Association of Police Chiefs surveyed their membership. Resoundingly they answered that this kind of legislation will not keep guns out of the hands of criminals.

What will it do? It will keep guns out of the hand of law-abiding citizens. It is those who obey the law who would not have the guns, and it is those who break the law who will have the guns.

Another thing that this piece of legislation does is help divert attention from America to the real kinds of solutions that we ought to be addressing, the kinds of solutions that we are not allowed to discuss on the floor today because of the closed rules, and that is getting tough in terms of putting stiff sentences on those who do commit crimes with firearms.

I say, let's address the real issues. Let's get tough on criminals, and let's not make law-abiding citizens face a restriction of their constitutionally protected rights.

Mr. SCHUMER. Mr. Chairman, I yield a minute and a half to the gentleman from New Jersey [Mr. HUGHES], a distinguished former chairman of this subcommittee who initially introduced this legislation a while ago.

Mr. HUGHES. Mr. Chairman, I thank the gentleman from New York [Mr. SCHUMER] for yielding this time to me.

Mr. Chairman, this issue is about common sense. It is not about eliminating crime because there is nothing we can do to eliminate crime.

I own weapons. I am a sportsman, a lifetime member of the sporting community in my district, and I do not need an assault, military-type assault weapon, and I say, "Neither do you, or neither does any other citizen of this country."

One can argue that we should allow tactical nuclear devices under the sec-

ond amendment. That is just ludicrous. We have to draw the line somewhere.

I say to my colleagues, "It's a very easy decision for us today. It's whether you are going to stand with the police in this country or whether you're going to stand with the NRA."

Mr. Chairman, it is an easy choice for me.

It has been suggested that eliminating military-type assault weapons will do nothing. Why do we have so many police around this Capitol today here talking about banning assault weapons? It is because they view the assault weapon as their enemy. After all, Mr. Chairman, they are the ones that are facing the assault weapons out there in the communities day in and day out.

I say to my colleagues, "Let's get real around this place. We have seen our communities turned into shooting galleries. They are nightmares. The reason assault weapons are so vicious is because they can kill as many people as can pull a trigger. And, if you have 50 rounds, you can, in many instances in about 50 seconds, kill that many people. And you can survive a shot from a .38, but, if you're hit with five rounds from a military-type assault weapon, the chances of your survival are minimal."

Mr. Chairman, that is why we need to pass this particular legislation. It is a well-crafted bill. It will eliminate 19 weapons, not as many as have been suggested. We already ban their importation, and I say, "Come on, let's get real, and let's ban their domestic manufacture. It doesn't make any difference whether you're looking at the end of a weapon that's been imported or made here."

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Chairman, in a recent Washington Post article entitled, "The Triumph of Psycho-fact," Mr. Robert Samuelson points out a phenomenon that is blatantly evident in our country today; that is, if people feel something is true, then it is, even if it is not.

Mr. Chairman, this administration has done an excellent job of scaring the American people into supporting their every proposal, whether it be government controlled health care or the ban on assault weapons. And, more to the point, the bill before the House today is one of the bills that depends on this concept called "psycho-fact." As Mr. Samuelson points out, good judgment requires good information, and consciousness-raising can be truth-lowering.

□ 1550

We have heard all the arguments, the hunting arguments, and the second amendment arguments. Let me tell you why it is important to me and why you do need these kinds of semiauto-

matic weapons, I tell the gentleman from New Jersey [Mr. HUGHES].

A constituent of mine, Donald Lee, who happens to be Korean, called me, and has relatives and friends that own stores and live above their stores in Los Angeles. During the L.A. riots, when the government and the L.A. police abandoned those store owners, the only way they could defend themselves, their families, and their stores, was to stand out in front of them with semi-automatic weapons.

So let me tell you, ladies and gentlemen and my colleagues, that you do sometimes need these kinds of weapons for instance, to hold off the mobs of rioters exemplified in the L.A. riots. You do need them, to protect yourselves.

So I tell my colleagues, when you can guarantee me that the Government will not abandon me, or that the Government will protect me and my family, then I will discuss with you the idea of taking away my guns and my right to protect that same family.

Mr. SHAYS. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from New York, [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Chairman, I am sympathetic to concerns that have been expressed about second amendment rights, but I must point out that our rights are not absolute. Courts have long ruled that there are limits to the freedoms of speech and press—our first amendment rights, the ones the Framers saw as most precious. I fail to see how there can be limitations on the rights of free speech, but none on the right to keep, and bear arms.

In perhaps the most famous discussions of the limitations on free speech, Justice Holmes allowed that speech could be limited when it posed a clear and present danger. The right to free speech, he noted, did not give someone the right to shout fire in a crowded theater.

There is a clear and present danger on our streets. Sadly we live in a time when someone could fire into a crowded theater.

I don't think that limiting such clear and present dangers violates the second amendment.

One of the enduring strengths of this institution, the strength which enhances the truly representational characteristics of this peoples' house, is that we all come here with different perspectives.

I represent a district in which a good percentage of the residents think that the first day of hunting season should qualify as a national holiday.

I represent a district where 1,200 of my neighbors earn their daily bread by making firearms for one of the world's premier manufacturers of sporting weapons, the Remington Arms Co.

And I also represent a district where the majority clearly favors less rather than more government intrusion into our daily lives.

The people I am privileged to represent send me to Washington to do my homework on the issues, to listen to all sides of an argument, carefully weigh the pros and cons and then do what is best, not just for them, but for all America.

I have faithfully followed their instructions and now is the hour for a decision.

Like all of you, my offices, both here and at home, have been deluged with calls from concerned citizens doing exactly what we ask of them in a representative democracy—passing along their views on the issue before us. Many of them have been quite spirited—the kind that conclude "I'll never vote for you if you don't agree with me." They have come both from opponents and proponents, neither side has an exclusive on this approach.

I couldn't live with myself, let alone all those callers on both sides of the issue, if I didn't respond to the dictates of my conscience.

This measure deserves our support. It deserves our support for a variety of reasons, but most of all because we must give to our Nation's law enforcement officials all the support we can as they wage war on the crime that is so devastating to our society. But we can't be cavalier in our action, we must be considerate of the concerns and interests of the overwhelming majority of Americans who are fine, decent, law-abiding citizens.

The measure is tightly crafted and very precise, dealing with military assault weapons and not the traditional sporting weapons of choice.

This is a balancing act between the legitimate rights of American sports people and a very widely held desire on the part of the American people to find ways to keep weapons of the types covered out of the hands of criminals.

It is a logical and necessary follow-on to the tough crime bill passed earlier in the year.

Everyone should understand that the crime bill is the toughest, most comprehensive effort the Congress has ever made to help communities fight crime. But more police, more jails, and tougher sentences—as critical as they are—are not enough. We need this measure. We need it now.

We are reliably informed that these assault weapons represent nearly 30 percent of the guns traced to organized crime, drug trafficking and crimes involving terrorists. It makes no sense to me to fail to get these weapons off the street. Being tough on criminals and being tough on their weapons of choice go hand in hand.

Mr. BROOKS. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Nebraska, [Mr. HOAGLAND].

Mr. SCHUMER. I yield 15 seconds to the gentleman from Nebraska, Mr. HOAGLAND.

The CHAIRMAN. The gentleman from Nebraska [Mr. HOAGLAND] is recognized for three quarters of a minute.

Mr. HOAGLAND. Mr. Speaker and colleagues, I have long felt, as has the vast majority of my constituents, that these sorts of reasonable measures ought to pass. This is an easy issue on the merits, and I urge my colleagues to support this weapons ban. Let me just make three points.

First, there is plenty of evidence that this kind of ban will work. Back in 1989, the Bush administration banned the importation of foreign-made assault weapons, resulting in a 40 percent drop of such weapons used in crime.

Second, this is a weapon of choice by criminals. As our Omaha World Herald newspaper pointed out in an editorial, they make up less than 1 percent of guns in circulation, but a disproportionately larger number of guns used in crimes.

Third, I have a letter here, Mr. Speaker, from 11 eighth graders at Westside Elementary School in Omaha. Let me read one sentence:

Guns of this nature are of no use to hunters and only endanger innocent bystanders and others who unfortunately feel power by possessing and possibly using such weapons. Let's ban them.

OMAHA, NE, April 29, 1994.

Hon. Peter Hoagland,
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN HOAGLAND: Through recent media reports, we have heard of the upcoming vote on the bill which seeks to ban several types of hand-guns and semi-automatic weapons. We would like to urge you to vote in favor of this ban. Guns of this nature are of no use to hunters and only endanger innocent bystanders and others who unfortunately feel power by possessing or possibly using such weapons. Please remove these from the market-place!! We are aware that most legislation can be inadequate to eliminate problems from our society, but we hope you will support such an effort to begin the process. We are also aware of the tremendous pressure often applied by the lobbyists, who would try to downplay the significance of such a ban; we urge you to listen to the people of Nebraska, who want these weapons to disappear. We feel there should be stiff penalties for those possessing such weapons, when discovered in police proceedings. The future of our lives depends on courageous action by you, our representative in Washington.

Thank you for your attention to this matter.

Sincerely,

Homeroom Students and their teacher,
Mrs. Karen Mullen, Westside Middle School.

Andrew S. Weston,
Amanda L. Richman,
Sara Davis,
Paul Brown,
Nicole K. Rossi,
Lindsey Hubert,
Cherish M.R. Briest,
Pat Kelly.

Mr. SCHUMER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Chairman, I would ask the gentleman from New York [Mr. SCHUMER], if he would engage in a colloquy. The House will not have an opportunity to vote on an amendment by the gentleman from New York [Mr. SYNAR] and myself, to strike section 3 of this bill. I understand the gentleman is willing to work in conference to enact what our amendment intended, which is to remove the inconvenient record keeping and paperwork aspects of the bill. Is that correct?

Mr. SCHUMER. That is correct. I guarantee the gentleman from Minnesota that before this legislation comes back from the conference, we will have removed section 3, thereby having eliminated all record keeping of the grandfathered weapons. All record keeping that is in this bill will go if we pass it.

Mr. PENNY. I thank the gentleman for that response.

Mr. Chairman, I must admit I lack enthusiasm for this bill. Frankly, I think the rhetoric on both sides has been overblown. Based on the assurance just given by my colleague from New York, I intend to vote for the bill on final passage.

I represent a rural district where guns are prevalent and gun crimes are rare. Consequently, I have always been skeptical of gun control legislation, feeling that the focus should be on the criminal, not the legitimate gun owner.

I voted against an assault weapon ban a few years ago because of the open-ended definitions in that bill. Today's measure is much tighter and more defensible, listing 19 specific weapons and prohibiting certain features which are not essential to hunting and competition shooting.

Will this bill make an appreciable difference in the incidence of gun crimes in America? Probably not. On the other hand, do the provisions of this bill represent a hardship for legitimate gun owners? Most certainly not. This bill protects all currently owned guns. This bill restricts only a handful of weapons possessed of certain features. This bill does focus on the criminal by imposing a mandatory prison sentence on those who commit crimes with semiautomatic weapons. This bill is not a solution to the bloody crime culture that stains the streets of so many communities in our Nation, and it may be true that this vote today is largely symbolic.

But symbols can carry a message. I think the message is that any right carried to an extreme can create problems. No one today suggests again legalizing automatic machineguns. Certainly we should be able to agree on a reasonable definition to restrict semiautomatic guns. This is the common-sense goal of the bill before us today.

The CHAIRMAN. The Chair wishes to advise Members that the gentleman

from Texas [Mr. BROOKS] has 7 minutes remaining; the gentleman from Wisconsin [Mr. SENSENBRENNER] has 7½ minutes remaining, the gentleman from New York [Mr. SCHUMER] has 6¼ minutes remaining, and the gentleman from Connecticut [Mr. SHAYS] has 5½ minutes remaining.

The chair will remind Members controlling the debate that the distinguished gentleman from Texas [Mr. BROOKS], the chairman of the committee, retains the right to close debate.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. ROHRBACHER].

□ 1600

Mr. ROHRBACHER. Mr. Chairman, well, we have heard time and time again that there is no legitimate purpose for these weapons, these semiautomatic rifles. Well, how about protecting our homes and families? I do not care if it is an ugly weapon, which seems to be the only designation of what makes it an illegal weapon. If somebody is protecting their home and their family, it is their business what kind of weapon they have. And we should not be aimed at trying to disarm them.

If a criminal breaks into your home and you shoot him in defense of your home and family, your Government should be on your side.

We have heard a lot of talk about, are Members going to be on the police side or the NRA side. Government should be on the side of honest citizens. And if they use any kind of gun in defense of their homes and families and they have never committed another crime, why are we trying to disarm them?

The public wants criminals off the street. It is a travesty to use criminals as an excuse to disarm honest citizens.

This bill is a crime against victims. It is based on the liberal pretense that the way to limit crime is to control the behavior of honest citizens rather than punish criminals and execute murderers.

Those Members who think that we can just outlaw behavior of honest citizens and it will not have an impact on the police and their ability to do their job, just remember, there is limited resources by the police, limited time. We should not be focusing them on people who simply want to defend their homes and have never committed another crime. That is what happens.

I tell Members what happens with laws like this, we end up with Alcohol, Tobacco and Firearms, the FBI and Justice Department burning out a religious order down in Waco, rather than coming into our urban areas where criminal gangs of terrorists are terrorizing our population.

The whole priority is off. We should be focusing on the criminal element,

on punishing people rather than focusing the time and limited resources of our Government on honest citizens.

Defeat this ban. Mr. SCHUMER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS of Texas. Mr. Chairman, I come from rural central Texas. It is a land where guns and hunting are a way of life. I believe in the 2d amendment. But my colleagues, the constitution was never intended to make efficient killing machines out of drug dealers, criminals and crazed individuals.

To my rural and conservative colleagues, I urge them to consider this bill. Less than 3 years ago, like many of my colleagues, I thought mass killings were a big city problem, not a rural one. Yet since then in my rural district, George Hennard gunned down 23 innocent victims in a neighborhood cafeteria and David Koresh built a brutal arsenal that became part of a terrible tragedy.

I have said very little about these tragedies in public, but today, in good conscience, I must plead with my colleagues to learn the lesson I have painfully learned. Mass murders can occur anywhere, anytime, in good, decent cities, urban, rural or suburban.

I know we cannot stop all crazed individuals, such as Hennard and Koresh, from killing, any more than speed limits can stop all traffic deaths. But common sense dictates we can and we should make it more difficult for killers to get their hands on weapons that can kill so many, so fast.

Surely in a civilized society, the right to bear arms does not mean that Al Capone, David Koresh, George Hennard or anyone like them should be able to legally buy any weapon of mass destruction.

Unless Members genuinely believe that hunters absolutely must use AK-47's, Street Sweepers, and Uzis, I plead with my colleagues to draw the line today in favor of protecting school children and innocent citizens who could some day themselves be the victims of mass murder.

I know this is a difficult vote for many Members. Two years ago I voted for this ban on assault weapons. After being reelected by 66 percent in a rural conservation district, I am back today to proudly vote for this ban on assault weapons. This is not about losing votes back home. It is about saving lives all across America.

Mr. BROOKS. Mr. Chairman, I would like to say first that the colloquy between my friend, the gentleman from Minnesota [Mr. PENNY] and my friend, the gentleman from New York [Mr. SCHUMER] failed to acknowledge that should the bill pass the record-keeping provisions in both the House- and Senate-passed bills would be very similar.

If these provisions are made a part of the conference, the conferees would not

be free to remove these provisions since obviously that would not be within the scope of the conference. I would like to make that crystal clear to the Members.

Mr. Chairman, I yield 30 seconds to the gentleman from Pennsylvania [Mr. KLINK].

Mr. KLINK. Mr. Chairman, I thank the gentleman for yielding 30 seconds to me.

There are a lot of things I would like to say. I want to bring out just one point that has not been brought out. This was delivered to me by Preston Covey, a Ph.D. and associate professor of philosophy of the Carnegie Mellon University. He wrote a letter to me today.

He said,

I am a civilian member of the Training Criteria Committee of the International Association of Law Enforcement Firearms Instructors. I specialize in law and ethics of deadly force and one-handed weaponry for officer survival over the full spectrum of police firearms.

This ban would put pro bono services to law enforcement flat out of business.

Mr. Covey continues to say,

I am a handicapped person for whom semi-automatic firearms are as crucial as an automatic transmission of a car. Semi-automatic weapons are my best option in self-defense. In addition, every long gun I own has been modified with a pistol-grip stock as an accessory which is banned by this bill.

This bill is ill-conceived, and I urge Members to vote against the bill.

Mr. SENSENBRENNER. Mr. Chairman, I yield one-half minute to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. Mr. Chairman, if I take this time and throw it into the Atlantic Ocean, the impact of the ripples will be the same as the results of this confused and artificial attempt to reduce murder in America.

Point 5 percent of all murders are caused by assault weapons. That is compared to 16 percent by knives, 5 percent by physicians and 4 percent by clubs. Each year 2.4 million Americans defend themselves with firearms that now the proponents of this bill are saying they will not need anymore because we have midnight basketball leagues.

Meanwhile, in Switzerland every male age 20 to 45 is issued an assault rifle which he takes home, uses it to defend the nation and himself. Are they a nation of marauders, no. It has one of the lowest murder rates in the world.

Washington, DC, Jamaica, strict gun control, high murder rates. What is the difference? Family values and a penal system that punishes the criminal, not law abiding citizens.

Mr. SHAYS. Mr. Chairman, I yield 2½ minutes to the gentleman from New York [Mr. HOUGHTON].

Mr. HOUGHTON. Mr. Chairman, I stand here to support this ban.

I was somebody who was on the fence for a long period of time. I made up my

mind last night. It is difficult for me. I am a member of the NRA. I respect that organization. I think it has been much maligned. I respect the people who are members of that organization in the area in which I live. So, therefore, it was difficult.

And I hear all the arguments that it is a phoney issue and the statistics do not add up and it is the camel's nose under the tent, all the things like that.

But I think every so often people like myself who come from rural areas, where there are not a lot of murders, there is not a lot of abuse of weapons like this, ought to stand side by side with our compatriots in the cities. There is a crisis in the cities. It is clear, whether it is drugs, whether it is killings, whether it is unemployment. These weapons have no place there.

Therefore, reluctantly, against all those people that I have dealt with over the years, I feel that this ban is important and we should do it. I, frankly, think it is going to hurt me politically, but that is okay. I guess the only thing I can ask of the people in my district is not that they necessarily agree with me but they think that I am trying to think through something and do the right thing in terms of my own heart. I think this is the right thing to do.

I ask anyone who is hearing to support this ban.

□ 1610

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

Mr. SCHUMER. Mr. Chairman, I only have two speakers remaining, and I reserve the balance of my time.

Mr. BROOKS. Mr. Chairman, I have one speaker in addition to myself, so I reserve the balance of my time.

The CHAIRMAN. The Chair will announce to Members controlling the debate time that the gentleman from Texas [Mr. BROOKS] has 6 minutes remaining, and reserves the right to close debate; the gentleman from Wisconsin [Mr. SENSENBRENNER] has 5 minutes remaining; the gentleman from New York [Mr. SCHUMER] has 4¾ minutes remaining; and the gentleman from Connecticut [Mr. SHAYS] has 3½ minutes remaining.

The Chair recognizes the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from the President's own State, Arkansas [Mr. DICKEY].

Mr. DICKEY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I am standing here today probably inadequately trying to express what the little people want done in my district. This is the Fourth District of Arkansas. I am in it every weekend and I am talking and listening, and I read the letters. I talk to them on the phone. What they are say-

ing is enough is enough. What is happening is not just the gun control. They say that gun control is just one other means of trying to get control of their lives.

Taxes takes care of the bank, the bank accounts. The school efforts to come into their homes and tell them how they can teach their kids if they are home schoolers, or private school, is another part of it. The health care bill, the aura of the health care bill, coming in and taking 14 percent of the gross national product and telling them when they can go to the doctor and when they cannot.

Then here comes gun control. It is a front. It is a deception, in their minds. They say people are not concerned about gun control so much as they are concerned about taking control of the lives of the people who are making this Nation what it is and who have made this Nation what it is.

I am here speaking for the little person. I am here saying I am not necessarily that type of person, a little person, but to be considered about one part of a percent of what our national violent crime rate is, and not put those people in person, is wrong, by these people. They are the victims, but the criminals, we are putting them in prison, we are building gymnasiums they do not have, giving them TV's they do not have. We are giving them benefits in the medical field they do not have, benefits in the legal field.

They say, "You can have all the appeals you want."

These people are paying the taxes, and there is bitterness that is coming, bitterness and bitterness and bitterness. What they want is the Government to stay off their back, and this particular bill is symbolic. It is nothing but up there at the top, it is a small percentage, but they see it as a very large intrusion.

I ask the Members, if it is equal, go with the little person. Protect their rights, protect what they want to have for their own, and not have the Government take away.

Mr. SHAYS. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina [Mr. DERRICK]. My understanding is that he will need more time than that, but I have only 1 minute to yield.

Mr. SCHUMER. Mr. Chairman, I yield 1½ minutes to the gentleman from South Carolina [Mr. DERRICK].

The CHAIRMAN. The gentleman from South Carolina [Mr. DERRICK] is recognized for 2½ minutes.

Mr. DERRICK. Mr. Chairman, if this bill fails today, we are no longer a democracy. Eighty percent of the people in this country want to see a ban on assault weapons. This debate is not being controlled by our constituents, it is not being controlled by the 80 percent out there. It is being controlled by a minority here inside the beltway that

are again controlled by gun dealers and gun manufacturers, primarily.

Mr. Speaker, if this bill does not pass we are no longer a free Nation. Let me tell the Members, they do not have to be in jail. They do not have to be incarcerated to not be free. We as a Nation are not free when we cannot walk down our streets and feel safe. We as a Nation are not free when we cannot stop at a public telephone booth without fear of being molested. We are not free as a Nation if we cannot pull up to a stop light and worry about someone with a gun sitting next to us that is going to blow us away just for the heck of it.

Mr. Chairman, if there is any one time that I have seen since I have been in this body, this is an opportunity for us as a body to throw off the shackles, the shackles of special interests, and do what is right for this Nation, what 80 percent of the people in our country know is right for this Nation. It is now.

I beg of you, I plead for you to fight for our country, because if we do not do it now and we do not do it good this afternoon, we, our children, and our grandchildren are going to regret it for years to come.

Mr. SCHUMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. FINGERHUT].

Mr. FINGERHUT. Mr. Chairman, I rise today to express my very strong support for H.R. 4296—a bill that will ban the manufacture and possession of 19 semi-automatic assault weapons.

I commend my colleagues on the House Judiciary Committee for bringing this bill to the floor, and I also wish to commend the President and his Cabinet for the excellent support they provided in helping us to gain passage of this legislation.

Mr. Speaker, this is one of the most significant votes of the year, and I am proud to cast my vote in favor of the assault weapon ban. We have shown a willingness to be tough on criminals. Now we have to be willing to show that we can take the weapons out of the hands of these criminals.

Countless police officers in my district have called me—have come by my office—have stopped me on the street to express their support for H.R. 4296. I am glad that today I have the opportunity to stand up on this floor and say that I support banning these weapons of war.

Mr. SCHUMER. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I rise in strong support of the legislation offered by the gentleman from New York [Mr. SCHUMER] to ban certain semi-automatic weapons.

Mr. Speaker, I rise today to support the ban on the manufacture of semi-automatic assault weapons. I am here representing my constituents and along with my women colleagues to give voice to the concerns of women in

America. Our message to the House—pass legislation banning assault weapons now!

The Intra TEC DC-9, the UZI, the MAC 10, and the AK-47, these are the types of weapons we seek to ban. They come standard with ammunition magazines capable of holding 30 rounds and more, they can be fired as fast as the trigger can be pulled and they can be purchased over the counter. They are the weapons our kids face on the streets every day.

A gun in the hands of anyone whose goal it is to kill people poses a great threat to all of us, however, when an individual is armed with one of these assault weapons, that individual's ability to kill many people in a short period of time is significantly enhanced.

Last July, in San Francisco, because Gian Luigi Ferri was armed with two Intra TEC DC-9 firearms—like this one here—with 50-round magazines, he was able to fire between 75 and 100 rounds, killing 8 people and wounding 6 others. Mr. Ferri's victims were shot not once, twice, three, or even four times, but five and six times. Judy Sposato was shot five times that day. She left behind her 18-month-old daughter, Meghan, and her loving husband, Stephen.

In 1989, because Patrick Purdy used an AK-47 equipped with 75- and 30-round magazines, he was able to kill 5 and wound 30 schoolchildren in a matter of minutes.

It will be difficult to prevent these tragedies from ever happening again, but let us not make the killer's job any easier by allowing access to these weapons.

We are faced by an urgent need to find a balance between our rights. A balance between the right of someone like Gian Luigi Ferri to bear a weapon with the capability of killing so many people so quickly and the right of someone like Jody Sposato to life, liberty, and the pursuit of happiness.

The best interest of society at large is not served by making available to the public this kind of firepower. As long as these weapons are being manufactured in our country and put out on the streets of our cities, the deck will be stacked against our children and families.

Let us give a Mother's Day present to the mothers of America by passing the ban and making our country safer.

Mr. SCHUMER. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. ROYBAL-ALLARD].

Ms. ROYBAL-ALLARD. Mr. Chairman I rise in strong support of H.R. 4296, the Assault Weapons Ban.

In fairness to legal gun-owners, it exempts 2,650 types of firearms created for hunting or homes protection and bans 19 types of deadly, semiautomatic assault weapons originally designed by the military for one purpose—deadly combat.

These guns are the weapons of choice for drug traffickers, mass murderers and hate groups. They are frequently linked to the injury or death of police officers in the line of duty. In my district, as in the rest of the Nation, these weapons are the most frequent cause of random, senseless deaths associated with gang violence.

It is this random violence which has created a climate of fear throughout America and leads our children to plan their funerals, instead of their graduations.

H.R. 4296 will make our communities safer, and restore hope in our children for the chance to learn and play and grow up in a society not imprisoned by fear.

We must not ignore this historic opportunity to reduce violent crime on American streets.

Mr. SENSENBRENNER. Mr. Chairman, I am going to close on this side. I would ask the Chair, do I have the right to close immediately before the gentleman from Texas [Mr. BROOKS], as the manager on this side of the aisle?

The CHAIRMAN. The gentleman is correct.

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

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

Mr. Chairman, this is a conscience vote for each and every one of us. I would like to thank my leadership for allowing every Member on the Republican side of the aisle to come to his or her own conclusion. I would also like to thank the gentleman from Wisconsin [Mr. SENSENBRENNER] and the gentleman from Illinois [Mr. HYDE] for yielding me control of 30 minutes of time to allocate to the Republican supporters of the bill.

Americans have the constitutional right and protection to bear arms. It is there and it must be maintained. Their Government has the constitutional responsibility to regulate that right.

Mr. Chairman, we need stronger crime control laws and enforcement. We also need stronger gun control laws and enforcement.

If I had only one choice, it is obvious, I want stronger crime control. There is no contest. I think it is about 97 percent of the solution. But, that is not a choice we have to make. We do not have to choose between one or the other. They are not mutually exclusive. It is logical to pass rational gun control legislation as well.

Some of my constituents called our office in opposition to this bill. When I spoke to them, it was clear they did not all oppose the law as it was written, but what the law might become. What they fear is the concept of the slippery slope. They fear the camel's head under the tent. My only comment to them is that we have to take each piece of legislation on its merit, not judge it on what might happen some time in the future. On its merit, this legislation makes sense.

Mr. Chairman, if this bill, on its merit, cannot pass, there will be such

pent up desire for gun control legislation that the next piece that comes before us will not be as meritorious, will not be as rational. It will attempt to do too much, and threaten people's legitimate rights to bear arms.

Go with this rational approach to gun control, and recognize, this is only three percent of the solution, but it is not mutually exclusive. I believe we need much stronger crime control legislation. Voting for this bill does not prevent me from voting for that legislation as well.

The CHAIRMAN. The time of the distinguished gentleman from Connecticut [Mr. SHAYS] has expired.

The Chair recognizes the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Chairman, I yield myself my remaining time.

Mr. Chairman, I thank the gentleman, and first want to thank our chairman for his fairness, and my colleagues on that side of the aisle, for what I consider an excellent debate on both sides of the aisle.

Let me say to my colleagues that as I have studied this issue, the gun control issue, I realize it is not a simple one. We are concerned, greatly concerned, about the killing on our streets and the easy availability of guns.

I also have come to understand that in large parts of this country having a gun, being able to go out and hunt, having a gun to protect your home, target shooting, all of that is very important to a way of life.

□ 1620

That is why this debate is a debate that goes back and forth in this Chamber. That is why on so many issues, many of us internally are deeply divided. But I would argue to my colleagues, particularly those who are undecided because those who have not made up their minds yet will determine the outcome today, I would say that this legislation, this particular narrowly crafted and very limited bill, the balance is in its favor.

Mr. Chairman, we know what these weapons do on the one side. They are not all killing that is going around, but they are 1 percent of the weapons with 8 percent of the killing, and if we ask law enforcement officers, that number will go up and up and up. So they certainly do damage as we have heard from victim after victim after victim. They do the damage more quickly and more lethally than other guns. And on the other side, the right of people to have guns, let us not fool anybody, we know that these guns are not used for hunting, we know that these guns are not used for self-defense, and we know in only very limited cases are they used for target shooting and can be easily replaced by comparable weapons.

Mr. Chairman, yes, it is true, my colleague from Arkansas said that if they

do not make a difference in the cities, but they do, why impinge on our way of life, the rural way of life, and I would argue the opposite. There is some minor impingement on the rural way of life, but it will do much more good in terms of the cities.

Mr. Chairman, I would also say to my colleagues very simply that this will work. We banned machine guns in 1937. Do criminals now get machine guns? One cannot find a crime where a machine gun is used. They just do not get them and they will not get semiautomatics. And on the other side, are our sportsmen and our hunters and our target practice people and people who want guns for self-defense less inconvenienced because there are not machine guns on our street? I would argue no.

Mr. Chairman, this minor change in the law, and it is a relatively minor change, adding 19 weapons to those that are already abolished, it will not end the killing, but we know it will do some good and very minimal bad.

Mr. Chairman, these guns are plainly and simply killing machines. They are not made for hunting, they are not made for target practice, they are made simply to kill as many people, people, people as possible as fast as possible. They have no place, no place at all in a civilized society.

Mr. BROOKS. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Missouri [Mr. VOLKMER] who served with great distinction on the Committee on the Judiciary and helped to formulate the 1986 law.

Mr. VOLKMER. Mr. Chairman, I first want to correct two things stated by the gentleman from New York [Mr. SCHUMER], about the 19 weapons. I suggest for Members that do not know the truth between what the gentleman from Texas [Mr. SARPALIUS], showed you, the long list, or the gentleman from New York [Mr. SCHUMER], that they read page 20 of the report of this committee and they will find that there are many additional semiautomatic weapons that are banned, not just the 19.

No. 2, correction of the gentleman from New York who just spoke in this well. He said that we banned all machine guns. If he meant machine guns by automatic weapons in 1934, he is way off base. He again does not know what he is talking about. In 1986 was when automatic weapons were banned. And why were they banned? Because before that time, the media and the gun control incorporated, hand gun control were all calling them the weapon of choice of the criminal.

These were the assault weapons. And automatics were assault weapons, and they still are. They are the only assault weapons. They are the ones that are used by the military. And they have been banned since 1986. But do the criminals still have them? Heck, yes,

they have them, folks, and they still use them. Those drug pushers still have them and they will continue to have them.

Mr. Chairman, what have they banned in here? They have banned the same thing as my 3030 rifle. They have banned the same thing as my 3006 deer rifle, as my 12-gauge shotgun. They have banned the very same thing that works identically.

Mr. Chairman, one other thing: This shows a banned gun and a non-banned gun made by the same people, the same caliber, the same way it works, and it kills just as much whether used in hunting or used on people.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Wisconsin [Mr. SENSENBRENNER] is recognized for 3 minutes.

Mr. SENSENBRENNER. Mr. Chairman, one of the things that has made our American Constitution so unique and so enduring is that our Bill of Rights was designed to protect the people of this country against government action. There are few who would argue that the Second Amendment protects individual possession of nuclear devices or machine guns or bazookas or grenade launchers. But what we are talking about here is a balancing of rights and a balancing of interests.

Mr. Chairman, I have been listening to this debate for the last 2 hours, and it seems to me that balancing those equities requires a "no" vote. We heard the gentleman from California [Mr. ROHRBACHER], say that he saw on television Korean American store owners protecting their lives and their property during the Los Angeles riots, and that was because the police did not show up. And they used semiautomatic weapons that are banned on this list. Self-defense is a legitimate purpose and this bill would take those guns away from those Korean Americans.

Secondly, we have to remember that it is already a Federal felony for someone who has been convicted of a felony or adjudicated mentally incompetent to possess any type of firearm, any type of firearm. If the Justice Department were doing its job adequately, those people would be arrested and indicted and prosecuted, and that is the organized criminal element that is shooting up our streets today, and they do not belong out on parole, they belong in jail, because just a small number of the criminals commit the vast percentage of the violent crimes in our country.

Mr. Chairman, let us face it. The semiautomatic weapon is not the weapon of choice by the killers. The gentleman from Connecticut [Ms. DELAURO] on the other side said that there were only 19 murders since October that used the type of semiautomatic weapons that are to be banned

by this particular piece of legislation. I estimate that the total number of murders unfortunately is 10,000 during the same period of time. This is just a small percentage of the murders.

Mr. Chairman, in order to take weapons that have been used for a small percentage of the murders out of the hands of those who would use them illegally, the Korean American shop owner who needed that weapon to protect lives and property, the hunter that uses these weapons for legitimate hunting purposes, the target shooter who uses an M-1A or an AR-15 will end up getting legislated out of business.

Vote for the honest people. Vote "no." Then let us pass a tough crime bill that will put those crooks in jail.

Mr. BROOKS. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. FLAKE].

Mr. FLAKE. Mr. Chairman, as one who has had the responsibility for burying and eulogizing children as young as 11 years old, victims of gunshot, I rise in favor of this particular legislation and ask my colleagues to join in supporting it.

Mr. BROOKS. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. ESHOO].

Ms. ESHOO. Mr. Chairman, I rise in strong support of H.R. 4296, the Assault Weapons Ban Act of 1994. I think that it is time that when we use the word "street sweeper," we know that we are talking about public works projects and not South African designed shotguns.

Mr. Chairman, I rise before the House to urge my colleagues to support H.R. 4296, the Assault Weapons Ban Act of 1994.

This ban is not just an inner city issue. Today's Wall Street Journal provides new polls showing vast majorities of Americans supporting this ban. This overwhelming support is found in urban, suburban, and rural areas of America.

Every major national law enforcement organization in America supports the ban including the National Association of Police Organizations and the National Sheriffs' Association.

The ban is also supported by our former Presidents Ronald Reagan, Jimmy Carter, and Gerald Ford.

The weapons this bill bans are not sporting weapons, they are weapons of death. The bill bans 19 specific semiautomatic weapons, none of which are used for hunting or other sporting purposes and exempts 670 specific weapons that are used for legitimate purposes.

Moreover, this bill does not take away any weapons from people who already legally own them. It addresses only those weapons designed to kill human beings. America and this Congress needs to get to a point that when we say the words "street sweeper" we are talking about a public works project and not a South African-designed shotgun. Support this gun ban as an important step to provide for the safety of all Americans. It is time to stop the killing.

□ 1630

Mr. BROOKS. Mr. Chairman, I yield myself 4½ minutes, the remainder of my time.

Mr. BROOKS. Mr. Chairman, we have now reached the end of the day on the issue before us. The general debate time has allowed every possible argument to be aired by the proponents who seem to have no qualms whatsoever about taking a simplistic approach to a very complicated issue.

Where the debate has veered off into what I consider an unacceptable and mean area is where the self-anointed arbiters of morality have attempted to paint legitimate, law-abiding gunowners as part of the dark force in America who aid and abet the proliferation of violence in our society. Some would have you believe that to vote against this ill-conceived, overbroad, and unbelievably vague piece of draftsmanship is to sanction the terrible scenes of carnage that we all witness on the late news before going to bed at night. This is a terrible falsehood and worthy of the description of the "big lie"—that if repeated often enough, can cloud reason and clear-headed thinking.

Well, it hasn't swayed my mind one bit or the many other Members in this body who know that the problem of violence has to do with the roots of crime, with the pervasiveness of drugs, with violent impulses and malice of heart that leads individuals with no moorings in civilized life to commit unspeakable acts.

It is very easy for us sitting here in the Northeast corridor to forget about the rest of the continental United States and the citizens who live there. Across this country in our towns and communities, fathers and sons know how to properly handle weapons for the legitimate purposes of hunting, self-defense, and target shooting. This legislation insults the dignity of their lives by attempting to lump them in the same category of deranged sociopaths, who could get any weapon described in this bill in an hour's time. To the frenzied advocates, that is a mere detail. To them, the vagueness of the bill's language is someone else's problem that can be taken care of later.

Well, I am not going to subscribe to that cavalier approach. I am not going to subscribe to the broadbrush painting of our good citizens as potential criminals—nor of sincere, dedicated lawmakers in this body who oppose H.R. 4296 as somehow advocating violence in America.

If you want to fight crime, then support the tough crime bill. Let's put an end to the demagoguery and twisted logic. Let's vote this down, and get on with the real business of fighting crime.

Mr. Chairman, let us put an end to the demagoguery and the twisted logic that this bill is going to do anything

useful. Let us vote this down and get on with the real business of fighting crime.

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

Mr. CUNNINGHAM. Mr. Chairman, I rise in strong opposition to this bill. I share the frustration of many Americans in that there are too many weapons in the wrong hands on the streets of our cities. There are too many killings by any method, and the United States sadly leads all civilized nations in violent crime. Citizens and politicians need to direct meaningful solutions and actions to resolve or at least diminish crime.

But, let's be frank. This isn't a crime control bill. It's a gun control bill and is another step by the anti-gun crowd to chip away at the second amendment. We know that 80 percent of all violent crime is committed by 6 percent of felons. That's why "three strikes, you're out" makes sense.

This bill gives cover to a Congress that failed to adopt truly tough legislation against violent crime. Just last month, the Rules Committee denied amendments to the crime bill such as the McCollum amendment that would increase the jail sentence for anyone using any kind of weapon in the commission of a crime. Numerous amendments to provide stiffer penalties for criminals were not allowed to be debated. We should classify drive-by shootings as first degree murder and any youthful offender in the vehicle should receive at a minimum a 1-year sentence in a boot camp. We should insure that there's truth in sentencing, with no parole for second time criminals, and mandate that convicted criminals should serve a minimum of 85 percent of time, as recommended by the father of Polly Klaas, the young Californian who was murdered by a child molester who was released early.

Instead, the focus in this bill is placed on 19 semiautomatic rifles and the size of an ammunition clip. Supporters of this bill call these firearms weapons of war or assault weapons, saying they are made only to kill, only used by criminals. They don't tell you it is already illegal for convicted criminals to own any gun.

They don't tell you that these assault weapons aren't the preferred weapons of violent criminals. Here in Washington, DC, the murder capital, of the 4,200 homicides committed between 1990 and 1993, only four involved the use of a rifle. The FBI reports that nationally only 3 percent of homicides involve rifles. Ninety-nine percent of today's criminals prefer weapons other than those so-called assault weapons.

Not one of the 19 semiautomatic rifles was used in the military in any country. They were not built for the military or used by the military. Real assault weapons, that is, automatic weapons should not be used by anyone except the military and law enforcement.

I have flown an F-14 with a 20mm Gatling gun that could disintegrate a tank with a one-half-second burst, but this bill would deny me from carrying a 10-shot, 22 target pistol. We ought to remember that it's not the weapon, but who's using the weapon. These 19 semiautomatic rifles were not designed to kill people but for use by lawful citizens.

Rather than getting tough on guns, we ought to get tough on criminals. Criminals who

use a gun, or for that matter a knife or a rock, ought to face swift, severe, and certain punishment. If we are frustrated with illegal weapons proliferation, then we ought to pass a national computerized instant check system that can identify those with a criminal past or mental history that should preclude them from buying a gun. Instead, we pass the Brady bill, a feel good unfunded mandate. We should deal with fly-by-night gun dealers that flood the streets with weapons. We should deal with those illegally carrying a concealed weapon.

We should pass tough measures, not take away the rights of law abiding citizens. We ought to lock away those core criminals for these 6 percent that commit the majority of crime locked up forever.

Mrs. LLOYD. Mr. Chairman, let me say at the outset that I support the second amendment, which provides Americans with right to keep and bear arms. Many of my constituents have a great love for the land and a tradition of sportsmanship. I have long maintained that abiding citizens have constitutional guarantees to own firearms and that these guarantees should be upheld.

However, I do not believe that in crafting the Constitution, our Founding Fathers intended to give citizens the right to bear arms of mass destruction. Every day I turn on the news or read the newspaper, I find yet another gun related death. Our streets, playgrounds, and schools have become shooting ranges. The very fabric of American society is being torn apart by a pull of the trigger. Let me qualify, that each pull of the trigger on an semiautomatic assault weapon can mean 30 shots emptied in just 5 seconds. Semiautomatic assault weapons are specifically engineered for the purpose of killing. These weapons are simply tools used to enhance criminal activity.

In 1991, I voted against proposed legislation to ban assault weapons, because of its ambiguous language and broad definition of the configuration of an assault weapon. However, the legislation before us is quite different than the 1991 legislation. First, H.R. 4296 is not retroactive. The legislation is grandfathered, to allow law abiding citizens to keep currently owned semiautomatic weapon(s). The bill discontinues the manufacture and sale of new semiautomatic weapons. Second, H.R. 4296 bans 19 specific guns and includes a narrowly tailored two part test to safeguard against duplicate versions of the banned weapons. Finally, and most importantly, H.R. 4296 specifies the exemption of 650 hunting and sporting rifles.

As it is written, it is apparent that this legislation is not intended to take away the rights of law-abiding citizens. This legislation is intended to prevent the random killings of people with assault weapons, such as the five children mowed down in the Stockton schoolyard massacre in 1989, and the eight people killed in the law firm in San Francisco in 1993. Incidentally, both these incidents involved semiautomatic assault weapons purchased by a gun dealer.

Mr. Chairman, according to ATF statistics, during 1986-90, 1,088 assault weapons were traced to murders in the United States and 3,505 were connected with drug trafficking. After reviewing homicide statistics and seeing these daily incidents involving semiautomatic

assault weapons, I cannot justify their existence. I realize that this measure will not eliminate the problem of violence in America, but it will certainly create a major obstacle in accessing these destructive weapons. I urge my colleagues to support the measure and take a fundamental step in saving lives.

Mr. FRANKS of Connecticut. Mr. Speaker, I rise today as a member of the Sportsman Caucus in strong opposition to H.R. 4296, the so-called assault weapon ban. I am a firm believer in the second amendment right to keep and bear arms. While many in Congress feel the way to control crime is to eliminate guns, I do not.

In my judgment, eliminating guns will not alleviate the crime epidemic. The cause of the outbreak is the criminal. I believe we can better deter criminals by imposing strict penalties for those who commit crimes. Ultimately, the most effective way to deter crime is to send a message to the criminal that the punishment will be severe and swift.

Mr. Chairman, this legislation is just another example of political posturing by the U.S. Congress. More people are killed each year with fists and feet than with these so-called assault weapons. The vast majority of murders involve handguns or some other form of a gun, but not assault weapons. According to FBI statistics, fists and feet represent about 5 percent of all homicides while assault rifles account for less than 1 percent of all murders.

There are a number of methods which cause injury or death to another individual. Knives, ropes, bullets, fists, feet, blunt objects, and motor vehicles have all led to the deaths of far too many people in our society. Yet I do not believe anyone here would advocate the banning of these items. No, instead we would seek to appropriately punish those individuals involved in these heinous crimes.

We are duping the American people by claiming that this legislation will help combat the crime epidemic facing our Nation. Like most gun control legislation, this bill will do nothing more than impose on the constitutional rights or our citizenry. This legislation will disarm law-abiding citizens and strengthen the criminal. I have introduced legislation that punishes the criminal and not law-abiding citizens. My bill would double the Federal mandatory sentences for individuals who commit the most heinous crimes with a firearm in their possession.

Mr. Chairman, I would like to state that this legislation has nothing to do with fully automatic weapons. Automatic weapons have been banned since 1986. So what we're talking about is semiautomatic weapons. For those of you not familiar with firearms, semiautomatic means that every time you pull the trigger one round is fired.

Every one of the 670 weapons exempted by this bill is a semiautomatic weapon. They fire the same ammunition at the same rate that these so-called assault weapons fire. The only difference is that exempted weapons do not contain features like a pistol grip or bayonet lug. Mr. Chairman, these features may make these guns look more intimidating, but they do not increase the firepower or lethality of the weapon.

If the barrel of a BB gun or a .22 is staring you in the face, that is intimidating. There is

no question that a gun of any kind in the wrong hands is dangerous. Gun control is not the answer to this problem. Tough mandatory minimum sentences are.

Mr. Chairman, I am also concerned that the list of weapons banned is not limited to the 19 firearms listed in this legislation. Some estimates show that as many as 150 rifles may be banned by this bill. In my opinion, this sets a dangerous precedent. Once the Congress adopts the theory that limiting access to firearms reduces crime, I believe there will be tremendous pressure to ban more and more guns—until the right to bear arms is effectively nullified.

Mr. Chairman, H.R. 4296 is a bad bill, let's defeat this legislation and get tough on the criminal, not law-abiding citizens.

Mr. YOUNG of Florida. Mr. Chairman, to those who preceded me in this debate today to say that a TEC-9 semiautomatic assault weapon or any one of the other 18 weapons specifically banned by this legislation has never been used to kill anyone in a town in their congressional district, I say you should be thankful. It is my hope and prayer that one of these weapons never will be brandished during the commission of a crime in those districts.

Unfortunately, not every congressional district has been so fortunate. There has been case after case reported and documented where these weapons have been used to injure or kill innocent children, husbands and wives, mothers and fathers in their schoolyards, their homes, their offices, and on the streets of their hometowns.

I know of these tragic stories because I have met survivors of these crimes. The semiautomatic weapons banned by this legislation were used in a way that has forever changed the lives of these families. For those who say these weapons are not used in crimes, I say tell that to Stephen Sposato, whose wife was killed by a man who walked into her San Francisco law firm carrying two TEC DC-9's he purchased in Nevada, because they were outlawed in California. After shooting her five times he turned his weapon on others in her office, killing seven more and wounding many others. Tell that to the survivors of this horror and to their loved ones.

The fact is that the guns the Assault Weapons Ban Act seeks to end production of are used in criminal violence. They are used disproportionately to their prevalence in the gun population and they are used with one purpose in mind—to kill as many people as possible.

As a gun owner myself, and a member of the House Appropriations Subcommittee on National Defense, I have fired just about every kind of weapon conceivable. There is no doubt in my mind that the type of weapons we are discussing here today have no legitimate sporting purpose. No true sportsman would ever use one of these weapons for the hunting of game.

The only people who should possess these weapons are the men and women of our Nation's uniformed services and law enforcement agencies who are charged with protecting the American people.

There are those who say that banning these weapons will not prevent crime. There is no

doubt this ban will not prevent all criminal activities, but if it saves the life of one innocent victim or protects one police officer patrolling our streets, then this ban is worth enacting today.

This legislation does not ban the ownership of these weapons. It does not require them to be turned in or registered. It does not even ban their sale or transfer. It simply bans their future production which will help dry up the supply available to the criminals who use them. We have already seen this to be the case as the number of murders, assaults, drug crimes and property crimes linked to imported assault weapons has declined since the imposition of an import ban established by President Bush in 1989 on a select number of weapons.

It is unfortunate that the legislation we consider today will not put an end to killing and murders in our towns and cities. No legislation we enact in Congress, no matter how tough, will do that.

This legislation, however, makes it more difficult for those who might commit these heinous crimes from acquiring weapons whose sole purpose is to maim and kill another human being. It does this while still protecting the fundamental second amendment rights of the American people.

Even Bill Jackson, of Pinellas Park, FL, the owner of Shop for Adventure, one of our Nation's largest sporting goods stores which sells guns, has written me in support of this bill saying these guns "have no need in the sports world, nor for personal defense."

Mr. Chairman, contrary to many of the assertions we have heard during this debate, the intent of this legislation is simply to stop the future manufacture of these killing machines. The legislation grandfathers any weapon in the act that is presently owned. It does not prohibit a gun owner from transferring their weapon to their son or daughter or to any other law abiding citizen. It does not require them to register their gun with local authorities, and it specifically exempts more than 650 hunting and sporting rifles. The legislation also make clear that a gun does not have to be on the list of exemptions to also be exempt.

People opposed to this act say this is the first step towards gun registration and gun confiscation. Well I am a gun owner, and I have used a gun to protect my family from criminals in my own home and I strongly defend the right of Americans to own guns, but I cannot support allowing the continued production of these 19 specific types weapons for use by any one other than a member of our Nation's uniformed services or law enforcement agencies.

Mr. Chairman, over the past few weeks I have searched my conscience at length and talked to many people from all sides of this issue. In the course of the debate I have received much input from my constituents, and, quite frankly, I have received threats of political retribution from both sides if I did not vote their way. To cast my vote for or against any legislation based on the threat of retaliation at the polls would be no different than casting a vote for or against an issue based on promised financial or political support.

In casting my vote today, I must decide what is in the best interests of the people I

represent and all the American people. For those who have lost a loved one through a violent act committed by one of these specific types of assault weapons, or for those who patrol our streets and run the risk of encountering a criminal armed with one of these weapons, I can only conclude that this legislation is in their best interest and the best interest of future victims of these weapons.

Just as those who believe this legislation is a panacea to prevent crime and violence in our streets are wrong, those who believe this legislation represents an erosion of our second amendment rights to keep and bear arms are also wrong. During this debate today, no one stood up to advocate that the second amendment covers the right of people to keep and bear machine guns or other military style weaponry. This legislation simply adds 19 specific types of weapons to a list of weapons that cannot be produced for anyone other than a member of our uniformed or law enforcement services. It does not confiscate or ban possession by those people who already legally own them.

This is an attempt to protect the lives of those who may one day run astray of a criminal in possession of one of these weapons of death. For those who would refer to the constitutional protection of the American people to keep and bear arms, and their is no greater proponent of this second amendment right than this Congressman, I would refer to the preamble of our Constitution which charges that "We the people, in Order to form a more perfect Union, establish Justice, and insure domestic Tranquility * * *" This legislation is one step in trying to help insure domestic tranquility and the preservation of innocent life.

Mr. RICHARDSON. Mr. Chairman, Americans are sick and tired of hearing about crimes that are being committed in their neighborhoods. It is our duty as U.S. Representatives to prevent criminals from controlling the lives of law-abiding citizens. The strong punishment and smart prevention measures found in the crime bill, which recently passed the House, lets criminals know that they will no longer be tolerated.

However, any attempt to take away the rights of law abiding citizens to own firearms is not the answer to stopping crime. In fact, the National Association of Chiefs of Police oppose the ban. Criminals by nature will break the law, and if Congress bans various assault weapons, criminals will simply choose to illegally obtain these or other weapons to perpetrate their crimes.

Furthermore, the second amendment clearly states that people have the right to keep and bear arms. The idea of banning certain guns is an infringement on the rights of citizens to protect their own families. If the assault weapon ban is passed, gun control advocates will seek further ways to violate the rights of gun owners. The focus should instead be on finding new ways to help kids say no to gangs and drugs through crime prevention programs as well as measures which keep repeat offenders off the streets. These are the measures which will keep all Americans safe. At the very least, the idea of banning certain guns should be left to each State. Therefore, States which are less urban and more rural should have the right to allow their own citizens to

purchase guns for hunting, gun collecting, and other various purposes common in their own culture.

In addition, the legislation would also ban popular sporting rifles such as the Springfield M1A which is used by highpower rifle target shooters in competition. It is unfair to deny law abiding sportsmen their rights to own rifles which they use in competition. The ban also imposes penalties of up to 5 years in prison as well as a possible fine of up to \$5,000 for those who own the banned guns. However, there are many citizens who legally have guns in their possession, and these law abiding citizens could be subject to penalties if they do not have proof that they purchased the gun prior to enactment of the gun ban. Since many guns lack serial numbers and other forms proving the date of purchase, many innocent individuals could be accused of violating the law.

Mr. Chairman, military-style weapons are involved in less than 1 percent of all serious crime, and the assault weapons ban will not keep crime off the streets. I therefore hope that Congress and the President pay less attention to gun bans and more attention to tough punishments and smart prevention measures.

Mr. ENGEL. Mr. Chairman, I rise today in support of H.R. 4269, the Assault Weapons Ban Act. As a cosponsor of this bill, I believe that it can only decrease our country's crime rate and ensure the safety of the American public.

The violent incidents in the United States which have been a result of assault weapons have not discriminated against any one region or age group. Since 1991 over 5,000 young Americans, ages 1-19, have died as a result of guns and tens of thousands more have been injured. In the United States today, a young man is more likely to die due to handgun violence than by any other means. We now have a chance to not only save the young men and women of our country but to also shield the hundreds of thousands of Americans who are in some way affected by guns each year.

Many organizations who do not support this bill advocate that a ban on assault weapons will infringe upon the American public's constitutional rights. In addition, they argue that there is no difference between which guns are proposed to be banned and which are not, and claim that this proposed ban will affect hunter's firearms. All of these allegations are false, as supporters of this bill already know.

The American Bar Association has clearly and continually stated that there is no credible constitutional ban on enacting strong, comprehensive assault weapon legislation. The ABA emphasizes that the Supreme Court, as well as lower Federal courts, have never struck down any regulation of private firearm ownership in our Nation's history.

It is almost unbelievable that, given the violent statistics, Congress has not devoted more attention to this issue until recently. The Treasury Department's Bureau of Alcohol, Tobacco and Firearms has stated that the narrow range of assault weapons which this bill would affect are not like ordinary guns. Rather, the weapons to be banned are, in effect, efficient killing machines. Hunters who fear

that their weapons will be banned should not be concerned. The 19 specific guns which will be outlawed are those designed to kill humans, not to hunt animals.

Some 77 percent of Americans and two-thirds of gun owners polled are in favor of this ban. The fact remains that guns banned under H.R. 4296 make up only 1 percent of all privately owned firearms in the United States. Yet, in 1993 assault weapons accounted for 9 percent of the guns used by cop killers and over 8 percent of all firearm related crimes. This can not be tolerated.

In 1991, California passed the Nation's first assault weapons ban as an outcome of the tragic 1989 Stockton school massacre. As a result of this ban, California has held firm against the drastic Nation-wide growth of assault weapons. From 1991 through 1993, California requests for assault weapons rose less than half of the national average. This ban is an example of a proven method of reducing assault weapon violence.

Numerous bipartisan organizations, including major law enforcement organizations, who only have the public's best interests and safety in mind support H.R. 4296. I urge my colleagues to reflect the will of the American public and to vote in favor of this ban. Together we can win this battle against crime.

Mr. HALL of Ohio. Mr. Chairman, I rise in strong support of the Assault Weapons Ban Act. The increase in violence in our Nation's communities is an issue that deeply concerns me. As a Representative from my district of Dayton, OH, I have heard from many constituents who have expressed outrage and fear at the type of violence they face on a daily basis, and who have urged Congress to keep these guns out of the reach of criminals.

As a parent, I have listened to my children who have told me disturbing stories of how many young people get involved with guns and drugs in schools. According to the Centers for Disease Control, more than 50,000 American children have been killed by guns between 1979 and 1991. In 1991 alone, over 5,000 children between the ages of 1 to 19 died from gunshot wounds, and over 26,000 children were injured by guns. Mr. Chairman, action must be taken to ensure that children are safe in their neighborhoods and can attend schools in a learning environment. It is disturbing to hear that so many young people know the horror of such violence at an early age, and are planning their funerals instead of planning for their future.

I am not antigun, and I respect the rights of those who are hunters, sportsmen, and collectors. The bill before us does not pertain to these law-abiding citizens. Instead, it bans 19 assault weapons which are specifically designed to kill people in large numbers.

Obviously, this ban is not the only solution to the increase in gun-related violence. But, if we can curb the senseless killing of many individuals by banning these assault weapons, then I believe we in Congress have made one important step forward in addressing the violence in our country. I urge my colleagues to vote for the assault weapon ban.

Mr. RAHALL. I rise today Mr. Chairman, to oppose H.R. 4296, the bill to ban so-called assault weapons and to tell you how the people whom I am proud to represent feel about this effort to erode their rights.

I have heard from countless constituents who value the right to own the firearms of their choice so that they may participate in hunting or sporting activities or to be able to protect their homes or their families. They understand the facts that those who advocate gun control do not understand—gun control only restricts the rights of honest citizens, it has no effect on criminals. And that is what we are talking about here—gun control instead of criminal control or prevention who believe, for a moment that if successful today, this will be the end. Who are we kidding?

Let me tell you a little bit about West Virginia. We have very little restriction on our second amendment rights and yet we are not overrun by gun crime. We do not have shoot-outs on our streets. People do not barricade themselves in their homes, afraid to go out into their neighborhoods. On the contrary, West Virginia, a State with little gun control, enjoys one of the lowest crime rates of this Nation.

We should get one thing clear, Mr. Chairman, the debate here today is not about guns, it is not about assault weapons. What we are really talking about is prohibiting ordinary, peaceable Americans from owning private property of their choosing. As one of my constituents from Huntington, WV, wrote to me recently,

Proposed antigun laws do not impact the criminal nearly as much as they impact me, the law-abiding, voting, proud West Virginia and United States citizen * * *. Our freedoms here in America are very precious. However, I feel that my freedoms are slowly but surely being erased.

We cannot go about legislating that some guns are good and some are evil without jeopardizing the rights of citizens to own guns at all. Those advocating gun control will not be satisfied until all weapons are on the evil list. Last year a little of the value of the second amendment was eroded when a waiting period for all handgun purchases was instituted. This year you are seeking to ban semiautomatic weapons that have certain arbitrary cosmetic features. Next year it will be something else and the process won't stop until the second amendment is a deflated balloon lying wasted in the trail of the parade bound to trample all of our personal freedoms.

I urge all my colleagues to pause for a moment to reflect on the impact of your actions here today and have the courage to support the rights of honest citizens. You cannot control crime in the streets by slapping handcuffs on the second amendment. Oppose H.R. 4296.

Mr. WISE. Mr. Chairman, the ban on assault weapons will not stop criminals from committing crimes, nor will it stop them from obtaining guns. The only thing this legislation will do is keep law-abiding citizens from owning the rifle, shotgun, or pistol of their choice.

I am alarmed at the panic that has been caused by the proponents of this legislation. The semiautomatic firearms that the assault weapon legislation seeks to ban make up less than 1 percent of all guns in circulation. Laws already exist that forbid convicted felons from owning firearms. Laws also exist that govern when a gun may be used and how it may be carried.

The only true military-style assault weapons are fully automatic and have been stringently controlled since 1934. This legislation will have no effect on the sale or ownership of automatic firearms which fire multiple rounds with one pull of the trigger.

This legislation deals with the semiautomatic firearm which fires one shot with one pull of the trigger—just like any other firearm. There is no difference in the action of a semiautomatic hunting rifle and the action of a semiautomatic rifle that would be banned except for the outward appearance of military hardware such as a folding stock or bayonet lug. With these items, it is considered an assault weapon and without these items, it is a sporting rifle. The firearm will still use the same bullets, fire at the same speed, and hit the same target, but those simple cosmetic changes are the difference between a legal and illegal weapon.

While gun control advocates label the "assault weapon" as the weapon of choice for criminals, it is important to note that assault rifles were used in less than 1 percent of all homicides. If we really want to help protect police officers, we need to fight crime—not infringe upon the rights of law-abiding citizens.

Mrs. COLLINS of Illinois. Mr. Chairman, on the morning of October 13, 1992, Annette Freeman prepared her 7-year-old son Dantrell Davis for first grade. As was her custom, she had planned to walk with him the few blocks to school through the Cabrini-Green Housing Development in which they lived, but as they emerged from their building, Dantrell was killed instantly by an AR-15 assault weapon shot by a sniper.

According to the Chicago Tribune, which ran a series of articles on the children killed by gunfire, Dantrell's mother told jurors at the trial that when she heard the shots she ducked and saw sparks coming from a 9th- or 10th-floor window of a nearby building. "I went crawling to Danny" she said. "He was laying on the ground. I just was asking him to get up, but he wouldn't get up. He wouldn't get up."

The weapon that enabled the sniper nine floors up at his perch in the adjacent high-rise building, to shoot and kill little Dantrell is a semiautomatic version of the M-16 machine-guns used by the military. This weapon was traced by law enforcement agents in crime investigations more than 1,800 times between 1990 and 1993. There is absolutely no legitimate reason for this weapon of war to be available and as easy to purchase as the bookbag that Dantrell carried to school. This is a national disgrace.

In 1989 we banned the AR-15 from re-importation into the United States because it did not meet the sporting purpose criteria under the Gun Control Act. Obviously if these weapons should not be imported or re-imported then we certainly should not allow 400,000 of them to be manufactured here in this country. This lunacy must end.

This past December, 16-year-old, Gerome Allen who played basketball for Westinghouse High School was standing outside Banner Supermarket on Chicago's westside, holding a box of doughnuts, waiting for his brother who was still inside the store, when gunfire erupted from a building across the street. One of the bullets from an AK-47 assault weapon fatally struck him in the back of the head.

Over the course of this debate I am sure that we will hear from a chorus of assault weapons promoters backed by the NRA, or the not really attuned, who will say that the list of weapons included in the ban includes guns which are used by sportsmen. They will argue that the ban would prohibit these law-abiding citizens from enjoying their sport. While I believe that the bill has been crafted in such a way as to avoid this problem, I must say that as a mother I find it hard to listen to arguments about inconvenience when regularly innocent children are being killed because of the existence of these weapons on our streets. Guns which cause completely unnecessary destruction and death in their wake. There is no question that the lives saved by this ban more than justify any possible inconvenience that it may impose.

The NRA should realize that they are doomed to failure. Nobody really agrees with their views because Americans know that the NRA stands for Not Really Aware, or in Need of a Reality Adjustment. They must be stopped before these John-Wayne-wannabes misuse the second amendment to turn America into a shooting gallery.

Mr. Chairman, this bill comes too late for Dantrell's mother or the mother of Gerome Allen, but as Mother's Day approaches let us allow a few other mothers the chance to see their children live. H.R. 4296 is a measured, and reasonable approach to control a category of weapon which has no business being on our streets. If ever there was an important and rational piece of legislation this is it. I urge my colleagues to support H.R. 4296.

Mr. COYNE. Mr. Chairman, I want to express today my strong support for H.R. 4296, a bill to ban certain, specified military-style assault weapons. Passage of this bill to ban assault weapons is a vital element of our Nation's campaign to control crime and address the most dangerous types of violence in the streets of local communities.

Recently, I voted along with a majority of the House to pass H.R. 4092, the Violent Crime Control and Law Enforcement Act, also known as the crime bill. This legislation committed a record \$28 billion to the war on crime and provides significant increases in federal grants to states and local governments for anti-crime efforts. More prisons will be built to keep convicted criminals in jail for longer periods. More police officers will be hired to patrol local communities. More resources will be committed to the prevention of crime.

The House bill, however, did not address the issue of gun violence in an aggressive manner. Today, the House has an opportunity to show the Nation that reasonable men and women can take action to stem the availability of assault weapons. We can respond to the outcry against the use of military-style weapons on neighborhood streets and school play grounds. We can help local police officers who are at risk to facing criminals with MAC-11 assault pistols loaded with 32 rounds of ammunition.

There is strong support in Pittsburgh and Pennsylvania for restrictions on assault weapons. Both the city of Pittsburgh and the city of Philadelphia have passed local laws banning the sale of assault weapons. A recent poll conducted by Mansfield University Rural Serv-

ices Institute showed that 77 percent of southwestern Pennsylvania supported prohibiting the sale of guns classified as semiautomatic assault weapons.

The House Judiciary has reported responsible legislation to prohibit the sale of assault weapons. This bill bans the future manufacture or sale of 19 specific assault weapons, including the AK-47, the Uzi, the TEC-9, the Colt AR-15, and the street sweeper revolving cylinder shotgun. Also covered would be assault weapons which have two or more military style features, such as folding stocks, protruding pistol grips, or bayonet mounts.

I am proud to be a cosponsor of legislation to prohibit the sale of assault weapons. This responsible bill promotes public safety by restricting the sale of military-style assault weapons while specifically exempting by name 670 of the guns most commonly used by hunters and recreational gun owners. In addition, this bill will not result in the confiscation of any gun. Legal gun owners are grandfathered under this proposal.

This effort to ban assault weapons has widespread support among law enforcement groups who want to diminish the dangers confronting police officers who serve and protect our communities. Groups supporting the ban include the Fraternal Order of Police, the Federal Law Enforcement Officers Association, the International Brotherhood of Chiefs of Police, the International Brotherhood of Police Officers, the National Association of Police Organizations, the National Sheriffs' Association, the National Organization of Black Law Enforcement Executives, and the Police Foundation.

A ban on assault weapons is also supported by a broad coalition of civic, labor, education and community groups, including the U.S. Conference of Mayors, the National Urban League, the National League of Cities, the National Association of Counties, the AFL-CIO, the National Education Association, the American Federation of Teachers, and the National Congress of Parents and Teachers.

In addition, this legislation is supported by health care professionals who must attempt to treat individuals wounded by assault weapons. Medical groups such as the American Medical Association, the American Academy of Pediatrics, and the American College of Emergency Physicians all support a ban on assault weapons.

Opponents of this legislation say that a ban on assault weapons will not stop violent crime. An end to all violent crime may not be within our reach. I believe, however, that this ban on assault weapons will help reduce violent crime. There comes a time when it is better to take action even on a modest scale rather than throw up our hands in defeat. It is time to act against criminals who enjoy unrestricted access to the most dangerous weapons currently in widespread production for the retail marketplace.

Mr. Chairman, the crime bill recently passed by the House will be incomplete without approval of this law to ban assault weapons. I urge my colleagues to vote for this provision. A ban on assault weapons must be part of the final crime bill to be sent to President Clinton later this year.

Mrs. FOWLER. Mr. Chairman, I rise today to oppose the assault weapons bill.

My belief is that the measure pending before us today will do little if anything to halt the very real problem of crime in this country. The weapons that are identified in this legislation are involved in only a very small percentage of crimes. In fact, the Bureau of Justice statistics reported in 1993 that violent criminals use a "military-type gun" in only 1 percent of crimes nationwide.

Rather, this legislation is an attempt to provide a fig leaf to those in this body who do not want to see real crime control measures put into place. The Rules Committee has disallowed an amendment that would have imposed mandatory minimum sentences on those using guns in the commission of a violent felony or drug crime as an alternative to this measure. Just a few weeks ago the House defeated measures that would have made a real difference in the fight against crime—measures like requiring States to ensure that no less than 85 percent of convicts' sentences are served in order to obtain Federal prison construction grants, allowing the use of evidence that is obtained in good faith but thrown out of court due to technicalities, and reforming our Nation's habeas corpus laws to prevent endless death sentence appeals.

The fact is this bill is little more than a feel-good band-aid for politicians who want to say they're tough on crime but are afraid to be tough on the criminals. It will do little to halt the real crime problem that exists in this country. At the same time, it purports to address the crime problem without regard for the rights of law-abiding citizens who wish to use popular rifles like the Colt Sporter—which would be banned under this bill—in legitimate shooting competitions.

It is my hope that this body will defeat the measure before us today, move on to a conference with the Senate on the crime bill, and bring a crime bill back to this House that provides real teeth in the fight against crime.

Mr. ROGERS. Mr. Chairman, due to a personal tragedy, the death of my closest friend, Dr. Stephen Kelley, I will be unable to cast my vote today against H.R. 4296, the Assault Weapons Ban of 1994, so that I may attend his funeral in Somerset, KY. While I loathe to miss any vote, particularly one as important as this, there are rare and extraordinary occasions when we must put family and friends above all else. This is one of those occasions.

However, I want to reiterate to my colleagues my continuing staunch opposition of H.R. 4296, the Assault Weapons Ban of 1994. Had I been able to cast my vote today, my vote would have been an unequivocal no. My position has remained unchanged since I cast my vote against the assault weapons ban in 1991.

I remain opposed to the assault weapons ban for the following reasons:

First, it is clearly unconstitutional. The second amendment gives every law-abiding citizen the right to bear arms. Once again, Congress is intent on trampling the constitutional rights of every law-abiding American citizen.

Second, gun control is not crime control. One needs to look no further than our Nation's capitol to see that this is true. Washington, DC has the strictest gun control laws in the country, and the highest per capita murder rate of any city in this country.

Third, contrary to the antigun lobby's claims, assault weapons are not the weapon of choice for violent criminals. Less than one half of 1 percent of all violent crimes involve assault weapons. In contrast, 15 percent of all violent crimes involve knives, and 5 percent involve fists and feet. In fact, the Bureau of Alcohol, Tobacco, and Firearms has stated that for every 4,000 violent crimes reported to the police, only one involves an assault weapon. Clearly, an assault weapons ban is not the answer to violent crime.

Mr. Chairman, it is time we got tough on crime. In order to do that we must take away the freedom of criminals, instead of attacking the freedom every law-abiding citizen is given under the Constitution. I urge my colleagues to defeat this legislation.

Mr. BONILLA. Mr. Chairman, I do not believe that restricting the legal purchase of guns will curb crime. The firearms listed in this bill—despite their outward appearance—operate the same as, and are mechanically no different than, popular sport and hunting firearms. So I have to ask what is the agenda of the supporters of this ban and where will this Federal intrusion on constitutional rights end? If these firearms are being banned due solely for their looks, what is the point? Or rather what is the objective? Are sport and hunting rifles to be next?

Banning these firearms would only be a cosmetic approach to crime prevention. According to FBI statistics more crimes are committed using fists and feet—5 percent—than with these firearms which account for less than 1 percent.

This ban is the wrong approach. We can best address the illegal use of firearms by concentrating our efforts on the actions of criminals. According to the Department of Justice, Bureau of Justice Statistics, only 6 percent of criminals commit approximately 70 percent of violent crimes. A Rand Corp. survey found that the average career criminal—just the average criminal—commits between 187 and 287 crimes a year, with each crime costing an average of \$2,300. In one recent study of State prisoners, it was found that 10 percent of criminals committed 600 crimes a year. This ban is misdirected because it targets the people who live within the law not those who break it.

Gun control laws have proven largely ineffective in fighting crime. Instead, we should pursue stiffer penalties for criminals in order to deter future acts of violence. We should also ensure that convicted criminals serve their full sentences. Although violent offenders released from prison in 1990 received an average sentence of 7.8 years, the time actually served is usually only 3.1 years. In fact, for every 100 violent crimes reported, only four criminals go to prison. Even more heinous is the fact that this year over 1,100 convicted murders will not even go to prison. Clearly, we need criminal control, not gun control. Please join me and vote against this legislation.

Mr. CRANE. Mr. Chairman, I hear every day from my constituents who are afraid to go out at night into their once quiet suburban neighborhoods because they are afraid of crime. It is a sad day when peaceful citizens are locked up and the criminals run free.

Unfortunately, the bill now before the House will only perpetuate this trend. Instead of put-

ting killers behind bars, it makes criminals out of law-abiding Americans.

We do not need another gun control bill. Chicago has some of the most restrictive gun bans in the Nation, yet the homicide rate there continues to rise. The so-called assault weapons named in H.R. 4296 are rarely used in crimes, yet this bill is being touted as the beginning of the end of crime. I submit to my colleagues that passage of H.R. 4296 will mean only the beginning of the end of our inalienable and constitutionally protected right to defend our homes and families.

We need legislation which will send criminals to jail with swift and certain punishment. We have 7 percent of criminals committing 80 percent of crime in the United States, certainly we need to ban criminals, not guns.

I strongly urge my colleagues to oppose this ill conceived legislation, H.R. 4296.

Mr. EWING. Mr. Chairman, I rise today to oppose the assault weapons ban.

Today we are going to hear compelling arguments from both sides of this issue. I suggest that instead of focusing on our differences, we look to what I think is our common goal—to eliminate the use of these weapons during the commission of a crime.

This legislation will only affect law-abiding citizens who use these sporting rifles in competition as skilled marksmen and collectors. This legislation will not affect the criminals who use firearms during the commission of heinous crimes.

Law-abiding citizens agree that there is absolutely no place for these weapons on the streets of America. Only criminals are using these weapons on the streets and most of them get their firearms illegally. We must enforce the laws we already have to keep guns out of the hands of these thugs. We must prosecute these criminals and lock them in jail for a long time. We must eliminate early release from prison and reform the endless appeals process. We must go after the gang leaders and drug dealers who perpetuate these violent crimes. We can start by better enforcing the laws we already have on the books.

Passing more guns laws will do nothing to keep criminals from committing crimes with guns. Cities in this country which have the toughest gun control laws, such as Chicago and Washington, DC., have the highest rates of gun violence. If you disarm the people, criminals have the upper-hand and the toughest weapons. In fact, a constituent called me just this afternoon to report an incident in my district this week in which a gentleman scared off two burglars because he had a gun to defend himself.

While any crime committed with a firearm is a terrible tragedy, assault rifles are less than 1 percent of the weapons used in homicides in the United States.

Gun control is not crime control. This legislation is a feel good bill that makes us feel like we are actually doing something to make our streets safer. I urge my colleagues to oppose this ban and support tough anticrime legislation to lock up violent criminals and truly make our streets safer.

I am submitting to the RECORD a statement from Jacquie Miller which appeared in today's Wall Street Journal. Jacquie was shot by a co-

worker with an AK-47. In spite of her tragedy, she believes that disarming innocent people will give criminals the upperhand. We can learn a lot from her experience.

[From the Wall Street Journal, Thurs., May 5, 1994]

NOTABLE AND QUOTABLE

The House is expected to vote today on an assault-weapon ban backed by the administration. Last week, Jacquie Miller of Louisville, Ky., who was shot four times in 1989 during a co-worker's attack with an AK-47 (one of the weapons targeted by the ban), testified against the bill before a House subcommittee. Here are some excerpts:

[The killer] used an AK-47. Because of that 12 people lived instead of 20 dying. If he had used a shotgun or a various model of hunting rifle, none of us would have made it.

It completely enrages me that my tragedy is being used against me to deny me and all the law-abiding citizens of this country the right to the firearm of our choosing. I refuse in return to use my tragedy for retribution against innocent people just to make myself feel better for having this misfortune.

Enforce the laws against the criminals already on the books. After all, there are already over 20,000 of them. More won't do a thing for crime control without everything working together for the common good. Plea bargaining, early release from prison and the way juvenile crime is being handled are killing our society. If we don't start practicing morality and decency and worshiping God instead of ourselves, all the new laws in the world won't help. You cannot ban everything in the world that can be used as a weapon because you fear it, don't understand it or don't agree with it. This is America, not Lithuania or China. Our most cherished possession is our Constitution and Bill of Rights. Let's not sell those down the river or we could one day find ourselves in a boat without a paddle against the criminals who think we're easy pickings.

Mr. KIM. Mr. Chairman, over the past 2 days, I have heard many compelling arguments both in support of the assault weapons ban and those opposed to it. While I respect the views of my colleagues on both sides of this issue, I believe there is a far greater issue at stake here.

As an immigrant, I wasn't born with the same rights as children born in this country. I came to America as a young man with no money and little education. I earned my American citizenship and the rights that go with it. Thus, I am very reluctant to have a right that I worked hard to earn taken away in one fell swoop.

Today, in this Chamber, we will vote on a measure that will greatly restrict one of our constitutionally guaranteed rights. Specifically, the second amendment. If this measure passes, I am confident there will be additional measures to further restrict this right. There have been in the past, and I'm sure more will follow.

My fear is that restriction of this right will lead to restriction or outright repeal of other rights. If today Congress can tell us what kind of weapons we can or cannot own, I fear that tomorrow they will begin to tell us what religion we may or may not practice. If we can chip away at the second amendment, then why not the first, third, or any other amendment when it becomes politically popular to do so?

But let's get to the heart of the issue, which we all know is not guns, but crime. Two weeks ago, Members of this body had a perfect opportunity to pass a tough crime bill; to keep violent criminals behind bars; to streamline the habeas corpus process; in short, to make our streets and cities safer. But this body knuckled under to the political pressure of the liberal media. As a legislative body, we failed. And the American people will suffer because of our lack of will.

Instead, Congress is offering midnight basketball and gun control to the American people as real solutions to crime. These popular feel-good provisions demonstrate to me that Congress is not serious about crime. Instead, it is more concerned about headlines.

Until Congress makes a firm commitment to put the rights of law-abiding citizens before the rights of criminals, we should keep our hands off of the Constitution.

Mr. BARCIA of Michigan. Mr. Chairman, today we are being asked to cast a most important vote. We are being asked to risk taking action in violation of the second amendment in order to provide a dangerously false sense of security about needed crime control.

I deplore violent crime. I deplore the use of assault weapons in crime. I deplore the use of single shot weapons in crime. I deplore the use of knives in crime. I deplore the use of physical violence in crime.

The bill before us today suggests that if we ban certain weapons, the crime will somehow magically disappear. There are some people who like to believe in fairy tales, but I am not one of them.

If we are concerned about crime, then we need to make punishment swift and certain. We need to give police the resources they need to deal with criminals. We need to make the courts work faster. We need to protect witnesses so that they do not shy away from testifying about crimes they have witnessed, as was the case here in the District of Columbia recently when people who witnessed assaults on a police officer in a school decided they did not want to testify.

I have had police officers tell me that this bill is unenforceable. It makes criminals of law-abiding gun owners, while doing nothing about the illegally obtained weapons that are already out there. It does nothing about crimes that are committed with guns that are not banned in this bill. If gun control laws could control the problem, then those communities that have adopted ownership restrictions should have little or no problem with the use of guns in the commission of a crime. But we all know for a fact that this is not the case. Ladies and gentlemen, I and many of my constituents are responsible gun owners. We do not use these weapons illegally. We store them properly. We take training in their proper use. If the legislation before us today is adopted, how long will it be before some other well-intentioned but misguided soul says "let's add only a few more guns to the list"? It is precisely because of concerns about a heavy-handed government infringing upon the rights of responsible individuals that the second amendment, along with the rest of the Bill of Rights, was adopted. I see no real willingness in my constituency to give up second amendment rights. In fact, I have had many constituents call me to tell me

that they do not own guns and they oppose this bill because they do not want to have the right of law-abiding citizens to own guns lessened in any way.

And if it is second amendment rights that the proponents of the assault weapon ban want given up, then why not propose a constitutional amendment to redefine the second amendment? Could it be that the proponents of the bill know that there is little true public support for such a radical change in our constitutional liberties?

As I said, I want crime controlled for the benefit of all of us. This bill does not achieve this goal. I cannot support flim-flam and tell my constituents with a straight face that today the House of Representatives voted to make a real difference. I urge a "No" vote on this bill.

Mr. PACKARD. Mr. Chairman, I rise in opposition to H.R. 4296, the assault weapon ban. This kind of legislation will not solve America's violent crime problem and may actually exacerbate it.

My colleagues need only look right outside the doors of this Chamber to see the evidence. After the District of Columbia banned handgun ownership in 1976, its homicide rate tripled. Our Nation's Capital now has the infamous distinction of the "Murder Capital of the World."

Furthermore, as my constituents in California know, California assault ban has done nothing to curb violent crime. Since 1989, when the California's assault weapon ban went into effect, the State's homicide rate jumped 44 percent above the rest of the Nation's.

These kinds of statistics confirm that gun control legislation only puts law-abiding citizens at risk. People use firearms to thwart criminal attack more than 2 million times a year—that is three times the number of times criminals use their illegal guns to inflict violence on innocent Americans.

So, if gun bans don't work, what will? The data shows that incarceration does. States where criminals are kept locked up and citizens own guns without Government intrusion enjoy less crime than places where guns are banned.

The Nation already has a national gun policy—a tangled web of 20,000 local, State, and Federal laws. What the country lacks is a national crime policy that takes violent criminals off the streets and locks them up.

President Clinton urges Members to support this legislation in an effort to outlaw firearms "designed for the battlefield." However, the semiautomatic weapons listed in this legislation only look like military firearms. True military weapons are fully automatic. The guns outlawed in this bill function no differently than the so-called good guns not yet listed in the bill.

Passage of this legislation opens the door for further abridgement of our second amendment rights. This bill is clearly unconstitutional. It puts Congress in the position of granting or denying permission to exercise a liberty specifically guaranteed in the Bill of Rights.

Mr. Chairman, let us not confuse "privilege" with "right." Gun ownership is a right for law-abiding citizens of this country.

Mr. KOLBE. Mr. Chairman, I rise today in opposition to H.R. 4296. This legislation will

do nothing to curtail the violence that plagues our Nation.

In fact, the military-looking semiautomatic weapons targeted by this legislation are involved in less than 1 percent of homicides nationwide. Frankly the proponents of this legislation have been involved in a massive attempt to mislead the public as to what exactly an assault weapon is. It is not an automatic machinegun. It is not a weapon used by the U.S. military. It is not a weapon any more or less deadly than the rifles my family had at the ranch I grew up on in southeastern Arizona. The fact is these so-called assault weapons are merely cosmetically altered, semiautomatic weapons.

Additionally, there is a constitutional issue raised by this Federal legislation. The second amendment of the Constitution read: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." I believe this provision could be read as a prohibition against the Federal Government denying citizens the right to bear arms.

Besides the constitutional limitation on gun control, I have seen no evidence that demonstrates its effectiveness. In fact, many areas of the country that have the strictest gun control measures, such as Washington, DC, and New York City, also have some of the highest levels of violent crime. Unfortunately, the vast majority of violent crimes are committed with weapons obtained illegally. Such crimes would not be prevented by any form of gun control. As a result, gun control laws regulate the behavior of law-abiding gunowners, while having no real impact on criminals. Frankly, many of our most violent criminals on the street have weapons that are more powerful than any of the guns that would be banned under this legislation.

What the House has failed to do is pass meaningful anticrime legislation that will truly reform our crippled judicial system, get violent offenders of the streets, and not infringe on the rights of law-abiding gunowners.

When I hear about incidents of crime from constituents—stories about gang violence in South Tucson, border robberies in Naco, and drug-related violence in the Catalina Foot-hills—one fact becomes increasingly apparent: This Nation has a dysfunctional criminal justice system. We have a system that releases dangerous criminals into the community when they should be serving their sentences, that gives more weight to the rights of criminals than to victims, and makes it impossible to carry out the death penalty when it is imposed.

On April 21, 1994, the House passed H.R. 4092, the Violent Crime Control and Law Enforcement Act. I voted against this bill. Frankly, it is a sham. While accompanied by much fanfare and anticrime rhetoric, the reality is that it will do almost nothing to stop violent crime.

The House crime bill has several defects, but perhaps the worst is the inclusion of the Racial Justice Act [RJA] which emasculates the death penalty, and frankly could mean that there will never be another death penalty carried out in this country again. The RJA will establish a quota system for capital punishment which will lead to the perverse result of mak-

ing race the most important factor when a prosecutor decides to seek the death penalty. If a death row inmate shows there is a statistical disparity based on his or her own race or the race of the victim, the RJA could invalidate a death sentence based on information that has nothing to do with the case.

Worst of all, the RJA would apply retroactively—potentially freeing from death row some 3,800 convicted murderers on death row. While all may not succeed in voiding their capital sentence, the information from these cases will take many hours, and millions of dollars, to reassemble. If such information is no longer available, the applicable death sentences could all be dismissed. All in all, RJA seriously undermines the perception and reality of a color-blind system of justice.

Additionally, the bill targets \$8 billion, not to law enforcement, but to social-welfare programs. President Clinton says this will prevent crime by raising self-esteem of prospective criminals. While there is a kernel of truth in that statement, \$8 billion is a lot to spend on some dubious prevention measures. The real way to stop violent crime is to keep criminals off the street by assuring there is sufficient prison space, and by enacting "truth-in-sentencing" laws which would require violent criminals to serve at least 85 percent of their sentences.

Regrettably, the crime bill we just passed is a hoax, and the bill we will vote on today, H.R. 4296, is also a hoax. They are examples of the Democrat's schizophrenia: On one hand they talk tough about crime and the criminal, on the other hand they rely on social-welfare remedies and on infringing upon the second amendment rights of law-abiding citizens.

I want to insert into the RECORD testimony given by a constituent of mine, Phillip W. Murphy, on April 25, 1994. He testified before the House Judiciary Subcommittee on Crime, and I encourage Members to read his comments. His testimony illuminates the misguided nature of the bill before us today.

I strongly urge my colleagues to oppose this legislation.

PREPARED TESTIMONY BY PHILLIP W. MURPHY BEFORE THE HOUSE JUDICIARY SUBCOMMITTEE ON CRIME, APRIL 25, 1994

In thanking the Chair and members of this committee for inviting me to testify this morning, it is important that this committee understands exactly what event brought me here. Simply put, I made a choice not to be a victim.

I exercised this choice on a conscious level, but my choice to purchase the firearm which would hold the potential of saving my life and help me bring a convicted felon back to justice was purely pedestrian. Hopefully, this testimony will make my visit to the Capitol more than an exercise in futility. You see, in the eyes of the media, this administration and the majority of the members of this committee, my choice of a defensive weapon in this instance was so politically incorrect that my government may no longer trust me with this firearm. Indeed, I could be considered a potential felon.

I mentioned the pedestrian manner in which I made my decision to buy the long-arm in question because, frankly, my decision was driven by only two factors: pragmatism and pride. In February of 1986, I purchased a Colt AR-15A2 H-BAR Sporter, a semi-automatic rifle chambered in .223 Rem-

ington. I chose this very practical rifle for a variety of purposes: competitive target shooting, varmint hunting, inexpensive plinking (it converts to a .22) and yes, home defense. This rifle serves my needs while remaining an utterly reliable, easy handling, and nearly recoil-free precision instrument *** qualities I have come to appreciate more and more as my physical condition deteriorates due to Multiple Sclerosis. So much for my pragmatic concerns.

The matter of pride comes into play in my desire to honor our military by doing what countless millions of Americans have done since the Revolution. I bought a civilian version of the weapon currently in use by our nation's armed forces. And there's the rub. I bought a rifle that merely looks like an M-16, not one that works like an M-16.

It is what makes my rifle so unremarkable in function that makes me so infuriated to have to defend my choice of this quality firearm at this hearing today. My rifle shares its caliber, magazine capacity and century-old technology with the Ruger Mini 14; an equally capable tool which is not seen as worth banning by this administration because of some very politically incorrect reasoning—a Mini 14 is not as ugly as an AR-15. Hard to believe, but true. Two inanimate objects identical in function and capability are given different so-called "personalities" by the same legislative body because one gun is "prettier" than the other. As a matter of fact, until the comely Ruger is affixed with a pistol grip like my Colt, no menacing label can be applied to it which could preclude its sale as will be the case for my rifle. Pistol grips don't give a rifle or shotgun a "personality", they make them easier to control. A Benelli Super 90 shotgun, President Clinton's duck hunting "weapon of choice", will fall out of favor with Congress by merely adding a pistol grip. But I digress. I'm here to convince this committee that I made the right choice in a defensive arm.

In late August of 1989, Johnny Johnson (a convicted burglar with a penchant for crack cocaine) was also making some personal choices. On the afternoon of the 28th, Johnny decided to rob my parent's home. He stole guns, jewelry, coins, and irreplaceable valuables which my mother treasured. I'm certain that Johnny considered my parent's home a good choice because three days later he came back to finish the job. That proved to be what Johnny would call, "a bad choice".

The investigating officer who took my parent's burglary report mentioned that, because only the bedroom had been violated and the point of entry was not yet adequately secured, the chances of my folks being robbed again within the week were better than 50/50. They worked days. The house wasn't secure. The police could not offer them protection. I could.

I arrived at their home every morning armed with a weapon I could control with one hand while I spoke to 911 with the other. I brought a weapon so intimidating that I might preclude any aggressive action taken against me by its appearance alone—a weapon with which I could control a situation against possibly numerous antagonists who by now were almost certainly armed. I brought a weapon to help me win.

The confrontation was brief and noisy. He said he didn't want to die. I said I didn't want to be forced to kill him. By the time I picked up the phone upon which I had already dialed 911 so the police could hear and understand my situation, I realized I'd won. Mr. Johnson's arresting officers were not the

least bit critical of my choice of defensive weapon. They couldn't care less. Cops on the street know that the honest citizens are the victims, not the perpetrators. They were just delighted I bagged one of Tucson's most wanted, and so were the courts.

Johnny Johnson was already a three-time loser with 34 priors who was violating his third adult parole for a knife assault when we were "formally" introduced. We were told by the County Attorney that since Johnson was a "targeted offender" he could not plea bargain his way out of this one and would have to stand trial, but he didn't. He pled guilty to one charge for every charge that was dropped and, unfortunately, the very burglary where I was the intended victim was pled away as well.

Of course, this rap sheet is fairly typical, but Mr. Johnson was only 19 when I caught him. For those of you who may have spent your formative years inside of the beltway, this means all of his 34 transgressions and supposed punishment took place since Mr. Johnson was 18. And yet I'm the one who is under scrutiny by this proposed legislation.

I respectfully urge this committee and the Congress of these United States to restrain themselves from forcing tens of millions of law-abiding Americans like me to choose between the law and their lives.

Thank you for your attention,

PHILLIP W. MURPHY.

Mr. SKAGGS. Mr. Chairman, I urge my colleagues to join me today in support of H.R. 4296, the Assault Weapons Ban Act. A vote in favor of H.R. 4296 is a vote in favor of a safer and saner society that will no longer tolerate the carnage these firearms have brought to our streets.

The legislation before us today will begin to take off the streets the most deadly of all firearms—military-style assault weapons designed for no other purpose than to kill human beings quickly, and in large numbers. There is no compelling sporting purpose to any weapon having an ammunition magazine holding a dozen rounds of ammunition. No hunter needs a weapon with a threaded barrel for a flash suppressor or a silencer. And attachments for grenade launchers are not necessary for home defense. This is just common sense.

I think it's important for opponents of this legislation to keep that in mind when they defend their position by claiming these weapons have legitimate sporting purposes. But I also think those of us who support banning these weapons should clearly and directly address the issues raised by opponents of this proposal. I'd like to take this opportunity to answer some of the questions I've heard from my constituents.

Some have asked, "Why ban these weapons when they only account for a small percentage of the crimes committed in this country every year?" That may be true, but when you look at the figures, it becomes clear that the amount of crime related to these weapons is disproportionately high. Assault weapons of the type covered by this legislation account for somewhere between 0.5 and 1 percent of all the privately-owned guns in America. But they're 10 to 20 times more likely to be involved in a crime than a conventional weapon. And that's just the weapons that are traced to crimes. We have no idea how many are used that we can't trace.

Clearly, these weapons are used far too often in violent and deadly crime. And we

know from experience that banning them will have an impact on that crime. My evidence? President Bush, by executive order, banned the importation of 43 models of semiautomatic assault rifles in 1989. Since then, the number of imported assault weapons traced to crime declined by 45 percent, while the number of domestic assault weapons traced to crime remained the same. The lesson we learned then is the principle we should remember today: dry up the supply of these weapons, and you start to dry up their use in the crime.

Some respond to these facts by saying, "Well, that may be true, but why pass legislation banning guns instead of just going after the criminals that use them?" The answers are simple. First, we are going after the criminals. Just a couple weeks ago, the House passed a crime bill that commits more Federal funds than ever before to putting more cops on the street and providing more resources for State and Federal law enforcement officials to combat crime.

Second, we know from experience that one of the things we need to do to fight crime is to take away the tools criminals use to commit those crimes. In the past we've taken such measures as banning fully automatic weapons, so-called "cop killer" bullets, and other destructive devices that have no legitimate place in our society. These and other steps to outlaw the instruments of crime—along with tougher sentencing, better funding, and more prevention—are critical parts of the crime-fighting equation.

Enactment of this legislation isn't the end of the fight. More needs to be done on a number of fronts. We need to pass meaningful welfare reform, improve our Nation's education system, and take steps to strengthen the economy and create jobs. All this and more must be done.

But one thing we can and must do is restrict access to the most deadly firearms so criminals don't have access to them.

OK, some ask, but why take firearms away from law-abiding citizens who want to use them for legitimate purposes? The answer is simple—this bill doesn't do that. No firearm will be taken away from its lawful owner. All existing weapons, no matter what their characteristics, are grandfathered by the law. That means that if you lawfully own them now, you can lawfully own them after this bill becomes law. And if you don't own one, you can still lawfully buy one.

All this bill does is prohibit the future domestic manufacture and import of the weapons covered by this bill. Sure, that will mean that the supply of these weapons will be reduced in the future—and that's exactly the point. And yes, that means getting access to them will be more difficult for law-abiding citizens. But gun control, like so many issues, involves a balancing test between public safety and individual rights and privileges. I believe reasonable regulation of this particularly deadly class of weapons both preserves the rights of legitimate gun owners and makes us all safer from the crime that threatens our communities.

Finally, I've been told that this bill would ban legitimate hunting and sporting rifles, not just the assault weapons that its sponsors claim. That's just not true. In addition to the 19 types of semiautomatic assault weapons specifically

listed in the bill to be banned, there is a list of 650 types of hunting and sporting rifles and shotguns which would be explicitly exempted from the ban. But neither of these lists is all inclusive. The bill also includes a very specific set of criteria that will allow the Bureau of Alcohol, Tobacco and Firearms to decide which other weapons are to be banned and which are not. There is no guess work here. Either a weapon meets the description of a banned semiautomatic weapon or it doesn't.

And what's on this list? Well, for one thing, a rifle must be semiautomatic, and able to accept a detachable magazine, and have at least two of the following five features: First, a folding or telescoping stock; second, a pistol grip that protrudes conspicuously beneath the rifle's action; third, a bayonet mount; fourth, a flash suppressor or threaded barrel designed to accommodate a flash suppressor; or fifth, a grenade launcher. None of these five features are necessary for hunting or sport shooting—but they sure help criminals looking to intimidate, wound or kill. Banning weapons with these characteristics will have no effect on hunters or sportsmen, and won't impinge on anyone's ability to lawfully protect themselves, their loved ones, or their homes with a firearm, should they choose to do so.

Ultimately, I have to agree with nearly every major police organization in the United States—and around 80 percent of the American public, no matter what their age, or sex, or income, or where they live—who believe this will be an effective way of fighting violent crime.

I know that opponents of this legislation have made a concerted effort to defeat it. They've rallied a small, very vocal minority to register their opposition in an organized campaign designed to intimidate us into voting against this bill today. But we should not be deterred by tactics designed to intimidate us in the same way these weapons are designed to intimidate their victims. There is absolutely no doubt in my mind that the vast majority of my constituents support this ban, and that's one of the reasons I will be voting yes.

While I'm under no illusion that this bill will end the crime problem plaguing our Nation, I believe it will cut down on the amount of combat we see on our streets every day. That alone merits our support, and I strongly urge my colleagues to join me in support of H.R. 4296.

Mr. MFUME. Mr. Chairman, I rise today in strong support of the legislation. The bill before us is both effective and fair; it will make it harder for criminals or mentally deranged individuals to get their hands on these destructive weapons, yet it protects the rights of legitimate, law-abiding Americans.

In addition to outlawing 19 assault weapons, the legislation before us also specifically protects, by name, 650 of the most common recreational rifles and shotguns now being produced. If this legislation is enacted, hunters and gun enthusiasts will have 650 weapons, including over 60 semiautomatic guns, specifically protected by law. I would think that this provision alone would cause some sportsmen to at least consider supporting this legislation.

Mr. Chairman, I will admit I am not a hunter. I do, however, listen to the hunters in my district as well as across the Nation. I have lis-

tened, in fact, to one nationally known hunter, with whom I rarely agree, Mr. Barry Goldwater. According to Mr. Goldwater, semiautomatic weapons " * * * have no place in anybody's arsenal. If anyone can't hit a deer with one shot, then he ought to quit shooting."

I have been to the funerals of innocent children and adults who have been killed, needlessly, by stray gunfire. I have seen firsthand the impact of these and other weapons on our streets, in our communities, in our neighborhoods, and in our schools.

Mr. Chairman, we have heard it before today, and we will hear it again, because it is true. Military assault weapons have no place in our society.

I strongly support the right of all Americans to protect themselves and to pursue endeavors such as hunting in which they indulge for sustenance.

I also strongly support the rights of all Americans to pursue life, liberty, and happiness. Assault weapons can indiscriminately take away all ambition for life or happiness in just seconds.

Let's take the case of Lawrence Miller, who died on November 22, 1993.

At the time, Lawrence was 13 years old. Lawrence was a resident of Baltimore. At 1 o'clock in the afternoon—on a Monday afternoon—there was a knock on the door. Before Lawrence or anybody else had a chance to open a door or a window, his house was sprayed by ammunition from an AK-47.

Lawrence died almost right away. Some of the many, many bullets that came from this gun came through a window and killed him. The murderer was a 16 year old boy who lived nearby. He had been involved in an argument with someone who lived near Lawrence—not Lawrence—and had gone home, gotten the AK-47 that he had purchased on the street, and decided to settle the argument.

What he settled was Lawrence's life. Earlier during this debate, my esteemed colleague from Georgia stated that this bill was not about real people or real crimes. I disagree, as I am sure would the family of Lawrence Miller.

Because of their rapid fire capabilities, semiautomatic assault weapons, which can fire dozens of bullets in just seconds, have become the weapon of choice for drug traffickers, gangs, and hate groups.

I fully believe that eventually, the destruction caused by these weapons will force the majority of the Members of this body to see the need for a ban. As crime and random violence spread from the inner city to the suburbs, so will the cry to control the most destructive offenders.

Mr. Chairman, colleagues, I urge you to support this legislation. Support this legislation for Lawrence Miller, and for all of the other victims of these horrible machines.

Mr. SYNAR. Mr. Chairman, today's vote on assault weapons is about personal responsibility. It is about the personal responsibility each one of us as legislators wrestles with each day we show up for work. Every day we come here to this House and we gather data, we listen to the witnesses, read the testimony, study the bills and the law and we consult with the friends, constituents, and the experts we respect. And in the end, we use our heads, our

hearts, and the common sense God gave us to cast our vote.

Make no mistake we take personal responsibility for every vote we cast. We are judged by it politically but more importantly we judge each vote by our own personal standards. Every single one of us comes here to represent our constituents and improve the lives of the citizens of this Nation and we ask ourselves after each vote—will the vote we just cast make our homes, our States, our Nation a better place to live.

What is our personal responsibility for today's vote on today's assault weapons ban legislation? Two of my colleagues in the last 2 days put their own sense of personal responsibility in very sharp focus.

In this morning's Washington Post the gentleman from Texas [Mr. COLEMAN] is quoted as saying that if voting for this bill "is a political offense that costs me my job to try and take Uzis out of the hands of schoolkids * * * then so be it." And yesterday, when the gentleman from New York [Mr. SCHUMER] was asked why he was so strongly in favor of banning assault weapons he said it was because in his district 15-year-olds were killing 15-year-olds with these weapons.

These two Members know that the question today is whether we are going to take personal responsibility for our actions.

By voting for this bill we will help keep schoolkids from killing schoolkids, and keep crooks from killing the police. Perhaps more importantly, we will improve the lives of our citizens fulfill the promise of why each one of us came to Congress, and live up to our personal responsibility.

Mr. STARK. Mr. Chairman, I rise in support of this bill today, not just as an advocate of sensible gun control, but also as a proud citizen of the State with the Nation's oldest assault weapons ban.

The California Roberti-Roos Assault Weapons Control Act passed in 1989 after Patrick Purdy killed 5 and wounded 30 schoolchildren in Stockton, CA.

Since 1989, this law has slowed the growing criminal popularity of these guns in my State.

Statistics provided by the Bureau of Alcohol, Tobacco, and Firearms show that, from 1991 to 1993, local law enforcement requests for traces of criminally used guns grew much more quickly for the Nation than in California. In fact, the national increase in requests has more than doubled California's.

And this ban we consider today would be more effective than California law because it would also prevent copy-cat versions of these guns by banning a list of features, not just a list of names.

Although California law allows the State attorney general to add more weapons to the banned list, not one assault weapon has been added since the law went into effect on July 1, 1989.

I urge my colleagues to examine the letter I inserted into the RECORD yesterday, detailing the effectiveness of California's law.

I hope my colleagues will join me and pass this bill and reduce the criminal misuse of these weapons across our Nation.

Mr. SKEEN. Mr. Chairman, I rise today in opposition to H.R. 4296, the Assault Weapons Ban Act, for several reasons.

I believe the supporters of this measure are looking through the wrong end of the binoculars on this issue. The problem is not these guns; it's the criminals.

According to the FBI, the types of weapons proposed to be banned in this bill are responsible for less than 1 percent of all murders and less than 1 percent of all serious crime.

This law proposes to punish hundreds of thousands of law-abiding citizens for the actions of law-breaking criminals.

We know from experience that gun ban laws do not reduce crime. Every type of gun control law proposed in Congress has already been tried and no one can show any correlation between gun restrictions and lower crime rates in localities with gun restriction laws.

Gun restriction laws don't work because law breakers don't follow them. That's why they're called criminals. No law passed by the Congress can compel criminals to obey laws.

What Congress can do to reduce crime is to lock up the criminals. The FBI Uniform Crime Reports show that from 1981 to 1991, the 10 States with the greatest increases in criminal incarceration rates experienced the greatest decreases in the rates of crime.

The answer to America's violent crime problem is simple: Lock up the violent criminals, because they cannot disturb and disrupt the lives of innocent citizens when they are behind bars and in jail.

Mr. HOYER. Mr. Chairman, I rise today in support of H.R. 4296, the Public Safety and Recreational Firearms Use Protection Act. I commend Chairman SCHUMER and his subcommittee for drafting a bill which is narrowly drawn and focused. This bill targets only a small number of weapons which have no legitimate place in an ordered and civilized society.

Let me be unequivocal in saying that I strongly support the right of every American citizen to own a gun. Everyone should be able to protect themselves within their home and their business and use weapons which are designed for legitimate sport and recreational use. However, the weapons which we are attempting to ban are high firepower weapons which are designed for military purposes and have no place in sport or recreational use.

Opponents of this ban often argue that the ban will have no effect upon crime in this country. However, since the Bush administration banned the importation of assault weapons in 1989, the number of imported assault weapons traced to crime has declined by 45 percent. On the other hand, the number of domestic assault weapons traced to crime has remained the same.

Moreover, these guns comprise only one-half to 1 percent of the firearms in this country, yet they accounted for 8.4 percent of all firearms traced to crime from 1986-91.

I could stand here and talk about statistics with you because they are important in this debate. However, more important is the simple fact that we are losing lives to these weapons of rapid and mass destruction.

Statistics mean nothing to the families of the five children killed by Patrick Purdy, who used a semiautomatic AK-47 with a 75 round magazine. Statistics mean nothing to the families of the individuals killed by Gian Ferri using two TEC-DC9's with a 50 round magazine. Statis-

tics mean nothing to the families of the two bank tellers who were killed in Sykesville, MD, by two gunmen using a MAC firearm.

Moreover, statistics mean nothing to this Nation's law enforcement officers, the vast majority of whom support this bill. In fact, they have been pleading with us to pass this bill because they are on the front lines everyday in battles against criminals armed with these weapons. From coast to coast, tragic stories about the devastation caused by semiautomatic assault weapons are filling the headlines.

If there is a way to begin putting an end to these types of tragedies, it is the passage of this bill today.

Before closing, I must reemphasize that I wholeheartedly support the right of Americans to own guns to protect themselves in their home and in their business and own guns used and designed for legitimate, recreational uses.

I thank the gentleman for allowing me to speak today and I urge my colleagues to join with me in supporting this legislation.

Mr. KLECZKA. Mr. Chairman I rise today in strong support on H.R. 4296, the bill to ban assault weapons.

Although I voiced my support for this legislation months ago, the tragedy that took place in my district last week merely confirmed my beliefs that voting for this bill is the right thing to do.

The deadly impact of assault weapons is pretty obvious. A 29 year, decorated veteran of the Waukesha Police Force, Captain James Lutz had no chance to defend himself when confronted by two bank robbers armed with M1-A assault rifles. Captain Lutz was cut down in hail of 20 rounds in just a matter of seconds as this bill was being voted in committee last Thursday.

The guns effected by this legislation have no other purpose but to kill people in a hurry. The majority of legitimate hunters and sportsmen will find that their guns are specifically protected by this bill. It lists over 670 of them.

The differences between sporting and assault weapons are hardly cosmetic, as the opponents of the ban suggest. This is like saying that a Schwinn bicycle is the same thing as a Harley Davidson motorcycle. Both have two wheels and will get you where you want to go. But a reality check tells us that the distinctions are obvious. The same is true between assault weapons and legitimate hunting and sporting rifles.

Critics are quick to say that bans won't work. However, when the Bush administration banned the importation of certain assault weapons, the number of imported assault weapons traced to crime declined by 45 percent. At the same time, the number of domestic assault weapons traced to crime remained the same.

Still, even if an assault weapon was traced to just 1 violent crime, that crime might be the one in Waukesha that also wounded 3 other officers, or the 1 crime in San Francisco that resulted in the deaths of 8 innocent people; or the 1 crime in Stockton, CA, where 5 children were killed and 29 others were wounded. One crime per assault weapon is plenty.

For my colleagues who are not satisfied because these guns have not been used in

enough crimes, I must ask them how many crimes would they like to occur before we take them off the street? How many more people have to die before we act?

Mr. Chairman and Members, the time has come to act positively on this measure. How many more Waukesha or Kileen, TX incidents does this country need before this Congress wakes up.

Mr. HEFLEY. Mr. Chairman, over the last few days, I've contacted local law enforcement in my congressional district and asked them this question: During the last 3 years, how many killings in your jurisdiction have involved the use of a semi-automatic assault weapon? The answer I received was "zero".

While I realize that on rare occasions, killings have occurred as a result of a semi-automatic assault weapon, bottom line is the passage of this bill will have no impact on the growing crime problems we have in this country.

Instead of demagoging about gun control, we should be focusing our energy on passing laws that will have an impact on crime. Like truth-in-sentencing reform, habeas corpus reform, and a workable death penalty. But the White House and the leadership in Congress won't hear of it. Instead they're trying to use this issue to posture.

The crime bill that just passed the House is not the answer this country is looking for to solve the problems we face. Neither is gun control.

I think the American people will see we are not serious about crime.

Ms. VELÁZQUEZ. Mr. Chairman, I rise today in strong support of H.R. 4296, the Assault Weapons Ban Act. As the Representative of one of the poorest districts in the country, I know what it's like for my constituents to live in constant fear of crime, and the violence brought about by drug trafficking and drug use. Assault weapons, which are particularly appealing to gangs, drug dealers and organized criminals, are intimidating and deadly instruments of terror.

Opponents of the bill, such as the NRA, claim that this bill will eliminate semiautomatic hunting rifles used by gun enthusiasts and hunters. This is simply not true. The 19 semiautomatic weapons that this bill does ban, are designed not for sport, but for killing. No wonder my constituents live in fear of their lives—they live in a war zone. What will it take for this body to understand that our young adults are mercilessly killing themselves and others with these instruments of war.

Mr. Chairman, as a cosponsor of this bill, I urge this House to stop the violence and the killing. Don't listen to foolish and false propaganda, support H.R. 4296.

Mr. POSHARD. Mr. Chairman, I rise in opposition to H.R. 4296, the Assault Weapons Ban Act. After intensive study of this bill, the Constitution, the Federalist Papers and a wide range of research materials dealing with the second amendment, I have come to believe that the second amendment does guarantee Americans the right to bear arms, and that this legislation infringes on the rights of law-abiding citizens.

I represent the 19th District of Illinois, 27 counties in America's heartland which encompasses large communities such as Decatur

and small towns of no more than a few families. I have traveled my district, some 260 miles north to south hundreds of times, and talked with thousands of people on this and other issues. I have tried my best to explain how crucial this issue is and how we must view it in its proper context.

I reject the notion that opposing this ban somehow means one favors the violence resulting from the illegal use of firearms. Nothing is further from the truth. Throughout my career in public service I have supported strong crime control measures. Anyone who steps outside the boundaries of a civilized society and harms people in his or her community should be punished severely. If they commit a crime with a firearm then we should remove them from society. And I am willing to pay for the prisons and jails which will help us keep such persons from causing this destruction ever again, and perhaps provide a deterrent to others.

In this debate, we face the classic confrontation between rights and responsibilities, and it is our duty to decide where the balance exists between those elements. My conclusion is that as we continue to further and further restrict our rights under the second amendment—waiting periods for certain purchases, ever-expanding lists of firearms which are banned—then we do serious damage to the amendment itself.

And my fear extends beyond the second amendment to the entire Bill of Rights. I truly fear the slow but irreversible trend toward more limits on our freedoms, limits which may apply one day to firearms but in the next applies to the rights of people to speak or be protected from illegal search and seizure. Because I value those freedoms so deeply I must oppose this ban.

In this political climate, I think it's important to point out that I don't take any political action committee donations. I'm not beholden to any special interest group to finance my campaign or provide any political cover in my district. I find myself on the opposite side of a terribly important issue from friends and colleagues for whom I hold tremendous respect. If I thought this bill would reduce crime and still protect the rights of Americans I would be the first to vote for it. But because I truly believe we will fail the people on both counts, I am compelled to vote against it.

Ms. NORTON. Mr. Chairman, I rise today in support of H.R. 4296, legislation which would take a small but desperately needed and significant step toward reducing crime in our country by barring 19 types of battlefield weapons. With this legislation, we answer the anguished cry of the American people for relief from civilian gunfire.

We are tired of the gun-toting talk in this country that has protected assault weapons and left unprotected unarmed children who have fallen like non-combatants caught on battlefields disguised as city streets. In the district more than 10 percent of those shot and killed last year were youngsters under 18. In the name of Devaughn Phillips, shot at age 5, Cecilia Rushing, shot at age 2, Reginiya Trippett shot at age 1, and 49 kids like them, assault weapon legislation must pass this week.

The NRA says, "Get the criminals." We say, "Right on." But would you mind getting their

guns first before they use them on us? The NRA strategy revises the notion of locking the barn door after the horse is gone. They lock the casket and move on to the next one. We are fed up with their manly mantras. We want combat weapons out of here!

Kids are showing up in school with assault weapons, preferred today by street gangs, drug traffickers and paramilitary extremists. Yet, your Nation's Capital bans all guns. We nevertheless are drowning in assault weapons. Only a national ban on war-zone guns can stop the carnage in civilian streets. When President Bush banned 43 types of imported semiautomatic non-sporting assault weapons, their use in crimes dropped 40 percent in the first year. Our problem now is the deadly domestic varieties that are 10-20 times more traceable to crime than conventional firearms.

Let us stand with the major national law enforcement organizations. Like them, let us support the ban on 19 combat weapons used on city streets and country roads against cops and kids.

Mr. FAZIO. Mr. Chairman, I rise in support of H.R. 4296, the Assault Weapons Ban Act.

California, along with 3 other States and more than 30 cities and counties, already has its own assault weapons ban in place. The Roberti-Roos Assault Weapons Control Act, which is currently in effect in California, is the Nation's oldest assault weapons ban. It was enacted in 1989 in response to the shooting spree at a Stockton schoolyard, where a gunman armed with an AK-47 and several semiautomatic pistols fired over 100 rounds, killing 5 children and wounding 30 other people before killing himself. Because it bans weapon names, instead of weapons features, however, the California ban has been effective in preventing the sale and use of new weapons. We are finding that some domestic manufacturers get around the ban by producing copy-cat weapons under different names.

On a national level, we are faced with a similar challenge. As a result of the current ban on the import of 43 foreign-made assault weapons, the Bureau of Alcohol, Tobacco and Firearms [ATF] estimates that 750,000 assault weapons have been kept out of the country—that the number of imported assault weapons traced to crime declined by 40 percent. Unfortunately, domestic manufacturers are also producing copies of these banned weapons, so the number of domestic assault weapons traced to crime remains the same.

The Assault Weapons Ban Act that is now before us closes this loophole because it bans assault weapons by feature, rather than name. It imposes a 10-year ban on the manufacture and possession of certain assault weapons and copies of assault weapons. Also prohibited are firearms that have certain features—like grenade launchers and bayonet mounts—as well as large-capacity ammunition feeding devices.

Law enforcement and the military are not included in the ban, and weapons that are currently legally owned are exempted, as are 650 specified sporting guns, none of which can be banned while the bill is in effect. Lastly, the bill requires that the Justice Department conduct a study of the impact that the ban has had on violent and drug trafficking crime 1 year after it is enacted, and that the Department submit the results of this study to Congress.

This legislation will have very little effect on the right of the average American to bear arms. They include weapons used almost exclusively by organized crime, gangs, and drug cartels. They do not include any weapons, semiautomatic or otherwise, used for hunting.

In spite of claims that assault weapons bans do not work, the facts indicate otherwise. Although we do not have detailed, nationwide statistics on the misuses of these weapons, the Oakland Police Department Weapons Unit reports that criminal misuses of assault weapons in Oakland fell by virtually half since the enactment of the California ban. Additionally, the Atlanta Constitution found in a 1989 study that, although assault weapons make up only 2 to 3 percent of all guns owned by Americans, they show up in 30 percent of all firearms traced to organized crime, gun trafficking, and terrorism. And the ATF reports that in 1989, assault weapons made up 10 percent of guns traced in crimes. Police in virtually every city in this country will tell you that they are outgunned and that an assault weapons ban would help them fight gun violence.

The further restrictions on the sales and ownership of assault weapons that are in this bill will not cause a major reduction in crime. However, they will make it much more difficult for drug dealers, violent criminals, and psychopaths to get their hands on a military-style semiautomatic rifles and certain shotguns and pistols.

Perhaps, with provisions like these in effect, disasters like the 1993 tragedy when a gunman with an assault pistol walked into a San Francisco law office, murdered eight innocent, unarmed people and wounded another six can be prevented. Just prior to testifying before the House Judiciary Committee in support of a ban on assault weapons, the widower of one of the victims of this massacre wrote:

It's been almost one year since my beloved wife was brutally murdered * * * by a psychotic possessing an assault weapon with 50 round clips. These weapons of war have absolutely no place in our society and the all too common tragedies in which they are used must be stopped. Too many citizens dead; too many friends and family gone * * * This is not a partisan issue. Violence and assault weapons affect all citizens * * * As a Republican, I am calling on members of * * * my party and Democrats to see that this bill becomes law. Hopefully no other 10-month-old girls will place dirt on their mommys' grave as my daughter Meghan did. Hopefully no other single parent will be left the task of telling their infant how their mother was brutally murdered with an assault weapon.

I'd like to recall the words and wisdom of my esteemed colleagues from Illinois, Mr. HYDE, in his address to newly elected Members of the 102d Congress back in 1990. I feel that Mr. HYDE's advice to that freshman class is appropriate for all of us now, as we face a vote that is controversial, political, and hits close to home for many of us who have constituents on both sides of this issue—constituents who are passionate in their feelings about what we are going to decide.

Mr. HYDE told his audience that our responsibility as Members of this House is often greater than just representing our constituents—that we also have a responsibility to all Americans. This broader obligation and accountability demand that we take a national

view on certain issues—even if it means risking the disfavor of the folks back home. We must look beyond the politics of career and be willing to take a principled stand for what we believe to be right and in the best interests of our Nation, as a whole, even if it means we risk losing an election. Mr. HYDE reminds us of why we are here in the first place—to serve not just our immediate constituents, but our country, as well.

This vote on the assault weapons ban is such a stand, and it is a small price to pay to help curb the unnecessary and senseless violence that plagues communities throughout our country. If 1 life or 1,000 lives are saved because we are able to keep an assault weapon out of the wrong hands, it is worth the effort.

Mr. STOKES. Mr. Chairman, I rise today to express my strong support of H.R. 4296, the Public Safety and Recreational Firearms Use Protection Act. I commend my colleague from New York, Representative CHUCK SCHUMER for his effort in bringing this piece of legislation to the floor and addressing an issue which is pertinent to all Americans, the issue of gun control.

I am certain my colleagues would agree that Americans from all walks of life are looking for action on this problem. H.R. 4296 makes it illegal for a person to own, manufacture or sell specified semiautomatic assault weapons, exempting those weapons which are already legally owned. In addition, there are 650 specified sporting guns which are exempted from the ban. Of the 19 specified weapons included in this bill, none are used for hunting or other sporting purposes. These are military-style assault weapons designed to injure as many human beings as quickly as possible.

Increasingly, these weapons are becoming the weapon of choice for violent criminals and drug dealers. Although these weapons represent only 1 percent of privately owned firearms in this country, they represent 8 percent of the firearms traced to a crime, and are 18 times more likely to be used to kill police officers than any other gun. From 1990 to 1993, law enforcement officials reported a 37-percent increase in the use of assault weapons. How can we ensure the security of our citizens, when police officers, are being outgunned, and often times murdered by violent criminals wielding AK-47s and other military style weapons.

In the last several years, we have witnessed gun violence take a devastating toll on our Nation. Although many may think that the violence associated with semiautomatic assault weapons occurs exclusively in the inner city; is a gang problem; or only affects certain areas of the country; the grim reality of this violence is that it occurs throughout America. One day a child may be caught in a cross-fire, on another day an out of control member of society may unleash his rage in a convenience store, gas station or fast food restaurant.

In 1990 no nation had a higher murder rate than ours. The United States murder rate was quadruple that of the entire Continent of Europe and was 11 times higher than Japan. Americans are dying from unnecessary violent deaths in unprecedented numbers. While it is not realistic to expect the ban to lead to the cessation of violence, California's assault

weapons ban demonstrates that a ban will decrease the usage of assault weapons in violent crimes.

Nearly 77 percent of all Americans are in support of the assault weapons ban. We all agree that there needs to be an immediate response to this dilemma. Too many lives have been lost to violence. The grim reality demands our immediate response.

Mr. Chairman, this measure takes a significant step in curbing the rising tide of our Nation's violence. H.R. 4296 will help to restore safety and sanity to our communities and I strongly urge all of my colleagues to support this legislation.

Mr. BORSKI. Mr. Chairman, I rise today to express my strong support for H.R. 4296, the Public Safety and Recreational Firearms Use Protection Act. In conjunction with the crime bill and the Brady Law, this legislation is an essential step in ensuring the safety of our community, our law enforcement officers, and especially our families.

Mr. Chairman, assault weapons were designed for only one purpose—killing people. These weapons were designed for war, specifically manufactured to make as many wounds as possible with a maximum number of bullets. Unfortunately, the rapid-firing capability and large bullet capacity of these deadly weapons are quite useful as instruments of terror for the criminals of our country.

There is an ongoing war on the streets between the law enforcement and the criminals. The fact remains that in the city of Philadelphia, our local police are not armed with assault weapons, but the criminals are. Mr. Chairman, opponents to this legislation have stated that a ban on any firearm is an infringement upon their second amendment rights. Let me remind my colleagues that the Preamble of the Constitution clearly states that it is our constitutional duty to "insure domestic Tranquility, provide for the common Defence, [and to] promote the general Welfare [of] ourselves and our Posterity." H.R. 4296 is an important step in upholding our vows to ensure these "God-given" liberties.

Mr. Chairman, it is clear that current laws are inadequate to ensure these liberties. Criminals are winning the war on crime in this country. The law enforcement officers charged with protection of our citizens are outgunned and outnumbered by criminals who can easily obtain deadly weapons. The House has already taken steps to aid the law enforcement officials with the passage of H.R. 3355, the Violent Crime Control and Law Enforcement Act of 1994. The crime bill provides local law enforcement officials with much needed financial assistance for recruitment of 50,000 additional police officers, requires three-time violent criminals to be locked up for life and provides funding for the construction of new prisons. Yet, law enforcement officials continue to begin each day with the fear that they will face a well-armed "street" militia armed with only their service revolver.

H.R. 4296 will ban the manufacture and importation of these weapons of war which will cut off the production and, thus, the supply of these deadly weapons to criminals. The assault weapons banned in this legislation are used every day by criminals to kill other human beings. These guns are not hunting ri-

files, these guns are not target shooters, these guns were designed to harm other humans. Criminals with rapid-firing capabilities and large capacity ammunition clips can potentially kill as many human beings as they have bullets.

H.R. 4296 specifically targets the most dangerous weapons present on our streets today: AK-47's, UZI's and street sweepers. H.R. 4296 will only ban semiautomatic rifles capable of accepting a detachable ammunition clip, and two or more of the following military features: flash suppressors, grenade launchers, bayonet attachments, folding or telescoping stocks, and pistol grips.

Mr. Chairman, I see no legitimate reason why this legislation should not be passed. It is time to stop the madness of gun-warfare on our city streets. It is time to protect our Nation's law enforcement officers, our families and our children from the crossfire. It is time to pass this measure and prevent these guns from entering into the hands of the criminals of this country.

Mr. GONZALEZ. Mr. Speaker, I rise in support of the Assault Weapons Ban Act.

I want to compliment the Judiciary Subcommittee, particularly Congressman SCHUMER for his long and sustained effort to control these deadly and unnecessary assault weapons. I am delighted I could support this most important piece of legislation.

Since my first year in Congress, over 32 years ago, I have been speaking out on the irrationality of having more than 250 million arms in our country. I have also introduced legislation of my own that would provide for the same level of regulation for firearms—no more, no less—that we now have for obtaining a drivers license.

I also would like to compliment the city of San Antonio for its most forthright and responsible action in passing a resolution earlier today in support of the bill H.R. 4296, a copy of which I include here for the RECORD.

RESOLUTION ASKING OUR LOCAL CONGRESSIONAL DELEGATION TO SUPPORT THE PASSAGE OF H.R. 4296—THE BAN ON NONSPORTING SEMIAUTOMATIC ASSAULT WEAPONS

Whereas, legally purchased weapons often find their way into the possession of proscribed individuals, and gang violence has become a common occurrence in our community; and

Whereas, semi-automatic assault weapons were used in the commission of at least 81 (over 1/2) of the 143 firearm related homicides perpetrated in the city of San Antonio in 1993; and

Whereas, the City of San Antonio lends its full support to the "National Plan to Combat Violent Crime" of the United States Conference of Mayors; and HR 4296, banning 19 types of assault weapons, is a key element in that plan; and

Whereas, HR 4296 does not confiscate assault weapons from current owners and specifically exempts more than 670 guns considered to have a legitimate sporting purpose; and

Whereas, the City recently adopted Ordinance 79998 prohibiting the use of city-owned facilities for public consumer gun shows in an effort to curb the proliferation of assault type weapons; and

Whereas, HR 4296 is now being debated before the U.S. Congress and is scheduled to be voted upon this very day: Now, therefore, be it

Resolved by the city council of the city of San Antonio; That the City of San Antonio strongly supports the passage of HR 4296 and asks that our Congressional delegation vote in favor of the ban for the well-being and safety of their constituents, the citizens of the City of San Antonio, Texas.

Mr. MANTON. Mr. Chairman, I rise today in strong support of H.R. 4296, the Assault Weapons Ban Act.

Mr. Chairman, we have a very clear choice today. We can listen to a single issue special interest group and reject this bill, or we can heed the call of our Nation's law enforcement officers and the overwhelming majority of law-abiding citizens and pass the assault weapons ban today.

We will hear much debate and disagreement about exactly how many assault weapons will be banned by this bill. We will hear many arguments about the constitutional right to bear arms. But the facts are as clear as the choice we have today. This bill would ban 19 specific semiautomatic assault weapons. And nothing in the Constitution guarantees the right of a drug lord or a street punk to possess a grenade launcher or an AK-47.

Technical arguments regarding the scope of the bill and legal arguments regarding the constitutionality of the bill are nothing more than a smokescreen designed to complicate and confuse what is a very clear choice: are you on the side of the police or are you on the side of the gun lobby.

Mr. Chairman, as a former New York City police officer the choice for me is not only clear but it is simple. I will vote to ban these grotesque weapons whose only purpose is to inflict human pain and suffering. I urge my colleagues to ignore the special interests and listen to the American people. Vote for H.R. 4296, the Assault Weapons Ban Act.

Mr. VENTO. Mr. Speaker, I rise today in support of the assault weapons ban on the 19 specific semiautomatic weapons and their copycats which are being used against the civilian population of America.

Assault weapons in the hands of naive and hardened law breakers are causing carnage on the streets of our Nation and I want to stop the cycle of escalation of homicide that has tragically come to symbolize life in the United States today. Certainly the right to bear arms does not mean you should be able to run around with a grenade launcher, street sweeper or other military hardware. The primary purpose, perhaps the only purpose, for such weapons, is the assault on another person.

For years hunting and game laws have sharply limited the number of shotgun shells in semi-automatic hunting weapons; certainly our society values the life of our human population enough to pass laws limiting such weapons and the accompanying high capacity ammunition feeding clips that are being employed today to main and murder people on the streets of America.

Some of my colleagues have expressed the position that the answer to crime in our communities is not to ban assault weapons but to be tougher on criminals. Certainly no one measure is going to solve the problems of violence and crime in our Nation.

Deterrence by increased penalty for crimes involving such assault weapons should be pursued and in fact such circumstances are now

considered by the court, but only after the crime has occurred and the penalties levied. It is clear that such assault weapons embolden those who possess them, resulting in serious harm to the people of this Nation and that is why the Congress should take reasonable action to control such weapons. I voted for the crime bill and I am voting for the Assault Weapons Ban Act because I believe that to make our Nation a safer place to live and work we must address this problem on several levels. We must work to prevent crime as well as to respond to the reality of crime. We need to expand options for our young people, to have sufficient police in our communities, and to implement strong penalties for those who commit crimes. The problem of crime is one of the greatest concerns of the American people. The crime bill will mean working on prevention, rehabilitation, and deterrence together, providing new tools and programs enlisted to fight crime in our communities.

An assault weapons ban is a key element in an overall effort to reduce violence in our society, and I believe it is an important one. We need to send the message that there is no place on our streets for assault weapons.

The CHAIRMAN (Mr. MFUME). All the time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute shall be considered as an original bill for the purpose of amendment and is considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 4296

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 "Public Safety and Recreational Firearms Use Protection Act".

SEC. 2. RESTRICTION ON MANUFACTURE, TRANSFER, AND POSSESSION OF CERTAIN SEMIAUTOMATIC ASSAULT WEAPONS.

(a) RESTRICTION.—Section 922 of title 18, United States Code, is amended by adding at the end the following:

"(v)(1) It shall be unlawful for a person to manufacture, transfer, or possess a semiautomatic assault weapon.

"(2) Paragraph (1) shall not apply to the possession or transfer of any semiautomatic assault weapon otherwise lawfully possessed on the date of the enactment of this subsection.

"(3) Paragraph (1) shall not apply to—
"(A) any of the firearms, or replicas or duplicates of the firearms, specified in Appendix A to this section, as such firearms were manufactured on October 1, 1993;

"(B) any firearm that—
"(i) is manually operated by bolt, pump, lever, or slide action;

"(ii) has been rendered permanently inoperable; or

"(iii) is an antique firearm;
"(C) any semiautomatic rifle that cannot accept a detachable magazine that holds more than 5 rounds of ammunition; or

"(D) any semiautomatic shotgun that cannot hold more than 5 rounds of ammunition in a fixed or detachable magazine.

The fact that a firearm is not listed in Appendix A shall not be construed to mean that paragraph (1) applies to such firearm. No firearm ex-

empted by this subsection may be deleted from Appendix A so long as this Act is in effect.

"(4) Paragraph (1) shall not apply to—

"(A) the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State;

"(B) the transfer of a semiautomatic assault weapon by a licensed manufacturer, licensed importer, or licensed dealer to an entity referred to in subparagraph (A) or to a law enforcement officer authorized by such an entity to purchase firearms for official use;

"(C) the possession, by an individual who is retired from service with a law enforcement agency and is not otherwise prohibited from receiving a firearm, of a semiautomatic assault weapon transferred to the individual by the agency upon such retirement; or

"(D) the manufacture, transfer, or possession of a semiautomatic assault weapon by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the Secretary."

(b) DEFINITION OF SEMIAUTOMATIC ASSAULT WEAPON.—Section 921(a) of such title is amended by adding at the end the following:

"(30) The term 'semiautomatic assault weapon' means—

"(A) any of the firearms, or copies or duplicates of the firearms, known as—

"(i) Norinco, Mitchell, and Poly Technologies Automat Kalashnikovs (all models);

"(ii) Action Arms Israeli Military Industries UZI and Galil;

"(iii) Beretta Ar70 (SC-70);

"(iv) Colt AR-15;

"(v) Fabrique National FN/FAL, FN/LAR, and FNC;

"(vi) SWD M-10, M-11, M-11/9, and M-12;

"(vii) Steyr AUG;

"(viii) INTRATEC TEC-9, TEC-DC9 and TEC-22; and

"(ix) revolving cylinder shotguns, such as (or similar to) the Street Sweeper and Striker 12;

"(B) a semiautomatic rifle that has an ability to accept a detachable magazine and has at least 2 of—

"(i) a folding or telescoping stock;

"(ii) a pistol grip that protrudes conspicuously beneath the action of the weapon;

"(iii) a bayonet mount;

"(iv) a flash suppressor or threaded barrel designed to accommodate a flash suppressor; and

"(v) a grenade launcher;

"(C) a semiautomatic pistol that has an ability to accept a detachable magazine and has at least 2 of—

"(i) an ammunition magazine that attaches to the pistol outside of the pistol grip;

"(ii) a threaded barrel capable of accepting a barrel extender, flash suppressor, forward hand-grip, or silencer;

"(iii) a shroud that is attached to, or partially or completely encircles, the barrel and that permits the shooter to hold the firearm with the nontrigger hand without being burned;

"(iv) a manufactured weight of 50 ounces or more when the pistol is unloaded; and

"(v) a semiautomatic version of an automatic firearm; and

"(D) a semiautomatic shotgun that has at least 2 of—

"(i) a folding or telescoping stock;

"(ii) a pistol grip that protrudes conspicuously beneath the action of the weapon;

"(iii) a fixed magazine capacity in excess of 5 rounds; and

"(iv) an ability to accept a detachable magazine."

(c) PENALTIES.—

(1) VIOLATION OF SECTION 922(v).—Section 924(a)(1)(B) of such title is amended by striking "(or (q) of section 922)" and inserting "(r), or (v) of section 922".

(2) USE OR POSSESSION DURING CRIME OF VIOLENCE OR DRUG TRAFFICKING CRIME.—Section 924(c)(1) of such title is amended in the first sentence by inserting ", or semiautomatic assault weapon," after "short-barreled shotgun,".

(d) IDENTIFICATION MARKINGS FOR SEMIAUTOMATIC ASSAULT WEAPONS.—Section 923(i) of such title is amended by adding at the end the following: "The serial number of any semiautomatic assault weapon manufactured after the date of the enactment of this sentence shall clearly show the date on which the weapon was manufactured."

SEC. 3. RECORDKEEPING REQUIREMENTS FOR TRANSFERS OF GRANDFATHERED FIREARMS.

(a) OFFENSE.—Section 922 of title 18, United States Code, as amended by section 2(a) of this Act, is amended by adding at the end the following:

"(w)(1) It shall be unlawful for a person to sell, ship, or deliver a semiautomatic assault weapon to a person who has not completed a form 4473 in connection with the transfer of the semiautomatic assault weapon.

"(2) It shall be unlawful for a person to receive a semiautomatic assault weapon unless the person has completed a form 4473 in connection with the transfer of the semiautomatic assault weapon.

"(3) If a person receives a semiautomatic assault weapon from anyone other than a licensed dealer, both the person and the transferor shall retain a copy of the form 4473 completed in connection with the transfer.

"(4) Within 90 days after the date of the enactment of this subsection, the Secretary shall prescribe regulations ensuring the availability of form 4473 to owners of semiautomatic assault weapons.

"(5) As used in this subsection, the term 'form 4473' means—

"(A) the form which, as of the date of the enactment of this subsection, is designated by the Secretary as form 4473; or

"(B) any other form which—

"(i) is required by the Secretary, in lieu of the form described in subparagraph (A), to be completed in connection with the transfer of a semiautomatic assault weapon; and

"(ii) when completed, contains, at a minimum, the information that, as of the date of the enactment of this subsection, is required to be provided on the form described in subparagraph (A)."

(b) PENALTY.—Section 924(a) of such title is amended by adding at the end the following:

"(6) A person who knowingly violates section 922(w) shall be fined not more than \$1,000, imprisoned not more than 6 months, or both. Section 3571 shall not apply to any offense under this paragraph."

SEC. 4. BAN OF LARGE CAPACITY AMMUNITION FEEDING DEVICES.

(a) PROHIBITION.—Section 922 of title 18, United States Code, as amended by sections 2 and 3 of this Act, is amended by adding at the end the following:

"(x)(1) Except as provided in paragraph (2), it shall be unlawful for a person to transfer or possess a large capacity ammunition feeding device.

"(2) Paragraph (1) shall not apply to the possession or transfer of any large capacity ammunition feeding device otherwise lawfully possessed on the date of the enactment of this subsection.

"(3) This subsection shall not apply to—

"(A) the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State;

"(B) the transfer of a large capacity ammunition feeding device by a licensed manufacturer,

licensed importer, or licensed dealer to an entity referred to in subparagraph (A) or to a law enforcement officer authorized by such an entity to purchase large capacity ammunition feeding devices for official use;

"(C) the possession, by an individual who is retired from service with a law enforcement agency and is not otherwise prohibited from receiving ammunition, of a large capacity ammunition feeding device transferred to the individual by the agency upon such retirement; or

"(D) the manufacture, transfer, or possession of any large capacity ammunition feeding device by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the Secretary."

(b) DEFINITION OF LARGE CAPACITY AMMUNITION FEEDING DEVICE.—Section 921(a) of such title, as amended by section 2(b) of this Act, is amended by adding at the end the following:

"(31) The term 'large capacity ammunition feeding device'—

"(A) means—

"(i) a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition; and

"(ii) any combination of parts from which a device described in clause (i) can be assembled; but

"(B) does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition."

(c) LARGE CAPACITY AMMUNITION FEEDING DEVICES TREATED AS FIREARMS.—Section 921(a)(3) of such title is amended in the first sentence by striking "or (D) any destructive device," and inserting "(D) any destructive device; or (E) any large capacity ammunition feeding device."

(d) PENALTY.—Section 924(a)(1)(B) of such title, as amended by section 2(c) of this Act, is amended by striking "or (v)" and inserting "(v), or (x)".

(e) IDENTIFICATION MARKINGS FOR LARGE CAPACITY AMMUNITION FEEDING DEVICES.—Section 923(i) of such title, as amended by section 2(d) of this Act, is amended by adding at the end the following: "A large capacity ammunition feeding device manufactured after the date of the enactment of this sentence shall be identified by a serial number that clearly shows that the device was manufactured or imported after the effective date of this subsection, and such other identification as the Secretary may by regulation prescribe."

SEC. 5. STUDY BY ATTORNEY GENERAL.

(a) STUDY.—The Attorney General shall investigate and study the effect of this Act and the amendments made by this Act, and in particular shall determine their impact, if any, on violent and drug trafficking crime. The study shall be conducted over a period of 18 months, commencing 12 months after the date of enactment of this Act.

(b) REPORT.—Not later than 30 months after the date of enactment of this Act, the Attorney General shall prepare and submit to the Congress a report setting forth in detail the findings and determinations made in the study under subsection (a).

SEC. 6. EFFECTIVE DATE.

This Act and the amendments made by this Act—

(1) shall take effect on the date of the enactment of this Act; and

(2) are repealed effective as of the date that is 10 years after that date.

SEC. 7. APPENDIX A TO SECTION 922 OF TITLE 18.

Section 922 of title 18, United States Code, is amended by adding at the end the following appendix:

"APPENDIX A**Centerfire Rifles—Autoloaders**

Browning BAR Mark II Safari Semi-Auto Rifle
 Browning BAR Mark II Safari Magnum Rifle
 Browning High-Power Rifle
 Heckler & Koch Model 300 Rifle
 Iver Johnson M-1 Carbine
 Iver Johnson 50th Anniversary M-1 Carbine
 Marlin Model 9 Camp Carbine
 Marlin Model 45 Carbine
 Remington Nylon 66 Auto-Loading Rifle
 Remington Model 7400 Auto Rifle
 Remington Model 7400 Rifle
 Remington Model 7400 Special Purpose Auto Rifle
 Ruger Mini-14 Autoloading Rifle (w/o folding stock)
 Ruger Mini Thirty Rifle

Centerfire Rifles—Lever & Slide

Browning Model 81 BLR Lever-Action Rifle
 Browning Model 81 Long Action BLR
 Browning Model 1886 Lever-Action Carbine
 Browning Model 1886 High Grade Carbine
 Cimarron 1860 Henry Replica
 Cimarron 1866 Winchester Replicas
 Cimarron 1873 Short Rifle
 Cimarron 1873 Sporting Rifle
 Cimarron 1873 30" Express Rifle
 Dixie Engraved 1873 Rifle
 E.M.F. 1866 Yellowboy Lever Actions
 E.M.F. 1860 Henry Rifle
 E.M.F. Model 73 Lever-Action Rifle
 Marlin Model 336CS Lever-Action Carbine
 Marlin Model 30AS Lever-Action Carbine
 Marlin Model 444SS Lever-Action Sporter
 Marlin Model 1894S Lever-Action Carbine
 Marlin Model 1894CS Carbine
 Marlin Model 1894CL Classic
 Marlin Model 1895SS Lever-Action Rifle
 Mitchell 1858 Henry Replica
 Mitchell 1866 Winchester Replica
 Mitchell 1873 Winchester Replica
 Navy Arms Military Henry Rifle
 Navy Arms Henry Trapper
 Navy Arms Iron Frame Henry
 Navy Arms Henry Carbine
 Navy Arms 1866 Yellowboy Rifle
 Navy Arms 1873 Winchester-Style Rifle
 Navy Arms 1873 Sporting Rifle
 Remington 7600 Slide Action
 Remington Model 7600 Special Purpose Slide Action
 Rossi M92 SRC Saddle-Ring Carbine
 Rossi M92 SRS Short Carbine
 Savage 99C Lever-Action Rifle
 Uberti Henry Rifle
 Uberti 1866 Sporting Rifle
 Uberti 1873 Sporting Rifle
 Winchester Model 94 Side Eject Lever-Action Rifle
 Winchester Model 94 Trapper Side Eject
 Winchester Model 94 Big Bore Side Eject
 Winchester Model 94 Ranger Side Eject Lever-Action Rifle
 Winchester Model 94 Wrangler Side Eject

Centerfire Rifles—Bolt Action

Alpine Bolt-Action Rifle
 A-Square Caesar Bolt-Action Rifle
 A-Square Hannibal Bolt-Action Rifle
 Anschütz 1700D Classic Rifles
 Anschütz 1700D Custom Rifles
 Anschütz 1700D Bavarian Bolt-Action Rifle

Anschutz 1733D Mannlicher Rifle
 Barret Model 90 Bolt-Action Rifle
 Beeman/HW 60J Bolt-Action Rifle
 Blaser R84 Bolt-Action Rifle
 BRNO 537 Sporter Bolt-Action Rifle
 BRNO ZKB 527 Fox Bolt-Action Rifle
 BRNO ZKK 600, 601, 602 Bolt-Action Rifles
 Browning A-Bolt Rifle
 Browning A-Bolt Stainless Stalker
 Browning A-Bolt Left Hand
 Browning A-Bolt Short Action
 Browning Euro-Bolt Rifle
 Browning A-Bolt Gold Medallion
 Browning A-Bolt Micro Medallion
 Century Centurion 14 Sporter
 Century Enfield Sporter #4
 Century Swedish Sporter #38
 Century Mauser 98 Sporter
 Cooper Model 38 Centerfire Sporter
 Dakota 22 Sporter Bolt-Action Rifle
 Dakota 76 Classic Bolt-Action Rifle
 Dakota 76 Short Action Rifles
 Dakota 76 Safari Bolt-Action Rifle
 Dakota 416 Rigby African
 E.A.A./Sabatti Rover 870 Bolt-Action Rifle
 Auguste Francotte Bolt-Action Rifles
 Carl Gustaf 2000 Bolt-Action Rifle
 Heym Magnum Express Series Rifle
 Howa Lightning Bolt-Action Rifle
 Howa Realtree Camo Rifle
 Interarms Mark X Viscount Bolt-Action Rifle
 Interarms Mini-Mark X Rifle
 Interarms Mark X Whitworth Bolt-Action Rifle
 Interarms Whitworth Express Rifle
 Iver Johnson Model 5100A1 Long-Range Rifle
 KDF K15 American Bolt-Action Rifle
 Krico Model 600 Bolt-Action Rifle
 Krico Model 700 Bolt-Action Rifles
 Mauser Model 66 Bolt-Action Rifle
 Mauser Model 99 Bolt-Action Rifle
 McMillan Signature Classic Sporter
 McMillan Signature Super Varminter
 McMillan Signature Alaskan
 McMillan Signature Titanium Mountain Rifle
 McMillan Classic Stainless Sporter
 McMillan Talon Safari Rifle
 McMillan Talon Sporter Rifle
 Midland 1500S Survivor Rifle
 Navy Arms TU-3340 Carbine
 Parker-Hale Model 81 Classic Rifle
 Parker-Hale Model 81 Classic African Rifle
 Parker-Hale Model 1000 Rifle
 Parker-Hale Model 1100M African Magnum
 Parker-Hale Model 1100 Lightweight Rifle
 Parker-Hale Model 1200 Super Rifle
 Parker-Hale Model 1200 Super Clip Rifle
 Parker-Hale Model 1300C Scout Rifle
 Parker-Hale Model 2100 Midland Rifle
 Parker-Hale Model 2700 Lightweight Rifle
 Parker-Hale Model 2800 Midland Rifle
 Remington Model Seven Bolt-Action Rifle
 Remington Model Seven Youth Rifle
 Remington Model Seven Custom KS
 Remington Model Seven Custom MS Rifle
 Remington 700 ADL Bolt-Action Rifle
 Remington 700 BDL Bolt-Action Rifle
 Remington 700 BDL Varmint Special
 Remington 700 BDL European Bolt-Action Rifle
 Remington 700 Varmint Synthetic Rifle
 Remington 700 BDL SS Rifle
 Remington 700 Stainless Synthetic Rifle

Remington 700 MTRSS Rifle
 Remington 700 BDL Left Hand
 Remington 700 Camo Synthetic Rifle
 Remington 700 Safari
 Remington 700 Mountain Rifle
 Remington 700 Custom KS Mountain Rifle
 Remington 700 Classic Rifle
 Ruger M77 Mark II Rifle
 Ruger M77 Mark II Magnum Rifle
 Ruger M77RL Ultra Light
 Ruger M77 Mark II All-Weather Stainless Rifle
 Ruger M77 RSI International Carbine
 Ruger M77 Mark II Express Rifle
 Ruger M77VT Target Rifle
 Sako Hunter Rifle
 Sako Fiberclass Sporter
 Sako Safari Grade Bolt Action
 Sako Hunter Left-Hand Rifle
 Sako Classic Bolt Action
 Sako Hunter LS Rifle
 Sako Deluxe Lightweight
 Sako Super Deluxe Sporter
 Sako Mannlicher-Style Carbine
 Sako Varmint Heavy Barrel
 Sako TRG-S Bolt-Action Rifle
 Sauer 90 Bolt-Action Rifle
 Savage 110G Bolt-Action Rifle
 Savage 110CY Youth/Ladies Rifle
 Savage 110WLE One of One Thousand Limited Edition Rifle
 Savage 110GXP3 Bolt-Action Rifle
 Savage 110F Bolt-Action Rifle
 Savage 110FXP3 Bolt-Action Rifle
 Savage 110GV Varmint Rifle
 Savage 112FV Varmint Rifle
 Savage Model 112FVS Varmint Rifle
 Savage Model 112BV Heavy Barrel Varmint Rifle
 Savage 116FSS Bolt-Action Rifle
 Savage Model 116FSK Kodiak Rifle
 Savage 110FP Police Rifle
 Steyr-Mannlicher Sporter Models SL, L, M, S, S/T
 Steyr-Mannlicher Luxus Model L, M, S
 Steyr-Mannlicher Model M Professional Rifle
 Tikka Bolt-Action Rifle
 Tikka Premium Grade Rifles
 Tikka Varmint/Continental Rifle
 Tikka Whitetail/Battue Rifle
 Ultra Light Arms Model 20 Rifle
 Ultra Light Arms Model 28, Model 40 Rifles
 Voere VEC 91 Lightning Bolt-Action Rifle
 Voere Model 2165 Bolt-Action Rifle
 Voere Model 2155, 2150 Bolt-Action Rifles
 Weatherby Mark V Deluxe Bolt-Action Rifle
 Weatherby Lasermark V Rifle
 Weatherby Mark V Crown Custom Rifles
 Weatherby Mark V Sporter Rifle
 Weatherby Mark V Safari Grade Custom Rifles
 Weatherby Weathermark Rifle
 Weatherby Weathermark Alaskan Rifle
 Weatherby Classicmark No. 1 Rifle
 Weatherby Weatherguard Alaskan Rifle
 Weatherby Vanguard VGX Deluxe Rifle
 Weatherby Vanguard Classic Rifle
 Weatherby Vanguard Classic No. 1 Rifle
 Weatherby Vanguard Weatherguard Rifle
 Wichita Classic Rifle
 Wichita Varmint Rifle
 Winchester Model 70 Sporter
 Winchester Model 70 Sporter WinTuff
 Winchester Model 70 SM Sporter
 Winchester Model 70 Stainless Rifle
 Winchester Model 70 Varmint

Winchester Model 70 Synthetic Heavy Varmint Rifle
 Winchester Model 70 DBM Rifle
 Winchester Model 70 DBM-S Rifle
 Winchester Model 70 Featherweight
 Winchester Model 70 Featherweight WinTuff
 Winchester Model 70 Featherweight Classic
 Winchester Model 70 Lightweight Rifle
 Winchester Ranger Rifle
 Winchester Model 70 Super Express Magnum
 Winchester Model 70 Super Grade
 Winchester Model 70 Custom Sharpshooter
 Winchester Model 70 Custom Sporting Sharpshooter Rifle

Centerfire Rifles—Single Shot

Armsport 1866 Sharps Rifle, Carbine
 Brown Model One Single Shot Rifle
 Browning Model 1885 Single Shot Rifle
 Dakota Single Shot Rifle
 Desert Industries G-90 Single Shot Rifle
 Harrington & Richardson Ultra Varmint Rifle
 Model 1885 High Wall Rifle
 Navy Arms Rolling Block Buffalo Rifle
 Navy Arms #2 Creedmoor Rifle
 Navy Arms Sharps Cavalry Carbine
 Navy Arms Sharps Plains Rifle
 New England Firearms Handi-Rifle
 Red Willow Armory Ballard No. 5 Pacific
 Red Willow Armory Ballard No. 1.5 Hunting Rifle
 Red Willow Armory Ballard No. 8 Union Hill Rifle
 Red Willow Armory Ballard No. 4.5 Target Rifle
 Remington-Style Rolling Block Carbine
 Ruger No. 1B Single Shot
 Ruger No. 1A Light Sporter
 Ruger No. 1H Tropical Rifle
 Ruger No. 1S Medium Sporter
 Ruger No. 1 RSI International
 Ruger No. 1V Special Varminter
 C. Sharps Arms New Model 1874 Old Reliable
 C. Sharps Arms New Model 1875 Rifle
 C. Sharps Arms 1875 Classic Sharps
 C. Sharps Arms New Model 1875 Target & Long Range
 Shiloh Sharps 1874 Long Range Express
 Shiloh Sharps 1874 Montana Rough-rider
 Shiloh Sharps 1874 Military Carbine
 Shiloh Sharps 1874 Business Rifle
 Shiloh Sharps 1874 Military Rifle
 Sharps 1874 Old Reliable
 Thompson/Center Contender Carbine
 Thompson/Center Stainless Contender Carbine
 Thompson/Center Contender Carbine Survival System
 Thompson/Center Contender Carbine Youth Model
 Thompson/Center TCR '87 Single Shot Rifle
 Uberti Rolling Block Baby Carbine

Drillings, Combination Guns, Double Rifles

Beretta Express SSO O/U Double Rifles
 Beretta Model 455 SzS Express Rifle
 Chapuis RGE Express Double Rifle
 Auguste Francotte Sidelock Double Rifles
 Auguste Francotte Boxlock Double Rifle
 Heym Model 55B O/U Double Rifle
 Heym Model 55FW O/U Combo Gun
 Heym Model 88b Side-by-Side Double Rifle
 Kodiak Mk. IV Double Rifle
 Kreighoff Teck O/U Combination Gun

Kreighoff Trumpf Drilling
 Merkel Over/Under Combination Guns
 Merkel Drillings
 Merkel Model 160 Side-by-Side Double Rifles
 Merkel Over/Under Double Rifles
 Savage 24F O/U Combination Gun
 Savage 24F-12T Turkey Gun
 Springfield Inc. M6 Scout Rifle/Shotgun
 Tikka Model 412s Combination Gun
 Tikka Model 412S Double Fire
 A. Zoli Rifle-Shotgun O/U Combo

Rimfire Rifles—Autoloaders

AMT Lightning 25/22 Rifle
 AMT Lightning Small-Game Hunting Rifle II
 AMT Magnum Hunter Auto Rifle
 Anschutz 525 Deluxe Auto
 Armscor Model 20P Auto Rifle
 Browning Auto-22 Rifle
 Browning Auto-22 Grade VI
 Krico Model 260 Auto Rifle
 Lakefield Arms Model 64B Auto Rifle
 Marlin Model 60 Self-Loading Rifle
 Marlin Model 60SS Self-Loading Rifle
 Marlin Model 70 HC Auto
 Marlin Model 990L Self-Loading Rifle
 Marlin Model 70P Papoose
 Marlin Model 922 Magnum Self-Loading Rifle
 Marlin Model 995 Self-Loading Rifle
 Norinco Model 22 ATD Rifle
 Remington Model 522 Viper Autoloading Rifle
 Remington 552BDL Speedmaster Rifle
 Ruger 10/22 Autoloading Carbine (w/o folding stock)
 Survival Arms AR-7 Explorer Rifle
 Texas Remington Revolving Carbine
 Voere Model 2115 Auto Rifle

Rimfire Rifles—Lever & Slide Action

Browning BL-22 Lever-Action Rifle
 Marlin 39TDS Carbine
 Marlin Model 39AS Golden Lever-Action Rifle
 Remington 572BDL Fieldmaster Pump Rifle
 Norinco EM-321 Pump Rifle
 Rossi Model 62 SA Pump Rifle
 Rossi Model 62 SAC Carbine
 Winchester Model 9422 Lever-Action Rifle
 Winchester Model 9422 Magnum Lever-Action Rifle

Rimfire Rifles—Bolt Actions & Single Shots

Anschutz Achiever Bolt-Action Rifle
 Anschutz 1416D/1516D Classic Rifles
 Anschutz 1418D/1518D Mannlicher Rifles
 Anschutz 1700D Classic Rifles
 Anschutz 1700D Custom Rifles
 Anschutz 1700 FWT Bolt-Action Rifle
 Anschutz 1700D Graphite Custom Rifle
 Anschutz 1700D Bavarian Bolt-Action Rifle
 Armscor Model 14P Bolt-Action Rifle
 Armscor Model 1500 Rifle
 BRNO ZKM-452 Deluxe Bolt-Action Rifle
 BRNO ZKM 452 Deluxe
 Beeman/HW 60-J-ST Bolt-Action Rifle
 Browning A-Bolt 22 Bolt-Action Rifle
 Browning A-Bolt Gold Medallion
 Cabanas Phaser Rifle
 Cabanas Master Bolt-Action Rifle
 Cabanas Espronceda IV Bolt-Action Rifle
 Cabanas Leyre Bolt-Action Rifle
 Chipmunk Single Shot Rifle
 Cooper Arms Model 36S Sporter Rifle
 Dakota 22 Sporter Bolt-Action Rifle
 Krico Model 300 Bolt-Action Rifles
 Lakefield Arms Mark II Bolt-Action Rifle

Lakefield Arms Mark I Bolt-Action Rifle
 Magtech Model MT-22C Bolt-Action Rifle
 Marlin Model 880 Bolt-Action Rifle
 Marlin Model 881 Bolt-Action Rifle
 Marlin Model 882 Bolt-Action Rifle
 Marlin Model 883 Bolt-Action Rifle
 Marlin Model 883SS Bolt-Action Rifle
 Marlin Model 25MN Bolt-Action Rifle
 Marlin Model 25N Bolt-Action Repeater
 Marlin Model 15YN "Little Buckaroo"
 Mauser Model 107 Bolt-Action Rifle
 Mauser Model 201 Bolt-Action Rifle
 Navy Arms TU-KKW Training Rifle
 Navy Arms TU-33/40 Carbine
 Navy Arms TU-KKW Sniper Trainer
 Norinco JW-27 Bolt-Action Rifle
 Norinco JW-15 Bolt-Action Rifle
 Remington 541-T
 Remington 40-XR Rimfire Custom sporter
 Remington 541-T HB Bolt-Action Rifle
 Remington 581-S Sportsman Rifle
 Ruger 77/22 Rimfire Bolt-Action Rifle
 Ruger K77/22 Varmint Rifle
 Ultra Light Arms Model 20 RF Bolt-Action Rifle
 Winchester Model 52B Sporting Rifle

Competition Rifles—Centerfire & Rimfire

Anschutz 64-MS Left Silhouette
 Anschutz 1808D RT Super Match 54 Target
 Anschutz 1827B Biathlon Rifle
 Anschutz 1903D Match Rifle
 Anschutz 1803D Intermediate Match
 Anschutz 1911 Match Rifle
 Anschutz 54.18MS REP Deluxe Silhouette Rifle
 Anschutz 1913 Super Match Rifle
 Anschutz 1907 Match Rifle
 Anschutz 1910 Super Match II
 Anschutz 54.18MS Silhouette Rifle
 Anschutz Super Match 54 Target Model 2013
 Anschutz Super Match 54 Target Model 2007
 Beeman/Feinwerkbau 2600 Target Rifle
 Cooper Arms Model TRP-1 ISU Standard Rifle
 E.A.A./Weihrauch HW 60 Target Rifle
 E.A.A./HW 660 Match Rifle
 Finnish Lion Standard Target Rifle
 Krico Model 360 S2 Biathlon Rifle
 Krico Model 400 Match Rifle
 Krico Model 360S Biathlon Rifle
 Krico Model 500 Kricotronic Match Rifle
 Krico Model 600 Sniper Rifle
 Krico Model 600 Match Rifle
 Lakefield Arms Model 90B Target Rifle
 Lakefield Arms Model 91T Target Rifle
 Lakefield Arms Model 92S Silhouette Rifle
 Marlin Model 2000 Target Rifle
 Mauser Model 86-SR Specialty Rifle
 McMillan M-86 Sniper Rifle
 McMillan Combo M-87/M-88 50-Caliber Rifle
 McMillan 300 Phoenix Long Range Rifle
 McMillan M-89 Sniper Rifle
 McMillan National Match Rifle
 McMillan Long Range Rifle
 Parker-Hale M-87 Target Rifle
 Parker-Hale M-85 Sniper Rifle
 Remington 40-XB Rangemaster Target Centerfire
 Remington 40-XR KS Rimfire Position Rifle
 Remington 40-XBBR KS
 Remington 40-XC KS National Match Course Rifle
 Sako TRG-21 Bolt-Action Rifle
 Steyr-Mannlicher Match SPG-UIT Rifle
 Steyr-Mannlicher SSG P-I Rifle
 Steyr-Mannlicher SSG P-III Rifle

Steyr-Mannlicher SSG P-IV Rifle
Tanner Standard UIT Rifle
Tanner 50 Meter Free Rifle
Tanner 300 Meter Free Rifle
Wichita Silhouette Rifle

Shotguns—Autoloaders

American Arms/Franchi Black Magic 48/
AL
Benelli Super Black Eagle Shotgun
Benelli Super Black Eagle Slug Gun
Benelli MI Super 90 Field Auto Shotgun
Benelli Montefeltro Super 90 20-Gauge
Shotgun
Benelli Montefeltro Super 90 Shotgun
Benelli MI Sporting Special Auto Shot-
gun
Benelli Black Eagle Competition Auto
Shotgun
Beretta A-303 Auto Shotgun
Beretta 390 Field Auto Shotgun
Beretta 390 Super Trap, Super Skeet
Shotguns
Beretta Vittoria Auto Shotgun
Beretta Model 1201F Auto Shotgun
Browning BSA 10 Auto Shotgun
Browning Bsa 10 Stalker Auto Shotgun
Browning A-500R Auto Shotgun
Browning A-500G Auto Shotgun
Browning A-500G Sporting Clays
Browning Auto-5 Light 12 and 20
Browning Auto-5 Stalker
Browning Auto-5 Magnum 20
Browning Auto-5 Magnum 12
Churchill Turkey Automatic Shotgun
Cosmi Automatic Shotgun
Maverick Model 60 Auto Shotgun
Mossberg Model 5500 Shotgun
Mossberg Model 9200 Regal Semi-Auto
Shotgun
Mossberg Model 9200 USST Auto Shot-
gun
Mossberg Model 9200 Camo Shotgun
Mossberg Model 6000 Auto Shotgun
Remington Model 1100 Shotgun
Remington 11-87 Premier shotgun
Remington 11-87 Sporting Clays
Remington 11-87 Premier Skeet
Remington 11-87 Premier Trap
Remington 11-87 Special Purpose Mag-
num
Remington 11-87 SPS-T Camo Auto
Shotgun
Remington 11-87 Special Purpose Deer
Gun
Remington 11-87 SPS-BG-Camo Deer/
Turkey Shotgun
Remington 11-87 SPS-Deer Shotgun
Remington 11-87 Special Purpose Syn-
thetic Camo
Remington SP-10 Magnum-Camo Auto
Shotgun
Remington SP-10 Magnum Auto Shot-
gun
Remington SP-10 Magnum Turkey
Combo
Remington 1100 LT-20 Auto
Remington 1100 Special Field
Remington 1100 20-Gauge Deer Gun
Remington 1100 LT-20 Tournament
Skeet
Winchester Model 1400 Semi-Auto Shot-
gun

Shotguns—Slide Actions

Browning Model 42 Pump Shotgun
Browning BPS Pump Shotgun
Browning BPS Stalker Pump Shotgun
Browning BPS Pigeon Grade Pump
Shotgun
Browning BPS pump Shotgun (Ladies
and Youth Model)
Browning BPS Game Gun Turkey Spe-
cial
Browning BPS Game Gun Deer Special

Ithaca Model 87 Supreme Pump Shot-
gun
Ithaca Model 87 Deerslayer Shotgun
Ithaca Deerslayer II Rifled Shotgun
Ithaca Model 87 Turkey Gun
Ithaca Model 87 Deluxe Pump Shotgun
Magtech Model 586-VR Pump Shotgun
Maverick Models 88, 91 Pump Shotguns
Mossberg Model 500 Sporting Pump
Mossberg Model 500 Camo Pump
Mossberg Model 500 Muzzleloader
Combo
Mossberg Model 500 Trophy Slugster
Mossberg Turkey Model 500 Pump
Mossberg Model 500 Bantam Pump
Mossberg Field Grade Model 835 Pump
Shotgun
Mossberg Model 835 Regal Ulti-Mag
Pump
Remington 870 Wingmaster
Remington 870 Special Purpose Deer
Gun
Remington 870 SPS-BG-Camo Deer/Tur-
key Shotgun
Remington 870 SPS-Deer Shotgun
Remington 870 Marine Magnum
Remington 870 TC Trap
Remington 870 Special Purpose Syn-
thetic Camo
Remington 870 Wingmaster Small
Gauges
Remington 870 Express Rifle Sighted
Deer Gun
Remington 879 SPS Special Purpose
Magnum
Remington 870 SPS-T Camo Pump Shot-
gun
Remington 870 Special Field
Remington 870 Express Turkey
Remington 870 High Grades
Remington 870 Express
Remington Model 870 Express Youth
Gun
Winchester Model 12 Pump Shotgun
Winchester Model 42 High Grade Shot-
gun
Winchester Model 1300 Walnut Pump
Winchester Model 1300 Slug Hunter
Deer Gun
Winchester Model 1300 Ranger Pump
Gun Combo & Deer Gun
Winchester Model 1300 Turkey Gun
Winchester Model 1300 Ranger Pump
Gun

Shotguns—Over/Unders

American Arms/Franchi Falconet 2000
O/U
American Arms Silver I O/U
American Arms Silver II Shotgun
American Arms Silver Skeet O/U
American Arms/Franchi Sporting 2000
O/U
American Arms Silver Sporting O/U
American Arms Silver Trap O/U
American Arms WS/OU 12, TS/OU 12
Shotguns
American Arms WT/OU 10 Shotgun
Armsport 2700 O/U Goose Gun
Armsport 2700 Series O/U
Armsport 2900 Tri-Barrel Shotgun
Baby Bretton Over/Under Shotgun
Beretta Model 686 Ultralight O/U
Beretta ASE 90 Competition O/U Shot-
gun
Beretta Over/Under Field Shotguns
Beretta Onyx Hunter Sport O/U Shot-
gun
Beretta Model SO5, SO6, SO9 Shotguns
Beretta Sporting Clay Shotguns
Beretta 687EL Sporting O/U
Beretta 682 Super Sporting O/U
Beretta Series 682 Competition Over/
Unders
Browning Citori O/U Shotgun

Browning Superlight Citori Over/Under
Browning Lightning Sporting Clays
Browning Micro Citori Lightning
Browning Citori Plus Trap Combo
Browning Citori Plus Trap Gun
Browning Citori O/U Skeet Models
Browning Citori O/U Trap Models
Browning Special Sporting Clays
Browning Citori GTI Sporting Clays
Browning 325 Sporting Clays
Centurion Over/Under Shotgun
Chapuis Over/Under Shotgun
Connecticut Valley Classics Classic
Sporter O/U
Connecticut Valley Classics Classic
Field Waterfowler
Charles Daly Field Grade O/U
Charles Daly Lux Over/Under
E.A.A./Sabatti Sporting Clays Pro-Gold
O/U
E.A.A./Sabatti Falcon-Mon Over/Under
Kassnar Grade I O/U Shotgun
Kriehoff K-80 Sporting Clays O/U
Kriehoff K-80 Skeet Shotgun
Kriehoff K-80 International Skeet
Kriehoff K-80 Four-Barrel Skeet Set
Kriehoff K-80/RT Shotguns
Kriehoff K-80 O/U Trap Shotgun
Laurona Silhouette 300 Sporting Clays
Laurona Silhouette 300 Trap
Laurona Super Model Over/Unders
Ljutic LM-6 Deluxe O/U Shotgun
Marocchi Conquista Over/Under Shot-
gun
Marocchi Avanza O/U Shotgun
Merkel Model 200E O/U Shotgun
Merkel Model 200E Skeet, Trap Over/
Unders
Merkel Model 203E, 303E Over/Under
Shotguns
Perazzi Mirage Special Sporting O/U
Perazzi Mirage Special Four-Gauge
Skeet
Perazzi Sporting Classic O/U
Perazzi MX7 Over/Under Shotguns
Perazzi Mirage Special Skeet Over/
Under
Perazzi MX8/MX8 Special Trap, Skeet
Perazzi MX8/20 Over/Under Shotgun
Perazzi MX9 Single Over/Under Shot-
guns
Perazzi MX12 Hunting Over/Under
Perazzi MX28, MX410 Game O/U Shot-
guns
Perazzi MX20 Hunting Over/Under
Piotti Boss Over/Under Shotgun
Remington Peerless Over/Under Shot-
gun
Ruger Red Label O/U Shotgun
Ruger Sporting Clays O/U Shotgun
San Marco 12-Ga. Wildflower Shotgun
San Marco Field Special O/U Shotgun
San Marco 10-Ga. O/U Shotgun
SKB Model 505 Deluxe Over/Under
Shotgun
SKB Model 685 Over/Under Shotgun
SKB Model 885 Over/Under Trap, Skeet,
Sporting Clays
Stoeger/IGA Condor I O/U Shotgun
Stoeger/IGA ERA 2000 Over/Under Shot-
gun
Techni-Mec Model 610 Over/Under
Tikka Model 412S Field Grade Over/
Under
Weatherby Athena Grade IV O/U Shot-
guns
Weatherby Athena Grade V Classic
Field O/U
Weatherby Orion O/U Shotguns
Weatherby II, III Classic Field O/Us
Weatherby Orion II Classic Sporting
Clays O/U
Weatherby Orion II Sporting Clays O/U
Winchester Model 1001 O/U Shotgun

Winchester Model 1001 Sporting Clays
O/U

Pietro Zanoletti Model 2000 Field O/U

Shotguns—Side by Sides

American Arms Brittany Shotgun
American Arms Gentry Double Shotgun
American Arms Derby Side-by-Side
American Arms Grulla #2 Double Shotgun

American Arms WS/SS 10
American Arms TS/SS 10 Double Shotgun

American Arms TS/SS 12 Side-by-Side
Arrieta Sidelock Double Shotguns
Armsport 1050 Series Double Shotguns
Arizaga Model 31 Double Shotgun

AYA Bozlock Shotguns
AYA Sidelock Double Shotguns
Beretta Model 452 Sidelock Shotgun
Beretta Side-by-Side Field Shotguns
Crucelegui Hermanos Model 150 Double
Chapuis Side-by-Side Shotgun

E.A.A./Sabatti Saba-Mon Double Shotgun

Charles Daly Model Dss Double
Ferlib Model F VII Double Shotgun
Auguste Francotte Bozlock Shotgun
Auguste Francotte Sidelock Shotgun

Garbi Model 100 Double
Garbi Model 101 Side-by-Side
Garbi Model 103A, B Side-by-Side
Garbi Model 200 Side-by-Side
Bill Hanus Birdgun Doubles
Hatfield Uplander Shotgun

Merkell Model 8, 47E Side-by-Side Shotguns

Merkel Model 47LSC Sporting Clays
Double

Merkel Model 47S, 147S Side-by-Sides
Parker Reproductions Side-by-Side
Piotti King No. 1 Side-by-Side

Piotti Lunik Side-by-Side
Piotti King Extra Side-by-Side
Piotti Piuma Side-by-Side

Precision Sports Model 600 Series Doubles

Rizzini Bozlock Side-by-Side
Rizzini Sidelock Side-by-Side
Stoeger/IGA Uplander Side-by-Side
Shotgun

Ugartechea 10-Ga. Magnum Shotgun

Shotguns—Bolt Actions & Single Shots

Armsport Single Barrel Shotgun
Browning BT-99 Competition Trap Special
Browning BT-99 Plus Trap Gun
Browning BT-99 Plus Micro
Browning Recoilless Trap Shotgun
Browning Micro Recoilless Trap Shotgun

Desert Industries Big Twenty Shotgun
Harrington & Richardson Topper Model 098

Harrington & Richardson Topper Classic Youth Shotgun

Harrington & Richardson N.W.T.F. Turkey Mag

Harrington & Richardson Topper Deluxe Model 098

Krieghoff KS-5 Trap Gun
Krieghoff KS-5 Special
Krieghoff K-80 Single Barrel Trap Gun

Ljutic Mono Gun Single Barrel
Ljutic LTX Super Deluxe Mono Gun
Ljutic Recoilless Space Gun Shotgun

Marlin Model 55 Goose Gun Bolt Action
New England Firearms Turkey and Goose Gun

New England Firearms N.W.T.F. Shotgun

New England Firearms Tracker Slug Gun

New England Firearms Standard Pardner

New England Firearms Survival Gun
Perazzi TM1 Special Single Trap
Remington 90-T Super Single Shotgun
Snake Charmer II Shotgun
Stoeger/IGA Reuna Single Barrel Shotgun
Thompson/Center TCR '87 Hunter Shotgun."

The CHAIRMAN. No amendment to the committee amendment in the nature of a substitute and no other amendment to the bill is in order.

The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. MFUME, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4296) to make unlawful the transfer or possession of assault weapons, pursuant to House Resolution 416, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SENSENBRENNER

Mr. SENSENBRENNER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. SENSENBRENNER. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SENSENBRENNER of Wisconsin moves to recommit the bill, H.R. 4296, to the Committee on the Judiciary.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

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

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 216, nays 214, not voting 2, as follows:

[Roll No. 156]

YEAS—216

- | | | |
|--------------|---------------|---------------|
| Abercrombie | Gutierrez | Nadler |
| Ackerman | Hall (OH) | Neal (MA) |
| Andrews (ME) | Hamburg | Neal (NC) |
| Andrews (NJ) | Harman | Oliver |
| Andrews (TX) | Hastings | Owens |
| Applegate | Hoagland | Pallone |
| Bacchus (FL) | Hochbrueckner | Pastor |
| Baesler | Horn | Payne (NJ) |
| Barrett (WI) | Houghton | Pelosi |
| Bateman | Hoyer | Penny |
| Becerra | Huffington | Pickle |
| Beilenson | Hughes | Pomeroy |
| Bereuter | Hyde | Porter |
| Berman | Inslee | Price (NC) |
| Bishop | Jacobs | Pryce (OH) |
| Blackwell | Jefferson | Quinn |
| Blute | Johnson (CT) | Rangel |
| Boehler | Johnson (GA) | Reed |
| Bonior | Johnson, E.B. | Reynolds |
| Borski | Johnston | Ridge |
| Brown (CA) | Kaptur | Roemer |
| Brown (FL) | Kasich | Ros-Lehtinen |
| Brown (OH) | Kennedy | Rostenkowski |
| Bryant | Kennelly | Roukema |
| Byrne | Kildee | Roybal-Allard |
| Cantwell | King | Rush |
| Cardin | Kiecicka | Sabo |
| Carr | Klein | Sanders |
| Castle | Klug | Sangmeister |
| Clay | Kreidler | Sawyer |
| Clayton | LaFalce | Saxton |
| Clyburn | Lambert | Schenk |
| Coleman | Lantos | Schroeder |
| Collins (IL) | Lazio | Schumer |
| Collins (MI) | Leach | Scott |
| Condit | Lehman | Serrano |
| Conyers | Levin | Sharp |
| Coppersmith | Levy | Shaw |
| Coyne | Lewis (GA) | Shays |
| DeLauro | Lipinski | Shepherd |
| Dellums | Lloyd | Skaggs |
| Derrick | Lowe | Slattery |
| Deutsch | Machtley | Slaughter |
| Dicks | Maloney | Smith (NJ) |
| Dixon | Mann | Spratt |
| Dooley | Manton | Stark |
| Durbin | Margolies- | Stokes |
| Edwards (CA) | Mezvinsky | Studds |
| Edwards (TX) | Markey | Swett |
| Engel | Martinez | Swift |
| English | Matsui | Synar |
| Eshoo | Mazzoli | Thompson |
| Evans | McCurdy | Torres |
| Farr | McDade | Torricelli |
| Fawell | McDermott | Towns |
| Fazio | McHale | Trafficant |
| Fields (LA) | McKinney | Tucker |
| Fliner | McNulty | Valentine |
| Fingerhut | Meehan | Velazquez |
| Flake | Meek | Vento |
| Foglietta | Menendez | Visclosky |
| Ford (MI) | Meyers | Washington |
| Ford (TN) | Mfume | Waters |
| Frank (MA) | Michel | Watt |
| Franks (NJ) | Miller (CA) | Waxman |
| Furse | Miller (FL) | Wheat |
| Gejdenson | Mineta | Woolsey |
| Gephardt | Minge | Wyden |
| Gibbons | Mink | Wynn |
| Gilchrest | Moakley | Yates |
| Glickman | Molinar | Young (FL) |
| Gonzalez | Moran | |
| Greenwood | Morella | |

NAYS—214

- | | | |
|--------------|----------|--------------|
| Allard | Biley | Coble |
| Archer | Boehner | Collins (GA) |
| Armey | Bonilla | Combest |
| Bachus (AL) | Boucher | Cooper |
| Baker (CA) | Brewster | Costello |
| Baker (LA) | Brooks | Cox |
| Ballenger | Browder | Cramer |
| Barca | Bunning | Crane |
| Barcia | Burton | Crapo |
| Barlow | Buyer | Cunningham |
| Barrett (NE) | Callahan | Danner |
| Bartlett | Calvert | Darden |
| Barton | Camp | de la Garza |
| Bentley | Canady | Deal |
| Bevill | Chapman | DeFazio |
| Bilbray | Clement | DeLay |
| Bilirakis | Clinger | Diaz-Balart |

Dickey	Kim	Rohrabacher
Dingell	Kingston	Rose
Doolittle	Klink	Roth
Dornan	Knollenberg	Rowland
Dreier	Kolbe	Royce
Duncan	Kopetski	Santorum
Dunn	Kyl	Sarpalius
Ehlers	Lancaster	Schaefer
Emerson	LaRocco	Schiff
Everett	Laughlin	Sensenbrenner
Ewing	Lewis (CA)	Shuster
Fields (TX)	Lewis (FL)	Sisisky
Fish	Lightfoot	Skeen
Fowler	Linder	Skelton
Franks (CT)	Livingston	Smith (IA)
Frost	Manzullo	Smith (MI)
Gallegly	McCandless	Smith (OR)
Gallo	McCloskey	Smith (TX)
Gekas	McCollum	Snowe
Geren	McCrery	Solomon
Gillmor	McHugh	Spence
Gilman	McInnis	Stearns
Gingrich	McKeon	Stenholm
Goodlatte	McMillan	Strickland
Goodling	Mica	Stump
Gordon	Mollohan	Stupak
Goss	Montgomery	Sundquist
Grams	Moorhead	Talent
Grandy	Murphy	Tanner
Green	Murtha	Tauzin
Gunderson	Myers	Taylor (MS)
Hall (TX)	Nussle	Taylor (NC)
Hamilton	Oberstar	Tejeda
Hancock	Obey	Thomas (CA)
Hansen	Ortiz	Thomas (WY)
Hastert	Orton	Thornton
Hayes	Oxley	Thurman
Hefley	Packard	Torkildsen
Hefner	Parker	Unsoeld
Herger	Paxon	Upton
Hilliard	Payne (VA)	Volkmer
Hinchey	Peterson (FL)	Vucanovich
Hobson	Peterson (MN)	Walker
Hoekstra	Petri	Walsh
Hoke	Pickett	Weldon
Holden	Pombo	Whitten
Hunter	Portman	Williams
Hutchinson	Poshard	Wilson
Hutto	Quillen	Wise
Inglis	Rahall	Wolf
Inhofe	Ramstad	Young (AK)
Istook	Ravenel	Zeliff
Johnson (SD)	Regula	Zimmer
Johnson, Sam	Richardson	
Kanjorski	Roberts	

NOT VOTING—2

Long	Rogers
------	--------

□ 1658

Mr. LEHMAN and Mr. JACOBS changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1700

GENERAL LEAVE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material on H.R. 4296, the bill just passed.

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

There was no objection.

PERSONAL EXPLANATION

Ms. LONG. Mr. Speaker, unfortunately, due to a death in my family, I was not able to cast

my vote on H.R. 4296, the Assault Weapons Ban Act. I do, however, want to express my opposition to the bill. Had I been present, I would have voted "nay."

CONFERENCE REPORT ON S. 636,
FREEDOM OF ACCESS TO CLINIC
ENTRANCES ACT OF 1994

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 417 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 417

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 636) to amend the Public Health Service Act to permit individuals to have freedom of access to certain medical clinics and facilities, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. McNULTY). The gentlewoman from New York [Ms. SLAUGHTER] is recognized for 1 hour.

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

Mr. Speaker, I yield the customary 30 minutes of debate time to the gentleman from Florida [Mr. GOSS], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 417 provides for the consideration of the conference report on S. 636, the Freedom of Access to Clinic Entrances Act of 1993.

The rule waives all points of order against the conference report and against its consideration. This waiver is required by two items in the conference report.

First there is a nongermane Senate amendment; that is the Hatch amendment which applied the bill's protections to churches and synagogues. While this amendment may technically be nongermane to the House bill, the House voted 398 to 2 on March 17 to instruct the conferees to agree to this amendment.

The second provision requiring a waiver is a severability clause included in the conference report which states:

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provisions of such to any other person or circumstance shall not be affected thereby.

As my Rules Committee colleague from Florida said yesterday, this is a standard "boilerplate" severability clause; similar language has been included in a wide variety of laws including: The Emergency Unemployment

Compensation Amendments of 1993, the Americans With Disabilities Act, the Civil Rights Restoration Act, the Fair Labor Standards Act, the Voting Rights Act, the Education for Economic Security Act, and the Comprehensive Drug Abuse Prevention and Control Act.

The severability language does not change any provision of the House bill, but merely preserves the remaining protections the House passed in the unlikely event that one provision is found to be unconstitutional.

The rule further provides that the conference report shall be considered as read.

Mr. Speaker, the conference report on S. 636, the bill for which the committee has recommended this rule, is legislation to protect women, their doctors and health clinic staff from systematic, orchestrated violence at reproductive health centers around the country.

By now, we have all heard supporters of this bill repeat the horrible statistics over and over: Bombings, arson, death threats, assaults, kidnappings, clinic "invasions" and murder—all in service of an orchestrated campaign to deny women reproductive choice, at any cost.

Last November, this House passed this legislation to provide a Federal remedy for this national crisis. State and local law enforcement often lack the resources—and sometimes lack the will—to battle large-scale, long-term operations that include trespassing, vandalism, and assault.

I am disappointed that it has taken us 7 months since the House first passed this bill, to get to this point. But I will say that events in the intervening months have helped make the case for this legislation even stronger: The conviction of the Florida assassin who killed Dr. David Gunn; the interrogation of a suspect in another attack on a doctor provided the first inside look at a national conspiracy of violence; and the Supreme Court approved the use of the RICO statute to combat this network of terror.

S. 636 includes strong protection of the individual's right to free speech. That's why the ACLU endorses it. As does this National Association of Attorneys General; the American Medical Association; and the League of Women Voters, among others. They endorse this bill because it is a carefully crafted measure that will help put a stop to the injuries and deaths of innocent women and their health care providers.

The will of this House has been expressed twice now, in overwhelming support of S. 636. I urge my colleagues to put an end to these delaying tactics, pass the rule and vote yes on final passage. Federal protection for women and their reproductive health needs is long overdue.

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

□ 1710

Mr. Speaker, today's debate marks round three on this highly controversial bill—a bill that now creates two new, special categories of behavior that will be subject to Federal criminal and civil remedies; two new, special categories of facilities that will have special protection under Federal law preempting States rights, as it were. Unfortunately, this bill is not subject to the much-lauded concept of "three strikes and you're out"—many of us believe it should be.

Originally this bill was targeted solely at those who protest legally or illegally outside of reproductive health clinics. In an effort to underscore the arbitrary nature of this legislation, churches and other places of worship were added as a second protected class in the hopes that the bill's supporters would see the problem with their proposal. Yet, here we are—now with both classes protected. Mr. Speaker, we all should have learned a very long time ago that two wrongs will not make it right—I don't believe we should be federalizing places of worship or reproductive health clinics. While we all share an abhorrence of violence in any setting—including specifically those involving abortion protests—I firmly believe that this bill is unnecessary, because we already have laws on the books that prohibit acts of violence, wherever they may occur.

Quite simply, we don't need new laws, we need better enforcement of the laws we already have. But this bill is worse than just unnecessary—it also sets a terrible precedent by singling out special classes of people, certain speech and behavior for extra Federal restrictions. I am absolutely convinced this bill will become a major profit center for attorneys; it invites litigation because it is overbroad and more particularly because plaintiffs have nothing to lose. If plaintiffs win their case they can recoup their legal costs, but if they lose, they face no risk since the defendant is not given similar recourse to be reimbursed for legal costs. This is a grossly unfair provision that virtually ensures a landslide of frivolous claims. Mr. Speaker, this legislation treads heavily on the Constitution—a point even its proponents must recognize, since they have now added a brand new provision—one designed to make it harder for their bill to be struck down on a constitutional challenge. The Rules Committee was asked to grant a waiver to this conference report, in part because the so-called boiler-plate "severability" clause added to the bill was not in the House version of the proposal from the other body. In case anybody in this House is interested, such a "scope" violation is against the standing rules of this House.

Mr. Speaker, this may be the most un-American legislation I've witnessed

in my time here. It places good American citizens with one set of beliefs at severe disadvantage to good American citizens with differing beliefs. It takes away more freedom from one group than another. And then it intentionally tilts the scales of justice to the distinct advantage of one group at the distinct expense to another. There is no fair-play here.

I find myself disgusted and frustrated that we cannot find a fairer and more workable response to the specific, high-profile, totally deplorable acts of violence at clinics or elsewhere, acts that we all condemn. I know that resorting to heavy-handed, one-sided, over-kill legislation to repair what is essentially an enforcement problem will lead to trouble and adverse unintended consequences. It always does.

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

Ms. SLAUGHTER. Mr. Speaker, for the purposes of debate only, I yield 1 minute to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Speaker, I rise today to urge my colleagues to vote in favor of the rule and the conference report on the Freedom of Access to Clinic Entrances bill.

The issue of ensuring women's access to abortion clinics has been debated in Congress long enough. It is time, Mr. Speaker, to give women the protection they deserve under the Constitution.

This bill will give our law enforcement officers the tools necessary to prevent blockades of clinics and to punish lawbreakers. Law enforcement at all levels is crying out for swift enactment of this bill—from Attorney General Reno on down to local police officers.

Mr. Speaker, I want to point out that this is not an issue of freedom speech, nor are many of the protesters in front of abortion clinics nonviolent as they claim. The frequency and danger of their acts have escalated alarmingly in recent years. Last year, they assaulted patients and staff, and shot and murdered doctors.

I urge my colleagues to join me in putting an end to the unlawful activities waged by protesters at clinics. Vote yes on the rule and on the conference report on the Freedom of Access to Clinic Entrances bill.

Mr. GOSS. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from the Commonwealth of Kentucky [Mr. BUNNING].

Mr. BUNNING. Mr. Speaker, once again, I rise in strong opposition to the Freedom of Access to Clinic Entrances Act. It is bad and misguided legislation. It is probably unconstitutional; a blatant violation of our first amendment rights.

The Freedom of Access bill is wrong because it singles out one group—people who oppose abortion—and it establishes unduly harsh punishment for

them—not for committing a crime—but because of their beliefs and their viewpoints.

The Freedom of Access bill would make an individual's pro-life conviction a thought crime and it would put a congressional stamp of approval on the pro-abortion side of the debate. It is designed, not to prevent violence, but to discourage pro-life protests.

The bill is clearly discriminatory from the word go. It targets pro-life activity only. Throughout our Nation's history, many groups supporting a variety of causes, have used peaceful protest and civil disobedience to advance their views. But FACE singles out only pro-lifers.

In the sixties, before passage of the Civil Rights Act, there were sit-ins, pray-ins and protests all around the country. Some were peaceful. Some were not. In some circles, the civil rights movement was not very popular but Congress did not pass special laws to discourage civil rights protests because of their motivation or because of their viewpoint.

Supporters of this bill and some in the media have tried to convince us that people who oppose abortion are violent and will use any means to further their cause—including murdering abortion doctors and bombing clinics. This is not true. The pro-life movement is overwhelmingly, predominated by peaceful, non-violent, deeply spiritual people who value the sanctity of all human life.

These people have a right to an opinion on abortion. People have a right to oppose abortion. I know it is not politically correct but we still have that right. Accompanying that right is the right to organize and protest peacefully. But the Freedom of Access Act slashes those First Amendment rights to ribbons for people who oppose abortion and them alone.

Yes, we should punish violence, threats of violence and intimidation. But this bill goes beyond that. It would punish people engaged in non-violent, free speech. It would create harsh new penalties for people who engage in non-violent civil disobedience.

This bill makes no distinction between violent and non-violent protesters. Peaceful protesters are subject to the same harsh penalties as protesters who use force and the penalties are extreme.

I am confident that this bill is so clearly unconstitutional that it will eventually be struck down by the courts. But it is sad to think how many people will waste years in prison unnecessarily and how many will be financially destroyed before that happens.

As I have mentioned several times before, this bill comes close to home for me. My wife, two of my daughters and their families are deeply involved in Operation Rescue. Not one of them

poses any threat of violence whatsoever. They are truly peaceful people. They just have strong feelings about abortion. And they are dedicating their lives to bringing an end to abortion. That is not and should not be a crime.

My wife and daughters should have the same right to express their beliefs as any other citizen who is willing to take a stand on an issue that is important to them. They should not be made Federal criminals because of the motivations or the beliefs behind their actions.

This is bad legislation and it will be a sad day of shame if it is enacted and we criminalize peaceful protest for a single cause, like abortion, just because that cause is not currently politically correct.

□ 1720

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, today the House will take its final step on the long road to making sure that women across this country will have guaranteed access to providers of reproductive health services—access free from threats, intimidation or harassment—by passing the conference report on the Freedom of Access to Clinic Entrances Act. This bill guarantees freedom of access to reproductive health services without trampling on one of our most treasured and fundamental rights as Americans, free speech.

We should not be detoured at this final juncture by the procedural concerns that have been raised about a provision in the conference report. That provision is routine. We should pass the rule and pass the conference report.

It is outrageous that women and health care providers fear for their safety and that of their families when they seek or provide constitutionally protected reproductive health services. We have witnessed too many acts of violence, including murder, and too many threats of violence, hundreds of bomb threats and death threats. So the need for this legislation is clear.

Mr. Speaker, today, let us begin to stop the killing, the violence, and the fear-mongering. Let us pass the Freedom of Access to Clinic Entrances Act.

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY. Mr. Speaker, I rise in strong support of the rule and conference report on the Freedom of Access to Clinic Entrances Act.

Our civil rights are fundamental in this country, and the law should offer its full protection to anyone who wants to go anywhere it is legal to go.

Most people would be outraged if they were prevented from entering a

supermarket—or a church or an office building or any other place—by someone who disagreed with what was going on inside.

We need this Freedom of Access bill because throughout our country, there continue to be bombings, assaults, threats, and even murders by people trying to prevent people from working in or using medical facilities which offer reproductive health services.

In the previous Congress, the House passed the Farm Animal and Research Facilities Protection Act, which prevents violent blockades of facilities for research animals.

If we care that much about facilities for animals, we ought to care about facilities for women. The right to choose is meaningless without the access to choose. We ought not let technical disagreements—such as those over the severability clause—prevent us from acting to protect women and their health providers.

Support the FACE bill and pass the rule to consider the conference report.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Missouri [Mr. EMERSON].

Mr. EMERSON. Mr. Speaker, I thank the distinguished gentleman from Florida [Mr. GOSS] for yielding time to me.

Mr. Speaker, I rise today in strong opposition to the rule and to the conference report of the Freedom of Access to Clinics Act. As I have stated before, I do not agree with the thrust of this legislation which targets one particular group supporting one side of an issue. This legislation treats the two sides of an issue differently by unfairly protecting one side from criminal penalties. This legislation is unfair.

Also, this legislation raises serious questions about rights guaranteed under the First Amendment. If this conference report is enacted it will in effect make civil disobedience impossible in America. This bill discourages individuals who feel strongly about an issue from exercising their Constitutional rights. It should be noted that civil disobedience is the last resort of a powerless minority committed enough to a particular issue to vote with their bodies. If this bill is enacted, those wishing to engage in peaceful protests will have to do so in fear of violating Federal law. This legislation is unconstitutional.

This legislation is unnecessary. It violates equal protection by penalizing people for their beliefs. Federal court injunctions are currently in place against non-peaceful demonstrations throughout the United States and ample relief is available in state courts.

I do not condone violent protests, but peaceful protests are completely legal and are sanctioned by the First Amendment's guarantee of the freedom to peaceably assemble. This bill will make federal felons out of concerned

citizens. I urge a no vote on this unfair, unconstitutional, and unnecessary legislation.

□ 1730

Ms. SLAUGHTER. Mr. Speaker, for the purposes of debate only, I yield 6 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, any resemblance between this piece of legislation and the rhetoric we have heard on the other side is entirely accidental. It may be the problem is that the bill is written in English, because some of my friends seem to have some trouble with the language as to what it means, not as to how it pronounces, I never criticize pronouncing, but as to what it means.

For instance, we have just heard that the problem with this is that it is going to make activities illegal, and what activities are we told it is going to make illegal? Civil disobedience. I must tell the previous speaker that civil disobedience is by definition already illegal. If it is legal, it is not civil disobedience. That is what the word means.

What does it deal with? It deals with the following only. You are guilty of a crime under this bill only if you have by force, by threat of force or by physical obstruction done certain things, and it defines physical obstruction. I assume my friends do not think that force or the threat of force against someone they do not like is a constitutional right. For them the question is, when we say physical obstruction, are we talking about interfering with peaceful protest? But the bill defines physical obstruction.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I am glad to yield to the gentleman from Florida.

Mr. GOSS. Is a clenched fist a threat of force?

Mr. FRANK of Massachusetts. From over there, no, it is not. It depends on the situation as the gentleman would know. A threat of force would be, and it is already illegal. If in fact you stand an inch from someone and shake a fist in the person's face, that could be the threat of force, particularly if you said, "If you take one more step, I'm going to punch you."

The gentleman may be familiar with an arcane legal concept known as assault. Assault is not actual touching. An assault is a threat under the law, so if the gentleman thinks that nothing short of physical contact should ever be a crime, he better get all the laws of assault repealed, because assault is a threat. Battery is the touching.

Mr. Speaker, again the problem is, as I said, a certain misunderstanding of the law. We are talking only about force, the threat of force, or a physical obstruction which is defined, and it is

very carefully defined, the term physical obstruction means rendering impassable ingress to or egress from, and that means going in or going out for people who might have a little trouble there. Physical obstruction means rendering impassable ingress to or egress from a facility.

Yes, this bill says you cannot physically prevent people from going into an abortion clinic. No, you do not have a legal right to do that. No, there is not a First Amendment right physically to prevent people from going in.

Mr. SMITH of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. The gentleman did not give the full definition. Could the gentleman define what unreasonably difficult means? Because that continues, and if unreasonably difficult applies, physical obstruction then applies, and then a person who simply is in the way of the door and the person can perhaps go around them could be construed to have violated this act and go to jail for a year and a half simply because they were unreasonably in the way.

Mr. FRANK of Massachusetts. Absolutely, I take back my time to say.

Mr. SMITH of New Jersey. Would the gentleman define it?

Mr. FRANK of Massachusetts. Let us be clear what this does not deal with. Standing there with signs, saying things, trying to persuade people. Physically obstructing. Standing in the doorway, and I think if you stand in the doorway to try to force a woman to pass within a 3-inch space, that might be unreasonably obstructing.

The gentleman asked for the definition, he is going to get it whether he likes or not. That could be making it unreasonably difficult.

The fact is, and I am surprised at the gentleman, the purpose of these demonstrations in some cases is in fact physically to prevent people from going in and we say you cannot prevent people from physically going in.

As to equal protection, that has no merit. What we are dealing with here is a situation where there has been a nationally organized movement, in many cases, to send large numbers of people into particular communities. I represent one town where because large numbers of people came from all over the place to physically blockade clinics, the town of Brookline that I represent, a national movement organized people and the town was faced with extraordinary police costs.

Mr. Speaker, I think it is reasonable when the Federal Government says where a particular community is being the focal point of all this activity, we will step in, or situations where, not unknown in America in this situation or others, local police refuse to help, the Federal Government will step in. In

situations where the local police are doing their job and they are not overwhelmed, that will be the situation and they will carry it out. But in instances where the local police are not protecting people or where local police are not able financially to deal with it, we say the Federal Government can come in.

Mr. Speaker, if people want to defend the right of others physically to prevent people from going to abortion clinics, that is a rational position, although I disagree with it, but suggesting that this somehow criminalizes behavior that people would otherwise have a right to enforce or act is wrong. What it says is because of the pattern of national concentration in some areas, Wichita, Brookline, Massachusetts and elsewhere, or because of local non-enforcement, we will in this class of situations allow a Federal supplementary presence.

Mr. Speaker, that is what we are talking about. We are not talking about making criminal anything that is protected. The bill clearly protects First Amendment rights.

Mr. Speaker, I do not want to argue this too much. There are people on the other side who have not had a good word to say about the First Amendment in about 36 years. I am glad that they like the First Amendment today. I only hope they like it tomorrow and next week when we talk about other things, but I will take what I can get. Even an occasional good word about the First Amendment is a good thing, but they ought to understand it. The First Amendment is not standing in a doorway physically to prevent someone from going in. This bill explicitly and in its terms says a protected First Amendment activity is okay. What it says is if you threaten by force, if you used force or if you physically obstruct people from doing something that they have a constitutional legal right to do, you are violating the law.

Mr. GOSS. Mr. Speaker, I yield as much time as he requires to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. I thank my friend, the gentleman from Florida, for yielding me the time.

Mr. Speaker, there is a profound difference between the actions of those persons who employ violence or the threat of violence as a means to an end and those who engage in peaceful, non-violent dissent such as pickets, sit-ins or perhaps even sidewalk counseling. The language of S. 636 blurs that distinction by making nonviolent acts of civil disobedience committed by proliferators by turning these people into Federal felons.

Mr. Speaker, the point that the gentleman from Massachusetts made a moment ago about civil disobedience constituting an actionable offense is true. The problem that I have and many other Members have with this bill is with the punishments that are

meted out are way out of line and are patently unfair.

Nonviolent sit-ins are misdemeanors not felonies. Someone who engages in nonviolent civil disobedience might go to jail for a day or two or three and receive a fine. Under this legislation, however, they are hit with a massive fine, the person who contends that they have been offended can successfully sue them for an excessive amount of money and they can go to jail for a year and a half simply for sitting in front of a door or on the sidewalk. That is an excessive punishment.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SMITH of New Jersey. I am glad to yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I thank the gentleman for yielding. I appreciate his understanding of this which some others have not had, namely that he agrees and I agree, we are not here trying to make anything illegal which would otherwise be legal. We are disagreed at what level it should be accepted. We now have agreement, we are not making anything illegal that would otherwise be legal.

Mr. SMITH of New Jersey. Reclaiming my time, it goes further than that. There would be many actions that would be very easily construed to be illegal under the bill. People walking and picketing in front of a clinic and clinics where sidewalks are next to the accessway, where actions will be brought because an abortionist will construe this to be a violation and initiate federal action.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, there are always some remote possibilities that an ill-intentioned law enforcement officer will take the words of any criminal statute and abuse them. There is always the possibility that casually involved people will be given the maximum on the first offense. We know that very rarely happens.

□ 1740

What the gentleman is suggesting is that people who are innocently walking by and might be swept up in it would be inappropriately punished by a law enforcement officer and given the maximum. I think that is highly unlikely, especially when what we have is a pattern in which we are not talking about innocent observers who happen to get caught up, we are not talking about people who simply say what they want to say. There has been an organized, coordinated, explicit, self-described national movement that says we will physically keep you from going in, and that is what this bill is aimed at.

I think, no matter how it is worded, the gentleman would be opposed to it.

Mr. SMITH of New Jersey. Mr. Speaker, I make the point that those who are strongly against the violence, and that includes this particular Member and every Member on the pro-life side, we had a substitute that was considered last November which said those who commit acts of violence ought to go to jail big time. Clearly we ought to mete out a very serious punishment to those people.

The difference in what we are dealing with today are those acts of nonviolent civil disobedience, and I can tell you Mr. Speaker, if we applied the standard in this bill to those who have been involved in D.C. statehood, civil rights, women's rights, animal rights, and a whole host of other very important causes, this particular legislation would never see the light of day on this floor.

Mr. Speaker, just let me also make a very important point: that sidewalk counseling has saved tens of thousands of children throughout the last 20 years. Women, many of whom have had abortions frequently become sidewalk counselors and go to abortion clinics to speak out. These women, and I have pictures of women who have helped women through the difficult, distressful pregnancies they may be experiencing, they have helped women about to abort at that 11th hour. When everyone else was saying it is a go for the abortion they said, wait, stop, think about it, perhaps go back. There are alternatives that are nonviolent nurturing and caring. There are alternatives to dismemberment of an unborn child by a hideous suction machine that has a razor-blade tip and has a vacuum capacity of about 20 to 30 vacuum cleaners that literally dismembers the babies.

There are alternatives to chemical shots which literally poison the body of an unborn child, inflicting excruciatingly pain and suffering and ultimately death on an innocent boy or girl.

A sickening form of child abuse going on in abortion clinics, Mr. Speaker, and people are outside because they are motivated by the fact those children will die if they do not go out and make some kind of protest and dissent and reach out a loving and helping hand to those women.

Pro-life advocates, under this legislation, will be construed to be felons, and I can guarantee, Mr. Speaker, that if this particular bill survives a constitutional test, more babies will die. The tens of thousands of children who might otherwise be saved will not be. The mothers who might have averted a preventable tragedy, will not. For those who would have been at the abortion clinic that day, to make a last-minute appeal at the 11th hour, many of those people will not be there anymore. In a gross miscarriage of justice

they will be in jail. They will be trying to defend themselves from the ruinous lawsuits that will come their way, and that is wrong. What we are about to do today is wrong. But hey, this is Congress, what else is new.

Ms. SLAUGHTER. Mr. Speaker, for the purposes of debate only, I yield 2 minutes to the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, in an abundance of caution, the conferees of S. 636 determined that it was important to the viability of the law to provide a severability clause in the conference report "providing that if any provision of the act is held invalid the remaining provisions are unaffected * * *" [from Statement of Managers].

Because neither the Senate-passed bill nor the House amendment thereto contained such a severability clause, the Committee on the Judiciary was concerned that this bit of lawyerly caution may be a technical violation of the scope rule. Thus, the committee asked for—and was granted—this rule to waive the possible scope problem for what would clearly be a very minor violation but a very good substantive result.

I thank the distinguished Chairman and members of the Rules Committee for their work, and I urge my colleagues to adopt this rule to allow us to proceed to the conclusion for this legislation.

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

Mr. BROOKS. I am happy to yield to the gentleman from Florida.

Mr. GOSS. Mr. Speaker, I thank the distinguished chairman for yielding to me.

Mr. Speaker, I just want to clarify that I have not misspoken on the subject. My understanding is that neither this body nor the other body had provided for severability.

Mr. BROOKS. The gentleman is correct.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to my colleague, the distinguished gentleman from Texas [Mr. BARTON].

Mr. BARTON of Texas. Mr. Speaker, I rise in opposition to the Freedom of Access to Clinics Act, S. 636.

If passed, for the first time in our Nation's history we will make it a Federal crime in a real sense to express an opinion on an issue that some people may think is politically incorrect, i.e., that pro-life is a very important issue that we should all try to support.

There are enough laws on the books at the Federal level, State level, and local level to prevent protesters that abuse the right to peacefully demonstrate on public property. We do not need to make a Federal crime out of pro-life believers who try to counsel on sidewalks and who try to in some way exercise their first-amendment rights to freedom of speech.

I know that some pro-life protesters have abused the privilege that we have in our Constitution. I know that those protesters have been dealt with very aggressively at the State and local level.

We certainly do not need to make this a Federal crime. We should legislate for the general, not for the exceptional, rule, and for that reason I would hope that we would vote this bill down and vote no.

Ms. SLAUGHTER. Mr. Speaker, for the purposes of debate only, I yield 2 minutes to the gentlewoman from California [Ms. SCHENK].

Ms. SCHENK. Mr. Speaker, I rise in support of this rule, and support of the conference report on freedom of access to clinics.

Mr. Speaker, it has been 6 months since the House passed this landmark legislation.

But in fact, American women have waited far longer than 6 months for this protection. In the past 16 years, family planning clinics have endured: 36 bombings, 81 arsons, 131 death threats, 84 assaults, 2 kidnappings, and 327 break-ins.

In the past year alone, California clinics have endured 1,100 separate acts of violence, including a vicious chemical attack on a San Diego clinic in March 1993.

And for what reason, Mr. Speaker? Because they provide reproductive health care services to women. Pap smears, screenings for STD's, contraceptives, prenatal care, infertility treatment, counseling—and yes, helping a woman's constitutional right to terminate her own pregnancy.

And now, after all this violence and all this time, the opposition is again making petty procedural objections in an attempt to kill this bill.

Their true agenda is to continue the reign of harassment, terror, and physical intimidation against women and their doctors.

This sensible legislation should not be derailed by senseless objections. We can wait no longer—pass this rule, pass this conference report, and give American women the protection of our rights we deserve.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania [Mr. WALKER].

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

Mr. Speaker, I want to say, first of all, that no one is talking about condoning violence in any kind of demonstration at any time. We are not talking violence here. We are talking justice.

The question here before us today is in part whether or not we are going to apply the same laws to ourselves here in the U.S. Congress as we apply to other people.

Let me give you just an example. If you are a Member of Congress who decides to go down and protest in front of the White House against the policy in Haiti and you get yourself arrested, you are going to be fined under D.C. law.

You get a \$50 fine and come back up the street and vote right away again in the U.S. Congress. That is the law we are going to apply to ourselves. But what about middle-class Americans who decide that what they want to do is to protest the abortions going on in clinics and want to peacefully demonstrate outside an abortion clinic? What are we going to do to them? We are not going to have the \$50 fine there.

What we are going to do is we are going to make a Federal law, we are going to make them spend a year and a half in prison for doing the same thing.

You know, it is kind of interesting that we have one standard for Members of Congress who want to go and demonstrate in front of the White House and another standard for middle-class Americans who want to protest in front of an abortion clinic.

They are doing the same thing, they are peacefully demonstrating against something they regard to be a societal wrong; peacefully carrying out their right to freedom of speech. Yet in one case we are going to have one and a half years in prison and in another case it is \$50 and coming back here to the floor to vote.

Well, I am tired of this kind of duplicity in what we do in the U.S. Congress. If we are going to have these kinds of laws, why do we not have the year and a half Federal crime for people who are down demonstrating in front of the White House? There is no difference in the two kinds of demonstrations, as long as they are peaceful. We are not about to do that because that is not something which is what we think is politically correct.

I am tired of the political correctness. I think we ought to have justice. Justice demands that we treat ourselves in the U.S. Congress the same way that we treat middle-class America.

That is not what is happening here. Maybe what we ought to do is defeat this rule, maybe get this thing back to the conference committee where they will take a look at simple justice for middle-class America rather than the kind of elitism that goes on when we deal with the laws as they apply to Congress.

Congress is going to continue, my guess is, to go down and protest in front of the White House and get fined \$50. Middle-class America, if this bill passes, may try to carry out their peaceful demonstration in front of a clinic or an abortion mill of some sort, and what is going to happen? They are going to get a year and a half in prison.

That is just wrong.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume in order to respond to the gentleman.

Now, I am sure if Members of Congress were to walk down in front of the White House and threaten people who were trying to go inside and interfere with the going in and going out of the White House of people on their regular business, if they were to keep them up all night in the White House, calling and making protests, follow them home, take down their license plate numbers on their cars, if they were to follow the children of persons who worked at the White House, harassing them in school, if they were to make death threats against the persons in the White House and if they were to physically obstruct persons from going in and out of the White House of the United States, those Members of Congress who are also a middle American, would certainly expect to receive the full penalty of the law.

Peaceful demonstrators in front of the White House, peaceful demonstrators in front of a clinic, peaceful demonstrators in front of a synagogue, peaceful demonstrators in front of any religious institution, are not going to be thrown into jail for a year and a half as the previous speaker had indicated.

It is almost sad to me to think of the litany that Ms. SCHENK just read of the break-ins, of the bombings, of the burnings, of the shootings, of the knifings, the killings, the threats, to try to equate that to persons making a peaceful protest in front of the White House over an issue over which they are concerned is ludicrous; they are fined, as Mr. FRANK pointed out well, that is civil disobedience, they are making their points and they are fined and they will certainly take their punishment.

But that is a far, far different thing from the issue we are here today for and I would not want anybody to misunderstand that; that the threats of violence and the shootings, the intimidation, the scare tactics and the damage that has been done is real. This is nothing theoretical that we are talking about here.

Mr. Speaker, I have one more speaker, and I, therefore, yield 2 minutes, for the purposes of debate only to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. I thank the gentlewoman for yielding to me.

Mr. Speaker, I rise in strong support of the rule on the Freedom of Access to Clinic Entrances Act. The bill is long overdue, and the time for action is now. We cannot allow obstructionist forces to block this sensible and well-crafted legislation any longer.

Do not be fooled by those who will use obscure arguments to stall this bill. This rule was necessitated only because a severability clause was added

to protect the various components of the legislation should any particular provision be found unconstitutional. This clause is a routine technical provision and is standard, boiler-plate language.

The real issue at hand is whether the Congress will take strong, concrete action to stop the violence and terrorism at women's health clinics. Women and doctors are being harassed, terrorized, even murdered. We cannot stand by and let this continue.

FACE, while not infringing in any way upon the first amendment, protects women and doctors from the escalating antichoice violence.

We have waited long enough to enact this legislation. I urge my colleagues to support the rule and the conference report.

Mr. GOSS. Mr. Speaker, I want to inform my colleague from New York [Ms. SLAUGHTER] that I have been asked to yield as well, and I assume there is no objection. But I am still the last speaker after this yielding.

Ms. SLAUGHTER. Mr. Speaker, I have no objection to the procedure.

Mr. GOSS. Mr. Speaker, I yield to my colleague, the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. I thank the gentleman for yielding.

Mr. Speaker, I just want to say that my friend, the gentlewoman from New York [Ms. SLAUGHTER], took some exception to what the gentleman from Pennsylvania [Mr. WALKER] had said with regard to those who picket in front of the White House and who might in some way hamper the entrance or exit to the White House and that they would get the full extent of the law meted out to them.

The problem is that it would be a very minimal sentence, if it was a sentence at all, a very minimal fine. And the difference is the draconian aspects of this legislation, which says that you go to jail for a year and a half simply for sitting in front of the door or on a sidewalk. That does not comport with what I thought American law is all about in terms of justice. And the problem with this legislation is that it blurs the distinction between violence, which I absolutely abhor, and with nonviolent civil disobedience, which has been the hallmark, the staple of every single human rights, civil rights movement in this country.

Ms. SLAUGHTER. Mr. Speaker, will the gentleman yield?

Mr. GOSS. Mr. Speaker, reclaiming my time, I yield to the gentlewoman from New York.

Ms. SLAUGHTER. I thank the gentleman very much and appreciate his yielding.

Mr. Speaker, there is indeed a major difference, and I am sure the gentleman understands that. If a person is standing in front of the White House attempting to shut it down or if they

threatened to burn it down or blow it up or to kill people inside—

Mr. SMITH of New Jersey. Violence and nonviolence are different, fundamentally different.

Ms. SLAUGHTER. Let me assure the gentleman there is no attempt in this vote, none of us would support this bill if it interfered with the right of peaceful assembly. Indeed, it has been gone over with a fine-tooth comb. Everyone has said that the constitutionality is quite secure here. None of us is attempting to interfere in any way with the right of peaceful assembly. It is the organized terrorism and the fear and harassment of people going about their daily lives, breaking no laws, that we are trying to stop here today.

Mr. GOSS. Mr. Speaker, reclaiming my time, I want to make it very clearly understood that I think organized terrorism, shootings, bombings, knife threats, assaults, break-ins, are against the law. I do not know of any community where those are not against the law of the United States of America. If anybody can show me such a community, I would suggest that they need a law.

But that is not the case. That is not what we are talking about here.

We are talking now about very specific language, and I want to repeat it closely for my colleagues, and I am reading: "By the threat of force attempts to intimidate any person." Let me say again: "By threat of force attempts to intimidate any person;" a clenched fist, in somebody's mind from afar, could be considered an attempt to intimidate. That is not a stretch of the imagination, and that is the kind of overbroadness we are concerned about.

□ 1800

The second thing, Mr. Speaker, we are concerned about is that we just got through dispensing with our version of the crime bill, and we sent it over with the so-called racial justice provision in it, and for the first time we have taken the blindfold off justice and said it is important to know what color a perpetrator of the crime is. Never before have we done that, and yet we have now done that through this so-called racial justice provision.

Today we are going one step further. We are tilting the scales of justice for those with a particular belief. We are saying that they do not have access to being compensated for legal costs if they believe one thing, but, if they believe something else, then they can get legal costs. That is tilting the scales of justice, and clearly it will lead to frivolous lawsuits and, as I said, a big profit line for certain types of attorneys.

Mr. Speaker, those are the kinds of ambiguities and the unfairnesses that are in this legislation, and let nobody deny it. No matter how it is expressed, Mr. Speaker, they are there.

We are all against illegal acts of violence. What we are concerned about

now is the rights of people who are protected under our Constitution

This legislation is headed for the court. There is no question that this legislation is not going to go to the court for some type of further interpretation.

We are way out on a limb here. I have never seen anything like this. I do not know who will end up being the most right or the most wrong in all the dire predictions that are going back and forth. We all want to stop the violence. This is not going to do it. This is going to breed confusion, another layer of legislation, gives people who want to make mischief more of an opportunity to create mischief because of uncertainties in the law.

I say to my colleagues, "You can't pass bad laws and get good results," and this is what this does, Mr. Speaker. For that reason I am asking for a no vote on this rule. Let us go back. Let us take out severability, and let us even up this question of legal costs. Then we might be getting a little closer to something that might make sense, but not much.

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

Mr. Speaker, as I close this debate I would like to make a few remarks that just reiterate what has been said. Obviously this has a lot to do with the First Amendment, the rights of free expression and free speech. Unfortunately over the number of years many, many people in this country have been denied their rights by people who obstruct them, who threaten them, who intimidate them, and that still comes under the definition of assault, and it is illegal.

Mr. Speaker, we are not changing any definitions. We are not interfering with the first amendment in any way. We are simply saying that everyone's rights in America have to be attended to, not just that of the protester.

It is also important, Mr. Speaker, that a person who works within a building have a sense that they are going to be able to go to work on a daily basis safely.

It is also important that a person going to a health clinic to exercise her rights to health care be allowed to go without threats, shouts, and intimidation being visited upon her or any of her family.

It is pretty simple. The violence that is practiced against those persons who are trying to exercise their own constitutional rights have made this legislation necessary, and I urge that my colleagues pass this rule and get on to passing this conference report so that we can sign into law a bill that unfortunately, because of the circumstances in the country, has become all too necessary.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. McNULTY). The question is on the resolution.

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

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

The Sergeant at Arms will notify absent members.

The vote was taken by electronic device, and there were, yeas 236, nays 181, not voting 15, as follows:

[Roll No. 157]

YEAS—236

Abercrombie	Furse	Menendez
Ackerman	Gallo	Mfume
Andrews (ME)	Gejdenson	Miller (CA)
Andrews (NJ)	Gephardt	Mineta
Andrews (TX)	Geren	Minge
Applegate	Gibbons	Mink
Bacchus (FL)	Gilman	Moakley
Baesler	Glickman	Molinari
Barca	Gonzalez	Moran
Barrett (WI)	Gordon	Morella
Becerra	Green	Murtha
Beilenson	Gutierrez	Nadler
Berman	Hall (OH)	Neal (MA)
Bilbray	Hamburg	Neal (NC)
Bishop	Hamilton	Oberstar
Boehrlert	Harman	Obey
Bonior	Hastings	Olver
Borski	Hayes	Orton
Boucher	Hefner	Owens
Brewster	Hilliard	Pallone
Brooks	Hinchee	Pastor
Brown (CA)	Hoagland	Payne (NJ)
Brown (FL)	Hochbrueckner	Payne (VA)
Brown (OH)	Horn	Pelosi
Bryant	Houghton	Peterson (PL)
Byrne	Hoyer	Pickett
Cantwell	Hughes	Pickle
Cardin	Inslee	Pomeroy
Carr	Jacobs	Porter
Chapman	Jefferson	Pryce (OH)
Clay	Johnson (CT)	Ramstad
Clayton	Johnson (GA)	Rangel
Clyburn	Johnson (SD)	Reed
Coleman	Johnson, E. B.	Reynolds
Collins (IL)	Johnston	Richardson
Collins (MI)	Jollis	Roemer
Condit	Kaptur	Rostenkowski
Conyers	Kennedy	Rowland
Cooper	Kennelly	Roybal-Allard
Coppersmith	Klecicka	Rush
Coyne	Klein	Sabo
Cramer	Klug	Sanders
Danner	Kolbe	Sangmeister
Darden	Kopetski	Sawyer
Deal	Kreidler	Schenk
DeFazio	Lambert	Schroeder
DeLauro	Lancaster	Schumer
Dellums	Lantos	Scott
Derrick	LaRocco	Sharp
Deutsch	Leach	Shays
Dicks	Lehman	Shepherd
Dingell	Levin	Sisisky
Dixon	Lewis (GA)	Skaggs
Dooley	Lloyd	Slattery
Durbin	Lowe	Slaughter
Edwards (CA)	Machtley	Smith (IA)
Edwards (TX)	Maloney	Snowe
Engel	Mann	Spratt
English	Margolies-	Stokes
Eshoo	Mezvinsky	Strickland
Evans	Markey	Studds
Farr	Martinez	Swift
Fazio	Matsui	Synar
Fields (LA)	Mazzoli	Tanner
Filner	McCloskey	Thompson
Fingerhut	McCurdy	Thornton
Flake	McDermott	Thurman
Ford (MI)	McHale	Torkildsen
Ford (TN)	McKinney	Torres
Frank (MA)	McNulty	Torricelli
Franks (CT)	Meehan	Towns
Frost	Meek	Traficant

Tucker	Waters	Wise
Unsoeld	Watt	Woolsey
Valentine	Waxman	Wyden
Velazquez	Wheat	Wynn
Vento	Whitten	Yates
Visclosky	Williams	Zeliff
Washington	Wilson	Zimmer

NAYS—181

Allard	Goodling	Oxley
Archer	Goss	Packard
Army	Grams	Parker
Bachus (AL)	Grandy	Paxon
Baker (CA)	Greenwood	Penny
Baker (LA)	Gunderson	Peterson (MN)
Ballenger	Hall (TX)	Petri
Barcia	Hancock	Pombo
Barlow	Hansen	Portman
Barrett (NE)	Hastert	Poshard
Bartlett	Hefley	Quillen
Barton	Hobson	Quinn
Bateman	Hoekstra	Rahall
Bentley	Hoke	Ravenel
Bereuter	Holden	Regula
Bilirakis	Huffington	Ridge
Biley	Hunter	Roberts
Blute	Hutchinson	Rohrabacher
Boehner	Hutto	Ros-Lehtinen
Bonilla	Hyde	Roth
Browder	Inglis	Roukema
Bunning	Inhofe	Royce
Burton	Istook	Santorum
Buyer	Johnson, Sam	Sarpalius
Callahan	Kasich	Saxton
Calvert	Kildee	Schaefer
Camp	Kim	Schiff
Canady	King	Sensenbrenner
Castle	Kingston	Shaw
Clinger	Klink	Shuster
Coble	Knollenberg	Skeen
Collins (GA)	Kyl	Skelton
Combest	LaFalce	Smith (MI)
Costello	Lazio	Smith (NJ)
Cox	Levy	Smith (OR)
Crane	Lewis (CA)	Smith (TX)
Crapo	Lewis (FL)	Solomon
Cunningham	Lightfoot	Spence
de la Garza	Linder	Stearns
DeLay	Lipinski	Stenholm
Diaz-Balart	Livingston	Stump
Dickey	Manton	Stupak
Doolittle	Manzullo	Sundquist
Dornan	McCandless	Talent
Dreier	McCrery	Tauzin
Duncan	McDade	Taylor (MS)
Dunn	McHugh	Taylor (NC)
Ehlers	McInnis	Tejeda
Emerson	McKeon	Thomas (CA)
Everett	McMillan	Thomas (WY)
Ewing	Meyers	Upton
Fawell	Mica	Volkmer
Fields (TX)	Michel	Vucanovich
Fowler	Miller (FL)	Walker
Franks (NJ)	Mollohan	Walsh
Galleghy	Montgomery	Weldon
Gekas	Moorhead	Wolf
Gilchrest	Murphy	Young (AK)
Gillmor	Myers	Young (FL)
Gingrich	Nussle	
Goodlatte	Ortiz	

NOT VOTING—15

Bevill	Herger	Rogers
Blackwell	Laughlin	Rose
Clement	Long	Serrano
Fish	McCollum	Stark
Foglietta	Price (NC)	Swett

□ 1825

Mr. ORTIZ, Mr. STUPAK, and Mrs. MEYERS of Kansas changed their vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. BROOKS. Mr. Speaker, pursuant to House Resolution 417, I call up the conference report on Senate bill (S. 636) to amend the Public Health Service Act to permit individuals to have free-

dom of access to certain medical clinics and facilities, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. McNULTY). Pursuant to House Resolution 417, the conference record is considered as having been read.

(For conference report and statement, see proceedings of the House of Monday, May 2, 1994, at page 8883.)

The SPEAKER pro tempore. The gentleman from Texas [Mr. BROOKS] will be recognized for 30 minutes. The gentleman from Wisconsin [Mr. SENSENBRENNER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

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

The Conference Committee on S. 636 reported back to us a product that merges the Senate and the House-passed bills in a very careful, balanced fashion. Thus, the Senate's protections against interfering with the exercise of religious freedom at places of religious worship have been preserved. Those protections are the same as those enjoyed by persons obtaining or providing reproductive health services.

The Conference Committee agreed to the lower penalties found in the Senate version of the legislation, which was also a matter of some importance to the Members of this body.

Other House Members were concerned that the meaning of the words interfere with were not defined in the House bill. The Senate bill's definition of that term is contained in the conference report.

The report also consolidates and clarifies the various rules of construction, without losing any of their meaning. Because of the concerns raised by some regarding any possible effect of this legislation on first amendment activities, I want to quote from the conference report its rule of construction (d)(1) on that crucial point, and I quote:

"(d) RULES OF CONSTRUCTION.—Nothing in this section shall be construed—

"(1) To prohibit any expressive conduct (including peaceful picketing or other peaceful demonstration) protected from legal prohibition by the first amendment to the constitution;"

Such language was a part of the legislation in both bodies of Congress, remains a part of the final product, and makes crystal clear to the courts and to the American people that the statute does not and cannot apply—in any way, shape, or form—to any activity protected by the first amendment of our great Constitution.

The need for this legislation remains great. Contrary to what some would have you believe, the Supreme Court's recent decision in National Organization for Women versus Scheidler on the application of the RICO statute does

nothing to lessen that need. Nor does Madsen versus Women's Health Center—now pending before the Supreme Court—do anything to affect its validity.

We are finally at the last stage of our long journey with this legislation. We need to take this last step and send it on to the President for his signature and enactment into law. I commend my fellow conferees in both Houses for their fine work, and I urge my colleagues to vote aye for this conference report.

□ 1830

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

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, I rise in opposition to the conference report on S. 636, the FACE bill.

Mr. Speaker, the conference agreement adopts the Senate position on two key issues: First, it extends the bill's provisions to places of religious worship, and second, it changes the penalties with respect to non-violent physical obstruction. However, even with these provisions the legislation is still fundamentally flawed. Many serious problems remain.

First, FACE still violates equal protection by penalizing people for their beliefs.

The Senate committee report on this bill says, Thus, for example, if an environmental group blocked passage to a hospital where abortions happen to be performed, but did so as part of a demonstration over harmful emissions produced by the facility, the demonstrators would not violate this Act.

Therefore, if two people are engaging in identical conduct—i.e., peaceful, non-violent civil disobedience—outside an abortion clinic but for different reasons, only the pro-life person has committed a Federal crime under FACE, and it is only a Federal crime because of the person's belief that abortion is wrong. This clearly constitutes government disfavor of a viewpoint, not of conduct.

The amendment protecting places of worship does not constitute viewpoint discrimination since it punishes only conduct, not motivation. It doesn't look to why a person is defacing or obstructing passage to a place of religious worship.

Second, FACE still provides unduly harsh penalties for non-violent physical obstruction.

Even though the bill reduces penalties for non-violent civil disobedience, a second offense is still a felony, punishable by up to 18 months in prison. The punishment is not proportionate to the crime and is grossly out of proportion to the penalties for most other acts of peaceful civil disobedience.

Third, FACE gives abortions clinics the bludgeon of Federal civil remedies to use against individual pro-lifers.

The chief reason abortion advocates want the FACE bill is found in the civil remedies section. A pro-life person can be dragged into court under a civil action brought by an abortion clinic without ever having been convicted of a crime. The extensive civil damages allowed under the FACE bill—including automatic statutory damages of \$5,000 per incident—are unprecedented in traditional Federal civil rights statutes.

FACE permits abortion clinic owners and personnel to sue for temporary, preliminary or permanent injunctive relief, compensatory and punitive damages, as well as costs of suit and fees for attorneys and expert witnesses. It allows the U.S. Attorney General as well as the State attorneys general, another unprecedented provision, to sue pro-lifers in Federal court on behalf of the abortion clinic or personnel and gives the court authority to assess thousands of dollars in civil penalties against each pro-lifer. Moreover, conferees dropped a provision contained in the Senate bill, which is part of traditional civil rights laws, requiring the U.S. Attorney General to find that the conduct raises an issue of general public importance before initiating a lawsuit.

The conference agreement also adopts the Senate position, which would not permit a pro-life defendant to obtain reasonable attorneys fees even if the lawsuit filed by the abortion clinic was frivolous and without merit. Conferees rejected language in the House bill which at least allowed for reimbursement under those limited circumstances. Therefore, the language in the conference report is an invitation for abortion clinics to file harassing lawsuits against pro-lifers since they would have nothing to lose.

Fourth, FACE will restrict peaceful picketing and sidewalk counseling outside of abortion clinics.

Regardless of Congress' intention, many will be afraid to engage in first amendment-protected activity outside of abortion clinics because they cannot afford the risk to their financial security or the disruption to their family lives that might arise from false or misleading charges leveled against them by pro-abortion escorts or personnel. There are numerous incidents of clinics filing harassing lawsuits against pro-life women and men who are legally picketing, praying, and sidewalk counseling.

Fifth, FACE federalizes crimes already prohibited by State and local laws.

From a criminal justice standpoint, there is no need for this legislation. There are already numerous Federal and State laws against acts of violence and authorities have been diligent in prosecuting people who attack abortion providers. According to statistics from the National Abortion Federation, the number of abortion clinic sit-

ins and arrests has declined dramatically since 1989.

None of us condones violence, no matter how noble the cause that is invoked. But this bill is not limited to violence. It strikes at the heart of political and social protest and makes Federal felons out of concerned citizens—grandparents, parents and children—who are simply seeking to exercise their constitutional rights. We cannot sit by and let Congress give this incredible legal weapon to one side of the abortion debate. Congress should act fairly and responsibly. This bill is none of the above.

Pro-lifers are the principal targets of the FACE bill. Who is next?

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

Mr. BROOKS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, first of all let me thank the Chairman, the gentleman from Texas [Mr. BROOKS]. He has been absolutely wonderful on helping us move this issue, as has the chairman of the subcommittee, the gentleman from New York [Mr. SCHUMER]. I am very proud to serve on the Committee on the Judiciary as the only woman on this issue, and I am thrilled to be in this well, knowing that we have finally gotten to this final step.

I listened to the prior speaker, and I must say I am very frustrated. Has anyone ever seen the American Civil Liberties Union come out in support of anything that violated anybody's rights? No.

□ 1840

They back this, medical groups back this, all sorts of people back this.

Mr. Speaker, what does this conference report do? It only imposes penalties if someone is engaging in force or violence. I would think people could figure that out, or they are engaging in physical obstruction so that people cannot get in. One can talk, one can picket, one can persuade, but when one physically obstructs someone from exercising their rights, then that says their rights have stopped.

Mr. Speaker, I do not know how much clearer that can be. I get very tired of hearing people saying over and over again, oh, my, this will be terrible, this is the nose under the tent, what will happen next?

Mr. Speaker, most women get the majority of their care in these clinics. If they cannot get into these clinics, then they cannot get their care, and to harass the medical profession that is working there is outrageous as we know, and these incidents of violence keep going on and on and on. We have all sorts of precedents in the law on this. During picketing by a labor organization, there must be a reserve gate

or an injunction can be gotten. Everybody is allowed access in and out. It cannot be stopped. We did the same thing protecting labs that had animals in it.

Mr. Speaker, if we do not care as much about America's women as we did animals, I think we are sending a terrible message. This is a very clear precedent. This is nothing new. Americans have talked about this for a very long time.

Mr. Speaker, I certainly hope we move rapidly to pass it in this final step.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, the problem with this legislation is it elevates to the Federal level something that ought to be left to local law. There are plenty of laws that cover demonstrations on the picket line, obstruction on the picket line, intimidation, but this is elevating to the level of a Federal law this sort of conduct only because the target is antiabortion protesters.

Mr. Speaker, we do not do that to environmentalists, we do not do that to peace demonstrators, we do not do that for labor disputes, but antiabortion.

Mr. Speaker, that is what is wrong with this bill. I have this foolish notion that equal protection of the law means that everybody should be treated equally, but we are not treating labor disputes equally with antiabortion disputes.

Mr. Speaker, the gentleman from Colorado [Mrs. SCHROEDER] said, when has the ACLU ever been against anybody's rights? I will tell my colleagues, all the time. The unborn child's rights, the basic right to life, the ACLU does not defend over the right of the woman to exterminate her child.

Mr. Speaker, physical obstruction is bad, it ought to be punished. But is handing somebody a pamphlet in front of an abortion clinic an obstruction? Do not think there will not be judges that will find that.

Mr. Speaker, according to the gentleman from Colorado, labor disputes are all taken care of. I would point out on April 6 of this year, a few weeks ago, 75,000 Teamsters walked off their jobs, shutting down 22 major trucking companies, and let us go through a mild catalogue of violence:

Steven Sarrazino, a 27-year-old man from Streamwood, IL was beaten into a coma after he made a delivery to the Karpis Bakery in Elk Grove Village, in my district.

In Kissimmee, FL, two bullets were fired at Don Gilbert, a tractor trailer driver, minutes after he said over a CB radio that he had a family to feed and would not honor the Teamsters strike.

In California, a clash between Teamsters and police sent seven people to the hospital. And on and on and on.

Mr. Speaker, the murderer of Dr. Gunn is in prison. The woman who shot

at Dr. Tiller and hit him in the arm, Rachelle Shannon, she is in prison, and this law did not put them there.

Mr. Speaker, we all know Dr. Gunn's name. How many of us know Eddie York's name? How many of us have ever heard of Eddie York? He was shot to death July 20 of last year crossing a picket line at a coal mine in West Virginia. If we want to catalogue the violence, we can talk about that. But, no, we are only interested in getting after people on the sidewalk who were not at Auschwitz but they are in front of the new version of Auschwitz, abortion clinics. We are punishing them in a punitive way, it is vindictive, and it is terribly wrong.

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the gentlewoman from Washington [Mrs. UNSOELD].

Mrs. UNSOELD. Mr. Speaker, for years radical antiabortion groups have been denying women's rights and endangering women's health by blockading family planning clinics. This past year they stepped up their attacks. Clinics were bombed with noxious butyric acid and savaged with fire. One doctor was wounded in Kansas and another shot dead in Florida.

The women who make up the majority of clinic clients could not miss the threat: "Give up the right to make your own health choices or else." They have refused to succumb. Instead, clinic attacks sparked national outrage and demands that the brutal ideologically-based violence be stopped.

The Freedom of Access to Clinic Entrances Act can make the violence stop by imposing tough Federal penalties on those who obstruct and harass people entering clinics. It is carefully crafted to protect the first amendment rights of protesters by explicitly allowing peaceful protest—from picketing and praying to speeches and literature distribution—as long as that protest does not physically block those trying to enter or exit a clinic.

Scores of American women turn to family planning clinics each year for cancer screenings and pap smears, for treatment of reproductive disorders and yes, sometimes for abortions. All they are asking from us is protection of their right to enter such clinics without harassment, without abuse and without fear. Please do not let them down. Support passage of the conference report of the Freedom of Access to Clinics Entrances Act.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina [Mr. INGLIS].

Mr. INGLIS of South Carolina. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in opposition to the conference report on both the criminal grounds and the civil grounds.

On the criminal grounds, I find it very interesting that I was just today with the National Conference of State

Legislators talking about unfunded Federal mandates and their fear of the federalization of everything in this country, and in particular the federalization of law enforcement.

Mr. Speaker, I ask any supporter of this bill, why on earth would we turn this into a Federal crime? Why on earth would we have Federal folks come out and haul people off from clinics and then prosecute them? What logic would compel anyone to think that that makes any sense whatsoever? Surely there are State laws to handle this. Surely there are State law enforcement agencies to haul them off, and surely there are State courts to enforce the law. But, no, we want to grow this Federal Government. We do not have enough; \$4.2 trillion in debt, let us add a little more. Let us build a few more courthouses, hire a bunch of DA's, hire a bunch of new judges so we can haul these protesters into Federal courts when they could be going into State courts. But, no, the sheriffs in the Congress, and we seem to have a lot of them, folks who forgot they were not elected to be sheriff of their town, they were elected to be Congressmen and women to serve here in Washington, not to do local law enforcement.

Mr. Speaker, I ask everyone in a bipartisan way to listen to our State legislators, hear them. Republicans and Democrats alike talk about the risk of federalizing law enforcement. Then ask them: Are we going to take from the Democrat county councilman and the Republican county councilwoman the ability to enforce the laws locally? Are we going to make everything Federal in this country? Have we forgotten the States exist? Do we want to just have Federal law enforcement?

Mr. Speaker, that is the question that I put to the supporters of this bill. I do not think they can answer it. I do not think they have any justification for a Federal law on something that clearly can be imposed and enforced by local folks.

Mr. BROOKS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York [Mr. SCHUMER], chairman of the subcommittee.

Mr. SCHUMER. Mr. Speaker, I thank the chairman for yielding me the time and for his leadership on this issue.

Mr. Speaker, when we began this bill, I introduced this bill a year and a half ago, and if anything has happened since then, we have seen the need for it.

First I would say that FACE has the overwhelming support of the House. On the last vote in March that sent this bill to conference, the vote was 252 to 180, it was bipartisan, liberals and conservatives and Members who call themselves pro-choice and pro-life.

Mr. Speaker, that is simple. The reason for that is simple, because this is a bill about protecting a Federal right that is trying to be taken away. When

local law enforcement is either unable or unwilling to protect the right, whether we agree or disagree with that right, that was granted to women in Roe versus Wade, we have no choice but to move in or all Federal rights become a mockery.

Mr. Speaker, I would say to my colleagues that that is why this bill has had support, that is why this bill has gone through. I know that the opponents have tried to use every parliamentary maneuver to drag out the process for months, but it does not succeed because the facts are not there.

□ 1850

The bill is simply drawn. The bill does not, you know, for the fourth or fifth time, let me say, if it stops peaceful protests, as chief sponsor of the bill, I would withdraw it, but it does not; it does not in its operative language. There is a clause in the bill that makes it explicit that any peaceful protest, handing out a leaflet, standing across the street, even shouting names is not covered by the bill.

We all know what is covered by the bill: blockade, of course, is covered by the bill. The tradition of Gandhi and of Martin Luther King, in terms of civil disobedience, says you should pay a price if you are going to throw your body on the line and deprive somebody else of a granted right.

Of course, it stops violence, and we have seen all too much violence surrounding these clinics.

It is a very good bill. We need this bill.

FACE has the overwhelming support of the House. On the last vote in March that sent this bill to conference, the vote was 252 to 180. Supporters include Democrats and Republicans—37 Republicans in fact—liberals and conservatives—and Members who call themselves pro-choice and pro-life.

But despite this bipartisan and cross-cutting ideological support, a handful of opponents have used every parliamentary maneuver to drag out the process for months. So I think it is helpful to remind everyone here about the circumstances that have made this bill so desperately necessary.

This bill is not about whether you are pro-choice or pro-life.

Yes, it is true, if you're pro-choice as I am, you have to vote for this bill. Because you want to see that the constitutional right to choose really exists. That in the real world, women and doctors can enter a clinic and seek or provide reproductive services without being subjected to violence.

But it is equally true, that if you are pro-life, this is the one bill that mentions abortion that you certainly can vote for, and have voted for.

Because you, as a pro-life member, know that a vote for FACE is not a vote that compromises your core beliefs about abortion.

Rather, it is a vote to stop the rapidly spreading pattern of grotesque and deadly violence against innocent women, innocent doctors, innocent nurses, and innocent workers at health facilities all across the nation.

That is what this bill is about, stopping violence. Plain and simple and nothing else.

It is about the shooting and murder of Dr. David Gunn in Florida in March 1993.

It is about the shooting and bodily injury of Dr. George Tiller in Kansas in August 1993.

It is about the 33,000 incidents of violence, death threats, bomb threats, actual bombings, actual deaths, actual arson and actual murder that have occurred since 1977. I repeat: 33,000 incidents since 1977. And in 1993 alone, one out of every two clinics in this Nation experienced an actual act of structural damage or physical violence.

This is an alarming, frightening and unconscionable pattern of abuse of innocent citizens—that State and local authorities have told my own subcommittee—they refuse to stop. They have refused to pursue the attackers and they have refused to enforce local anti-violence laws. And that, my friends, is what prompted a Federal response.

The bill before us today penalizes the force, threat of force or physical obstruction—international or attempted—of a person obtaining or providing reproductive health services or a person exercising or seeking to exercise the first amendment right of religious freedom at a place of religious worship.

That is right. FACE now protects worshipers and places of religious worship, because as House Members instructed those of us who were conferees, the conference added the Senate's Hatch amendment to FACE.

And that is a good thing. Because we who respect a woman's right to reproductive health free of violence also cherish—deeply cherish—the right of churches and synagogues and clergy leaders and parishioners to pray free of violence. That's why a vote for FACE is indeed a vote for free prayer.

There is something else we added in conference, something that will make it even easier for everyone to vote for this bill. We have lowered the penalties for nonviolent offenses. The first-time nonviolent offense is now a misdemeanor with a maximum sentence of six months. The second and subsequent offenses carry a maximum sentence of 18 months.

Now, let me tell you what makes me most proud of this bill. The way it is carefully and painstakingly tailored not to be overbroad, and the way it has been expressly written, to protect the constitutional right of anyone who opposes abortion to protest peacefully outside a clinic.

This is proven by a case the Supreme Court heard just last week, which is very good news for this bill. The case is called Madsen versus Women's Health Center. It involves a judicial ruling in Florida that says demonstrators cannot under any circumstances enter so-called buffer zones around a clinic or a staff member's home.

Well, we who drafted FACE anticipated the Supreme Court's concerns about such restrictions, and we rejected the Madsen approach. In fact, in the oral arguments the Supreme Court heard last week, the Justices approvingly noted the difference between carefully tailored statutes like FACE—which penalizes a specific act of violence or a specific threat of violence against a specific victim—versus possibly overbroad rulings like Madsen that establish blanket restrictions in arbitrary zones.

And there is yet another difference between FACE and Madsen, the most crucial difference of all. FACE, in its text, has an explicit section that protects the first amendment right of protesters, whether pro-choice or pro-life, to express themselves peacefully. So comparing FACE and Madsen is like comparing apples and oranges—and don't let the opponents of this bill tell you otherwise.

There are so many people I want to thank for bringing this bill to where it is today. I want to thank my wonderful and committed original cosponsor, CONNIE MORELLA, for bringing bipartisan support to the Schumer-Morella Freedom of Access to Clinic Entrances Act of 1994. I want to thank my distinguished chairman, JACK BROOKS, for being so committed to this bill and to its fundamental premise of non-violence. And I want to thank the dean of the congressional women's delegation, PAT SCHROEDER, for helping to shepherd this bill through and for being a pioneer on issues of choice and women's justice. And I want to thank LOUISE SLAUGHTER, who did a tremendous job on the rule. I also want to thank the many organizations throughout the Nation, and their legislative Representatives here in Washington, who have worked tirelessly for this bill. And, finally, I want to thank the congressional staff who have been committed to this bill with their hearts and never-ending work. There are so many, but I want to mention three. Cindy Hall of CONNIE MORELLA'S staff, Marie McGlone on the Judiciary Committee, and the counsel on my Subcommittee on Crime, Steven Goldstein, whose commitment and nonstop work on this bill has been second to none.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, the reality is that clinic violence has risen dramatically in the past year, with fully half of clinics participating in the recent survey experiencing severe antiabortion violence. Virtually all of these clinics participating in the survey provide services that are important to women, and often are the only providers available to women without insurance. They provide birth control services, prenatal care services, menopausal treatment services, to name only a few.

In order for this legislation to be invoked, there must be violence, threat of violence, or physical obstruction. Antiabortion activists who are lawfully exercising their first-amendment right to demonstrate peacefully will not be penalized by this legislation.

The Supreme Court has upheld a woman's right until the point of fetal viability to have an abortion. That is her legal right.

To physically dissent from this decision made by the Court by blockading a building, by preventing a woman from exercising her legal right to access to a legal medical procedure, is a violation of the law, pure and simple.

My right to swing my arm ends at your nose.

Democracy rests on a foundation of liberty and tolerance and respect and matters of conscience are sometimes hard as the abortion issue demonstrates, but differences honestly held, though deeply in conflict, cannot be resolved by denying the rights of others.

This bill's goal is to balance the rights of all so that the right to dissent is protected while the right of access is honored.

I urge your support of this bill.

Mr. BROOKS. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. NADLER], a distinguished member of the committee.

Mr. NADLER. Mr. Speaker, I rise to express my strong support for the Freedom of Access to Clinic Entrances Act, of which I am a cosponsor. The purpose of this bill, to put it simply, is to protect liberty against mob rule. The liberty interest at issue here is a most fundamental one: The right of women to choose whether and when to bear children and receive necessary health care services.

Let's clear away the false rhetoric. This bill does not in any way threaten the first amendment rights of abortion opponents. It will prevent any group whatever their motivation—from using force or threats of violence to impose their beliefs on their fellow citizens by physically obstructing or intimidating them from exercising a constitutionally protected right.

Let us be clear: The concerns animating supporters of this bill are by no means hypothetical. Physical obstruction, intimidation, and out-and-out violence—up to and including arson and murder—have become commonplace at reproductive health care clinics throughout the country. It is not merely the right, but the obligation of government to protect citizens whose constitutionally protected rights are systematically threatened in the manner that certain antichoice zealots have made their trademark. Hearings held by the Judiciary Committee have documented the nature and extent of the violence, obstruction, and harassment.

The women of America, and the health professionals who serve them, are looking to us for relief from these outrages. It is high time that we act to put a stop to the deliberate, orchestrated campaign by antichoice zealots to accomplish by physical force what they have not been able to accomplish through the democratic process and in the courts.

The Federal Government has often stepped in to protect constitutional rights when local authorities are unable or unwilling to deal with significant organized threats to the fundamental liberties of average Americans. We will act in that tradition today when we vote for final passage of

the Freedom of Access to Clinic Entrances Act.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. CANADY].

Mr. CANADY. Mr. Speaker, I rise today to oppose the conference report on the Freedom of Access to Clinic Entrances Act because the FACE Act will penalize people for the peaceful and lawful expression of their beliefs.

This bill subject protestors to harsh criminal and civil penalties on the basis of the belief which motivates them to engage in protest.

A pro-life protestor engaged in a confrontation with an abortion rights protestor in front of a clinic could be required to serve a harsh federal sentence and pay civil damages, while the abortion rights protestor would be able to engage in the same or more egregious acts with immunity from federal government punishment.

In fact, the abortion rights protestor could even profit from his or her actions by suing the pro-life protestor claiming her or she has been "aggrieved by a violation" of the FACE Act.

This act gives so-called "clinic defenders" and clinic personnel a license to taunt, abuse, provoke and obstruct pro-life people engaged in legal picketing, prayer or sidewalk counseling. Moreover, it creates an economic incentive for so-called clinic defenders and personnel to incite a reaction from pro-life protestors.

The FACE Act is clearly discriminatory. It creates a viewpoint-specific federal crime that offends the most fundamental principle of the First Amendment—that the government may not prohibit the expression of an idea because society finds that idea disagreeable.

I urge my colleagues to prevent this fundamental unfairness to people of a particular viewpoint. Vote "no" on the conference report on the Freedom of Access to Clinic Entrances Act.

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Speaker, imagine going to work everyday, and being forced to run a gauntlet of protesters, some of whom threaten your life. Imagine being in a profession where colleagues have been shot and killed. Imagine having your spouse and children threatened, and not knowing if your family is safe.

Too many health care providers in this country do not have to use their imagination to picture these scenarios. All they have to do is show up for work.

Violence at reproductive health care clinics is on the rise. This bill is needed to help stop the violence, and the deadly assaults.

This is not a free speech issue. This is an issue concerning behavior. Protest-

ers will still be able to express their views in a serious way. This is an anti-violence bill.

We have waited too long to extend this protection against violence. I strongly urge my colleagues to pass this bill.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. ROHRBACHER].

Mr. ROHRBACHER. Mr. Speaker, I rarely talk on the issue of abortion. The fact is I honestly believe that people can disagree on the issue of abortion, and that the tone of the debate in our country has not been the type of tone that I agree with.

I would hope that we would talk reasonably and responsibly to one another. But what we are discussing here is a situation where honest people disagree, and in that situation, we must be very careful that the rights of all people are being protected.

I see this law not as an attempt to protect people's rights but, instead, a malicious attempt to single out people with more conservative points of view to suppress their points of view. This is repression. It is aimed at people who have pro-life views. This is a situation where people with more conservative, traditional views are not being given equal justice, because their views are being singled out from all others for the type of protection this law is supposed to afford.

□ 1900

I might add that when we discussed this issue the very first time in this House, people were across the street blockading the doors of a congressional office building in order to pressure this body to vote in favor of statehood. Yet their rights to peaceably demonstrate, no one even brought that up. But I will tell you, if they were pro-life people doing that this bill would suggest if they were pro-lifers doing the same thing at another location, their rights to speak, to assemble would not be considered in the debate and in fact they would be guilty of a crime.

This type of legislation is what is leading people with more traditional views in this country to believe that their freedom is under attack, whether we are talking about the Boy Scouts of America, who are being told to take God out of the scout oath or to trash their moral standards for scoutmasters, or on campus, where we see the suppression of points of view that are different from leftists or feminists.

If you believe in equal rights and you believe in freedom, you must believe in that freedom for people who disagree with you; people with a pro-life point of view should not be suppressed. This is what this bill is all about. Vote "no" against the bill.

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Speaker, I thank the chairman of the committee for yielding this time to me.

Mr. Speaker, the Freedom of Access to Clinic Entrances Act which I have sponsored was drafted in response to a nationally orchestrated campaign of violence and vandalism against reproductive health clinics, as well as physical blockades and invasions of clinics. These illegal activities have been preventing women from obtaining health care services and threatening the lives of health care providers.

From 1977 to March 1994, more than 1,587 acts of violence against reproductive health providers were reported in the United States, including 37 bombings, 87 arsons, 175 death threats, 91 assaults, 2 kidnappings, 345 clinic invasions, and 1 murder. From January 1992 to March 1994, 79 chemical attacks were reported in 17 States as well, with damages totaling \$560,000. And in a nationwide survey in 1993, 50 percent of the clinics responding reported experiencing extreme violence, with 25 percent of those clinics having experienced physical invasions or chemical attacks in 1993 alone.

The Freedom of Access to Clinic Entrances Act is also in response to the 1993 Supreme Court ruling in Bray versus Alexandria which created a gap in Federal law. Federal injunctive relief is no longer available for clinics under Federal civil rights laws.

S. 636 will give the Federal Government the power to act when State and local authorities cannot or will not act to guarantee access to these clinics where women, especially poor women, go for a wide range of services that include birth control, prenatal examinations, mammograms, pap smears, as well as abortion services.

The bill applies only to the use of force, threat of force, or physical obstruction that intentionally injures, intimidates, or interferes with any person who is obtaining or providing reproductive health services.

The conference report protects all expressive conduct, including peaceful picketing or other peaceful demonstrations, protected by the first amendment. Changes were made in the subcommittee, full committee, on the House floor, and in conference in an effort to further clarify and improve the bill.

The conference report includes the Hatch amendment to protect any person exercising or seeking to exercise the first amendment right of religious freedom at a place of religious worship. It also includes the lower Senate penalties for nonviolent offenses.

And it has been narrowly drawn to specifically address this problem, without providing too broad a Federal role. Some Members are arguing today that the Supreme Court case in Madsen has some bearing on the passage of this conference report. In fact, S. 636 is a

much narrower measure that carefully protects first amendment rights. The ACLU and other first amendment supporters have endorsed S. 636, while they have expressed concerns with the Madsen decision.

The Freedom of Access to Clinic Entrances Act remains an urgent priority to protect women who are seeking reproductive services and the clinics and medical personnel that provide these health services. It is a necessary, appropriate, and reasonable response to this ongoing emergency. I urge my colleagues to vote for the conference report.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. I thank the gentleman for yielding time to me.

Mr. Speaker, I rise today to voice my opposition to the conference report on S. 636, the Freedom of Access to Clinic Entrances Act. Although this conference report contains important changes in the original legislation, most notably the extension of this bill's protections to places of religious worship and the exemption from penalty for parent's of underage daughters, it still violates equal protection by penalizing individuals for their beliefs.

For instance, if a group decided to stage a peaceful protest against a hospital because of improper disposal of medical waste and on the same day a pro-life group decided to stage a peaceful protest against the hospital because they perform abortions, only the pro-life group would be prosecuted under the Freedom of Access to Clinic's Act. This would clearly be a case of the Government prosecuting someone because of their viewpoint and not because of their actions.

It is unthinkable that we will be making Federal criminals out of a grandmother peacefully praying on a sidewalk or a young mother quietly handing out pamphlets with her children in front of an abortion clinic, but that is what we are doing today when we vote for this conference report. That is why I urge my colleagues to vote against this conference report. We should not take away the first amendment rights of millions of pro-life Americans.

Mr. BROOKS. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. Mr. Speaker, I thank the committee chairman for yielding this time to me.

Mr. Speaker, it seems only appropriate that, in the House's discussion of violence and constitutional rights today, that we should take up and pass the conference report on the Freedom of Access to Clinic Entrances Act.

Since 1977, there have been 36 bombings, 84 cases of arson, 60 attempted arsons, 35 clinic invasions, 498 acts of

vandalism, 86 assaults, 149 death threats, two kidnappings, 29 burglaries, and countless cases of stalking of clinic employees. This is in addition to the countless incidents of hate mail, harassing phone calls, 289 bomb threats, and 589 clinic blockades.

The Planned Parenthood Clinic in Ocala, FL, constitutes one of these cases of arson. It has never been rebuilt.

For Dr. David Gunn, the Pensacola physician who was murdered this year, for Dr. George Tiller, who was shot, and for the countless women whose rights were infringed upon, this legislation comes too late.

Attorney General Janet Reno has testified that, "In sum, Federal legislation is necessary. The problem is national in scope, local law enforcement has been unable to effectively deal with it, and existing Federal law is inadequate to provide a complete response."

The conference report ensures American women of their constitutional right to abortion services. It also preserves the first amendment rights of peaceful protestors.

Under the conference report, it would be a Federal offense to use force, threat of force, or physical obstruction to intentionally injure, intimidate, or interfere with anyone seeking or providing reproductive health services.

Mr. Speaker, no one should have to live in fear of violent extremists. I urge the passage of this conference report.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, for over 20 years, sidewalk counselors and peaceful protestors have sought to reach the hearts and minds of mothers outside abortion mills with the truth about abortion and the fact that nonviolent alternatives are available.

Such altruism and selfless love for both the woman and her baby requires tremendous personal sacrifice especially of late. The multimillion-dollar abortion industry's propaganda machine has worked overtime in recent years to link nonviolent acts of civil disobedience and peaceful dissent with those few misguided fanatics who employ violence as a means to an end.

Let me state unequivocally that violence by either side is morally repugnant and has absolutely no place in our struggle to end the child abuse called abortion on demand. Let me remind Members, as well, that the Smith substitute to this bill that the House considered last November—that garnered the support of 177 Members—imposed penalties on those of either side who use or threaten to use force.

Under the facade of getting tough on those few people who bomb abortion

mills or use violence, the House is poised to stack the deck against peaceful pro-life activists so as to make them prey, an easy mark for ruinous prosecution and civil suits. Incredibly, a pro-lifer can be brought into court under a civil action brought by an abortion mill without ever having been convicted of a crime. The extensive civil damages allowed under the bill—including automatic statutory damages of \$5,000 per incident—are unprecedented in traditional Federal civil rights statutes.

S. 696 permits abortion clinic owners and personnel to sue for temporary, preliminary, or permanent injunctive relief, compensatory—actual—and punitive damages, as well as costs of suit and fees for attorneys and expert witnesses. It allows the U.S. attorney general as well as the State attorneys general to sue pro-lifers in Federal court on behalf of the abortion clinic or personnel and gives the court authority to assess thousands of dollars in civil penalties against each pro-lifer.

S. 636 contains extremely harsh, mean-spirited punishments for acts of nonviolent civil disobedience. Just getting in the way peacefully—a sidewalk sit-in for example, or just attempting to talk to someone outside a clinic, which someone construes to be obstruction—will result in up to 6 months in jail for the first offense, 18 months in jail for the second—plus massive fines and damages and attorney's fees.

S. 636 is grossly unfair. This conference report represents an abuse of police power and is unprecedented in its attempt to obliterate and crush dissent in America.

Unlike the abortionist, Mr. Speaker, who grows filthy rich by grinding, suctioning, poisoning, and dismembering the fragile bodies of unborn babies, the pro-lifers outside these baby slaughterhouses give of themselves to help both mother and child.

Over the past two decades, the results of sidewalk counseling and other forms of peaceful nonviolent outreach have been stunning. An incredibly large number of children have been spared the agony of abortion and these kids are alive today, perhaps playing soccer or baseball and learning the wonders of science, geography, and religion. These children live today and have moms who love them dearly, because a pro-life volunteer cared enough to be outside the abortion mill that day.

You and I know, Mr. Speaker, that the pressures to abort a baby in this day and age can be overwhelming, especially during the initial weeks of panic and distress if the pregnancy wasn't expected.

Twenty years of experience since Roe versus Wade has shown that, if encouraged to choose life—even at the 11th hour—many mothers will opt to safeguard the child within her.

Often, the only and certainly the last voice appealing for the baby's life, is a pro-life volunteer outside the clinic.

Nancy, a child who almost died from abortion, will turn 4 next week. She is alive today because her mother, Hanh, met two pro-life women who were sidewalk counseling outside of the Hillcrest Surgi-Center in northwest Washington, DC.

When Hanh came to the clinic that day, alone, she had no hope and nowhere to turn. Her situation was about as bad as it gets.

A few years after Hanh married and had two children, a boy and a girl, her husband left her and Hanh, a native of Vietnam who spoke little English, had to take a minimum wage job as a seamstress to support her family. Several months later her husband returned and there was a brief reconciliation, but this did not last long. Before leaving again, this time for good, he beat her. A few weeks later she discovered that she was pregnant.

It was then that Hanh went to the abortion clinic; she didn't know that anyone could or would help her and she was ashamed to face her family.

When she met those two sidewalk counselors, though, she found the help she desperately wanted. She followed them in her car to a pregnancy aid center, Birthright, in Wheaton, and was referred to the Center for Life at Providence Hospital. Over the weeks, Hanh took control of her life once again. She told her family and they helped support her. The State of Maryland began collecting child support from the husband who deserted her. The sidewalk counselors stayed in contact with Hanh throughout her pregnancy, visited her when her baby was born, and have kept in contact with her and her children to this day. Hanh is working on her English and studying to be an accountant. Her eldest child is now in school, and her second is in Head Start.

And Nancy—the child she almost aborted?

Nancy is busy being the delight of her mother, grandmother, aunts and uncles, and the rest of her family. Nancy is loved and cherished.

And then there's James.

When James' parents went to the Hillcrest Northwest Abortion Clinic they were distraught, confused, and misinformed.

On their way into the clinic, they spoke briefly with sidewalk counselors who shared some new information about alternatives to abortion and support groups available to help people facing problem pregnancies.

James' father went back outside to learn a little more. James' mother too came out of the clinic, to learn a little more.

The couple was relieved to hear that there were pregnancy crisis centers where people will help to see the pregnancy through. When James was born,

his mother told the sidewalk counselors, "you saved my baby! Thank you."

This year James, and his parents, will celebrate his second birthday.

Recently, a baby shower was held for three kids who were saved from abortion. Here's their story.

[From the Catholic Standard]

RESCUED: BABY SHOWER IS HELD FOR THREE SAVED FROM DEATH BY ABORTION

(By Richard Szczepanowski)

The fact that she was pregnant did not make Juana happy. She speaks little English, is unmarried and her salary from a part time job would not allow her to care for a baby. She was advised by her gynecologist to have an abortion.

"My doctor told me to go to the (Northwest abortion) clinic," said Juana, who asked that her real name not be used. Speaking to the Catholic Standard through an interpreter, she recalled that "It was a Friday in the evening when I decided to have the abortion and the next day I went to the clinic."

Outside the clinic that Saturday morning, Juana met sidewalk counselors from Catholics United for Life (CUL) who talked to her about her decision. Those counselors helped change Juana's mind and also saved the life of her baby.

"After I talked to the counselors, I felt bad," Juana recalled. "I asked God to forgive me."

Juana and two other women who changed their minds about abortions after speaking to CUL sidewalk counselors gathered Sunday at St. Thomas Apostle Church in Northwest Washington to celebrate the births of their children.

The women and their children—Juana had a baby girl, the other two had boys—were the guests of honor at a baby shower sponsored by CUL. Sidewalk counselors, family, friends, and strangers gathered in the basement of the church to celebrate the little lives that were almost lost.

"This is more than a baby shower," said Peggy Veith, CUL's coordinator of sidewalk counselors at the Northwest abortion clinic on Georgia Avenue. "This is a celebration of life and an affirmation of these women's decision for life."

The baby shower—where the women were given gifts, promises of assistance and moral support in their new role as mothers—is part of CUL's dedication to life.

"We don't forget them after we talk them out of an abortion," said Adela Jimenez, a sidewalk counselor for four years. "We offer them whatever they need: clothes, money for the hospital, even help finding a job."

Mrs. Veith said that CUL has an arrangement with Providence Hospital's Center for Life where women talked out of an abortion can receive reduced-fee treatment.

"We don't just talk them out of an abortion and that's that," she said. "We follow through during the pregnancy and after. We offer them emotional and material assistance."

Both Mrs. Jimenez and Mrs. Veith are still in touch with women they have counseled, and both are godmothers to babies they saved.

Mrs. Jimenez said that in her four years of counseling, more than 150 babies have been saved. Mrs. Veith estimated that more than 400 babies have been saved in the last eight years.

"Most tell us they really don't want abortions but they don't have money; they can't

afford to pay the hospital bill," Mrs. Jimenez said. "But we offer them any help they need and we also tell them that God doesn't like us to go to the clinic and do that (have an abortion)."

Mrs. Veith said that some of the Hispanic women who come to the clinic really don't want to have abortions. "Sometimes they are illegal aliens and they are afraid to go to hospital because they fear they will be discovered," she said.

All of CUL's expenses are met through donations and all of the counselors are volunteers, Mrs. Jimenez said. There are about 450 people registered with CUL, and about 75 regularly go the clinics on Saturdays to do counseling.

"We love what we do," Mrs. Jimenez said. "We share our time, because we love to do it, and when we save a baby everybody is happy."

At Sunday's baby shower, everything—including the counselors who persuaded the new mothers not to have abortions—got a chance to hold the babies and make a fuss over those little lives that almost weren't.

"I'm very happy with the decision I made. It was the right decision," Juana said. "I hope all women who are thinking about abortions change their minds and have their babies because that is the right decision."

These are but a few examples, common everyday examples, of the tens of thousands of children who have been rescued from the clutches of abortionists, and their mothers who deeply appreciate that someone cared enough to get involved.

If S. 636 becomes law, more babies will die because no one will be there to make that one, last, final appeal for their lives. Where will the pro-life volunteers be? In jail, and in debt which will bring a smile to the face of those who kill, but they will languish in jail for the crime of caring for the throwaways, for the crime of loving the unwanted, for the crime of seeking to provide comfort and safety for the innocent and the vulnerable.

Reject this conference report, and together let us craft legislation designed to end the violence, not the last best hope that a baby may have.

□ 1910

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from New York [Ms. SLAUGHTER], the member of the Committee on Rules that got this rule out in such great order and with such great skill.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Texas [Mr. BROOKS] for yielding this time to me.

Mr. Speaker, one of the things that has been going through my mind a lot since the 19 children were found in the 2-room apartment in Chicago sitting on the floor fighting with the dogs over neck bones is that one of the things that right to life and all of us should really be concerned about is the children that are born, and, rather than standing outside clinics, we might want to go outside apartments and help those children who are here to indeed have a life.

Mr. Speaker, the Freedom of Access to Clinic Entrances Act is designed to give the Department of Justice the necessary authority to fight a widespread campaign of interference with the access of women to reproductive health services.

Today is not the first time that I have stood before this House and read through a list of examples of violence against women, their doctors and women's health clinics. But, since we are once again forced to plead the case, I will go through the list again. We are not talking about peaceful protest; we are talking about vandalism, arson, bombing, gassing, physical attacks, death threats, shootings and murder—against clinic staff, as well as their families, and against the women who need health services these clinics offer.

Between 1977 and April of this year, over 1,000 acts of violence were reported against clinics and health care providers. These include: 36 bombings; 81 arsons; 131 death threats; 84 assaults; 2 kidnappings; 327 clinic "invasions," and 1 murder.

Just last year, Dr. David Gunn of Florida was shot and killed; murdered, by an anti-abortion activist.

Such violence devastates the women and doctors involved, as well as giving pain to their families, coworkers and friends. But it also affects the thousands of women who need to use these clinics for their health care. More than 90 percent of the clinics that have experienced blockades or violence also provided other health services, in addition to abortions.

And many of the clinics targeted for blockades and harassment are located in rural areas. They are frequently the only source for reproductive medical care for the women they serve. Disrupting the operation of these clinics deprives many women of badly needed medical services, above and beyond abortion.

State and local law enforcement often do not have the resources to battle these large-scale, long-term operations, including trespass, vandalism, and assault. In other cases, they simply choose not to do so. Clearly, a federal remedy is the only answer if we are to standardize law enforcement and offer all clinics the same protection.

Mr. Speaker, it is time to end the procedural wrangling, the endless delays. It is time to enact the will of this House, which was first expressed in support of this legislation last November. It is time to come to the aid of all the women and health care workers, whose lives have been shadowed by this network of fear and orchestrated violence. These health care professionals and their patients deserve our help, and I urge my colleagues to provide it for them by voting, finally, to enact this vital legislation.

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the gentlewoman from California [Ms. ESHOO].

Ms. ESHOO. Mr. Speaker, I rise in strong support of the conference report on the freedom of access to clinic entrances bill.

A nationwide campaign of anti-abortion, violence, vandalism and blockades is curtailing the availability of abortion services and endangering providers and patients. This bill provides Federal protection against unlawful and violent intimidation tactics used by anti-choice extremists. We must protect the constitutional right to express views on this controversial issue but we must acknowledge that this protection has been abused. We desperately need the safeguards that this bill provides.

Mr. Speaker, we are in the midst of shaping national health care reform to provide universal coverage for all Americans for all health services, including reproductive services.

Today, anti-abortion extremists are preventing women from receiving services which by law they are entitled to. This bill is necessary and long overdue. It is a clear statement that domestic terrorism will not be tolerated. I urge my colleagues to step away from a scorched-Earth approach so we can put an end to the senseless violence and abuse of our first amendment rights.

Support the conference report.

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentleman from Texas [Mr. BROOKS], the chairman of the Committee on the Judiciary, for yielding this time to me and for his tremendous commitment to this essential issue.

Mr. Speaker, Roe versus Wade established for this country the right of women to have abortions. That right is a right that should be protected by the law. What we have seen over the past 10 years is thousands of women seeking to exercise that right in abortion clinics being blocked, harassed, threatened. We have seen doctors murdered, abortion clinics bombed and arson committed in these premises.

We are not proceeding today on the basis of some general feelings. We are proceeding because of the acts of violence that have occurred that deny this fundamental liberty to women across this country.

There is nothing in the bill that has anything to do with preventing people who wish to exercise their right of free speech to protest, to stand on the streets and to hold a picket sign or to express their opinions about abortion. The bill clearly allows that. But this bill is necessary to protect the right that the courts of this country have given to the women of America.

Mr. Speaker, I urge the Congress to adopt this bill.

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, let us set the record straight. What is being barred here by the Freedom of Access to Clinics Entrances bill FACE? The use of force. The threat of force, physical obstruction, intentional injury, intimidation, and interference.

All of these are action words, Mr. Speaker. Pro-choice Americans do not want to have anything to do with these kinds of actions. First amendment rights are expressly protected in this bill.

Illustrative of what is barred, is an incident 2 weeks ago here in the District of Columbia where the Hillcrest Women's Clinic in Northwest was barred from opening for 2 hours. Among other things, an anti-abortion protester used a bicycle lock to connect himself by the neck to the front door of the clinic.

In the absence of a FACE statute the Federal courts have been driven to controversial injunctions. One of these is now before the Supreme Court: Madsen vs. Women's Health Center. During the recent oral argument the court cited with approval the FACE language, and thus we already have some indication that this is the constitutional way to go. FACE does not criminalize the content of speech, only the illegal conduct of anti-choice protesters.

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Speaker, I rise in support of this conference agreement.

Americans should not be prevented from receiving health care they choose for themselves. Unfortunately, too many women have had this basic right violated when they attempt to receive abortion services in this country.

It is a tragedy that this legislation is necessary. I support the right of people to engage in civil disobedience to demonstrate their deeply held beliefs. However, when those beliefs manifest themselves violently—and when force is used to prevent doctors, clinicians and other health care providers from doing their job—it is the responsibility of civil society to punish the perpetrators of that violence. That is the purpose of this legislation.

If I thought this bill inhibited the right of people to peacefully demonstrate or express their views, I would oppose it. However, this bill's penalties only apply to people who use force, threaten to use force or physically obstruct someone seeking reproductive health services.

While abortion stirs many emotions, we must not allow zealots to impose their views on law abiding women who simply seek medical attention. I ask for an "aye" vote on this important legislation.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I take this time to conclude debate on our side and to explain

a motion to recommit that I shall offer following the conclusion of the remarks of the distinguished committee chairman, the gentleman from Texas [Mr. BROOKS]. The rules do not allow debate on a motion to recommit a conference report.

As this bill left the House of Representatives, attorneys fees were awarded to the prevailing party, whether plaintiff or defendant. The Senate bill only allowed for attorneys fees and civil actions to be awarded to plaintiffs, and the conferees accepted the Senate position. So, someone who is a defendant in one of these lawsuits that we have been talking about that will be filed against those who demonstrate in front of an abortion clinic can go fight the lawsuit, and win the lawsuit and end up having to pay tens of thousands of dollars, or hundreds of thousands of dollars, out of their own pocket should they win the lawsuit.

On the other hand, if the abortion clinic files a lawsuit against a demonstrator and wins, then the demonstrator not only has to pay his or her own attorneys fees, but also the abortion clinic's attorneys fees as well.

□ 1920

That is just flat out unfair.

What my motion to recommit will do is quite simple: It will recommit the conference report to the committee of conference with instructions that the court may award to the prevailing party, whether plaintiff or defendant, other than the U.S. Government, reasonable fees for attorneys and expert witnesses.

That means that if a demonstrator is hit with a frivolous lawsuit or a lawsuit without merit that ends up being dismissed by the court, or the jury finds that the demonstrator did not commit conduct which is prohibited under this bill, the demonstrator does not go broke because they were exercising their constitutional rights. This levels the playing field.

I urge the membership to vote aye on the motion to recommit based on simple fairness. A no voted on the motion to recommit means that the lady with the scales of justice will have a good brick on one side of the scale, and justice will not be evenly dispensed.

So I urge an aye vote on the motion to recommit, and yield back the balance of my time.

Mr. BROOKS. Mr. Speaker, I yield one minute to the gentlewoman from New York, [Ms. VELÁZQUEZ].

Ms. VELÁZQUEZ. Mr. Speaker, once again I find myself standing in front of this House defending the Freedom of Access to Clinic Entrances Act. Enough time has been wasted with ridiculous and burdensome anti-choice delay tactics. More than 6 months have passed since the house overwhelmingly passed this legislation. The time for petty procedural games is over.

Women of all races and colors are entitled to feel safe and protected while seeking and receiving abortion services that are their legal right. The doctor's that perform these services should also have the liberty to perform them without fearing for their lives. So-called "pro-life" extremists who commit violent and harmful acts and show a blatant disregard for the lives of those trying to deliver legal abortion services, must be stopped now.

Mr. Speaker, lets stop wasting valuable time. I urge my colleagues to pass this conference report today!

Mrs. COLLINS of Illinois. Mr. Speaker, I rise today in strong support of S. 636, the conference report for the Freedom of Access to Clinic Entrances Act. This bill is urgently needed in order to protect thousands of Americans who are being terrorized, harassed, and prevented from exercising their legal rights.

S. 636 makes it a Federal crime to obstruct access to an abortion facility. This new law is needed because, unfortunately, despite the fact that abortions are legal in this country, a small and fanatic group of people have taken it upon themselves to determine whether or not other Americans will be able to exercise their legal rights to obtain an abortion. They are using vicious harassment and violence to make sure that the doctors, healthcare workers and women who work at healthcare facilities or use their services are not able to function without fear for their safety. Not only are their tactics frightening and offensive, but they are also illegal and S. 636 clearly establishes that their acts are in violation of Federal law.

During the past decade, the number of incidents of violence occurring outside health facilities has swelled out of control. In my district in Illinois, the Planned Parenthood/Chicago Area's Midwest Center has been attacked repeatedly by protesters who have injected the noxious chemical butyric acid into the clinic and chained themselves together to "counsel" the women seeking health services at their facility. Other clinics throughout the Chicago metropolitan area have suffered repeated harassment as well.

While we discuss this bill, its important to remember who the victims of these attacks are. Many women, including many of my constituents, have no health insurance and live below the poverty line. Clinics like Planned Parenthood are their main source of affordable health care. Yet these women, whether they are going to the clinic for an abortion, an HIV test, prenatal care, or to obtain contraceptive services to prevent pregnancy, are being blocked from entering the clinic through threats, violence, and intimidation.

The Freedom of Access to Clinic Entrances Act would put an end to this terror and mob rule by making it a Federal offense to use force, threat of force, or physical obstruction to intentionally injure, intimidate, or interfere with someone seeking, or providing, reproductive health services or to destroy the property of a health service facility. This carefully worded legislation bans violence and harassment, but not simple speech and assembly, to protect American women, doctors, and health care workers from violent prosecution. It's time for the criminal terror to end and S. 636 is exactly

the weapon we need to end it. I urge my colleagues to join me and pass this important bill.

Mr. FAZIO. Mr. Speaker, I rise in support of the conference report on S. 636, the Freedom of Access to Clinic Entrances Act.

This is not about abortion, or the right to choose. It is about protecting patients and health care providers from the rapidly escalating violence that we have been witnessing at reproductive health clinics around the country. That is why those of us who support this bill have come together on this issue, in spite of our differing views on the matter of choice. We believe that something must be done to stop the violence. We believe that individuals do not have the right to attempt to take the law into their own hands because they do not support a woman's right to obtain a safe, legal abortion.

Over the past 10 years we have seen over 1,000 incidents of violence and almost 500 blockades—not peaceful demonstrations—at reproductive health care facilities. One doctor has been killed. Another wounded. Patients and providers have been stalked and threatened. Clinic blockades and invasions, arson, chemical attacks and bomb threats are all a part of this campaign. Yet, State and local laws have not been enough to address the scope of the problem.

But this bill gives the Federal Government the power to act when—and only when—protestors go beyond the lawful expression of their views and resort to acts of violence against those with whom they do not agree. The Freedom of Access to Clinic Entrances Act makes it a Federal crime to obstruct access to a reproductive health clinic or to damage such a clinic. It further makes it a Federal offense to force, threaten, obstruct, injure, intimidate or interfere with anyone seeking or providing reproductive health services. And it extends these protections to places of religious worship so that anyone seeking to exercise the First Amendment right of freedom of religion at a religious facility is also safe from persecution and attack.

The bill explicitly states that it does not apply to peaceful demonstrations, which are a form of expressive conduct that is protected by the First Amendment. It does not violate anyone's right—pro-choice or anti-choice—to free speech or to demonstrate peacefully. Protestors only break this law when their peaceful demonstrations turn into physical obstructions or, even worse, violence. The bill protects patients and providers and ensures patient access, yet it allows those who choose to protest to do so peacefully, within their Constitutional rights.

I respect the rights of those who believe that abortion is wrong. However, I also support a woman's right to access the complete range of reproductive health services, and the right of health care providers to render these services—without being assaulted or harassed. For too long, we have watched demonstrators, using physical obstruction and intimidation, prevent women from exercising their Constitutional right to obtain an abortion. Enactment of the Freedom of Access to Clinic Entrances Act is long overdue.

Ms. FURSE. Mr. Speaker, I rise today in support of the rule on the Conference report on S. 636. It is critical that we pass the rule

to ensure that women have the freedom to access reproductive health clinics.

All over the country, antiabortionists are blocking clinic entrances * * * and targeting providers and their families. This violence has led to the murder of Dr. Gunn and the shooting of Dr. Tiller. This terrorism must stop. Violence for any cause is simply unconscionable.

The Freedom of Access to Clinic Entrances would help stop the violence. It would make it a Federal crime to block clinic entrances * * * and it also allows Federal law enforcement officials to step in if local police refuse to keep a clinic open.

The Supreme Court has reaffirmed a woman's right to choose. While the decision is difficult, once it is made, women should not be prevented from or harassed while exercising their rights * * * and physicians must be allowed to practice without fear for their lives.

I urge my colleagues to support the rule and final passage. The safety and peace of mind of so many are at stake.

Ms. BROWN of Florida. Mr. Speaker, I rise today to speak out in support of the rule for the Freedom of Access to Clinic Entrances Act. The women of our Nation have been waiting a long time for this legislation which first passed this body in November by a voice vote.

My home State of Florida has seen the kinds of destruction that violent antiabortion protesters can unleash. Dr. David Gunn was shot because he provided a necessary medical service to Florida's women. There can be no justification for this kind of violence.

Women too often face physical and physiological harassment when they step inside a reproductive health clinic. Clinic staff are also threatened by the actions of antiabortion protesters. Numerous clinics nationwide have been vandalized, set on fire and bombed this past year. These clinics provide more than just abortion services, they provide basic health care needs for thousands of women every day. Access to these services cannot be denied.

Abortion is a woman's right in this Nation. Her access and physically well being cannot be allowed to be threatened in this most difficult time. Let's stop bickering over procedure and pass this rule.

Mr. PORTER. Mr. Speaker, the question we must answer in deciding the merit of this legislation is what distinguishes constitutionally protected speech from action.

If you believe that obstructing a clinic entrance to prevent another individual from exercising his or her constitutional rights is speech, then you might oppose this bill. It, however, you believe, as I do, that obstructing a clinic is an action not protected by the free speech clause, then you should support this legislation.

We have no disagreement on the primacy of the first amendment. The right to disagree—and to disagree quite vocally—is precious to our democracy. Abortion is an issue of paramount importance. And, it is an intensely controversial issue that demands a national dialogue.

Free speech is predicated ultimately on the value the American people have historically accorded it. It is critical that we do all we can to protect and promote a fundamental respect

for speech—for the right to disagree, the right to advocate and argue, and the right to protest. As Members of Congress, we are sworn to uphold this right.

If I thought that this legislation infringed on the freedom of speech guaranteed in the Constitution and upheld by our courts over two centuries, I would vigorously oppose its enactment. But this legislation does not inhibit speech, it punishes conduct—the act of obstructing the free exercise of constitutional rights by others.

Obstruction of a clinic is not speech—it is action. It is, importantly, an action that interferes with the rights and privileges of other people. Many times the Supreme Court has examined the question of abortion. In every instance—despite a radically changed make-up of the Court over time—it has concluded that abortion is a fundamental right.

Many in Congress disagree with that conclusion, but none of us is empowered to disregard it. Abortion is a fundamental right, and actions that intentionally interfere with that right ought to be a crime.

I have said that obstruction is not speech. It is civil disobedience. Many great figures in world history have advocated civil disobedience.

But none has contended that he or she should not be subject to arrest. Civil disobedience specifically contemplates arrest as a consequence—a fundamental distinction from other crimes and from constitutionally protected speech. Civil disobedience involves peaceful action, but that does not mean that it is not a crime, and it does not mean that it is strictly speech.

Historically, civil disobedience has rarely been invoked to interfere with the rights of others. Rather, its historical usage has been to protest against that which is viewed as an infringement of one's own rights. This is a fundamental distinction between the actions of Operation Rescue—even when they are peaceful—and those of Thoreau, Ghandi and King.

Mr. Speaker, today we are going to send a message to the American people. If we defeat this legislation, we will send the message that we encourage obstruction, violence, and interference with people's constitutionally guaranteed and reaffirmed rights as a legitimate method of resolving the important questions of the day.

Rather, we ought to pass this legislation which balances the rights of speech with the affirmed right to obtain an abortion. Passage of this legislation will reaffirm the tradition of democratic governance with which this country has led the world. We will affirm the rights of free speech, of debate and protest, and the tradition of resolving conflict through the democratic legislative process.

Mr. Speaker, I urge Members to vote for this conference report.

Mrs. LOWEY. Mr. Speaker, I rise in strong support of the Freedom of Access to Clinic Entrances Act and also to commend those who have worked particularly hard to move this legislation forward. Chairman SCHUMER has shown tremendous leadership in crafting a responsible bill that brings consensus to this issue and provide much needed security to women and physicians. He, along with the

other lead sponsor, CONNIE MORELLA, and Chairman BROOKS, PAT SCHROEDER, LOUISE SLAUGHTER and JOLENE UNSOELD have worked tirelessly to make this vote possible and the considerable margins in support of this bill are largely to their credit.

Mr. Speaker, for far too long we have allowed the rhetoric and actions of extremists to escalate. Some who could not achieve their goals through the political process have turned to violence and intimidation—and in doing so they have prevented women from exercising their constitutional rights.

FACE offers us the opportunity to tell American women that we respect their rights and that we will protect their access to basic health care. I hope we will not let the heated rhetoric divert us from the very real fact that these clinics do more than provide abortion services. They provide family planning services, prenatal care, and even adoption services. When we allow the violence at these clinics to continue, we jeopardize the health and indeed the very lives of women and their families.

I also want to thank everyone involved in this legislation for addressing issues I worked to focus attention on several years ago. In 1992, after hearing of the unrelenting harassment Dr. Susan Wicklund faced in North Dakota, I introduced legislation to ensure that municipalities enforced their own anti-harassment laws to protect women and physicians from harassment away from the clinics. The conference report on face goes that extra step to provide important protection to women and physicians from the harassment that far too often follows them home, or pursues their children to school.

This bill strikes a very careful balance between the cherished right to protest and the rights of women and physicians. American women and physicians have waited far too long for the protection this bill offers. I urge my colleagues to support this critical legislation.

Ms. HARMAN. Mr. Speaker, the right of a woman to exercise control over her own body is a freedom just as important as other fundamental rights guaranteed by the Constitution, like the freedom of speech and practice of religion.

Some disagree with this view, and I respect their right to express their opinions and to peacefully demonstrate against the exercise of rights, including those guaranteed by the Constitution. But the expression of principled objection and discussion of ideas must not intimidate or inflict harm on others who seek to express opposite views or exercise the right to obtain reproductive health services legally available to them.

We cannot allow the entrances of reproductive health clinics to continue to serve as battlegrounds. A physical battle is being waged out there, and we need to do something to stop it. Patients deserve unobstructed access to the services they need. Health clinic workers have a right to work in a safe environment. The Freedom of Access to Clinic Entrances Act, or "FACE," provides them with reasonable remedies to advance these commonsense rights.

And the time for these remedies is now. As we know, last Thursday, the Supreme Court heard arguments in Madsen versus Women's Health Center, the case in which the Court will

decide whether Florida's buffer safety zones around clinics and health care workers' homes violate the first amendment's protections of speech and association. Let us not confuse FACE and the safety zone law in question here. FACE does not include such zones, and the Madsen case does not directly involve blocking clinic entrances or violence against patients or health care providers. Thus, there is no need to wait for the Court's decision in Madsen to enact the different protection-oriented measures of FACE. In fact, when the Supreme Court heard Madsen last week, the Justices themselves noted the contrast between the narrowly tailored civil and criminal penalties in FACE and the broader Florida buffer zone law.

Passage of the Freedom of Access to Clinic Entrances Act would immediately help bring an end to harassment at and damage to health clinics and places of religious worship, which are also included in the conference report. On the clinic front, the list of infractions is long: the murder of Dr. David Gunn, the shooting of Dr. George Tiller, 36 bombings, 84 cases of arson, 60 attempted arsons, 35 clinic invasions, 498 acts of vandalism, 86 assaults, 149 death threats, 29 burglaries, 2 kidnappings, and countless cases of stalking of clinic employees.

Let's act now to curb the growth of this shameful list. I urge my colleagues to vote for the conference report.

Mr. DELAY. Mr. Speaker, this bill is not about abortion. It's not even about equal protection under the law. Unfortunately, it achieves the opposite. S. 636 was crafted and moved through the Senate and the House by those who are of the opinion that people who oppose abortion should not be allowed their right to free speech.

I want to make one thing clear before I address the contents of this bill: Opponents to S. 636 are in no way condoning violence. In fact, the very stance of being pro-life implies a reverence for all life and a commitment to protecting it.

Look at the murder trial over the abortion doctor, Dr. David Gunn: justice has been served. Dr. Gunn's murderer was convicted of first degree murder and sentenced to life in prison on March 5 of this year. Nevertheless, this murder has served as the impetus for a whole new course of action against people who are primarily law abiding nonviolent protesters. Dr. Gunn's murderer was not a profiler. He proved that the minute he pulled the trigger.

While it is my strong belief that people who commit violent acts should be prosecuted to the full extent of the law, this bill simply extends beyond its stated purpose. Think about this: by voting for S. 636, we are saying that our present legal statutes are not sufficient to deliver justice to the American people. This is just not so.

We don't need another bill to protect people seeking abortions. We already have at least six Federal laws to punish these and related acts. What this bill really does is to single out the free speech of a particular group of people exercising their constitutional rights. So why do we need this legislation? We don't, unless, like the writers of this bill, you think the Federal Government should regulate free speech.

The writers of the FACE bill are clearly "two-faced." They seek to legislate free speech in the name of so-called free access.

Under the FACE bill, if two people were engaged in a fist fight outside of a clinic, one opposed to abortion and the other seeking the abortion, only the person opposed to the abortion would be subject to penalties under this bill.

Like the recent Supreme Court ruling on the interpretation of RICO, S. 636 will severely impinge upon first amendment rights of those who oppose abortion. Groups which have historically organized for social protest or civil disobedience will find themselves hampered by the mere threat of a RICO claim and/or civil and criminal penalties under this bill.

In addition, this bill levies penalties of up to \$10,000 for peaceful, nonviolent protesters. This means a grandmother simply praying the rosary outside an abortion clinic could be arrested and fined under the wording of the FACE bill. This is an outrage. Since when did nonviolent civil disobedience count as constitutionally unprotected free speech?

This bill does not reflect the constitutional liberties our country prides itself on. I urge my colleagues, Republicans and Democrats who so adamantly champion free speech rights to oppose this dangerous bill.

Mr. ROGERS. Mr. Speaker, due to a personal tragedy, the death of my closest friend, Dr. Stephen Kelley, I will be unable to cast my vote today against the conference report on S. 636, the so-called Freedom of Access to Clinics Act of 1994, so that I may attend his funeral in Somerset, KY. While I loathe to miss any vote, particularly one as important as this, there are rare and extraordinary occasions when we must put family and friends above all else. This is one of those occasions.

However, I want to reiterate to my colleagues my continued opposition to S. 636. Had I been able to cast my vote today, my vote would have been an unequivocal no.

I am deeply alarmed about the chilling precedent this bill would set. This bill does nothing more than jeopardize the constitutional guarantee of freedom of speech and assembly for a single group, pro-life supporters, in order to appease another group, the pro-abortion lobby. This is a dangerous precedent indeed.

I am certainly not opposed to stopping violence. Violent acts can never be tolerated, and those criminals must be prosecuted to the fullest extent of the law. We already have laws on the books to punish those who engage in violence, and we have seen those individuals prosecuted and punished.

But, that is not what this bill is about. This bill is about an attempt to silence peaceful protests by pro-life supporters by intimidating them into silence.

Mr. Speaker, this bill flies in the face of the very principles on which this Nation was founded. I urge my colleagues to defeat this legislation.

Mr. GEJDENSON. Mr. Speaker, I rise today in support of the conference report on S. 636, the Freedom of Access to Clinic Entrances Act. Violent and obstructive acts against reproductive health care clinics, their patients, and personnel, have escalated appallingly in the past few years. In my home State of Connecticut, an organized campaign of harassment,

physical interference, and terrorism has resulted in a sevenfold increase in acts targeted against reproductive health clinics and the women who visit them.

The use of violence to express political views is unacceptable. In my district, clinics in Norwich, Middletown, Willimantic, and Old Saybrook have experienced bomb threats, blockades, and trespass. The Freedom of Access to Clinic Entrances Act provides relief for clinics and their patients by prohibiting obstruction, force, or threat of force to block access to reproductive health services. At the same time, the bill specifically protects the exercise of free speech such as peaceful picketing and other expressive conduct.

The murder of Dr. David Gunn in Florida and the organized bombing campaign against reproductive health care clinics have naturally received the greatest public attention. But these violent acts are the tip of the iceberg. Clinic personnel and their patients are being physically assaulted on a daily basis across the nation.

In one case of clinic violence, the husband of a Wisconsin abortion clinic director was assaulted while guarding the clinic against attack by anti-choice demonstrators. He discovered a protester in the parking lot behind the clinic taking down the license plate numbers of all clinic staff. The protester threw the clinic director's husband to the ground, shattering his arm and requiring lengthy rehabilitation. Unfortunately, this type of violence against clinic personnel and their families occurs every day.

The Freedom of Access to Clinic Entrances Act provides federal legal protections to reproductive health care facilities, their staff and their patients. I urge my colleagues to support this important legislation.

Mr. ABERCROMBIE. Mr. Speaker, I rise today in strong support of the Freedom of Access to Clinics conference report, S. 636. Passage of this legislation will be a significant victory in the long and hard fight for a women's right to choose. During the past decade we have seen unprecedented acts of violence on health clinics, on providers and on women seeking services. Health clinics around the country have reported acts of terrorism, including bombings, arson, harassment, stalking, and death threats on employees. With the killing of Dr. David Gunn in Pensacola, FL we see that campaign-fueled by its own apocalyptic rhetoric—escalated to murder. This intimidation must be stopped. We must give law enforcement authorities the legal mandate they need to protect access to clinics and ensure that women are not deprived of their right to obtain reproductive services.

S. 636 does not infringe upon the rights of citizens to engage in peaceful protest. As we have repeatedly stated in numerous debates on this issue, protection of the first amendment right of free speech is an important element of the bill. The bill permits a variety of peaceful protests, such as praying or carrying signs. As my colleagues are well aware, I am an outspoken and passionate advocate of free speech. Yet we cannot condone this nationwide campaign of terror and violence as an extension of free speech.

Failure to approve the conference report will be a victory for the antichoice fanatics and will reduce Roe versus Wade to a meaningless

scrap of paper. Clearly it is time for the Federal Government to protect women's freedom of choice. I strongly urge my colleagues to support the conference report and take a real step toward protecting American women.

Mr. BROOKS. Mr. Speaker, I have no further requests for time, and I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. SENSENBRENNER

Mr. SENSENBRENNER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. McNULTY). Is the gentleman opposed to the conference report?

Mr. SENSENBRENNER. In its present form, Mr. Speaker, I am.

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

The Clerk read as follows:

Mr. SENSENBRENNER of Wisconsin moves to recommit the bill S. 636 to the Committee of Conference with instructions to adopt the House language on attorneys fees, that the court may award to the prevailing party, whether plaintiff or defendant, other than the United States, reasonable fees for attorneys and expert witnesses.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage of the conference report.

This is a 15-minute vote on the motion to recommit, which may be followed by a 5-minute vote on passage.

The vote was taken by electronic device and there were—yeas 193, nays 222, not voting 17, as follows:

[Roll No. 158]

YEAS—193

Allard	Greenwood	Oberstar
Applegate	Gunderson	Ortiz
Archer	Hall (OH)	Orton
Army	Hall (TX)	Oxley
Bachus (AL)	Hamilton	Packard
Baker (CA)	Hancock	Parker
Baker (LA)	Hansen	Paxon
Ballenger	Hastert	Penny
Barcia	Hayes	Peterson (MN)
Barrett (NE)	Hefley	Petri
Bartlett	Hobson	Pombo
Barton	Hoekstra	Porter
Bateman	Hoke	Portman
Bentley	Holden	Poshard
Bereuter	Horn	Quillen
Billrakis	Houghton	Quinn
Bliley	Huffington	Rahall
Blute	Hunter	Ravenel
Boehner	Hutchinson	Regula
Bonilla	Hutto	Ridge
Borski	Hyde	Roberts
Browder	Inglis	Rohrabacher
Bunning	Inhofe	Ros-Lehtinen
Burton	Istook	Roth
Buyer	Johnson (CT)	Royce
Callahan	Johnson, Sam	Santorum
Calvert	Kanjorski	Sarpalius
Camp	Kasich	Saxton
Canady	Kildee	Schaefer
Clinger	Kim	Schiff
Coble	King	Sensenbrenner
Collins (GA)	Kingston	Shaw
Combest	Klink	Shuster
Costello	Knollenberg	Skeen
Cox	Kyl	Skelton
Crane	LaFalce	Smith (MI)
Crapo	Lazio	Smith (NJ)
Cunningham	Levy	Smith (OR)
de la Garza	Lewis (CA)	Smith (TX)
Deal	Lewis (FL)	Solomon
DeLay	Lightfoot	Spence
Diaz-Balart	Linder	Stearns
Dickey	Lipinski	Stenholm
Dornan	Livingston	Stump
Dreier	Manton	Stupak
Duncan	Manzullo	Sundquist
Dunn	Mazzoli	Talent
Ehlers	McCandless	Tauzin
Emerson	McCrery	Taylor (MS)
Everett	McDade	Taylor (NC)
Ewing	McHugh	Tejeda
Fawell	McKeon	Thomas (CA)
Fields (TX)	McMillan	Thomas (WY)
Fowler	McNulty	Torkildsen
Galleghy	Meyers	Upton
Gekas	Mica	Volkmer
Geren	Michel	Vucanovich
Gilchrest	Miller (FL)	Walker
Gillmor	Minge	Walsh
Gingrich	Mollohan	Weldon
Goodlatte	Moorhead	Wolf
Goodling	Murphy	Young (AK)
Goss	Murtha	Young (FL)
Grams	Myers	
Grandy	Nussle	

NAYS—222

Abercrombie	Barca	Bishop
Ackerman	Barlow	Boehert
Andrews (ME)	Barrett (WI)	Bonior
Andrews (NJ)	Becerra	Boucher
Andrews (TX)	Beilenson	Brewster
Bacchus (FL)	Berman	Brooks
Baesler	Bilbray	Brown (CA)

Brown (FL)	Hoagland	Pickle
Brown (OH)	Hochbrueckner	Pomeroy
Bryant	Hoyer	Pryce (OH)
Byrne	Hughes	Ramstad
Cantwell	Inslee	Rangel
Cardin	Jacobs	Reed
Carr	Jefferson	Reynolds
Castle	Johnson (GA)	Roemer
Chapman	Johnson (SD)	Rose
Clay	Johnson, E. B.	Rostenkowski
Clayton	Johnston	Roukema
Clyburn	Kaptur	Rowland
Coleman	Kennedy	Royal-Allard
Collins (IL)	Kennelly	Rush
Collins (MI)	Klecicka	Sabo
Condit	Klein	Sanders
Conyers	Klug	Sangmeister
Cooper	Kolbe	Sawyer
Coppersmith	Kopetski	Schenk
Coyne	Kreidler	Schroeder
Cramer	Lambert	Schumer
Danner	Lancaster	Scott
Darden	Lantos	Sharp
DeFazio	LaRocco	Shays
DeLauro	Leach	Shepherd
Dellums	Lehman	Sisisky
Derrick	Levin	Skaggs
Deutsch	Lewis (GA)	Slattery
Dicks	Lloyd	Slaughter
Dingell	Lowey	Smith (IA)
Dixon	Machtley	Snowe
Dooley	Maloney	Spratt
Durbin	Mann	Stokes
Edwards (CA)	Margolies-	Strickland
Edwards (TX)	Mezvinsky	Studds
Engel	Markey	Swift
English	Martinez	Synar
Eshoo	Matsui	Tanner
Evans	McCluskey	Thompson
Farr	McCurdy	Thornton
Fazio	McDermott	Thurman
Fields (LA)	McHale	Torres
Flner	McInnis	Torricelli
Fingerhut	McKinney	Towns
Flake	Meehan	Tucker
Ford (MI)	Meek	Unsold
Ford (TN)	Menendez	Valentine
Frank (MA)	Mfume	Velázquez
Franks (CT)	Miller (CA)	Vento
Franks (NJ)	Mineta	Visclosky
Frost	Mink	Washington
Furse	Moakley	Waters
Gallo	Molinari	Watt
Gejdenson	Montgomery	Waxman
Gephardt	Moran	Wheat
Gibbons	Morella	Whitten
Gilman	Nadler	Williams
Glickman	Neal (MA)	Wilson
Gonzalez	Obey	Wise
Gordon	Oliver	Woolsey
Green	Owens	Wyden
Gutierrez	Pallone	Wynn
Hamburg	Pastor	Yates
Harman	Payne (NJ)	Zeliff
Hastings	Payne (VA)	Zimmer
Hefner	Pelosi	
Hilliard	Peterson (FL)	
Hinchey	Pickett	

NOT VOTING—17

Bevill	Heger	Richardson
Blackwell	Laughlin	Rogers
Clement	Long	Serrano
Doollittle	McCollum	Stark
Fish	Neal (NC)	Swett
Foglietta	Price (NC)	

□ 1944

The Clerk announced the following pairs:

On this vote:

Mr. Doolittle for, with Mr. Long against.
Mr. McCollum for, with Mr. Stark against.
Mr. Rogers for, with Mr. Swett against.

Messrs. KLEIN, VENTO, and MILLER of California changed their vote from "yea" to "nay."

Messrs. TAUZIN, PACKARD, YOUNG of Alaska, SAM JOHNSON of Texas, GOODLING, GREENWOOD, and MCCREERY, changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. McNULTY). The question is on the conference report.

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

RECORDED VOTE

Mr. SENSENBRENNER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to the Chair's prior announcement, this is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 174, not voting 17, as follows:

[Roll No. 159]

AYES—241

Abercrombie	DeLauro	Hastings
Ackerman	Dellums	Hefner
Andrews (ME)	Derrick	Hilliard
Andrews (NJ)	Deutsch	Hinchey
Andrews (TX)	Dicks	Hoagland
Bacchus (FL)	Dingell	Hochbrueckner
Baessler	Dixon	Horn
Barca	Dooley	Houghton
Barrett (WI)	Dunn	Hoyer
Becerra	Durbin	Huffington
Beilenson	Edwards (CA)	Hughes
Bereuter	Edwards (TX)	Inslee
Berman	Engel	Jacobs
Bilbray	English	Jefferson
Bishop	Eshoo	Johnson (CT)
Boehlert	Evans	Johnson (GA)
Bonior	Farr	Johnson (SD)
Boucher	Fawell	Johnson, E. B.
Brewster	Fazio	Johnston
Brooks	Fields (LA)	Kennedy
Brown (CA)	Filner	Kennelly
Brown (FL)	Fingerhut	Kleczka
Brown (OH)	Flake	Klein
Bryant	Ford (MI)	Klug
Byrne	Ford (TN)	Kolbe
Cantwell	Fowler	Kopetski
Cardin	Frank (MA)	Kreidler
Carr	Franks (CT)	Lambert
Castle	Franks (NJ)	Lancaster
Chapman	Frost	Lantos
Clay	Furse	LaRocco
Clayton	Gallo	Lazio
Clyburn	Gejdenson	Leach
Coleman	Gephardt	Lehman
Collins (IL)	Geren	Levin
Collins (MI)	Gibbons	Lewis (GA)
Condit	Gilman	Lloyd
Conyers	Glickman	Lowe
Cooper	Gonzalez	Machtley
Coppersmith	Gordon	Maloney
Coyne	Green	Mann
Cramer	Greenwood	Margolies-
Cunningham	Gutierrez	Mezvinsky
Danner	Hamburg	Markey
Darden	Hamilton	Martinez
DeFazio	Harman	Matsui

McCandless	Pickle
McCloskey	Pomeroy
McCurdy	Porter
McDermott	Pryce (OH)
McHale	Ramstad
McHugh	Rangel
McInnis	Reed
McKinney	Reynolds
McMillan	Ridge
Meehan	Roemer
Meek	Rose
Menendez	Rostenkowski
Meyers	Roukema
Mfume	Rowland
Miller (CA)	Roybal-Allard
Mineta	Rush
Minge	Sabo
Mink	Sanders
Moakley	Sangmeister
Molinari	Sawyer
Moran	Schenk
Morella	Schiff
Nadler	Schroeder
Neal (MA)	Schumer
Obey	Scott
Olver	Sharp
Orton	Shays
Owens	Shepherd
Pallone	Sisisky
Pastor	Skaggs
Payne (NJ)	Slattery
Payne (VA)	Slaughter
Pelosi	Smith (IA)
Peterson (FL)	Snowe
Pickett	Spratt

Stokes	Strickland
Studds	Swift
Synar	Tanner
Thomas (CA)	Thompson
Thornton	Thurman
Torres	Torkildsen
Torricelli	Towns
Traffant	Unsoeld
Valentine	Velazquez
Vento	Visclosky
Washington	Waters
Watt	Waxman
Wheat	Williams
Wilson	Wise
Woolsey	Wyden
Wynn	Yates
Zeliff	Zimmer

NOT VOTING—17

Bevill	Herger	Richardson
Blackwell	Laughlin	Rogers
Clement	Long	Serrano
Doolittle	McCollum	Stark
Fish	Neal (NC)	Swett
Foglietta	Price (NC)	

□ 1953

The Clerk announced the following pairs:

On this vote:

Mr. Long for, with Mr. Doolittle against.
Mr. Stark for, with Mr. McCollum against.
Mr. Swett for, with Mr. Rogers against.

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

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

There was no objection.

PERSONAL EXPLANATION

Mr. SWETT. Mr. Speaker, I was unable to be present for the vote on the Conference Report to accompany the bill S. 636, Access to Clinic Entrances Act. If I had been present, I would have voted "yes."

CONFERENCE REPORT ON H. CON. RES. 218, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 1995

Mr. BEILENSON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 418 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 418

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the concurrent resolution (H. Con. Res. 218) setting forth the congressional budget for the United States Government for the fiscal years 1995, 1996, 1997, 1998, and 1999. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The conference report shall be debatable for one hour equally divided and controlled by chairman and ranking minority member of the Committee on the Budget.

SEC. 2. Rule XLIX shall not apply with respect to the adoption by the Congress of the conference report to accompany the concurrent resolution (H. Con. Res. 218) setting forth the congressional budget for the United States Government for the fiscal years 1995, 1996, 1997, 1998, and 1999.

The SPEAKER pro tempore. The gentleman from California [Mr. BEILENSON] is recognized for 1 hour.

NOES—174

Allard	Grams	Ortiz
Applegate	Grandy	Oxley
Archer	Gunderson	Packard
Armey	Hall (OH)	Parker
Bacchus (AL)	Hall (TX)	Paxon
Baker (CA)	Hancock	Penny
Baker (LA)	Hansen	Peterson (MN)
Ballenger	Hastert	Petri
Barcia	Hayes	Pombo
Barlow	Hefley	Portman
Barrett (NE)	Hobson	Poshard
Bartlett	Hoekstra	Quillen
Barton	Hoke	Quinn
Bateman	Holden	Rahall
Bentley	Hunter	Ravenel
Bilirakis	Hutchinson	Regula
Billey	Hutto	Roberts
Blute	Hyde	Rohrabacher
Boehner	Inglis	Ros-Lehtinen
Bonilla	Inhofe	Roth
Borski	Istook	Royce
Browder	Johnson, Sam	Santorum
Bunning	Kanjorski	Sarpallus
Burton	Kaptur	Saxton
Buyer	Kasich	Schaefer
Callahan	Kildee	Sensenbrenner
Calvert	Kim	Shaw
Camp	King	Shuster
Canady	Kingston	Skeen
Clinger	Klink	Skelton
Coble	Knollenberg	Smith (MI)
Collins (GA)	Kyl	Smith (NJ)
Combest	LaFalce	Smith (OR)
Costello	Levy	Smith (TX)
Cox	Lewis (CA)	Solomon
Crane	Lewis (FL)	Spence
Crapo	Lightfoot	Stearns
de la Garza	Linder	Stenholm
Deal	Lipinski	Stump
DeLay	Livingston	Stupak
Diaz-Balart	Manton	Sundquist
Dickey	Manzullo	Talent
Dornan	Mazzoli	Tauzin
Dreier	McCrery	Taylor (MS)
Duncan	McDade	Taylor (NC)
Ehlers	McKeon	Tejeda
Emerson	McNulty	Thomas (WY)
Everett	Mica	Tucker
Ewing	Michel	Upton
Fields (TX)	Miller (FL)	Volkmer
Galleghy	Mollohan	Vucanovich
Gekas	Montgomery	Walker
Gilchrest	Moorhead	Walsh
Gillmor	Murphy	Weldon
Gingrich	Murtha	Whitten
Goodlatte	Myers	Wolf
Goodling	Nussle	Young (AK)
Goss	Oberstar	Young (FL)

Mr. BEILENSEN. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. DREIER], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. BEILENSEN. Mr. Speaker, House Resolution 418 is the rule providing for the consideration of the conference report accompanying H. Con. Res. 218, the resolution setting forth the budget for the United States Government for fiscal years 1995 through 1999.

The rule provides 1 hour of debate on the conference report to be equally divided and controlled by the chairman and the ranking minority member of the Budget Committee. All points of order against the conference report and against its consideration are waived.

Mr. Speaker, at this point I do wish to advise the Members that the conference report was filed only yesterday and that it does, therefore, violate the 3-day layover requirement. The committee generally does not like waiving the 3-day layover rule. Members usually do need time to read the conference report to become fully informed about it. In this case, however, the Committee on Rules felt that there were simple and persuasive reasons to waive that particular requirement. First is that the broad outline of the conference committee agreement has been known, with the exception of some details about Senate budget rules, since Monday, and the change provided from the report originally passed in the House are relatively minor. But more important, if we do not take up the conference report today, we will not be able to take it up again until next Thursday. The Committee on Appropriations has been waiting on the budget appropriation to make their allocation and be able, therefore, to begin moving on their bills and another week's delay would push the appropriations bill past the Memorial Day recess.

Therefore, we felt that there was substantial and good reason to waive that particular layover rule for that particular reason.

The rule before the Members also provides that rule XLIX will not apply upon adoption of the conference report. House rule XLIX provides for the automatic adoption by the House of a joint resolution changing the statutory limit on the public debt to conform to amounts in the budget resolution.

It is not necessary to apply rule XLIX this year since the current statutory limit on the public debt, which was enacted as part of last year's deficit reduction package, is expected to suffice until spring or summer of 1995.

Mr. Speaker, I wish to commend the chairman of the Budget Committee, the gentleman from Minnesota [Mr. SABO], for his efforts in working with

the Senate to come to an agreement on a budget resolution that includes \$13 billion in cuts in discretionary spending over the next 5 years below the caps that we set last year.

□ 2000

In all, implementation of the conference report will bring the 1995 deficit down to approximately \$175 billion, the lowest level in 5 years, more than \$100 billion lower than projections made just last spring for fiscal year 1995. As a result, we will have reduced the deficit by \$115 billion in just 3 years, since 1992.

The conference agreement represents, as did last year's, real substantive spending cuts. As Members will recall, the legislation we passed last year was the largest deficit reduction package in U.S. history, cutting the deficit by \$47 billion in fiscal year 1994, and by \$496 billion over a 5-year period.

The spending levels in this year's Budget Resolution are below the budget caps set by that agreement, and the conference agreement includes a cut of \$500 million below the caps in 1995.

In addition, relative to the size of the economy, discretionary spending for 1995 is at its lowest level since 1948, and total Federal spending is at its lowest level in 15 years.

Mr. Speaker, despite the substantial deficit reduction called for by this agreement, the conference report contains \$263.8 billion in budget authority for defense spending in fiscal year 1995. For nondefense spending, it generally reflects many of the President's spending priorities including modest increases for such programs as education, training, social services, community regional development, and law enforcement programs.

I would remind Members that this Budget Resolution is only the blueprint for Federal spending. Decisions on actual program cuts and spending remain to be made, and we shall have difficult choices to make as we work through the appropriations process over the next few months. Still, this agreement represents our continued serious effort to bring Federal spending under control with a decent amount of success, if I may say so.

I urge my colleagues to approve this today.

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

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

Mr. Speaker, let us look at this interesting day. Mr. Speaker, we have dealt with gun control, abortion and now, at 8 o'clock, Thursday evening, we have decided that we are going to bring up the Budget Conference Report, a report which few people have been able to read.

Having said that, I rise in strong opposition to this rule. There is abso-

lutely no reason to waive all of the rules of the House in order to race this conference report to the floor; in particular, the rule that requires a 3-day layover before a conference report is considered should not be waived.

It is very disappointing that the distinguished ranking member—Republican member—on the Committee on the Budget who has been applauded for his serious and thoughtful work on these issues was forced to hastily write a letter to the chairman of the Committee on Rules yesterday stating that the committee was proceeding with consideration of a conference report that the minority had not even had the chance to review.

It is ridiculous that staff on both the Committee on the Budget and the Committee on Rules had less than 3 hours to review the report before it was considered in our Committee on Rules.

If this rule is passed and the conference report is brought up by this evening, Members will also have just a few hours, let alone 3 days, as the rules mandate, to review this lengthy report before being asked to cast their vote.

To avoid placing the House in that embarrassing predicament, I very heartily concur with the statement made in the letter by the gentleman from Ohio [Mr. KASICH] when he said:

On a measure as important and sweeping as the Budget Resolution, it is eminently reasonable that Members have 3 days to review the document before they cast their votes.

One of the major points of contention in the conference committee was the treatment of a \$26 billion cut in discretionary spending passed by the other body. I strongly supported that reasonable and prudent effort and would have liked to have seen the conference committee include all \$26 billion. Unfortunately, the President and the Democrat leadership in this House opposed any spending cuts.

The conference is reported to have split the difference resulting in a \$13 billion cut. And now, upon further review, it appears that the spending reduction is not really \$13 billion, and it is not one-half of the Senate cut.

Instead, the only real cut is a \$500 million reduction in budget allocations and outlays in fiscal year 1995. This is only one-third of the Senate's original \$1.6 billion reduction in outlays in fiscal year 1995 and one-tenth of their \$5.3 billion reduction in budget allocations.

The outyear reductions can easily be overridden, as we all know, as often happens around here, by future budget resolutions. Even the meager fiscal year 1995 cut is largely ceremonial, because fiscal year 1995 entitlement spending has been increased by the same \$500 million, resulting in no outlay reduction at all.

Quite simply, this is not the spending reduction being advertised here.

The original Senate cut was a comparative drop in the bucket of discre-

tionary spending and budgetary red ink. This conference report offers barely a fraction of that drop. We must do better, Mr. Speaker.

Another very important point of contention during the conference report involved Budget Act rules in the other body, specifically as they would apply to the legislation implementing the General Agreement on Tariffs and Trade, Uruguay Round Agreement. This conference report requires legislation to be budget-neutral for 1 year, 5 years, and 10 years.

For legislation that adds to the deficit, I strongly agree with that provision. However, there should be a waiver for the GATT implementing bill, because it will raise revenue and reduce the deficit.

The overwhelming economic evidence on this question shows a positive budget impact for GATT in the first year and every year thereafter. The only point of serious contention among economists is how positive an impact, and at this point, Mr. Speaker, I am inserting at this point in the RECORD a study that addresses this question very well, conducted by the Institute for International Economics.

IMPACT OF THE URUGUAY ROUND ON UNITED STATES FISCAL REVENUE

(By William R. Cline, Institute for International Economics)

The Uruguay Round marks a watershed accomplishment in opening the world trading regime. Without the agreement, world trading partners could have entered a new period of protection and exclusive regional blocs. The agreement incorporated key sectors omitted in the previous seven post-war rounds of negotiation: agriculture, textiles and apparel, services, intellectual property, and investment. The stakes are large for the US and world economies.

Congressional passage of the Uruguay Round agreement faces a technical hurdle that stems from the US fiscal problem. Under the budget discipline imposed by the Omnibus Budget Reconciliation Act of 1993 (OBRA-93) and the Balanced Budget and Emergency Deficit Control Act of 1985, Congress faces the task of offsetting any prospective revenue losses resulting from policy changes by taking compensatory tax or spending measures. Because of Uruguay Round cuts in US imports, the question arises as to whether a side effect of the round is to reduce US tax revenue. If so, Congress would be faced with the need to make adjustments elsewhere in the budget.

This paper examines the likely impact of Uruguay Round liberalization on United States fiscal revenue. The principal question is whether induced economic effects of liberalization provide revenue gains that partially, completely, or more than completely offset the direct tariff revenue losses. Such offsets could provide the basis for a waiver of the budgetary "scoring" process and its assessed need to raise revenue elsewhere (or cut spending) to compensate for tariff reductions.

A SIMPLE MODEL OF TRADE LIBERALIZATION REVENUE EFFECTS

At the first level of analysis, what may be called the "primary direct" tariff revenue loss may be estimated by multiplying the

change in the average tariff by the import value base. United States imports are approximately \$580 billion. The average tariff on both dutiable and duty-free imports stands at about 3 percent. The Uruguay Round achieved an average tariff cut of about one-third. Thus, fully phased in the Round represents a direct tariff revenue loss of \$5.8 billion annually. As the phase-in period is 10 years, the implied direct loss would be about one-third this large by the third year, or about \$2 billion. For a five year period, centered around this average, the total loss would be on the order of \$10 billion. After allowing for inflation and import base growth, this order of magnitude is similar to that identified by the Office of Management and Budget: \$13.9 billion revenue loss over five years (Wall Street Journal, 3 March 1994).

However, there are three additional effects. They are: tariff revenue on the increased volume of imports (a direct effect; general tax revenue associated with static efficiency gains (indirect); and general tax revenue associated with dynamic growth effects (indirect).

Direct Revenue Effects—Figure 1 illustrates the first effect. The figure shows the demand curve for imports of a particular product. The price (vertical axis) equals the world price plus the tariff. Before liberalization, the tariff is t_0 . After liberalization, it is t_1 . At a lower price, consumers purchase a larger volume of imports. The import volume (and dollar value, given the usual assumption of a horizontal world supply curve rises from M_0 to M_1).

The original amount of tariff revenue is represented by the areas of rectangles B+E. The height of this combined rectangle is the original tariff times the world price. We may set the world price arbitrarily at unity (by choosing the right units for the volume), so this rectangle height is t_0 . The initial import value (FOB) is M_0 . Tariff collection is thus $t_0 M_0$, or areas B+E.

After liberalization, tariff collection amounts to the new tariff rate times the new import volume, or $t_1 M_1$. In the diagram, this amount equals the area of the two rectangles E+D. Thus, the net change in tariff revenue is $[B+E] - [E+D] = -B+D$. In contrast, the "primary" calculation just illustrated captures only the loss of rectangle "B", and fails to measure the revenue gain of rectangle "D." For some sectors where tariffs will remain relatively high even after liberalization, as in the cases of textiles and apparel, this "revenue on additional imports" can be substantial.

If we designate the revenue impact just described as the "full direct" (as opposed to "primary direct") effect, then we have the following estimate. Let α be the proportionate cut in the tariff. (On average, α is approximately 0.33 for the Uruguay Round.) In terms of figure 1, we have: $t_1 = t_0(1-\alpha)$; and $t_0 t_1 = \alpha t_0$. The height of rectangle "B" is thus αt_0 , and its base is the original import level, M_0 . Similarly, the rectangle "D" has height $(1-\alpha)t_0$ and base $M_1 - M_0$. Defining $\Delta M = M_1 - M_0$.

In turn, ΔM can be estimated using the "price elasticity of import demand," η . This parameter, which is negative, tells the percent change in the import volume for one percent change in the import price to the consumer. The initial price to the consumer is $1+t_0$. The change in price is $-\alpha t_0$. Thus, the proportionate price change is: $-\alpha t_0/(1+t_0)$. Applying this proportionate change to the price elasticity (η), the change in the level of imports caused by liberalization.

Note that because the elasticity (η) is negative, the right hand side of equation 2 is positive, meaning that imports rise.

In equation 3, if there were no "import expansion" effect, the revenue loss would simply be the original tariff collection base ($M_0 t_0$) times the proportionate tariff cut, the first term in the bracketed expression ($-\alpha$). However, there is a positive contribution to revenue from the remaining tariff applied to the increase in imports, captured by the second term within the brackets.

An important feature of the "import expansion" term is that its contribution to revenue rises approximately with the square of the original tariff. Consider that in equation 3), the effect of multiplying the tariff t_0 outside the bracket by the second term within the brackets is to create a term t_0^2 . This effect is analogous to the well-known feature of "static welfare gains" of liberalization (discussed below): they rise approximately with the square of the tariff.

An important implication of this consideration is that it is necessary to disaggregate sectors to distinguish between those with low, intermediate, and high tariffs. The "import expansion tariff revenue" contribution will tend to be relatively high for the high-tariff cases, by a degree that exceeds the extent to which this contribution is low for the low tariff cases. As a result, taking the simple average of tariffs and applying it to the entire import base will understate the import expansion tariff revenue effect. The analysis that follows thus separates United States imports into categories with differing tariffs. The calculation in equation 3) is then applied to each sector, individually designated by an identifier "i". In addition, to distinguish the (full) "direct" revenue effects from the two other effects discussed above, it is useful to add the superscript "d".

To this point, the analysis has concerned only the direct effects of the tariff cut. The usual budget "scoring" process tends to permit inclusion of only direct effects, although in the case of trade liberalization the indirect effects discussed below are extremely important. Even within the confines of the direct effects, however, it is important to calculate the "full" direct effects shown in equation 3), rather than just the "primary" revenue impact that would be estimated by suppressing everything in the bracketed term except the initial $-\alpha$.

Static Welfare Gain Revenue Effect—The underlying reason for trade liberalization is to achieve the economic welfare gains that are associated from a more efficient allocation of resources, whereby each country specializes more in the products in which it has a comparative advantage. Yet the direct revenue calculation, even "full" rather than "primary," completely misses the likely revenue gains that should result from these static welfare benefits.

The static welfare gains are most easily conceptualized in the case of a product that is imported and not produced domestically. Returning to figure 1, when the price including tariff falls from $P_w(1+t_0)$ to $P_w(1+t_1)$ and import volume rises from M_0 to M_1 , consumers enjoy a gain in their so-called "consumer surplus." This concept represents how much more consumers would have been willing to pay than they actually had to pay for a given amount purchased. In the diagram of demand and supply, consumer surplus is the area under the demand curve about the price line.

Before liberalization, consumer surplus equals area "A". After liberalization, it expands to A+B+C. Of the extra consumer surplus "B+C", the amount "B" is simply a transfer to consumers away from government tariff revenue. This revenue is partly offset by revenue gains on new imports, rec-

tangle D. The traditional measure of the net static welfare gain is thus the sum of the areas C+D.

Triangle C has altitude αt_0 and base ΔM . The area of rectangle D has been estimated above, as the second right-hand-side term in the second line of equation 3). The static welfare gain is thus:

The government can expect to collect its tax revenue share in the static welfare benefits of liberalization. Thus, consider what happens to the household that experiences a gain in consumer welfare. It will have resources freed up to reallocate to spending on other consumption items, raising the consumption component of real gross domestic product and thus the level of output. On the producer side, liberalization will mean the shifting of resources out of import-competing goods, where they are inefficiently used, into export goods, where there is higher output per worker and per unit of capital. The same supply of factors will provide a higher level of production. As output rises, the government will claim its normal share in the increase.

If the static welfare gain from liberalization is W , then the induced increment in federal government revenue ΔR^* —where τ is the economy-wide federal tax rate. A conservative formulation of the estimate would set τ at the long-term average tax rate, or approximately 19 percent (the ratio of federal revenue to GDP; calculated from CEA, 1994, p. 362). A less conservative estimate could with some justification use the marginal tax rate, which would be higher at perhaps some 30 percent.

Dynamic Efficiency and Growth Effects—The largest gain from trade liberalization are probably not the traditional static welfare gains just set forth, but the favorable effects on dynamic efficiency. Open trade stimulates competition. As a result, it can encourage technological change, as firms seek to respond to competitive pressures from abroad. If there is an increase in the rate of technological change, then there will be an increase in the growth rate rather than just a one-time increase in efficiency to a higher plateau.

In addition to the technological change argument, there is the more recent "endogenous growth" approach related to external economies of scale. In this literature (Romer, 1986), the economy-wide returns to scale mean that any positive shock to output raises overall efficiency of production. The increase in output associated with the first-round increased static allocative efficiency from trade liberalization thus generates a second-round "medium-term growth bonus" (Baldwin, 1989) that further raises the overall level of GDP.

Francois, McDonald and Nordstrom (1993) have surveyed the literature on dynamic growth effects of trade liberalization. They note that although at the theoretical level trade liberalization can either increase or reduce growth "because of trade-induced changes in the pattern of global specialization," the empirical literature shows overwhelming evidence on the side of a positive growth impact. Numerous studies, some for developing countries, others including both developing and industrial countries, find a positive relationship between openness and growth.

The unfortunate fact remains that nothing in the literature provides a concrete basis for estimating the growth impact of liberalization. Instead, the typical practice is to "guess" that the dynamic growth effects might be of a hypothesized amount. Subject

to this caveat, we may estimate the fiscal revenue effects of the "dynamic growth" impact of liberalization as follows, for year "k" subsequent to liberalization.

Where τ is the economy-wide federal tax rate, as before; Y_0 is the base year GDP; and Δg is the increment in the economy-wide growth rate attributable to the dynamic gains from trade liberalization.

Total Revenue Effects Over Time—To combine the "full direct" and "static efficiency" revenue effects (equations 3 and 5) with the dynamic growth effects (equation 6), it is necessary to specify a time path. The first two measures are "comparative static" concepts that consider the change once liberalization is complete. In practice, however, liberalization will be phased in over a period of time, which we may designate as "m" years. Over this period the real import base to which the effects apply proportionately will be growing, at a "baseline growth rate" of " g_M " (under "business as usual" or non-liberalization assumptions). We may designate the scale expansion factor by year "k" as $\lambda_M^k = (1+g_M)^k$.

The consolidated revenue effects of import liberalization in year "k" will be the first term on the right-hand side (9) indicates that by year k, the fraction k/m of total static effects will have been phased in. The summation of the "direct" effects refers to adding up the individual sectoral effects (i) over all "n" sectors.

DATA BASE AND PARAMETER VALUES

Table 1 reports the base level of United States imports and tariffs by Harmonized Tariff Code chapter, and indicates the depth of cut for the United States in the Uruguay Round in each category. Table 2 sets forth the other parameters used to implement the model developed here.

Table 1, from the United States Trade Representative's data base, covers a total of \$336 billion in United States imports in 1990, or 67 percent of total imports in that year. Most of the remainder of the import total was in duty-free goods. The result of multiplying each import category by its official tariff rate yields an expected tariff revenue of \$16.6 billion. As shown in the table, the result of applying the depth of cut to the original tariff and multiplying by the import base ($M_0 t_0 \alpha$, in the notation above) is a tariff revenue loss of \$5.42 billion annually, yielding an average depth-of-cut of 32.6 percent. This revenue loss is the "primary" direct loss once the Round's liberalization is fully phased in, on a 1990 real import base (thus excluding both inflation and growth in the base). Nearly half of the revenue loss is in just two sectors: chapters 84 and 85, which include heavy electrical equipment and the electronics industry.

On the basis of this data set, the average existing tariff on dutiable imports, weighting by import value, is 4.9 percent. With an average tariff of just under 5 percent and an average cut of approximately one-third, tariff liberalization stands to reduce import prices on dutiable goods by about 1½ percent. Although important, this figure is modest, and suggests that the key trade results of the Uruguay Round have more to do with new liberalization of areas previously restricted by non-tariff barriers, including agriculture, textiles, services, intellectual property, and investment practices, rather than with the traditional tariff-cutting exercises that were so important in the seven earlier postwar GATT rounds.

The limited contribution of tariff liberalization per se to the total effects of the Uruguay Round is important in arriving at a

judgment on the size of the welfare gains to be expected. As shown, in table 2, the calculations here use five alternative measures of the static welfare gains from the Round. The first is calculated directly from equation 4) above, using a "typical" import price elasticity of -2 . It turns out that this measure of "W" (equation 4) is surprisingly small: only \$450 million annually.

The small static welfare gain from tariff cuts alone according to the traditional "welfare triangles" derives from the low initial level of the tariff. Consider equation 4). If we divide both sides by the import base (M_0), completely eliminate the tariff ($\alpha=1$), and set the import elasticity at -2 , then it turns out that the welfare gain as a fraction of the import base is: $W/M_0 = t_0^2 / (1+t_0)$. But t_0 is only 5 percent, so $t_0^2 = .0025$. On this basis, even the complete elimination of tariffs generates only one-quarter of one percent of the import value base in static welfare gains. Even that amount would be only \$840 million annually; and the tariff cut of one-third means that this traditional calculation yields an even smaller figure.

This first estimate of the static welfare gain, then, should be seen as a "lower bound" estimate. One of the reasons it is low is that the potential for larger gains from the consideration that tariff structure is disparate is apparently not realized by the Round: the depth of tariff cut for the highest tariffs tends to be low rather than average or high. Thus, for apparel, where the tariff is in the range of 18 to 24 percent, the depth of cut is only 9 percent (chapters 61 and 62; table 1).

The static welfare effects of the Uruguay Round are likely to be much larger than the direct estimate based on equation 4). One reason is that there can be important gains on the export side, not captured by this equation. Thus, United States agricultural exporters may obtain important gains from greater market opportunities, as European subsidized farm exports are curbed. Another, and related, reason is that there can be favorable terms-of-trade effects from liberalization, as increased foreign demand for exports raises the price of exports relative to imports. Still another reason is that the removal of non-tariff barriers generates welfare gains not captured by estimates based on the existing tariffs. The phase-out of the textile and apparel quotas under the Multi-Fiber Arrangement is an important instance.

Several alternative estimates of the static welfare gains have been prepared by official and academic groups. These estimates typically attempt to include non-tariff barriers, and often have a large emphasis on agriculture. Hufbauer and Elliott (1994) calculate that existing protection costs U.S. consumers \$70 billion annually, and that net static welfare costs are \$11 billion annually. They suggest that the Uruguay Round could eliminate one-half to two-thirds of this cost. On this basis, table 2 thus shows \$7 billion as a second alternative estimate of static welfare gain.

Researchers at the OECD (Goldin, Knudsen, and van der Mensbrugge, 1992, p. 95) have estimated static welfare gains from the Uruguay Round at 0.2 percent of GDP for the United States, or \$12 billion. Their model primarily captures gains in agriculture, and welfare gains for U.S. agricultural exports are not included in the Hufbauer-Elliott estimates (which examines U.S. import protection only).

A general equilibrium model of world trade prepared by Nguyen, Perroni and Wigle (1993) estimates that static welfare gains from the Uruguay Round would amount to \$36 billion

annually for the United States. However, the contribution from textile liberalization in this estimate appears high (\$21.6 billion, whereas Hufbauer and Elliott place gains from complete liberalization of textiles and apparel at only \$8.6 billion annually; p. 15). Importantly, the Nguyen-Perroni-Wigle estimate places U.S. welfare gains in agriculture at \$9.3 billion annually, and in services, at \$2 billion (a figure the authors consider understated).

The highest estimate of static welfare gains for the United States is that by the U.S. Trade Representatives's office, at \$130 billion annually (Walters, 1990). That estimate is based on a global general equilibrium model (Stoeckel, Pearce, and Banks, 1990) that implies extremely high global welfare gains—approximately 20 percent of the import base (see Cline, 1994). The USTR estimate amounts to more than 2 percent of U.S. GDP for static welfare gains along. The Council of Economic Advisers (1994, p. 234) more cautiously suggests that static welfare gains could be 1 percent of U.S. GDP (about \$60 billion).

Table 2 specifies five alternative estimates of static welfare gains. The first is the "lower bound" estimate calculated directly from equation 4. The second is the \$7 billion figure derived from the study by Hufbauer and Elliott. The third estimate is that may be considered a "conservative central" estimate of \$15 billion annually. This is close to the OECD-based estimate. The fourth estimate is the Nguyen-Perroni-Wigle calculation. Finally, the fifth estimate is that by the USTR.

Table 2 next shows alternative assumptions for the acceleration of the growth rate attributable to the dynamic effects of import liberalization. At one extreme, a variant is included in which these effects are set at zero. At the opposite extreme, the USTR estimate of 0.2 percentage point annual growth acceleration (Walters, 1990) is listed as the fourth variant. Francois, McDonald and Nordstrom (1993) venture a purely illustrative figure of 0.1 percentage point per year, included here as the third variant.

Table 2 includes as the second, and "conservative central" estimate for growth acceleration, an increment of 0.05 percentage point per year (one-twentieth of one percentage point). Over a decade this impact would raise GDP by one-half percentage point from its baseline, or by about \$30 billion against the initial GDP base of some \$6 trillion. This estimate would thus place the dynamic gains at twice the static gains estimated under the same "conservative central" approach. The combined gains of \$45 billion annually would amount to three-fourths of one percent of GDP. In contrast, the Council of Economic Advisers (1990, p. 234) suggests that the combined static and dynamic welfare effects by the end of the period could be at least \$100 billion (but not more than \$200 billion) annually. The lower end of this range is not radically above the \$45 billion estimate if allowance is made for change in economic scale.

Finally, table 2 shows that the assumed growth rate of the import base is 4 percent real per year, a relatively modest rate. It also shows the two alternative assumptions about the tax rate (19 percent average, 30 percent marginal).

SIMULATION RESULTS

The combinations of the alternative parameter assumptions yield 40 possible cases. Table 3 reports the calculation of revenue effects of the Uruguay Round for each case,

with detail for each of the first five years of phase-in. The revenue calculations are those set forth in equation 7 above, and are reported so as to identify the three separate components discussed above: "direct" (full); "welfare" (tax share in static welfare gains); and "growth" (tax revenue from increased growth).

It is first useful to consider the revenue effects from the "direct" estimates (ΔR^d), which are from equation 3'. In all cases, this time profile shows revenue losses beginning at about \$500 million in the first year, reaching \$1.7 billion by the third year, and reaching approximately \$3 billion by the fifth year. The five-year total is \$8.6 billion. All estimates here are in 1990 dollars and against the 1990 trade base. Allowance for expansion to current dollars and trade base over the five year period would boost this "direct" estimate to approximately the same range as estimated by the Office of Management and Budget: \$13.9 billion over five years (*Wall Street Journal*, 3 March 1994). It thus turns out that incorporation of the "import expansion revenue" effect has only a small moderating impact on the revenue loss.

The next column in table 3 shows a large range of variation in the tax revenue stemming from the government's fiscal participation in the static welfare gain, corresponding to the large range in the static welfare estimates (from \$450 million annually to \$130 billion annually). The penultimate column shows an even wider range of revenue effects from the alternative growth assumptions. Under the highest growth assumption and using the highest tax rate, liberalization from the Uruguay Round contributes a remarkable \$17 billion in annual fiscal revenue from growth effects by the fifth year.

For purposes of a prudent analysis of the fiscal impact of the Uruguay Round, the preferred case is probably number 10. In this case, the more conservative tax rate is assumed ($\tau=19$ percent). The "conservative central" estimate is used for both the static welfare effect (\$15 billion annually) and the dynamic growth effect (0.05 percentage point acceleration in the annual growth rate). In this case, there is a modest positive effect of the Round on US tax revenue, rising from a net contribution of \$294 million in the first year to \$1.1 billion by the fifth year. Thus, the central finding of the analysis here is that the Uruguay Round should increase rather than reduce net tax revenue.

There is also information to be derived from considering the full range of estimates. Out of 40 cases, the net revenue effects are positive in 33 and negative in only 7. Considering that the array of parameter assumptions was specified with the intention of being representative of a probability distribution on likely values, rather than heavily concentrated on either an optimistic or a pessimistic side, a probabilistic interpretation of this finding might be that the chances are about 5 to 1 that the net revenue effects are positive rather than negative.

CONCLUSION

The Uruguay Round is a crucial historical accomplishment in the effort to open world markets and assure a favorable climate for future economic growth. Its failure would have meant serious risks of economic downturn (effects not considered in the calculations here). It would be a good bargain for the American public to pay the fiscal revenue costs of adopting the Round even if these costs were as high as a simple calculation of the direct tariff reductions might suggest

(along the lines of the OMB figure of \$13.9 billion over five years). However, the analysis here suggests that even under conservative assumptions, the Round should increase rather than reduce net fiscal revenue to the federal government. This conclusion reinforces the policy implication that the Uruguay Round agreement should be implemented rather than blocked because of possible fiscal effects.

Whether the method of "budget scoring" should be waived for these reasons is a matter of judgment. If the scoring procedure is not changed, the implication is that somehow the budget would have to pare spending or raise revenue elsewhere. Whether that would be a good thing depends on whether one thinks there has been too little fiscal tightening already under the 1994 budget reform, or too little, or just about the right amount. Cases can be made on all three positions. Similarly, whether to adopt a scoring "waiver" for the Uruguay Round depends on evaluation of the risks of opening a Pandora's box for subsequent proposals that might less legitimately claim a waiver, on the one hand, as against the importance of assuring that the "scoring" procedure captures the best estimate of true economic effects, on the other.

REFERENCES

- Baldwin, Richard E., 1989. "The Growth Effects of 1992," *Economic Policy*, October, pp. 248-81.
- CEA, 1994. Council of Economic Advisers, Economic Report of the President (Washington: CEA, February)
- Cline, William R., 1994. "Evaluating the Uruguay Round," (Washington: Institute for International Economics, February, mimeogr.)
- Cline, William R., Noboru Kawanabe, T.O.M. Kronsjo, and Thomas Williams, 1978. Trade Negotiations in the Tokyo Round: A Quantitative Assessment (Washington: Brookings Institution)
- Francois, Joseph, Bradley McDonald, and Hakan Nordstrom, 1993. "The Growth Effects of the Uruguay Round," (Geneva: GATT, Uruguay Round Background Paper, December)
- Goldin, Ian, Odin Knudsen, and Dominique van der Mensbrugge, 1993. Trade Liberalisation: Global Economic Implications (Paris: OECD)
- Grossman, G.M., and E. Helpman, 1991. Innovation and Growth in the Global Economy (Cambridge, Mass.: MIT Press)
- Hufbauer, Gary Clyde, and Kimberly Ann Elliott, 1994a. Measuring the Costs of Protection in the United States (Washington: Institute for International Economics)
- Nguyen, Trien, Carlo Perroni, and Randall Wigle, 1993. "An Evaluation of the Draft Final Act of the Uruguay Round, The Economic Journal, No. 103, November, pp. 1540-49.
- Roemer, Paul M, 1986. "Increasing Returns and Long-Run Growth," *Journal of Political Economy*, Oct., 94, pp. 1002-38.
- Stoeckel, Andrew, David Pearce, and Gary Banks, 1990. Western Trade Blocs: Game, Set or Match for Asia-Pacific and the World Economy? (Canberra, Australia: Centre for International Economics)
- Walters, David, 1990. "Ten-Year Cumulative GDP Gains from One-Third Cut in Global Tariff and Non-tariff Barriers," (Washington: United States Trade Representative, mimeogr., November)

TABLE 1.—IMPORTS, TARIFF CUT, AND PRE-ROUND TARIFF
[Dollar amounts in millions]

Harmonized Code chapter	1990 im- ports	Percent—		Primary re- venue loss ¹
		Cut	Tariff	
3 Fish	\$3,487.2	51.7	0.1	\$2.6
5 Animal nes	1.6	0.0	3.0	0.0
15 Fats, oils	4.8	0.0	4.8	0.0
16 Meat	562.2	11.6	9.3	6.1
25 Cement, sulfur	894.8	67.7	0.7	4.2
26 Ores	1,179.8	26.8	0.6	2.0
27 Fuels	42,645.3	0.2	0.7	0.6
28 Inorganic chemicals	3,070.2	18.8	0.9	5.2
29 Organic chemicals	6,425.2	45.7	7.2	210.5
30 Pharmaceuticals	1,123.5	100.0	4.0	45.4
31 Fertilizers	280.1	0.0	0.0	0.0
32 Paints	1,028.5	47.2	10.0	48.3
33 Resinoids	607.9	91.6	5.0	27.9
34 Soaps, waxes	208.6	59.5	4.9	6.1
35 Glues	187.4	82.7	3.8	6.0
36 Explosives	103.1	1.1	4.1	0.0
37 Photographic goods	1,623.0	6.6	3.9	4.2
38 Misc. chemical goods	627.4	29.3	4.3	8.0
39 Plastics	4,907.6	9.9	4.8	23.3
40 Rubber	4,195.1	24.5	2.8	29.3
41 Hides	728.9	24.4	3.9	6.9
42 Leather goods	3,811.9	8.7	11.0	36.4
43 Furs	323.2	34.1	5.4	6.0
44 Wood products	1,657.0	33.0	4.8	26.0
45 Cork goods	74.8	89.8	1.8	1.2
46 Straw goods	237.8	21.4	7.1	3.6
47 Pulp	391.4	0.0	0.0	0.0
48 Paper, paperboard	2,365.8	100.0	2.3	53.8
49 Books	1,173.9	100.0	0.4	4.8
50 Silk	281.6	94.6	5.1	13.7
51 Wool	160.6	47.6	20.0	15.3
52 Cotton	1,156.9	8.6	8.8	8.8
53 Vegt. btl fibers	141.5	96.0	2.0	2.7
54 Man-made filaments	777.7	15.6	14.2	17.2
55 Man-made fibers	683.7	22.6	13.3	20.6
56 Cordage	283.2	78.4	9.1	20.3
57 Carpets	561.9	59.1	6.4	21.4
58 Woven fabrics	210.4	27.1	11.1	6.3
59 Laminated btl fabr	219.4	52.5	6.0	6.9
60 Knitted fabrics	104.6	24.5	14.3	3.7
61 Apparel, knit	7,426.3	9.4	23.9	166.7
62 Apparel, other	12,924.7	8.8	17.7	201.4
63 Other made-up btl	1,084.7	21.2	9.1	21.0
64 Footwear	8,323.6	6.7	10.7	59.8
65 Hats	284.7	22.6	7.5	4.8
66 Umbrellas	134.8	29.3	8.3	3.3
67 Feathers, artif. flowers	513.9	6.9	7.8	2.8
68 Stone, plaster goods	790.3	45.9	4.1	14.8
69 Ceramics	1,962.9	39.0	10.6	81.3
70 Glass	1,416.7	20.4	8.3	23.9
71 Precious stones, jewelry	9,399.7	18.0	2.3	38.9
72 Iron, steel	7,100.1	93.6	4.7	312.1
73 Iron, steel articles	5,337.0	63.6	4.0	135.9
74 Copper and articles	1,761.2	36.8	2.1	13.3
75 Nickel and articles	641.2	34.6	0.5	1.1
76 Aluminum and articles	1,553.0	14.7	3.3	7.5
78 Lead and articles	32.4	39.7	3.6	0.5
79 Zinc and articles	500.7	7.1	1.7	0.6
80 Tin and articles	357.8	32.7	0.2	0.3
81 Other base metals	405.1	29.0	4.7	5.5
82 Implements of base metal	1,831.6	27.7	6.4	32.5
83 Misc. base metal goods	1,367.2	29.1	4.9	19.5
84 Nuclear reactors, boilers	51,611.8	64.7	3.6	1,187.8
85 Electr. mach., TVs, recorders	52,203.4	59.3	4.5	1,396.4
86 Locomotives, rolling stock	218.3	24.7	3.4	1.8
87 Vehicles	49,384.7	4.1	3.8	78.1
88 Aircraft	2,260.8	99.3	0.5	11.6
89 Ships	476.2	19.3	1.2	1.1
90 Technical instruments	11,575.1	65.5	4.7	355.1
91 Clocks	842.7	6.8	6.1	3.5
92 Musical instruments	739.0	23.1	5.6	9.6
93 Arms	396.0	63.7	4.7	11.8
94 Furniture	4,110.8	53.8	4.5	99.4
95 Toys	7,648.7	87.1	5.9	390.8
96 Misc. manufactures	1,183.8	33.6	6.5	25.9
Total	336,310.6	32.6	4.9	5,425.6

¹ For instantaneous full implementation of tariff cut, on 1990 import value base.

TABLE 2.—PARAMETERS AND ASSUMPTIONS
[Dollar amounts in billions]

Category	Symbol	Cases	Value	Comment
Import price elasticity	eta	1	—2 applied uniformly.	
GDP base	Yo	1	\$5.546	1990 GDP.
Phase-in period	m	1	10 years.	
Static welfare	W	1	Calculated (eq. 4).	
		2	Hufbauer, Elliott.	
		3	15 Conservative central.	
		4	36 Nguyen et al.	
		5	130 USTR.	
Tax rate	tau	1	0.19 Long-term average	
		2	0.30 marginal.	
Change in growth rate (percent pa)	delta g	1	0 Sensitivity test.	
		2	0.05 conservative central.	
		3	0.1 Francois et al (illustrative).	
		4	0.2 USTR.	
Import base growth rate (percent pa)	gM	1	4 Real.	

TABLE 3.—REVENUE SIMULATION RESULTS

[Dollar amounts in millions]

Case	T	W	Δg	Year	ΔR ^d	ΔR ^w	ΔR ^s	ΔR ^r
1	1	1	1	1	-\$527	\$9		\$-518
1	1	1	1	2	-1,085	18		-1,067
1	1	1	1	3	-1,677	28		-1,648
1	1	1	1	4	-2,303	39		-2,264
1	1	1	1	5	-2,965	50		-2,915
2	1	1	2	1	-527	9	\$527	9
2	1	1	2	2	-1,085	18	1,054	-13
2	1	1	2	3	-1,677	28	1,581	-67
2	1	1	2	4	-2,303	39	2,109	-155
2	1	1	2	5	-2,965	50	2,637	-278
3	1	1	3	1	-527	9	1,054	536
3	1	1	3	2	-1,085	18	2,109	1,042
3	1	1	3	3	-1,677	28	3,164	1,516
3	1	1	3	4	-2,303	39	4,221	1,958
3	1	1	3	5	-2,965	50	5,279	2,365
4	1	1	4	1	-527	9	2,107	1,590
4	1	1	4	2	-1,085	18	4,219	3,152
4	1	1	4	3	-1,677	28	6,335	4,687
4	1	1	4	4	-2,303	39	8,455	6,192
4	1	1	4	5	-2,965	50	10,580	7,665
5	1	2	1	1	-527	137		-390
5	1	2	1	2	-1,085	282		-803
5	1	2	1	3	-1,677	436		-1,241
5	1	2	1	4	-2,303	599		-1,704
5	1	2	1	5	-2,965	771		-2,194
6	1	2	2	1	-527	137	527	137
6	1	2	2	2	-1,085	282	1,054	251
6	1	2	2	3	-1,677	436	1,581	341
6	1	2	2	4	-2,303	599	2,109	405
6	1	2	2	5	-2,965	771	2,637	443
7	1	2	3	1	-527	137	1,054	654
7	1	2	3	2	-1,085	282	2,109	1,306
7	1	2	3	3	-1,677	436	3,164	1,924
7	1	2	3	4	-2,303	599	4,221	2,518
7	1	2	3	5	-2,965	771	5,279	3,086
8	1	2	4	1	-527	137	2,107	1,718
8	1	2	4	2	-1,085	282	4,219	3,416
8	1	2	4	3	-1,677	436	6,335	5,094
8	1	2	4	4	-2,303	599	8,455	6,751
8	1	2	4	5	-2,965	771	10,580	8,386
9	1	3	1	1	-527	294		-233
9	1	3	1	2	-1,085	605		-480
9	1	3	1	3	-1,677	934		-742
9	1	3	1	4	-2,303	1,283		-1,019
9	1	3	1	5	-2,965	1,652		-1,313
10	1	3	2	1	-527	294	527	294
10	1	3	2	2	-1,085	605	1,054	574
10	1	3	2	3	-1,677	934	1,581	839
10	1	3	2	4	-2,303	1,283	2,109	1,090
10	1	3	2	5	-2,965	1,652	2,637	1,324
11	1	3	3	1	-527	294	1,054	821
11	1	3	3	2	-1,085	605	2,109	1,628
11	1	3	3	3	-1,677	934	3,164	2,422
11	1	3	3	4	-2,303	1,283	4,221	3,202
11	1	3	3	5	-2,965	1,652	5,279	3,967
12	1	3	4	1	-527	294	2,107	1,874
12	1	3	4	2	-1,085	605	4,219	3,739
12	1	3	4	3	-1,677	934	6,335	5,593
12	1	3	4	4	-2,303	1,283	8,455	7,436
12	1	3	4	5	-2,965	1,652	10,580	9,267
13	1	4	1	1	-527	705		178
13	1	4	1	2	-1,085	1,451		366
13	1	4	1	3	-1,677	2,242		566
13	1	4	1	4	-2,303	3,079		777
13	1	4	1	5	-2,965	3,965		1,000
14	1	4	2	1	-527	705	527	705
14	1	4	2	2	-1,085	1,451	1,054	1,420
14	1	4	2	3	-1,677	2,242	1,581	2,147
14	1	4	2	4	-2,303	3,079	2,109	2,886
14	1	4	2	5	-2,965	3,965	2,637	3,637
15	1	4	3	1	-527	705	1,054	1,231
15	1	4	3	2	-1,085	1,451	2,109	2,475
15	1	4	3	3	-1,677	2,242	3,164	3,730
15	1	4	3	4	-2,303	3,079	4,221	4,998
15	1	4	3	5	-2,965	3,965	5,279	6,279
16	1	4	4	1	-527	705	2,107	2,285
16	1	4	4	2	-1,085	1,451	4,219	4,585
16	1	4	4	3	-1,677	2,242	6,335	6,901
16	1	4	4	4	-2,303	3,079	8,455	9,232
16	1	4	4	5	-2,965	3,965	10,580	11,580
17	1	5	1	1	-527	2,544		2,017
17	1	5	1	2	-1,085	5,241		4,156
17	1	5	1	3	-1,677	8,097		6,420
17	1	5	1	4	-2,303	11,120		8,817
17	1	5	1	5	-2,965	14,317		11,353
18	1	5	2	1	-527	2,544	527	2,544
18	1	5	2	2	-1,085	5,241	1,054	5,210
18	1	5	2	3	-1,677	8,097	1,581	8,002
18	1	5	2	4	-2,303	11,120	2,109	10,927
18	1	5	2	5	-2,965	14,317	2,637	13,989
19	1	5	3	1	-527	2,544	1,054	3,071
19	1	5	3	2	-1,085	5,241	2,109	6,264
19	1	5	3	3	-1,677	8,097	3,164	9,585
19	1	5	3	4	-2,303	11,120	4,221	13,039
19	1	5	3	5	-2,965	14,317	5,279	16,632
20	1	5	4	1	-527	2,544	2,107	4,125
20	1	5	4	2	-1,085	5,241	4,219	8,375
20	1	5	4	3	-1,677	8,097	6,335	12,756
20	1	5	4	4	-2,303	11,120	8,455	17,273
20	1	5	4	5	-2,965	14,317	10,580	21,932
21	2	1	1	1	-527	14		-513
21	2	1	1	2	-1,085	29		-1,056
21	2	1	1	3	-1,677	45		-1,632
21	2	1	1	4	-2,303	61		-2,241
21	2	1	1	5	-2,965	79		-2,886
22	2	1	2	1	-527	14	832	319

TABLE 3.—REVENUE SIMULATION RESULTS—Continued

(Dollar amounts in millions)

Case	T	W	Δg	Year	ΔR ^d	ΔR ^w	ΔR ^g	ΔR [*]
22	2	1	2	2	-1,085	29	1,664	608
22	2	1	2	3	-1,677	45	2,497	865
22	2	1	2	4	-2,303	61	3,330	1,089
22	2	1	2	5	-2,965	79	4,164	1,278
23	2	1	3	1	-527	14	1,664	1,151
23	2	1	3	2	-1,085	29	3,329	2,273
23	2	1	3	3	-1,677	45	4,996	3,364
23	2	1	3	4	-2,303	61	6,665	4,424
23	2	1	3	5	-2,965	79	8,336	5,450
24	2	1	4	1	-527	14	3,328	2,815
24	2	1	4	2	-1,085	29	6,662	5,606
24	2	1	4	3	-1,677	45	10,003	8,371
24	2	1	4	4	-2,303	61	13,350	11,109
24	2	1	4	5	-2,965	79	16,705	13,819
25	2	2	1	1	-527	216	.....	-310
25	2	2	1	2	-1,085	446	.....	-640
25	2	2	1	3	-1,677	688	.....	-988
25	2	2	1	4	-2,303	945	.....	-1,357
25	2	2	1	5	-2,965	1,217	.....	-1,747
26	2	2	2	1	-527	216	832	521
26	2	2	2	2	-1,085	466	1,664	1,025
26	2	2	2	3	-1,677	688	2,497	1,509
26	2	2	2	4	-2,303	945	3,330	1,973
26	2	2	2	5	-2,965	1,217	4,164	2,416
27	2	2	3	1	-527	216	1,664	1,353
27	2	2	3	2	-1,085	446	3,329	2,690
27	2	2	3	3	-1,677	688	4,996	4,008
27	2	2	3	4	-2,303	945	6,665	5,308
27	2	2	3	5	-2,965	1,217	8,336	6,588
28	2	2	4	1	-527	216	3,328	3,017
28	2	2	4	2	-1,085	446	6,662	6,022
28	2	2	4	3	-1,677	688	10,003	9,015
28	2	2	4	4	-2,303	945	13,350	11,993
28	2	2	4	5	-2,965	1,217	16,705	14,957
29	2	3	1	1	-527	464	.....	-63
29	2	3	1	2	-1,085	955	.....	-130
29	2	3	1	3	-1,677	1,475	.....	-201
29	2	3	1	4	-2,303	2,026	.....	-277
29	2	3	1	5	-2,965	2,608	.....	-356
30	2	3	2	1	-527	464	832	769
30	2	3	2	2	-1,085	955	1,664	1,534
30	2	3	2	3	-1,677	1,475	2,497	2,296
30	2	3	2	4	-2,303	2,026	3,330	3,053
30	2	3	2	5	-2,965	2,608	4,164	3,808
31	2	3	3	1	-527	464	1,664	1,601
31	2	3	3	2	-1,085	955	3,329	3,199
31	2	3	3	3	-1,677	1,475	4,996	4,795
31	2	3	3	4	-2,303	2,026	6,665	6,389
31	2	3	3	5	-2,965	2,608	8,336	7,980
32	2	3	4	1	-527	464	3,328	3,264
32	2	3	4	2	-1,085	955	6,662	6,531
32	2	3	4	3	-1,677	1,475	10,003	9,801
32	2	3	4	4	-2,303	2,026	13,350	13,074
32	2	3	4	5	-2,965	2,608	16,705	16,349
33	2	4	1	1	-527	1,112	.....	586
33	2	4	1	2	-1,085	2,292	.....	1,206
33	2	4	1	3	-1,677	3,540	.....	1,864
33	2	4	1	4	-2,303	4,862	.....	2,560
33	2	4	1	5	-2,965	6,260	.....	3,296
34	2	4	2	1	-527	1,112	832	1,418
34	2	4	2	2	-1,085	2,292	1,664	2,871
34	2	4	2	3	-1,677	3,540	2,497	4,361
34	2	4	2	4	-2,303	4,862	3,330	5,890
34	2	4	2	5	-2,965	6,260	4,164	7,459
35	2	4	3	1	-527	1,112	1,664	2,249
35	2	4	3	2	-1,085	2,292	3,329	4,536
35	2	4	3	3	-1,677	3,540	4,996	6,860
35	2	4	3	4	-2,303	4,862	6,665	9,225
35	2	4	3	5	-2,965	6,260	8,336	11,631
36	2	4	4	1	-527	1,112	3,328	3,913
36	2	4	4	2	-1,085	2,292	6,662	7,868
36	2	4	4	3	-1,677	3,540	10,003	11,867
36	2	4	4	4	-2,303	4,862	13,350	15,910
36	2	4	4	5	-2,965	6,260	16,705	20,000
37	2	5	1	1	-527	4,017	.....	3,490
37	2	5	1	2	-1,085	8,275	.....	7,190
37	2	5	1	3	-1,677	12,785	.....	11,108
37	2	5	1	4	-2,303	17,558	.....	15,255
37	2	5	1	5	-2,965	22,606	.....	19,641
38	2	5	2	1	-527	4,017	832	4,322
38	2	5	2	2	-1,085	8,275	1,664	8,854
38	2	5	2	3	-1,677	12,785	2,497	13,605
38	2	5	2	4	-2,303	17,558	3,330	18,585
38	2	5	2	5	-2,965	22,606	4,164	23,805
39	2	5	3	1	-527	4,017	1,664	5,154
39	2	5	3	2	-1,085	8,275	3,329	10,519
39	2	5	3	3	-1,677	12,785	4,996	16,105
39	2	5	3	4	-2,303	17,558	6,665	21,921
39	2	5	3	5	-2,965	22,606	8,336	27,977
40	2	5	4	1	-527	4,017	3,328	6,818
40	2	5	4	2	-1,085	8,275	6,662	13,852
40	2	5	4	3	-1,677	12,785	10,003	21,111
40	2	5	4	4	-2,303	17,558	13,350	28,606
40	2	5	4	5	-2,965	22,606	16,705	36,346

Note.—Years 1 through 5 correspond to 1995–1999. Values in 1990 dollars and beginning at 1990-base scale.

Mr. Speaker, this budget resolution conference report should not be considered until the Members of this House have had a chance to review it thoroughly. I urge all of my colleagues to

reject this rule so that we can bring this report up next week at a far more appropriate time.

Mr. Speaker, I yield such time as he may consume to the gentleman from

Glens Falls, NY [Mr. SOLOMON], the very distinguished ranking Republican on the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I rise today in opposition to the conference

report on the budget resolution. In 1816, Thomas Jefferson in advising the American public wrote "To preserve our independence, we must not let our rulers load us with perpetual debt. We must make our election between economy and liberty, or profusion and servitude."

Today, Thomas Jefferson would be appalled to watch this House. While the American taxpayer celebrates tax freedom day, this House will pass a budget allowing the Federal debt to increase by over \$900 billion in the next 5 years.

This budget is flawed both for what it does not do and for what it does do. First, contrary to the claims of many, this budget is not a blueprint to balance the budget, it does not even completely reverse the runaway deficit trend.

In fact, the deficit in 1999 will be at least \$200 billion—up, not down from \$180 billion in 1995.

This House had at least three opportunities, just this year, to further address the deficit—all of which were based upon the belief that Government is too big, spending is too high and the debt is crushing our children.

First, came my "balanced budget" which would have balanced the budget solely through \$698 billion in spending cuts and a downsizing of Government over 5 years. Second came "putting families first" which would also have reduced the deficit by \$150 billion more than this budget. Third, we had the motion to instruct the House conferees to accept the Senate's level of spending cuts—\$26 billion lower than the House. Unfortunately, this House voted down every one of these credible and serious budget proposals.

Now we have a budget before us which leaves a national debt of \$6.3 trillion in 1999, a budget that actually increases spending for the IRS to hire 5,000 new IRS agents on Tax Freedom Day, a budget that maintains yearly debt interests payments in excess of \$200 billion.

A budget whose authors decided \$26 billion in additional spending cuts was too much to handle. A budget which claims to have compromised by accepting \$13 billion in spending cuts with less than \$500 million in cuts for 1995, the only year for which this budget is binding.

Today is Tax Freedom Day—the American people are lucky to get tax freedom. I wonder when this Congress will get the guts to give the taxpayer a debt freedom day.

Obviously, this will not occur anytime soon. I urge my colleagues to vote against this spending and debt increasing bill.

□ 2010

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, first I would like to asso-

ciate myself with the statement of my friend, the gentleman from Glens Falls [Mr. SOLOMON]—not his singing, but the statement—and I congratulate him on it.

I assume his statement was based, in large part, on the concern he has about the obligation for future generations such as his grandson, Mark, who has joined him on the floor, that we are going to saddle them with the payment of much of this debt.

Mr. Speaker, I yield such time as he may consume to our friend the gentleman from Colorado [Mr. ALLARD], who has had an amendment which unfortunately was denied.

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

Mr. Speaker, there are many reasons to be frustrated with the way this House conducts business—closed rules, appropriations bills written in secret and in the dead of night, copies of 500 page bills available for review only hours before a vote.

All of these are very frustrating, but to me the most frustrating action is when both Houses of Congress make clear their view on an issue, and then presto, it somehow disappears in Conference.

Once again this had happened. Both the House and the Senate included language in the Budget Resolution stating that any Government-mandated health care reform should be treated as part of the Federal budget.

This means that any mandated payroll premiums would be scored as receipts and that any mandated payments to health alliances would be scored as Government expenditures. The Senate even went so far as to state that any health care reform would be subject to pay-as-you-go requirements.

Early in the year, Representative PENNY and I sponsored legislation directing that all Government-mandated health care reform be on-budget where the American people can see the true cost. Our resolution attracted 143 co-sponsors and similar legislation was carried in the Senate.

The Congressional Budget Office came down on our side and agreed that the Clinton health plan should be on-budget.

I then offered language in the Budget Committee which passed by a wide margin. This language was removed in the conference.

I am very disappointed that the clear will of Congress has been ignored here. Our directive has been replaced with watered down and meaningless language.

Congress is now about to begin debate on a massive overhaul of our Nation's health care system. The administration wants to shift one-seventh of our economy from the private sector to the Government. And yet this budget document completely ignores that fact.

I urge all my colleagues who want a budget that demands accountability

and who want a budget that will accurately reflect the size and power of Government over our lives, to join with me in opposing this rule and then the budget resolution unless these provisions are restored and put back into the conference committee report as it was reported out of the House.

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

Mr. Speaker, at this point I have no further requests for time, but let me add that I strongly oppose this rule, as do my friends, the gentleman from Colorado and the gentleman from New York, along with many others on this side of the aisle. We have not had time to consider this measure. The 3-day layover requirement has been waived. We have dealt with a wide range of issues today. Let us move until next week before we deal with this so that Members can have the appropriate time to consider it.

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

Mr. BEILENSEN. Mr. Speaker, we have no further requests for time, and I urge my colleagues to approve what we believe to be a very fair and responsible budget resolution so that we can move forward with the appropriations process in a timely fashion.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. McNULTY). The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 228, nays 168, not voting 36, as follows:

[Roll No. 160]

YEAS—228

Abercrombie	Brown (FL)	DeFazio
Ackerman	Brown (OH)	DeLauro
Andrews (ME)	Byrne	Dellums
Andrews (NJ)	Cantwell	Derrick
Applegate	Cardin	Deutsch
Bacchus (FL)	Carr	Dicks
Baesler	Chapman	Dingell
Barca	Clayton	Dixon
Barlow	Clyburn	Durbin
Barrett (WI)	Coleman	Edwards (CA)
Becerra	Collins (IL)	Edwards (TX)
Beilenson	Collins (MI)	Engel
Berman	Condit	English
Bilbray	Conyers	Eshoo
Bishop	Cooper	Evans
Bonior	Coppersmith	Farr
Borski	Costello	Fazio
Boucher	Coyne	Fields (LA)
Brewster	Cramer	Flner
Brooks	Danner	Fingerhut
Browder	de la Garza	Flake
Brown (CA)	Deal	Ford (MI)

Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchee
Hoagland
Hochbrueckner
Holden
Hoyer
Hutto
Inslee
Jacobs
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Klecicka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Lowey
Maloney

Mann
Manton
Margolies-
Mezvinsky
Markey
Martinez
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Murphy
Murtha
Nadler
Neal (MA)
Oberstar
Obey
Oliver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Rose
Rostenkowski

NAYS—168

Allard
Archer
Army
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Billey
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Combest
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Dorman

Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Shepherd
Sisisky
Skaaggs
Slattery
Slaughter
Smith (IA)
Spratt
Stenholm
Stokes
Strickland
Studds
Stupak
Swift
Synar
Tanner
Tauzin
Tejeda
Thompson
Thornton
Thurman
Torres
Torrice
Towns
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wise
Woolsey
Wyden
Wynn
Yates

Inglis
Inhofe
Istook
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (FL)
Lightfoot
Linder
Livingston
Machtley
Manzullo
McCreary
McDade
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Morella
Myers
Nussle
Oxley

Packard
Paxon
Petri
Pombo
Porter
Portman
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce

Andrews (TX)
Bevill
Blackwell
Bryant
Clay
Clement
Collins (GA)
Cox
Darden
Dooley
Doolittle
Fish

Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns

NOT VOTING—36

Foglietta
Grandy
Hall (TX)
Herger
Hughes
Jefferson
Laughlin
Lewis (CA)
Long
Matsui
McCandless
McCollum

□ 2035

The Clerk announced the following pair:

On this vote:

Mr. Matsui for, with Mr. McCollum against.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. SABO. Mr. Speaker, pursuant to House Resolution 418, I call up the conference report on the concurrent resolution (H. Con. Res. 218) setting forth the congressional budget for the U.S. Government for the fiscal years 1995, 1996, 1997, 1998, and 1999, and providing that rule XLIX shall not apply with respect to the adoption of that conference report.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. McNULTY). Pursuant to House Resolution 418, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Wednesday May 4, 1994, at page 9255.)

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. SABO] will be recognized for 30 minutes, and the gentleman from Ohio [Mr. KASICH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. SABO].

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

Mr. Speaker, before I speak to the resolution, let me recognize some Members who have served with distinction on our committee and will be leaving at the end of this term, as this is our final budget resolution.

We have five Members on our side whose 6 years on the Committee on the Budget is up this year, and this is the

final budget resolution that they are a part of: The gentleman from Michigan [Mr. KILDEE] who has been Mr. Education for years in this House; the gentleman from California [Mr. BEILENSON] who handled our rule tonight and is always a quiet and thoughtful contributing member of our committee; the gentleman from California [Mr. BERMAN] with wide-ranging interests, but in particular has been very helpful with his background on issues that relate to foreign affairs; the gentleman from West Virginia [Mr. WISE] who is Mr. Infrastructure of the Committee on the Budget; the gentleman from Texas [Mr. BRYANT], a very thoughtful member of our committee, particularly on issues relating to the judiciary and some of the issues that relate to the southern part of our country, is always a contributor and has been very concerned over the issue of burden sharing on this country.

Their interests have been wide ranging, and they have made a great contribution.

We also have two Members who chose to run for other office, the gentleman from Tennessee [Mr. COOPER] and the gentleman from Texas [Mr. ANDREWS] and we thank them for their contribution: Mr. COOPER, who has always been very concerned over fiscal discipline and health care, and Mr. ANDREWS of Texas, with a wide-ranging interest in a whole series of issues relating to human resources in this country.

□ 2040

To my colleagues on the other side, the gentleman from North Carolina [Mr. McMILLAN] is leaving our committee. I regret that he made a decision to retire from the Congress. He has been a thoughtful Member with particular emphasis on health care, and we are going to miss him, not only in our committee but in the Congress.

While I have a chance, I would like to say to our Chief of Staff, Eileen Baumgartner, and all the staff members of the House Committee on the Budget, I deeply appreciate all their work and effort. They do incredible service for this House and for this Congress. I, and I know all the other members of the committee, deeply appreciate it.

Mr. Speaker, it is indeed a pleasure to be back before you with the conference agreement on the 1995 budget resolution.

The House conferees worked hard to preserve the House position and I think this is a good agreement.

As you already know, the major point of controversy between the House and the Senate on this resolution involved the additional \$26 billion in cuts that has been added to the Senate package by Senators EXON and GRASSLEY.

We resolved our differences on this matter by accepting outlay cuts of \$13

billion below the budget cap. For 1995, the report includes an outlay cut of \$500 million below the cap and the agreement is below the cap in each of the next 5 years.

Additional items in the agreement include an assumption of the President's crop insurance reform proposal and his request for funds for IRS enforcement. It does not include his proposal to freeze reimbursements for university overhead expenses on Federal research grants.

Lest anyone misunderstand, 1995 is a very tight year. In fact, discretionary spending in 1995 is approximately \$800 million below this year's level.

As many of you may remember, we had to cut \$3.1 billion out of the President's original budget request this year just to meet CBO scoring requirements. We worked very hard in the House to come up with a fair way of allocating that \$3.1 billion reduction. Our original proposals followed the President's policy direction in most areas, but was very tight. This additional \$500 million cut will add to that constraint.

My advice to those who are concerned about where these additional cuts will fall is to expect your favorite program to be affected, and be pleasantly surprised if it is not.

The reward for this fiscal discipline is our improving economy and continued dramatic reduction in the Federal deficit.

The agreement brings the 1995 deficit down to \$175.4 billion, the lowest level in 5 years, and more than \$100 billion below the projections made by CBO last spring.

Not only is discretionary spending in 1995 below last year's dollar level, but total Federal spending is at its lowest level in 15 years when measured in relation to the economy.

And with regard to the economy, news on that front remains overwhelmingly positive.

Forecasts continue to predict strong, steady growth at 3 percent or a little higher for the year.

We have added 2.3 million private payroll jobs since January 1993 and economists expect job creation to continue growing.

Manufacturing orders continue to rise and the auto industry is producing at full capacity; and

Inflation, at a 2½ percent rate, is at its lowest level in 7 years.

This good news is directly related to the economic program we passed last year. The conference agreement builds on that program. Clearly, it is working for the majority of America's people.

Mr. Speaker—Members of the House, I urge you to stay the course and join me in voting for the adoption of the conference report.

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

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

I know Members want to go home, but this story is too good not to be told about the pattern of spending in this House. The first thing I wanted to talk about is the deal, the deal that was made that we were going to cut \$26 billion from the House-passed version of the budget.

Now, as Members can see, from the House-passed version of this budget, our math would say that when we cut \$26 billion and we get up with a compromise, it says we will split the difference. When we say we are going to cut 26 but we are going to split the difference, that means we ought to come out with 13. That is the way we figure it out in Ohio. Half of 26 is 13.

But what we did is, we took half of 26 and what we came out with was \$5.8 billion less than the House-passed level.

That is the first problem. We are not splitting the difference of the \$26 billion.

Now, let us talk about the first year's cuts that we were going to do. What happened was, Senator EXON agreed that we would cut in the first year, in the first year, the only year that counts, the only year that matters, we would cut \$1.6 billion deeper than what we did in the House, 1.6. Their math was 1.6. But we would split the difference on that. We would not cut the full 1.6; we would just split the difference, like the deal was.

So when we split the difference of the 1.6, we come out with .8. But it is interesting. When the conference split the difference of the 1.6, they came out with .5. So we went from a \$1.6 billion cut in the first year, this mammoth \$1.6 billion cut in the first year, we said we cannot afford all that, so we have to cut it in half. And instead of going to \$800 million, which is what half of it would be, we did not even achieve that, we are at .5. It gets better, my colleagues.

This is the spending difference. This is the chart. I bring a lot of charts out here to the floor, but there is no chart quite like this one.

The House-passed deficit in the bill that we passed, the deficit in the House-passed version was \$175.3 billion in deficits.

Now, we take the .5, remember the .5 I just showed Members here, and we subtract it from \$175 billion. That should give us an expected deficit of \$174.8 billion, because if you take a half a billion in the cuts, subtract it from the House-passed deficit, that gives you a lower deficit by half a billion dollars; right? But guess what happened? The actual conference deficit is \$175.4 billion.

In essence, the deal that we got out of the conference committee that is supposed to cut spending increases the deficit.

So let me tell Members what I told Senator EXON today. We are going to

have an increase in the deficit of \$600 million as a result of the Exon-Grassley \$26 billion cut. So I told Senator EXON, maybe we ought to think about spending more because the more we cut, the deeper in debt we go.

Can you imagine, my colleagues, that we actually are emerging from the conference committee, and I want to repeat this so no one is confused, because of the efforts to cut \$26 billion by GRASSLEY and EXON, which was supposed to be shaved to 13, which did not end up 13, only ended up 5.8, and in the first year we were supposed to cut \$1.6 billion in year one, the only year that matters, 1.6, but we did not cut 1.6, we only cut a half billion. But if we were to cut a half a billion from what the deficit was going to be, our deficits ought to be lower and, in fact, deficits and spending go up.

□ 2050

Deficits in spending go up as a result of that deal.

Let us get back to the sliver. You all remember the sliver that I brought out here before. This is the sliver. I do not have my magnifying glass tonight to show the Members, but they might notice here that Exon-Grassley cuts from 5 to 99. I know Members are having trouble seeing it. It is a good chance to see whether Members need eyeglasses or not, but there is a sliver here. This what the Exon-Grassley cut would be.

That represented a .3 percent cut in total Federal spending. This is the Exon-Grassley cut that represented .3 percent of spending. That was too deep for the conference committee, so what they came up with was a .07 percent cut, which is even smaller than the .03 percent cut that was called for under Exon-Grassley.

We keep hearing about these 3 years of declining deficits. This is what we get with deficits. As we can see, they are headed back up again. It is interesting, is it not, that they are actually trying to claim deficit reduction for 1993, when the first year of the President's proposal affecting the budget started in 1994? They do not have 3 years of declining deficits as of this point. We will have to see what happens.

Here is the result. Let us go back. Let us go back one more time, to the fact that cutting spending in the House of Representatives actually resulted in an increase in the deficit as we came out of conference.

Mr. Speaker, this does not sell anywhere. This is not right. This is not what we ought to be doing. What I would suggest is that we defeat this conference report, what we send this thing back to the conference committee, and let us do some real deficit reduction. I hear about all the good economic news, and I am pleased that we have seen some growth in this economy. But what the markets are saying,

the markets are saying that they do not believe that a pattern of increased taxes and increased government and increased regulation is good for the long-term growth and job prospects and low inflationary prospects and low interest rate prospects for the United States of America. Let us send this back to committee, and let us really do a good job of giving the American people what they really want.

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

Mr. SABO. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I am pleased that the previous speaker welcomes growth. We ought to be very clear. It is growth which has happened in absolute contradiction to the predictions he made last year.

The Republican Members of the House consistently last year made a set of predictions about the budget we adopted which have been proven wrong in a decisive way. The deficit is lower, economic growth is greater, unemployment is less. All of their predictions were wrong.

But their predictions are of less interest to me than the relevance of this budget today. I am going to vote for this budget. I signed the conference report. It is a budget, however, which in my judgment significantly underfunds important programs. As we pass this budget, I hope we will begin to look at the larger issue.

We have, I think, within the framework of the basic spending that has been within this Federal Government for years, done as good a job as we could do in deficit reduction. We were not going to get further in the area of deficit reduction without doing one of several things:

One, we can, as many of my Republican colleagues would like to do, severely slash Federal spending for a wide variety of issues. I think that would be a mistake.

We need more money to be spent on the environment. We need more money to go to cities and towns and States to deal with clean water. We need more money to help them with police. We need more money to help provide decent housing for people. We need more money in the short run to make the kind of changes in the welfare system that are in the national interest, without imposing cruelty on helpless small children.

I would reject that, Mr. Speaker. We could get a substantial tax increase, and I do not think this is the right time economically to do that, if there is any need to do it at all.

There is an area that is left that we have to confront. If we continue as a Nation to spend on national security at almost the level that we spent for most

of the cold war, excluding only those extraordinarily aberrant periods in the middle of the Reagan years when we were wasting money with a vengeance, we will not be able to continue on a path of deficit reduction and meet important domestic needs.

I think we should be very clear to the American people, Mr. Speaker. Members of Congress who say we are going to do more for law enforcement, we are going to do more about cleaning up the environment, we are going to do more to help local communities meet Federal mandates, we are going to do a better job in education, people who say that and decline to commit themselves to substantial reductions in overseas military expenditures are not being straightforward. There simply is no way we can do it.

We cannot continue to fund the current range of activities, and in particular, I think the time has come as a Nation to say, "Is it essential that we maintain a military establishment capable of fighting two full-scale conventional wars simultaneously with virtually no help?" Because that is the goal.

That is the two-war strategy. The two-war strategy assumes that American full-fledged participation, with South Koreans, which is nice of them, because the war would be in South Korea, and it is very considerate they would help us defend their country, and at the same time a major conventional war in the Middle East, which assumes virtually no participation from our allies. I think that is a mistake.

The United States ought to be the strongest Nation in the world for our own protection. The point is that we can be for a military expenditure significantly less than we have today.

That is a lesson that is understood by the Japanese and the British and the French and the Belgians and the Norwegians and the Danes and the Italians and the Germans. They all understand the economic value and social benefit of substantially reduced military budgets, because we have got a military budget larger than all of them put together. We do not have a population larger than all of them put together, we do not have a gross product larger than all of them put together, we have a military budget larger than all of them put together.

We have an intelligence budget, combined, of the CIA and the military intelligence services, that has declined scarcely at all from the height of the cold war. That is a grave error. We have substantial military resources going into the fruitless task of trying to interdict drugs, trying in this free and open society, with its free market and free movement of people, to do the physically impossible.

If we continue this level of national security expenditure, we cannot also do deficit reduction and meet important

domestic programs, and I hope we will begin to address this.

Mr. KASICH. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. GRAMS].

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

Mr. Speaker, just this week, Morton Kondracke wrote that President Clinton will propose a middle-class tax cut. In 1996.

For those with short-term memory loss, that's the same promise he made in 1992—and the same promise he broke in 1993.

Someone should tell the President that Republicans have already done his work for him. In March, we offered the Families First budget, which provided a \$500 per child tax credit for working-class American families. It would have provided \$25 billion annually in much-needed tax relief for those families who work hard, pay their bills, and raise their kids the best they can. It would have placed families at the head of the line for a change and left the Washington bureaucrats behind.

But something got in the way of the middle-class tax cut of 1994.

The Democratic leadership, said the tax cut cost too much—that Congress simply could not afford it—that the failed social programs of the Great Society were worth more than the American family.

Mr. Speaker, that is simply shameful. American families need tax relief now. They cannot wait 2 years until the next election for Santa Clinton to arrive. And they cannot afford the budget resolution this body will pass today.

Mr. Speaker, I say to my colleagues we should not lock the American family out of the House of Representatives again today. Vote against the budget resolution conference report.

□ 2100

Mr. KASICH. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois, [Mr. EWING].

Mr. EWING. Mr. Speaker, tonight we are considering a budget resolution for \$1.5 trillion for fiscal year 1995. That plan was finalized only a few hours ago.

The majority in this House on this side have waived the House budget rules requiring a 3-day layover so Members could review this proposal. That rule was designed to give us all an opportunity to study this legislation before we cast our vote. We did not work hard last week, we are not going to work hard next week, but we have to ram this through tonight.

Mr. Speaker, the majority party is ramming this huge budget through the legislative process, yet earlier this week, and this is the part that bothers me, the Speaker said he was fighting against the A to Z plan because we would not have time to consider these budget cuts.

Mr. Speaker, what is this? The Members are not given time to study a \$1.5 trillion budget but the majority says the leaders do not have time to deliberate on cuts.

Mr. Speaker, this is the ultimate in hypocrisy. It is just another example of how the majority cares more about taxing and spending than they do about balancing the budget.

Mr. KASICH. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio, [Mr. HOKE].

Mr. HOKE. Mr. Speaker, I thank the gentleman from Ohio for yielding time to me.

Mr. Speaker, as we prepare to vote on final passage of next year's budget, I keep looking over my shoulder for Rod Serling and listening for the Twilight Zone's theme song, because what I am hearing and seeing is simply unreal.

We have got a \$4.6 trillion public debt, a \$225 billion budget deficit and yet the Clinton White House and all of its minions here in Congress have officially declared victory and they have left the budget battlefield.

The President and his supporters in Congress want the American people to believe that the budget battle has been fought and won. Rod Serling, where are you when we need you to bring us back to reality?

Ladies and gentlemen, the Federal Government's budget is completely out of control. Spending will continue to increase every single year under this budget and every claim to the contrary notwithstanding, this budget plan ignores all of these problems and keeps feeding the Federal Government's insatiable appetite for more taxes and more spending.

Even the modest \$26 billion in spending cuts that the Senate tried to include in this budget were far too draconian for all the President's men. Oh, no. Apparently realizing that these cuts could not be completely ignored, the House and the Senate Budget Committee added \$13 billion in new spending back into the plan and now they are asking us to approve their handiwork.

Mr. Speaker, I cannot strongly enough urge all of my colleagues on the other side of the aisle to ignore the siren calls of the Clinton White House and the House's Democratic leadership to support this resolution and instead join with me and many others in rejecting this bill because it is a fantasy land budget that ignores the real fiscal problems that are facing our Nation.

Vote this budget down. Get out of the Twilight Zone and join the rest of us in the real world where we balance our checkbooks, we raise our families, and we do not spend money that we do not have.

Mr. SABO. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Speaker, I rise today in support of the conference report on H. Con.

Res. 218, the Budget Resolution for fiscal year 1995. I was happy to be able to support this resolution when it passed the House of Representatives 2 months ago and I am even more pleased with the improvements that have been made to the resolution since then.

This resolution includes spending levels which are below the budget caps in each of the next 5 years. Under the agreement, the 1995 deficit is brought down to \$175.4 billion, the lowest level in 5 years, and more than \$100 billion below the projections made last spring.

I know that there has been some controversy over how to express the compromise achieved during conference concerning the only major disagreement between the House and Senate budget resolutions. The outlay cut proposed by Senators EXON and GRASSLEY when the Senate passed its budget amounted to \$26 billion over the next 5 years. The conference agreement contains an outlay cut of \$13 billion below the caps over the same time frame.

I want to make it clear there is no dispute that the cut is \$13 billion below the caps. Now, because the House-passed resolution was itself already about \$7 billion below the caps, the compromise amounts to cuts of a little less than \$4.9 billion from the House-passed resolution.

Some people want to complain that the \$13 billion is counted below the cap, not below the House resolution. In fact, some of my most fiscally responsible friends want to complain about that. Well, here's what I think.

Too often around here, we call something which is really an increase a cut. Now we have something which really is a cut and some people act like they want us to call it an increase. I don't get it.

You know, as a cosponsor of the A-to-Z bill, I support having the chance for more budget cuts to be considered on the House Floor. Of course we have no idea what some of those amendments will be once we get that Floor opportunity, but my guess is that out of those 56-plus amendments, many will not achieve as much as \$5 or \$6 billion in savings. That doesn't mean they will be bad amendments. It just means that you don't too often get the chance to eliminate 4.9 billion dollars' worth of spending in one vote.

We can talk about false advertising or about how much more needs to be done or about discharge petitions or whatever else we want to talk about. But I, for one, am not going to pass up this opportunity for deficit reduction. I wait too long and fight too hard for just those opportunities and for the life of me, I can't see any reason to walk away from this golden opportunity.

In addition to these cuts, I am pleased by several other things related to the budget resolution. First, I greatly appreciate the positive response I have received from my leadership to follow through on the promise for budget process votes. I have been working with my good friends JOHN KASICH and TIM PENNY to develop the legislative language that would deal with ensuring that appropriation cuts are dedicated to reducing the deficit, establishing an improved procedure for disaster and other emergency appropriations, and granting the President expedited rescission authority over

appropriations measures. In addition, several of us are working on entitlement caps and re-establishing the discretionary firewalls.

Finally, and even though the language is non-binding, I am very pleased with some of the report language which was included in this resolution. I feel that the language concerning entitlement spending growth and budget baselines, as well as the language regarding unfunded federal mandates was all very constructive.

As usual, I have found it a pleasure to work with my chairman, Mr. SABO, and I am proud to stand with him this evening to support this resolution. I urge my colleagues to vote "aye."

Mr. SABO. Mr. Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I rise in support of the budget resolution and appreciate that important language has been included in the report of this bill and in the Senate bill regarding the search for alternatives for pay raises for Federal employees. But what brings me to the floor is a much more important subject and that is the \$105 billion that goes to Federal contractors that is largely unaccountable to us. There is an indefensible distinction that we make between two sets of employees paid with Federal funds. There are civil servants who annually get pay cuts and then there are Federal contractors who have gotten no cuts of any kind. This year we had \$1.1 billion for raises that will cost \$2.7 billion.

Mr. Speaker, allowing cuts in benefits annually is contrary to good management practice. What the private sector does is to make whatever cuts or buyouts it is going to do and give small increments, and that is all it would be, to the remaining employees.

Mr. Speaker, there is an important issue far beyond these raises, and that is getting a hold of runaway contracting costs.

Mr. Speaker, \$105 billion is a nice piece of change. Leon Panetta said early in the term that we do not know it is being spent. Yet OMB recommended no cuts in this \$105 billion this year.

Mr. Speaker, do we know how much health care just a chunk of that money would buy? This Congress needs to find the methodology and the will to look beyond our direct expenditures to Federal contractors. We must hold them as accountable as we hold direct expenditures, we must hold the shadow government as accountable as those we can see.

Mr. KASICH. Mr. Speaker, I yield 1 minute to our final speaker, the gentleman from Michigan [Mr. SMITH].

He has come to Washington.

Mr. SMITH of Michigan. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, has anybody thought about the uniqueness of today? Today is Tax Fairness Day, and it is the day that we are going to vote on a budget

that is the highest in this Nation's history. Tax Fairness Day, by the way, is how many days it takes to work every day, taking that money and paying it for taxes at the local, State and national level.

Mr. Speaker, I find it interesting that our taxes now, to an average American paying taxes, consumes 41 percent out of every dollar he makes. It is interesting that this budget, if we pass it, goes from \$4.5 trillion, a 40 percent increase, to \$6.3 trillion.

Mr. Speaker, if we do not want to borrow more money to put our kids at risk and our grandkids at risk by mortgaging their future, if we do not want to raise taxes more than what it already is, 41 percent of our income, what is left? What is left is to cut spending. This budget does not do it.

Mr. Speaker, colleagues, let us vote this down.

Mr. HUGHES. Mr. Speaker, I rise in support of House Concurrent Resolution 218, the fiscal 1995 budget resolution.

This resolution continues the progress we started last year with the adoption of the 5-year budget agreement initiated by President Clinton. That plan provided for some \$496 billion in deficit reduction over 5 years, more than half of which comes from hard cuts in every category of Federal spending.

That budget amendment has been enormously successful to date. Indeed, the budget deficit was \$300 billion when President Bush left office in 1992. It was \$180 billion at the end of 1993. While that is a lot of red ink, clearly we are heading in the right direction.

The budget resolution we are considering today continues us along the path of deficit reduction and fiscal restraint. It aims to achieve \$13 billion in deficit reduction in addition to the \$496 billion in deficit reduction enacted last year. The agreement achieves this reduction through cuts in discretionary spending below the caps set last year.

For fiscal year 1995, the agreement cuts outlays by \$3.1 billion more than the president's proposals in order to meet the outlay cap set last year. Moreover, the agreement cuts an additional \$500 million below the spending cap for even greater deficit reduction. For fiscal year 1995, discretionary spending will be set at \$540.6 billion which represents the first time in some 27 years that discretionary spending will actually fall.

For those who believe, as I do, that the best way to balance the budget is to cut spending, this is certainly welcome news. Indeed, under this resolution, the deficit will fall to \$175.4 billion in fiscal 1995, the lowest level in 5 years and more than \$100 billion lower than projections made last spring. Moreover, this deficit as a percentage of our economy will decrease from 4.9 percent of our economy which it was in 1992 to 2.5 percent representing the lowest percentage of the economy since the Carter administration in 1979.

Just as importantly, it achieves these targets without increasing taxes, and without forcing any single industry or sector of the economy to bear a disproportionate burden of the spending cuts.

While I am generally satisfied with the framework of this budget agreement, I really

believe we should be doing even more in the way of spending cuts. Accordingly, I intend to continue my efforts this year, just as I have always done in the past, to identify and vote against those spending programs which we don't need or can't afford.

For example I intend to vote once again to terminate funding for the \$30-billion space station, which we just can not afford. I also intend to support across the board cuts where necessary, and to vote against any appropriations bills which comes before the House where spending levels cannot be justified.

In other words, I view this budget resolution as only a starting point for deficit reduction, one which we can and will improve on through the adoption of additional spending cuts this year.

As far as entitlements are concerned, I am generally pleased with the progress we have made over this past year. Indeed, last year's budget agreement provided for \$88 billion in entitlement savings which have already been enacted. I believe that we must continue this progress by examining ways to control the rising costs of Medicare and other entitlement programs.

Although the agreement we are considering today does not call for further reductions in entitlement spending, it does not preclude the enactment of entitlement legislation, such as health care reform, as long as it meets "pay-as-you-go" requirements.

This is extremely important because, as my colleagues know, health care spending is the single fastest growing part of the Federal budget. And if we are really serious about deficit reduction, then we must start by getting health care costs under control.

This agreement will allow us to pursue the critical agenda for national health care reform without locking us into a fiscal straitjacket, where long-term health care spending and the Federal deficit will continue to soar, in exchange for some limited short term deficit reduction.

I believe that this resolution is a fair and balanced compromise. It offers a reasoned combination of spending cuts for the most part, and it contains a variable enforcement mechanism. I urge my colleagues to support the resolution.

Mr. FRANKS of Connecticut. Mr. Speaker, I will not vote for this budget resolution. First, I do not approve of how the House Democratic leadership decided to have the House vote on this budget before the minority party had a chance to examine it. Few members have been able to read this budget. On a measure that approves the spending of \$1.5 trillion in taxpayer money, Congress should have at least 3 days to look at it. We need to see what spending programs are being expanded and what defense projects are being cut.

For while I may not be familiar with every aspect of this budget, we in Congress know in general what it contains. We know that this budget will allow the Federal deficit to grow by almost \$900 billion in the next 5 years. We know that the \$26 billion spending cut included in this budget by the Senate was decimated by the President and Democratic leadership. We know that this budget leans on ill-advised defense reductions.

I regret that the Republican "Putting Families First" budget considered in March did not

pass. That budget contained tax credits for families with children, genuine spending cuts, a crime bill that focused on discouraging criminal behavior, a responsible health care bill, and a defense budget that reflects the need for a strong military. I hope that my colleagues across the aisle will have the courage to consider the ideas in this alternative budget in the future.

Mr. MINETA. Mr. Speaker, I rise in strong support of the conference agreement on H. Con. Res. 218, the concurrent resolution on the budget for fiscal year 1995.

First of all, I want to commend the distinguished Chair of the Budget Committee, the gentleman from Minnesota [Mr. SABO], for his outstanding leadership and hard work in crafting this important agreement.

Mr. Speaker, I am pleased to report that the conference agreement effectively assumes full-funding for highways at the levels authorized in the Intermodal Surface Transportation Efficiency Act of 1991.

There certainly can be no question of the need for full funding of ISTEA highways. There are some 235,000 miles of Federal highways that are in poor or mediocre condition and need repair. The cost to eliminate backlog highway deficiencies is about \$212 billion, and the annual cost to maintain Federal-aid highways in their 1991 condition is \$48.4 billion (in 1991 dollars).

In addition, there are approximately 118,000 structurally deficient bridges whose conditions would cost \$78 billion to correct. The annual cost to maintain bridges in their 1991 conditions is \$5.2 billion (in 1991 dollars).

The President's budget assumed an overall obligation ceiling of \$19.969 billion for highways. This included \$18.332 billion for the so-called highway core programs and \$1.6 billion for both Minimum Allocation [MA] and way demonstration projects program. An additional \$100 million, outside the \$19.969 billion ceiling, was assumed for the emergency relief [ER] program. The President's budget assumed rescission of highway projects, first effective for fiscal year 1994.

The Budget Conference Agreement, in assuming effectively full-funding of ISTEA highways, also specifically assumes a core obligational ceiling of \$18.332 billion. In addition, per ISTEA, it assumes no change in existing law for MA and demos which are outside the obligational ceiling. The conference agreement also does not assume the rescission of any highway demonstration projects.

A second and equally important area of difference with the President is transit operating assistance where the resolution restores \$200 million to the President's request, thus equaling the fiscal year 1994 appropriations for operating assistance. While this still falls far short of full-funding ISTEA transit, it does represent continued commitment on the part of the Congress in addressing a key funding component of our Nation's transit system. Even though the \$200-million restoration comes as a result of reducing section 9 capital grants by \$400 million, the conference agreement still includes an overall section 9 assumption of about \$223 million more than the fiscal year 1994 appropriation.

Mr. Chairman, a recent survey conducted by the American Public Transit Association esti-

mates that more than \$7 billion in Federal funds could be quickly obligated over and above existing transit program funding levels. This number only represents the immediate backlog of unmet transit needs—to restore transit to its pre-1980's level would require an investment of \$11 billion per year. In addition, the passage of the Americans With Disabilities Act placed new financial demands on transit operators across the country.

A third difference between the budget conference agreement and the President's budget is funding for the Airport Improvement Program. The President's budget assumes \$1.690 billion for this program; that is, a freeze at the fiscal year 1994 appropriated level. The budget agreement assumes \$2.165 billion in contract authority or nearly one-half-billion dollars more than the President's to reflect the authorized level of House-passed H.R. 2739, the Aviation Infrastructure Investment Act of 1993. This critical piece of legislation has been awaiting Senate action since October 13, 1993.

Mr. Speaker, the infrastructure needs of the Nation's airports continue to grow. We now have 23 so-called problem airports. These airports are each experiencing more than 20,000 hours of aircraft delay annually. Without remedial action, that number is expected to rise to 36 by 2001. The capital needed to alleviate airport congestion and flight delays averages \$10 billion a year for the next 5 years.

Such projects, if funded, would increase airport capacity and reduce system delays. This is important in that the Nation's economy would become more productive and competitive if the air transportation system becomes more efficient. We need at a bare minimum for fiscal year 1995 the authorized level passed by the House and assumed in this conference agreement.

Mr. Speaker, the conference agreement is, in general, responsive to the infrastructure needs of our Nation. It deserves our support and I urge its adoption.

Mr. FAZIO. Mr. Speaker, I rise in support of the conference report on H. Con. Res. 218—the budget resolution for fiscal year 1995.

Last year, Congress enacted a 5 year deficit reduction package that was modeled on President Clinton's economic program. This package—the largest deficit reduction package in our history—cut our deficit by \$47 billion in fiscal year 1994, and by a total of \$496 billion over the next 5 years.

And now, the House of Representatives and Senate have reached agreement on a budget resolution that will determine the overall goals for our spending priorities during the upcoming fiscal year. However, this agreement accelerates the pace we set last year. It pushes us harder in our efforts to change our spending habits. It moves us further away from our old practice of depleting our valuable resources with nothing to show for it, and closer to our new strategy of long-term investment that nets a return on our money, as we move toward economic growth.

This budget resolution builds on last year's efforts in support of the President's investment strategy by adding another \$13 billion in deficit reduction to the \$496 billion that was enacted last year. Under this resolution, the deficit is projected to fall to \$175.4 billion next year—

the lowest level in four years. The resolution also reduces our discretionary spending for the upcoming year below what it was for this year. This means that this is the first time since 1969 that discretionary spending has decreased from one year to the next.

I would like to once again commend Chairman SABO and the members and staff of the House Budget Committee for their outstanding work in sustaining this strategy. They have produced a budget resolution that provides us with the means to maintain the course that we set last year. We can continue to make the necessary, critical, long-term investments in our country's infrastructure, in jobs, and in the health, safety and welfare of all Americans and, at the same time, couple these sound investments with aggressive deficit reduction. This approach can only yield prolonged economic benefits for all Americans.

Ms. SNOWE. Mr. Speaker, the budget resolution passed by the conference committee is an indictment on the lack of resolve on the part of Congress to seriously address fiscal problems hampering our economy. It is an unfortunate testament to the fact that this institution is satisfied with the status quo—with high deficits, a rising national debt, and continued deficit spending that stunt economic growth and inhibit job creation.

I am dismayed that we in this body could not take advantage of the many opportunities placed before us over the last year to confront these problems. Now, with this conference report representing our remaining chance to cut spending and reduce the deficit—to jump on "the last train leaving the station," as my distinguished colleague JOHN KASICH put it—we could manage to trim only a meager one-half of one percent of discretionary spending over 5 years. This resolution does not adequately address the economic difficulties facing this country, and therefore I cannot support it.

Problems associated with a \$223 billion deficit and a \$4.6 trillion national debt, like diminished employment growth and reduced economic expansion, will not simply evaporate. Fifty-four percent of all personal income taxes paid to the government are being used to make debt service payments. These are resources that could be used to reinvest in the economy but instead are devoted to paying for government borrowing. Yet, it seems to be the attitude of those who support this budget resolution that such problem will take care of themselves. Proponents are playing a naïve and foolish game with the American people with regard to the Nation's fiscal problems: ignore them and they will go away.

This budget resolution shows that old habits are hard to break. It calls for another increase in federal spending in fiscal year 1995, to \$1.5 trillion. This represent a 2.3 percent increase over this year's levels. Oh, and by the way, this does not include whatever the costs of health care will be. Proponents are quick to point out that the projected deficit will be \$175 billion by the end of fiscal year 1995, but are reluctant to admit that the same projections show a deficit rising to over \$200 billion after 1999. Whether \$175 billion or \$200 billion, we should not be content with yearly deficits of any size. The American people do not find this acceptable and neither should this administration and this Congress.

And what of the national debt? Present economic policies do nothing to stop its steady rise from \$4.6 trillion now to \$5.6 trillion in 1997 to \$6.3 trillion in 1999. This represents an increase of \$1.7 trillion in 5 years, and every incremental rise establishes a new threshold of government red ink.

The consequences of this sea of red ink cannot be ignored. The economy grew at an anemic rate of 2.8 percent for 1993. Annual economic growth since World War II, including recession years, has averaged over 3 percent. At this juncture after previous economic downturns, total employment has traditionally risen by an average of 9.2 percent. Since the end of the latest recession, total employment has increased by only 2.5 percent. According to the Department of Labor, after the previous four recessions, 44 percent of laid off workers expected to be recalled once the economy improved. After this last recession, however, only 14 percent of job losers expected to be recalled to work.

In short, this budget resolution would have us believe that enough has already been done to reduce the deficit and spur economic growth, and that no further action on the deficit is necessary. As we can see, however, nothing could be further from the truth. The failure to capitalize on opportunities to reduce the deficit and Federal debt represents a short-term view of our economy which allows it to underperform.

Over the recent past this Congress has had such opportunities, but unfortunately we have let them slip by. Last year, the Republicans offered an alternative to the reconciliation bill that matched the President's deficit reduction goals without raising taxes. This was rejected. Last fall, the Penny-Kasich amendment dedicated \$90 billion in spending cuts to deficit reduction, but this, too, was defeated. Two months ago, the Republicans presented a budget that reduced spending in fiscal year 1995 alone by \$19 billion less than what this resolution proposes. Again, the House repudiated it. These measures offered substantive spending cuts and deficit reduction, unlike this resolution, which simply takes a token approach to these issues.

Even more disturbing is that this budget resolution, like the President's own budget proposal, does not account for the costs of health care reform and other initiatives—welfare, crime—likely to be enacted over the next few years. In February, the Congressional Budget Office ruled that the President's mandate to require employers to pay for 80 percent of their employees' health insurance premiums should be counted on budget and that it would increase the deficit by \$74 billion through the year 2000. This resolution ignores these costs, just as it ignores the general problems of continued deficits and higher debt.

This budget resolution perpetuates the status quo, and the status quo is just not good enough. In fact, the status quo robs this economy of its potential, a situation that many Americans and many Mainers are experiencing through slow economic and employment growth. This is why I cannot support it. Deficit reduction and stopping the growth of the national debt are serious matters. This resolution does not present the serious solutions that this country needs to deal with these serious issues.

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

Mr. SABO. Mr. Speaker, I urge a yes vote and yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 220, nays 183, not voting 29, as follows:

[Roll No. 161]

YEAS—220

Abercrombie	Fields (LA)	Martinez
Ackerman	Filner	Mazzoli
Andrews (ME)	Flake	McCloskey
Andrews (TX)	Ford (TN)	McCurdy
Applegate	Frank (MA)	McDermott
Bacchus (FL)	Frost	McHale
Baesler	Furse	McKinney
Barca	Gejdenson	McNulty
Barlow	Gephardt	Meehan
Barrett (WI)	Geren	Meek
Becerra	Gibbons	Menendez
Bellenson	Glickman	Mfume
Berman	Gonzalez	Miller (CA)
Bilbray	Gordon	Mineta
Bishop	Green	Minge
Bonior	Gutierrez	Mink
Borski	Hall (OH)	Moakley
Boucher	Hamburg	Mollohan
Brewster	Hamilton	Montgomery
Brooks	Harman	Moran
Browder	Hastings	Murphy
Brown (CA)	Hayes	Murtha
Brown (FL)	Hefner	Nader
Brown (OH)	Hilliard	Oberstar
Bryant	Hinchey	Obey
Byrne	Hoagland	Olver
Cantwell	Hochbrueckner	Ortiz
Cardin	Holden	Orton
Carr	Hoyer	Owens
Chapman	Hughes	Pallone
Clayton	Insole	Parker
Clyburn	Jefferson	Pastor
Coleman	Johnson (GA)	Payne (NJ)
Collins (IL)	Johnson (SD)	Payne (VA)
Collins (MI)	Johnson, E.B.	Pelosi
Condit	Johnston	Peterson (FL)
Conyers	Kanjorski	Peterson (MN)
Coppersmith	Kaptur	Pickle
Costello	Kennedy	Pomeroy
Coyne	Kennelly	Poshard
Cramer	Kildee	Rahall
Danner	Klecza	Rangel
Darden	Klein	Reed
de la Garza	Klink	Reynolds
DeLauro	Kopetski	Richardson
Dellums	Kreidler	Roemer
Derrick	LaFalce	Rose
Deutsch	Lambert	Rostenkowski
Dicks	Lancaster	Rowland
Dingell	Lantos	Roybal-Allard
Dixon	LaRocco	Rush
Doolley	Lehman	Sabo
Durbin	Levin	Sanders
Edwards (CA)	Lewis (GA)	Sarpalius
Edwards (TX)	Lloyd	Sawyer
Engel	Long	Schenk
Eshoo	Lowey	Schroeder
Evans	Maloney	Schumer
Farr	Manton	Scott
Fazio	Markey	Shepherd

Skaggs
Slattery
Slaughter
Smith (IA)
Spratt
Stenholm
Stokes
Strickland
Studds
Stupak
Swift
Synar
Tanner
Tauzin

Tejeda
Thompson
Thornton
Thurman
Torres
Toricelli
Towns
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer

Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

Mr. Matsui for, with Mr. Doolittle against. Mr. Sangmeister for, with Mr. Waxman against.

Mr. Swett for, with Mr. McCollum against.

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

So the conference report was agreed to.

The result of the vote was announced as above recorded.

NAYS—183

Allard
Andrews (NJ)
Archer
Army
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Billrakis
Bliley
Blute
Boehlert
Boehner

Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hancock
Hansen
Hastert
Hefley
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hunter

Moorhead
Morella
Nussle
Packard
Paxon
Penny
Petri
Pickett
Pombo
Porter
Portman
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rohrabacher
Ros-Lehtinen
Roth

Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Cooper
Cox
Crane
Crapo
Cunningham
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dornan
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Ewing
Fawell
Fields (TX)
Fingerhut
Fowler
Franks (CT)
Franks (NJ)
Gallagher
Gallo
Gekas
Gilchrest

Hutchinson
Hutto
Hyde
Inglis
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Machtley
Mann
Manzullo
Margolies-Mezvinsky
McCrery
McDade
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari

Roukema
Royce
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Talent
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

GENERAL LEAVE

Mr. SABO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter, on the conference report on House Concurrent Resolution 218.

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

There was no objection.

PERSONAL EXPLANATION

Mr. SWETT. Mr. Speaker, I was unable to be present for the vote on the Conference Report to accompany the bill H. Con. Res. 218, the Budget Resolution for Fiscal Year 1995. If I had been present, I would have voted yes.

PERSONAL EXPLANATION

Mr. DOOLITTLE. Mr. Speaker, I unavoidably missed the vote on H. Con. Res. 218, the Budget Resolution for Fiscal Year 1995 Conference Report. Had I been present I would have voted no.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2442, ECONOMIC DEVELOPMENT REAUTHORIZATION ACT OF 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-495) on the resolution (H. Res. 420) providing for consideration of the bill (H.R. 2442) to reauthorize appropriations under the Public Works and Economic Development Act of 1965, as amended, to revise administrative provisions of the Act to improve the authority of the Secretary of Commerce to administer grant programs, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEGISLATIVE PROGRAM

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

Mr. MICHEL. Mr. Speaker, I take this time for the purpose of inquiring of the Majority Leader as to the program for next week.

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

Mr. MICHEL. I yield to the majority leader, the gentleman from Missouri [Mr. GEPHARDT].

□ 2127

The Clerk announced the following pairs:
On this vote:

Mr. GEPHARDT. I thank the gentleman for yielding.

Mr. Speaker, we are obviously finished voting this evening. There will not be votes on tomorrow.

On Monday the House will meet at noon, but there will be no legislative business.

On Tuesday, May 10, the House meets at 10:30 a.m. For morning hour and then at noon on 4 bills on suspension on which the recorded votes will be postponed until Wednesday, May 11.

They are as follows:

H.R. 4278—Social Security Act Amendments of 1994,

H.R. 2868—To Designate The Federal Building Located At 600 Camp Street In New Orleans, Louisiana, As The "John Minor Wisdom United States Courthouse",

H.R. 3567—John F. Kennedy Center Act Amendments Of 1994, and

H. Con. Res. 176—To Recognize And Encourage The Convening Of A National Silver Haired Congress.

On Wednesday, May 11, and Thursday, May 12, the House will meet at 2 p.m. on Wednesday and 11 a.m. on Thursday. We will take up H.R. 2442, Economic Development Reauthorization Act of 1994, subject to a rule; Senate bill S. 2000, Head Start Act Amendments of 1994 conference report, subject to a rule; and H.R. 2473, the Montana Wilderness Act, subject to a rule.

I would estimate that votes on Wednesday would start approximately 3 o'clock in the afternoon and on Friday, May 13, the House will meet at 11 a.m. But there will not be legislative business or votes.

□ 2130

Mr. MICHEL. Mr. Speaker, I thank the distinguished majority leader.

ADJOURNMENT TO MONDAY, MAY 9, 1994

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

APPOINTMENT OF MEMBERS TO THE BRITISH-AMERICAN INTER- PARLIAMENTARY GROUP

The SPEAKER pro tempore. Pursuant to the provisions of section 168(b) of Public Law 102-138, the Chair appoints the following Members to the British-American Interparliamentary Group on the part of the House: Mr. HAMILTON of Indiana, Chairman; Mr. LANTOS of California, Vice Chairman; Mr. MURPHY of Pennsylvania; Mr. BOEHLERT of New York; Mr. LEWIS of Florida; and Mr. McMILLAN of North Carolina.

ANNUAL REPORT OF THE NA- TIONAL ENDOWMENT FOR DE- MOCRACY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

Pursuant to the provisions of section 504(h) of Public Law 98-164, as amended (22 U.S.C. 4413(i)), I transmit herewith the 10th Annual Report of the National Endowment for Democracy, which covers fiscal year 1993.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 5, 1994.

ANNUAL REPORT ON FEDERAL ADVISORY COMMITTEES FOR FISCAL YEAR 1993—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Government Operations:

To the Congress of the United States:

As provided by the Federal Advisory Committee Act, as amended (Public Law 92-463; 5 U.S.C., App. 2, 6(c)), I am submitting my first Annual Report on Federal Advisory Committees for fiscal year 1993 for your consideration and action.

Consistent with my efforts to create a Government that works better and costs less, I issued Executive Order No. 12838 on February 10, 1993, requiring the executive branch to conduct a comprehensive review of all advisory committees. Based upon this assessment, each department and agency was directed to reduce by at least one-third the number of committees not required by the Congress. I am pleased to advise that this initiative has resulted in a net reduction of 284 unproductive advi-

sory committees, exceeding our elimination target of 267, by 6 percent, or 17 committees. In addition, we have identified approximately 30 unneeded statutory groups.

While progress has been achieved in assuring that the work of advisory committees remains focused on national, rather than special interests, I am asking for your support in effecting other needed improvements. The Administration will forward to the Congress a legislative proposal to terminate 30 advisory committees required by statute, but for which compelling needs no longer exist. I urge the Congress to act quickly and favorably on this proposal, and I welcome any recommendations of the Congress regarding additional groups that may be eliminated through our joint efforts to increase the effectiveness and efficiency of the Government. Toward this end, I hope the Congress will show increased restraint in the creation of new statutory committees.

I have directed the executive branch to exercise continued restraint in the creation and management of advisory committees. This will allow us to obtain further savings recommended by the Vice President and the National Performance Review. Consistent with Executive Order No. 12838, the Director of the Office of Management and Budget will continue to approve new agency-sponsored committees when necessary and appropriate. In addition the General Services Administration, as part of its overall responsibilities under the Act, will periodically prepare legislation to propose the elimination of committees no longer required by the Government.

We stand ready to work with the Congress to assure the appropriate use of advisory committees and to achieve the purposes for which this law was enacted.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 5, 1994.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. RANGEL). Under the Speaker's announced policy of February 11, 1994, the following Members are recognized for 5 minutes each.

HEALTH CARE REFORM VOTE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 5 minutes.

Mr. MICHEL. Mr. Speaker, I submit for the RECORD the votes on health care reform which took place in the Labor-Management Relations Subcommittee of the Committee on Education and Labor on May 4 and 5, 1994:

The following recorded votes were taken on May 4, 1994 in the Subcommittee on Labor-Management Relations of the Committee on Education and Labor during con-

sideration of Chairman Williams' substitute proposal for H.R. 3600, the Health Security Act of 1994:

1. An amendment by Mr. Owens to reduce cost-sharing to \$1 or \$2 per service for households with incomes up to 150 percent of poverty, who choose a low-cost plan provided there are sufficient low cost plans available, and to help defray the costs of the amendment by increasing the individual annual catastrophic cost limit from \$1,500 to \$2,500 and by a 1.5 percent premium increase. The amendment was rejected 12-14.

DEMOCRATS

Mr. Williams—Nay, Mr. Ford (ex officio)—Nay by proxy, Mr. Clay—Yea, Mr. Kildee—Yea, Mr. Miller (CA)—Yea by proxy, Mr. Owens—Yea, Mr. Martinez—Yea by proxy, Mr. Payne—Yea, Mrs. Unsoeld—Nay, Mrs. Mink—Yea, Mr. Klink—Nay, Mr. Murphy—Yea by proxy, Mr. Engel—Yea by proxy, Mr. Becerra—Yea by proxy, Mr. Green—Ms. Woolsey—Yea, Mr. Romero-Barcelo—Yea.

REPUBLICANS

Mrs. Roukema—Nay, Mr. Goodling (ex officio)—Nay, Mr. Gunderson—Nay by proxy, Mr. Armey—Nay, Mr. Barrett—Nay by proxy, Mr. Boehner—Nay, Mr. Fawell—Nay, Mr. Ballenger—Nay, Mr. Hoekstra—Nay, Mr. McKeon—Nay.

The following recorded votes were taken on May 5, 1994, in the Subcommittee on Labor-Management Relations of the Committee on Education and Labor during consideration of Chairman Williams' substitute proposal for H.R. 3600, the Health Security Act of 1994:

1. An amendment by Mr. BOEHNER to eliminate those provisions in the chairman's mark relating to the requirement that employers pay for health insurance coverage. In addition, the amendment provides that employers are not required to offer the plans in the chairman's mark. The amendment was rejected 10-17.

DEMOCRATS

Mr. Williams—Nay, Mr. Ford (ex officio)—Nay by proxy, Mr. Clay—Nay, Mr. Kildee—Nay, Mr. Miller (CA)—Nay, Mr. Owens—Nay, Mr. Martinez—Nay by proxy, Mr. Payne—Nay, Mrs. Unsoeld—Nay, Mrs. Mink—Nay, Mr. Klink—Nay by proxy, Mr. Murphy—Nay by proxy, Mr. Engel—Nay by proxy, Mr. Becerra—Nay by proxy, Mr. Green—Nay, Ms. Woolsey—Nay, Mr. Romero-Barcelo—Nay by proxy.

REPUBLICANS

Mrs. Roukema—Yea, Mr. Goodling (ex officio)—Yea, Mr. Gunderson—Yea, Mr. Armey—Yea, Mr. Barrett—Yea by proxy, Mr. Boehner—Yea, Mr. Fawell—Yea, Mr. Ballenger—Yea, Mr. Hoekstra—Yea, Mr. McKeon—Yea.

2. An amendment by Mr. FAWELL to the chairman's mark to provide that an individual in a State may purchase any health plan or health insurance of the individual's choice regardless of the status of community rating areas, regional alliances, or purchasing cooperatives that may be established within a State. In addition, the amendment says that individuals may not be required to enroll under or make payments for the health plans under the chairman's mark. The amendment was rejected 10-17.

DEMOCRATS

Mr. Williams—Nay, Mr. Ford (ex officio)—Nay by proxy, Mr. Clay—Nay by proxy, Mr. Kildee—Nay by proxy, Mr. Miller (CA)—Nay by proxy, Mr. Owens—Nay by proxy, Mr. Martinez—Nay by proxy, Mr. Payne—Nay by proxy, Mrs. Unsoeld—Nay by proxy, Mrs.

Mink—Nay by proxy, Mr. Klink—Nay, Mr. Murphy—Nay by proxy, Mr. Engel—Nay by proxy, Mr. Becerra—Nay by proxy, Mr. Green—Nay by proxy, Ms. Woolsey—Nay by proxy, Mr. Romero-Barcelo—Nay by proxy.

REPUBLICANS

Mrs. Roukema—Yea, Mr. Goodling (ex officio)—Yea, Mr. Gunderson—Yea by proxy, Mr. Armey—Yea by proxy, Mr. Barrett—Yea by proxy, Mr. Boehner—Yea by proxy, Mr. Fawell—Yea, Mr. Ballenger—Yea, Mr. Hoekstra—Yea by proxy, Mr. McKeon—Yea by proxy.

REVITALIZING THE NORTH ATLANTIC TREATY ORGANIZATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. HYDE] is recognized for 5 minutes.

Mr. HYDE. Mr. Speaker, in the last five years momentous events have recast the landscape of Europe, and indeed the world. The "Iron Curtain"—so long a symbol of the bankruptcy of communist ideology—has been pulverized and sold off in small chunks, a triumph of free enterprise over totalitarianism. The Soviet Union has collapsed under its own weight without a shot being fired and from its destruction a dozen independent states have emerged. The Warsaw Pact—once a mighty and feared military alliance spreading from the Arctic Ocean to the Mediterranean Sea—is no more.

These historic events were in no small part due to the enduring strength of the North Atlantic Treaty Organization and the sustained commitment of its member countries. Founded in 1949, the NATO alliance served as the West's primary defensive bulwark against Moscow's amply demonstrated aggressive posture. However, in the wake of the Cold War, NATO's mission lacks the clarity it once had. Some argue that there is no further need to maintain the alliance, that it has outlived its purpose. Furthermore, the role of the United States in NATO has been called into question. Even during the height of East-West tension there were calls in Congress to reduce or eliminate the presence of U.S. military forces in Europe. Even as our forces in Europe decline from a high of 434,000 in the early 1960's to a projected level of 100,000 by next year, those calls continue to be heard.

Unfortunately, the world has not suddenly evolved into a utopian paradise with chamber music playing softly in the background. In place of the dangers posed by communist domination, new threats have emerged to the shared interests of the United States and other NATO countries. These threats are of lower intensity, more widespread, and less predictable. But, they can be ignored only at great peril. Proliferation of nuclear, chemical and biological weapons of mass destruction and the means to deliver them are of serious concern and may soon require bold ac-

tions on our part. Furthermore, several undemocratic and hostile regimes including North Korea, Iran, Iraq, and Libya pose serious threats to the West and to the global economy on which a stable energy supply and the free flow of commerce are dependent. Some feel that we can turn to the United Nations to deal with these threats. But, the limits of U.N. capability have only too vividly been revealed over the past year.

The NATO alliance, on the other hand, has a proven track record of effective political cooperation and military interoperability that can help protect our mutual interests without an undue burden falling on the United States. This was demonstrated by the success with which NATO member countries coalesced in joint military operations to liberate Kuwait in 1991. While many other nations participated in allied operations in the Persian Gulf war, NATO members formed the core military components that ensured victory.

NATO has been a dynamic and evolving organization expanding on three different occasions in its forty-five year history. Since the collapse of communism, several countries in Central and East Europe have expressed interest in NATO membership. These include the Visegrad countries of Poland, Hungary, Slovakia, and the Czech Republic and the Baltic states of Estonia, Latvia, and Lithuania. While immediate admission for these and other countries may not be feasible or desirable, the alliance should establish guidelines for eventual admission. As many European countries reach out to the West seeking to share our values and participate in our mutual defense, we should not simply turn a blind eye for fear of sending the wrong message to Moscow. A new NATO that includes former Warsaw Pact members would be no more a threat to Russia than the old NATO—which was, and which will remain, a defensive alliance. We should establish tough, but appropriate standards for interested countries to meet in order to be invited to join the alliance. We should be firm, but we should also be willing to work with prospective members to assist them in reaching those standards.

There has been little discussion in the Congress and the Executive Branch on these crucial issues, and I believe their consideration is long overdue. I am today introducing the "NATO Revitalization Act" expressing United States policy with respect to the North Atlantic Treaty Organization. My bill states that it should be the policy of the United States to continue our commitment to and active leadership role in NATO and to join with our NATO allies to redefine the role of the alliance in the post-Cold War world. It further states that it should be U.S. policy to urge NATO to support the eventual ex-

pansion of alliance membership to other European countries that meet appropriate standards including shared values and interests, democratic governments, free market economies, civilian control of the military, and a willingness to contribute to the security of the North Atlantic area. It urges NATO to establish benchmarks and a timetable for eventual membership for selected countries in transition. Lastly, it urges NATO to affirm that the organization's military planning should include contingencies beyond the NATO area when the shared interests of the United States and other member countries require such action to defend vital interests.

This legislation is not carved in granite or printed with indelible ink. It is not binding on the President or his Administration. It is intended to be a point of departure, not necessarily the destination, itself. Nonetheless, I think it represents a solid basis for NATO's future in the post-Cold War world. This bill is not intended to a critique of the Clinton Administration or the recently announced "Partnership for Peace" program. Instead, it offers a road map that extends beyond the limited scope of that initiative without prejudicing its merits. It is intended to stimulate both policymakers and the American people to engage in a thorough exploration and a vigorous debate of these important issues involving the security of the United States and our allies. The bill follows:

H.R. —

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 "NATO Revitalization Act".

SEC. 2. FINDINGS.

The Congress finds that—

(1) for over 40 years, the North Atlantic Treaty Organization has helped guarantee the security, freedom, and prosperity of the United States and our partners in the alliance;

(2) the North Atlantic Treaty Organization has expanded its membership on 3 different occasions since its founding in 1949;

(3) the steadfast and sustained commitment of the member countries of the North Atlantic Treaty Organization to mutual defense against the threat of communist domination played a significant role in precipitating the collapse of the Iron Curtain and the demise of the Soviet Union;

(4) in the place of that threat, new security threats are emerging to the shared interests of the member countries of the North Atlantic Treaty Organization;

(5) although these new threats are more geographically and functionally diverse and less predictable, they still imperil shared interests of the United States and our North Atlantic Treaty Organization allies;

(6) Western interests must be protected on a cooperative basis without an undue burden falling upon the United States;

(7) the North Atlantic Treaty Organization is the only multilateral organization that is capable of conducting effective military operations to protect Western interests;

(8) the valuable experience gained from ongoing military cooperation within the North Atlantic Treaty Organization critical to the success of joint military operations in the 1991 liberation of Kuwait;

(9) the North Atlantic Treaty Organization is an important diplomatic forum for discussion of issues of concern to its member states and for the peaceful resolution of disputes;

(10) admission of Central and East European countries that have recently been freed from Communist domination to the North Atlantic Treaty Organization could contribute to international peace and enhance the security of those countries;

(11) a number of countries including the Visegrad countries (the Czech Republic, Hungary, Poland, and Slovakia) and the Baltic states (Estonia, Latvia, and Lithuania), have expressed interest in North Atlantic Treaty Organization membership; and

(12) in recognition of this interest, the "Partnership of Peace" proposal offers limited military cooperation to many European countries not currently members of the North Atlantic Treaty Organization, without establishing benchmarks or guidelines for eventual North Atlantic Treaty Organization membership.

SEC. 3. UNITED STATES POLICY.

It should be the policy of the United States—

(1) to continue our commitment to and active leadership role in the North Atlantic Treaty Organization;

(2) to join with our North Atlantic Treaty Organization allies to redefine the role of the alliance in the post-Cold War world, taking into account—

(A) the fundamentally changed security environment of Central and Eastern Europe,

(B) the need to assure all countries of the defensive nature of the alliance and the desire of its members to work cooperatively with all former adversaries,

(C) the emerging security threats posed by the proliferation of nuclear, chemical, and biological weapons of mass destruction and the means to deliver them,

(D) the continuing challenges to the interests of all North Atlantic Treaty Organization member countries posed by unstable and undemocratic regimes harboring hostile intentions, and

(E) the dependence of the global economy on a stable energy supply and the free flow of commerce;

(3) to urge the North Atlantic Treaty Organization to support the eventual expansion of alliance membership to European countries that meet appropriate standards, including—

(A) shared values and interests,

(B) democratic governments,

(C) free market economies,

(D) civilian control of the military,

(E) adherence to the values, principles, and political commitments embodied in the Helsinki Final Act of the Conference on Security and Cooperation in Europe, and

(F) commitment to further the principles of the North Atlantic Treaty Organization and to contribute to the security of the North Atlantic area;

(4) to urge the North Atlantic Treaty Organization—

(A) to extend membership to countries that meet the standards set forth by the North Atlantic Treaty Organization, and

(B) to establish benchmarks and a timetable for eventual membership for selected countries in transition; and

(5) to affirm the North Atlantic Treaty Organization military planning should include

joint military operations beyond the geographic bounds of the alliance under Article 4 of the North Atlantic Treaty when the shared interests of the United States and other member countries require such action to defend vital interests.

ANNOUNCEMENTS BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 30 minutes as the designee of the minority leader.

GUN LAWS DO NOTHING ABOUT CRIME

Mrs. BENTLEY. Mr. Speaker, I am speaking this evening under special orders since there was not enough time available today during the debate on H.R. 4296.

Mr. Speaker, yesterday's Baltimore Evening Sun included an editorial urging me to vote in favor of the assault weapon ban that the House will consider today.

This editorial recounted a vicious bank robbery that occurred in my district 2 years ago in which an assault weapon was used, and asks how I can even consider voting against this bill following that tragic incident.

I would like to share with the House a letter that I received late yesterday afternoon from one of the victims of this tragic incident. The letter reads:

DEAR REPRESENTATIVE HELEN BENTLEY: I am a survivor of the Randallstown Farmer's Bank Robbery, which occurred on October 26, 1992. The robbery was done by two males who entered the bank and had four women employees lie face down on the vault floor and then proceeded to shoot all of us. Their intent when they entered the bank was to kill all of us leaving no witnesses. I was shot twice with a MII Cobray semi-automatic hand gun. I saw two of my employees and friends killed, and one other employee critically wounded.

I am writing to tell you to please vote against any gun bill. I suppose you are asking why, since I was a victim. Guns do not do the killing, people do. I am a target shooter and enjoy target shooting with rifle, pistol and shotgun. No matter how many gun laws you put on the books, if a person wants to commit a violent crime they can always obtain a gun illegally if not legally. What we need to do is enforce the laws we already have. The police and lawyers do their jobs, but our judicial system is what needs to be looked into. The penalty to offenders needs to fit the crime with no parole. Criminals should serve full sentences, not let out on good behavior. We need to use the death penalty * * *.

Taking the gun privileges away from the sportsmen and individual to protect their property will do no good * * *. My prayers will be with you as you make your decision. I strongly urge you to vote against the gun bill * * *.

Mr. Speaker, this letter is signed by Ms. Barbara M. Aldrich of Sykesville, MD, who was one of the victims, one of

the survivors of the Randallstown Farmers' Bank Robbery in 1992.

Mr. Speaker, I would like to read from another letter which was received in my office this week. This letter reads:

DEAR HONORABLE HELEN BENTLEY: I want to tell you what happened to my sister, Judy Cobb, in 1987 in Jacksonville, Florida. A man broke into her apartment at five o'clock a.m. while her husband was gone, and [the intruder] was attempting to rape her. He had white gloves on and a nylon stocking over his face. She was awakened with him on top of her, with a knife held on her throat* * *.

[He] dragged her off the bed to get ropes he had brought in and was sitting on her back with her face in a pillow tying a blindfold on her, when my sister reached beside her bed on the floor, got her loaded semi-automatic pistol, pointed it up over the back of her head and fired.

He died later in the day at the hospital. If the gun she'd used had been banned she'd be dead today instead of him. [The police believed this man] to be responsible for about twenty rapes in that area. The man was nineteen years old. When he died the police called my sister to inform her. They told her that she had probably saved at least 200 other women. She, her husband and three children now live in Maryland.

I urge you to protect the law abiding citizens by protecting our right to own every kind of gun, because of crime and because of our Constitution.

This letter is signed by Mrs. Deborah A. Miller, one of my constituents who lives in White Hall, MD. Finally, Mr. Speaker, I would like to read from a letter sent to my office from Timothy H. Walker of Glen Burnie, MD. Mr. Walker writes:

I am not a member of the NRA * * *. I am a Sergeant with the Anne Arundel County Police Department, and let me assure you that the rank and file police officers in Maryland * * * and nationally do not want to see the second amendment rights of the American people trampled on.

I have been in law enforcement * * * since 1971, and have never encountered any of these "assault" weapons on the street, nor even responded to a scene where one was used.

I have, however, seen thousands of very dangerous criminals released by the Courts or by the Parole Board back onto the streets * * *. Please vote against this [bill].

Mr. Speaker, I have prepared this statement to announce from the well of the House that I would vote against the assault weapon ban later. However, there was no time left in the debate so I decided to give this under the special orders tonight. The weapons that this bill would ban are used in less than one percent of the violent crimes across this country. According to the Bureau for Justice Statistics, more Americans died last year from assaults with fists than from assaults with assault weapons.

This bill does nothing about crime. Criminals still will have access to the full range of firepower that they desire, but we will be putting another shackle on the rights of the law abiding citizens of this country who own guns to

protect themselves from the criminals that this Congress, and that the States, do not have the will to put and keep in prison.

I decided not to join in the hypocrisy of the majority party in this Chamber today. I was not interested in voting with the majority in order to be able to go home and say to their constituents, "We have done something about crime," when in reality we will be doing nothing.

Where are the bills to keep criminals who use firearms in the commission of a crime in jail for 30 years, or 40 years, or for life?

Mr. Speaker, this bill is also not about the NRA. When the NRA tried to bully me to vote against the Brady bill earlier this year, I told them they were wrong, and I supported Brady.

I haven't accepted money or support from the NRA since at least 1988, so that when I cast a vote on gun issues my constituents know it is their interests I am representing, and not that of any interest group.

The legislation that was presented to the House today is poorly drafted. The letters I read a few minutes ago asking me to vote against this bill, from Mrs. Barbara Aldrich, who was a victim of a shooting by an assault weapon, from Mrs. Deborah Miller, whose sister saved her own life with an assault pistol, and from Anne Arundel County Police Sergeant Timothy Walker, are indicative of the deluge of mail, telephone calls, and faxes that I have received for days.

But these three communications are the most compelling. During my 10 years in the Congress I have fought to tighten our criminal justice system to get tough on criminals. It is time that we spent more time worrying about criminals, and less time placing further restrictions on the law abiding men and women of America.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROGERS (at the request of Mr. MICHEL), for today, on account of attending a funeral.

Ms. LONG (at the request of Mr. GEPHARDT), for today prior to 9 p.m., on account of a death in the family.

Mr. CLEMENT (at the request of Mr. GEPHARDT), for today after 5:30 p.m., on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. NUSSLE) to revise and extend their remarks and include extraneous material:)

Mr. HYDE, for 5 minutes, today.

Mr. GINGRICH, for 5 minutes, today.

(The following Member at the request of Mr. HINCHEY) to revise and extend his remarks and include extraneous material:)

Mr. HOAGLAND, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. NUSSLE) and to include extraneous matter:)

Mr. HUFFINGTON.

Mrs. VUCANOVICH.

Mr. ROGERS.

Mr. GALLO.

Mr. WOLF.

Ms. ROS-LEHTINEN.

Mr. FRANKS of Connecticut in two instances.

Mr. SKEEN.

Mr. SHUSTER in two instances.

Mr. LEWIS of California.

Mr. SOLOMON.

Mr. LAZIO.

Mr. EVERETT.

Mr. PACKARD.

Mr. FISH.

Mr. KIM.

Mr. SMITH of New Jersey.

Mrs. VUCANOVICH.

Mrs. MORELLA.

Mr. GILLMOR in three instances.

Mr. GINGRICH.

Mr. DUNCAN.

(The following Members (at the request of Mr. HINCHEY) and to include extraneous matter:)

Mr. MATSUI in two instances.

Mr. GORDON in two instances.

Mr. KANJORSKI.

Mr. MONTGOMERY.

Mr. WAXMAN.

Mr. BARCIA of Michigan.

Ms. NORTON.

Mr. ROMERO-BARCELÓ.

Mr. HALL of Ohio in two instances.

Mr. SANGMEISTER.

Mr. BOUCHER.

Mr. GUTIERREZ.

Mr. OWENS.

Mr. LAROCO.

Mr. MINETA in two instances.

Mr. JACOBS.

Mrs. KENNELLY.

Mr. SERRANO.

Mr. APPELGATE.

Mr. POMEROY.

Ms. LAMBERT.

Mr. DEFAZIO.

Mr. KLEIN.

Mr. ROYBAL-ALLARD.

SENATE BILL, A JOINT RESOLUTION, AND A CONCURRENT RESOLUTION REFERRED

A bill, a joint resolution, and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1927. An act to increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to the Committee on Veterans' Affairs.

S.J. Res. 168. Joint resolution designating May 11, 1994, as "Vietnam Human Rights Day"; to the Committee on Post Office and Civil Service.

S. Con Res. 68. Concurrent resolution to authorize printing of Senator Robert C. Byrd's Addresses to the United States Senate on the History of Roman Constitutionalism; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a Joint Resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4204. An act to designate the Federal building located at 711 Washington Street in Boston, Massachusetts, as the "Jean Mayer Human Nutrition Research Center on Aging."

H.J. Res. 239. Joint resolution to authorize the President to proclaim September 1994 as "Classical Music Month."

ADJOURNMENT

Mrs. BENTLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until Monday, May 9, 1994, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3117. A letter from the Acting Chairman, Commodity Futures Trading Commission, transmitting a draft of proposed legislation to reauthorize the Commodity Futures Trading Commission, pursuant to 31 U.S.C. 1110; to the Committee on Agriculture.

3118. A letter from the Comptroller of the Department of Defense, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the Department of the Navy, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

3119. A letter from the Acting Deputy Assistant Secretary (Production Resources), Department of Defense, transmitting the strategic and critical materials report to the Congress: Operations under the Strategic and Critical Materials Stockpiling Act during the period October 1992 to September 1993, pursuant to 50 U.S.C. 98h-2(b); to the Committee on Armed Services.

3120. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize the Department of Defense to implement the January 1994 agreement between the Department and the McConnell Douglas Corp. to settle C-17 issues; to the Committee on Armed Services.

3121. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 10-230, "Medicaid Benefits Protection Temporary Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3122. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-231, "Fuels Technology Temporary Amendment Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3123. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-232, "District of Columbia Government Comprehensive Merit Personnel Act of 1978 Employee Benefits Free Clinic Amendment Act of 1990 Extension Temporary Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3124. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-233, "Youth Facilities Firearm Prohibition Amendment Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3125. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-234, "South Africa Sanctions Repeal Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3126. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-228, "Human Rights Amendment Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3127. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-229, "Authorization for the Solicitation and Acceptance of Grant Monies by Advisory Neighborhood Commission 2D Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3128. A letter from the Secretary of Education, transmitting final regulations—Student Assistance General Provisions—Federal Family Education Loan Program and Federal Pell Grant Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3129. A letter from the Secretary, Department of Energy, transmitting the Department's annual quarterly report for the strategic petroleum reserve, covering calendar year 1993 and including specific information for the fourth quarter of 1993, pursuant to 42 U.S.C. 6245(a); to the Committee on Energy and Commerce.

3130. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize the appropriation of funds for construction projects under the covenant to establish a Commonwealth of the Northern Mariana Islands in political union with the United States of America, and for other purposes, pursuant to 31 U.S.C. 1110; to the Committee on Natural Resources.

3131. A letter from the Secretary, Department of Transportation, transmitting the Secretary's report on the transfer of authority from the Secretary of Transportation to the Secretary of the Navy upon the transfer of the Coast Guard to the Navy, pursuant to Public Law 102-241, section 4 (105 Stat. 2209); jointly, to the Committees on Merchant Marine and Fisheries and Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BEILENSON: Committee on Rules. House Resolution 420. Resolution providing for the consideration of the bill (H.R. 2442) to reauthorize appropriations under the Public Works and Economic Development Act of 1965, as amended, to revise administrative provisions of the act to improve the authority of the Secretary of Commerce to administer grant programs, and for other purposes (Rept. 103-495). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAKER of Louisiana (for himself, Mr. ARMEY, Mrs. FOWLER, Mr. INHOPE, and Mr. MCCRERY):

H.R. 4350. A bill to amend title XIX of the Social Security Act to make optional the provision of nonemergency medical transportation services under the Medicaid Program and to deny Federal financial participation for such services; to the Committee on Energy and Commerce.

By Mr. BOUCHER (for himself, Mr. UPTON, and Ms. LAMBERT):

H.R. 4351. A bill to amend the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (Superfund) to provide a mechanism for the allocation of liability among potentially responsible parties, and for other purposes; jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

By Mr. DUNCAN:

H.R. 4352. A bill to require each Federal agency to use stationery on which is printed the telephone number of the agency; to the Committee on Government Operations.

By Mr. GALLO:

H.R. 4353. A bill to require businesses who compile consumer lists for sale to other businesses to notify consumers on the list of the sales of the list; to the Committee on Energy and Commerce.

H.R. 4354. A bill to amend title II of the Social Security Act to prohibit the buying and selling of Social Security account numbers; to the Committee on Ways and Means.

By Mr. GINGRICH:

H.R. 4355. A bill to suspend until January 1, 1998, the duty on fluvoxamine, maleate; to the Committee on Ways and Means.

By Mr. HUFFINGTON (for himself, Mr. GINGRICH, Mr. LEACH, Mr. WALKER, Mr. NEAL of North Carolina, Mr. HERGER, Mr. EVERETT, Mr. CRAPO, Mr. POMBO, Mr. HORN, Mr. INHOPE, Mr. BOEHNER, Mr. CUNNINGHAM, Mr. LINDER, Mr. GRAMS, Mr. WALSH, Mr. JACOBS, Mr. TALENT, Mr. BAKER of California, Mr. STEARNS, Mr. HOEKSTRA, Mr. CANADY, Mr. COX, Mr. DIAZ-BALART, Mr. MCKEON, Mr. DOOLEY, Mr. FRANKS of New Jersey, Mrs. VUCANOVICH, Mrs. FOWLER, Mr. GUNDERSON, Mr. HOKE, Mr. MCHALE, Mr. PORTMAN, Mr. SUNDQUIST, Mr. TORKILDSEN, Mr. DICKEY, and Mr. HUTCHINSON):

H.R. 4356. A bill to amend the Internal Revenue Code of 1986 to allow individuals who do

not itemize their deductions a deduction for a portion of their charitable contributions, and for other purposes; to the Committee on Ways and Means.

By Mr. HUGHES (for himself and Mr. MOORHEAD) (both by request):

H.R. 4357. A bill to make improvements in the operation and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. HYDE:

H.R. 4358. A bill to express U.S. policy with respect to the North Atlantic Treaty Organization; to the Committee on Foreign Affairs.

By Mr. KOPETSKI:

H.R. 4359. A bill to require a study and report on environmental restoration at the Nevada Test Site, NV; to the Committee on Armed Services.

By Ms. LAMBERT (for herself, Mr. UPTON, Mr. BOUCHER, Mr. SCHAEFER, and Mr. MANTON):

H.R. 4360. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify liability under that act for certain recycling transactions; jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

By Ms. NORTON:

H.R. 4361. A bill to amend title 5, United States Code, to provide that an employee of the Federal Government may use sick leave to attend to the medical needs of a family member; to modify the voluntary leave transfer program with respect to employees who are members of the same family; and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WAXMAN (by request):

H.R. 4362. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise the authority under that act to regulate pesticide chemical residues in food; to the Committee on Energy and Commerce.

By Mr. JOHNSON of South Dakota (for himself, Mr. MINGE, and Mr. GRANDY):

H.R. 4363. A bill to authorize the construction of the Lewis and Clark Rural Water System and to authorize assistance to the Lewis and Clark Rural Water System, Inc., a nonprofit corporation, for the planning and construction of the water supply system, and for other purposes; to the Committee on Natural Resources.

By Mr. LANCASTER:

H.R. 4364. A bill to direct the Secretary of Transportation to transfer administrative jurisdiction over certain lands for inclusion in the Cape Hatteras National Seashore Recreational Area; jointly, to the Committees on Merchant Marine and Fisheries and Natural Resources.

By Mr. POMEROY (for himself, Mr. BARRETT of Wisconsin, Mr. COPPERSMITH, Mr. HAMBURG, Mr. MINGE, Ms. SHEPHERD, Mrs. THURMAN, and Mr. PASTOR):

H.R. 4365. A bill to amend title XI of the Social Security Act to repeal the requirement that employers report information to the Medicare and Medicaid coverage data bank; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. WYNN (for himself, Mr. ENGEL, and Mr. FOGLIETTA):

H.R. 4366. A bill to amend the Small Business Act to establish a minority graduate mentor program; to the Committee on Small Business.

By Mrs. KENNELLY:

H.R. 4367. A bill to amend the Internal Revenue Code of 1986 and title I of the Employee

Retirement Income Security Act of 1974 with regard to pension integration, participation, and vesting requirements, to provide for division of pension benefits upon divorce unless otherwise provided in qualified domestic relations orders, to provide for studies relating to cost-of-living adjustments and pension portability, and to clarify the continued availability, under provisions governing domestic relations orders, of remedies relating to matters treated in such orders entered before 1985; jointly, to the Committees on Ways and Means and Education and Labor.

By Mr. BLACKWELL (for himself, Mr. MFUME, Mr. FOGLIETTA, Mr. NADLER, Mr. CONYERS, Mr. ENGEL, Mr. FROST, Mr. ROMERO-BARCELO, Mr. KLECZKA, Ms. VELAZQUEZ, Ms. NORTON, Mr. WILSON, Mr. CLYBURN, Mr. UNDERWOOD, Mr. WATT, Mr. OWENS, Mr. LANCASTER, Mr. DELLUMS, Mr. THOMPSON, Mr. SCOTT, Ms. BROWN of Florida, Mr. JEFFERSON, Mr. PAYNE of New Jersey, Mr. WASHINGTON, Mr. TUCKER, Mr. TOWNS, and Mr. RUSH):

H.J. Res. 364. Joint resolution designating June as "African-American Music Month"; to the Committee on Post Office and Civil Service.

By Mr. KNOLLENBERG (for himself, Mr. PENNY, Mr. RAHALL, Ms. DANNER, and Mr. BONIOR):

H. Con. Res. 245. Concurrent resolution expressing the sense of the House of Representatives commending Israel and the Palestine Liberation Organization [PLO] for signing an historic agreement in Cairo on May 4, 1994; to the Committee on Foreign Affairs.

By Mr. WHEAT:

H. Con. Res. 246. Concurrent resolution expressing the sense of the Congress regarding the denial or limitation of health insurance coverage or benefits on the basis of preexisting medical conditions; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Mr. MICHEL (for himself, Mr. GINGRICH, Mr. THOMAS of California, Mr. ROBERTS, Mr. LIVINGSTON, Mr. BARRETT of Nebraska, Mr. BOEHRER, and Ms. DUNN):

H. Res. 419. Resolution amending the Rules of the House of Representatives to provide for certain changes in the bipartisan administrative oversight of House functions; jointly, to the Committees on Rules and House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KENNEDY:

H.R. 4368. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Sunrise*; to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 39; Mr. HOCHBRUECKNER and Ms. ROYBAL-ALLARD.

H.R. 65; Mrs. MINK of Hawaii and Ms. PRYCE of Ohio.

H.R. 123; Mr. TAYLOR of Mississippi and Ms. PRYCE of Ohio.

H.R. 518; Mr. BARRETT of Wisconsin and Mr. KLEIN.

H.R. 790; Mr. WATT.

H.R. 794; Mr. KINGSTON and Mr. HUFFINGTON.

H.R. 885; Mr. MYERS of Indiana, Mr. GUNDERSON, and Mr. BARTON of Texas.

H.R. 911; Mr. FRANKS of New Jersey and Mr. HOAGLAND.

H.R. 1056; Mr. VOLKMER, Mr. UNDERWOOD, Mr. GORDON, and Ms. VELAZQUEZ.

H.R. 1277; Mr. SANTORUM and Mr. PAXON.

H.R. 1293; Mr. ISTOOK and Mr. HUTTO.

H.R. 1490; Mr. CLINGER, Mr. LEHMAN, and Mr. LINDER.

H.R. 1579; Mr. DIXON, Ms. ESHOO, and Mr. FARR.

H.R. 1864; Mr. BLUTE.

H.R. 1968; Mr. MCDERMOTT and Mr. HOAGLAND.

H.R. 2317; Mrs. MEYERS of Kansas.

H.R. 2360; Mr. KIM.

H.R. 2433; Mr. LEWIS of Florida.

H.R. 2479; Mrs. COLLINS of Illinois, Ms. WATERS, Mr. APPELEGATE, and Ms. ROYBAL-ALLARD.

H.R. 2660; Ms. NORTON.

H.R. 2676; Mr. STOKES.

H.R. 2691; Mr. ENGEL.

H.R. 2759; Mr. PACKARD, Mr. PARKER, and Mr. SCHAEFER.

H.R. 2959; Mr. MCCREERY.

H.R. 3005; Mr. SCHIFF, Mr. CALVERT, and Mr. BUNNING.

H.R. 3017; Mr. STENHOLM, Mr. SHAW, Mr. SMITH of New Jersey, and Mr. BAESLER.

H.R. 3128; Ms. SHEPHERD.

H.R. 3182; Mr. ANDREWS of New Jersey.

H.R. 3250; Mr. KLUG.

H.R. 3278; Mr. FOGLIETTA.

H.R. 3293; Ms. BROWN of Florida, Mr. BLACKWELL, and Mr. TOWNS.

H.R. 3305; Mr. MENENDEZ.

H.R. 3347; Mr. WATT and Ms. VELAZQUEZ.

H.R. 3392; Mr. GOODLATTE, Mr. HAMILTON, Mr. FIELDS of Texas, and Mr. SCHAEFER.

H.R. 3421; Mr. SCHIFF, Mr. CALVERT, Mr. KOLBE, and Mr. BUNNING.

H.R. 3472; Mr. HINCHEY.

H.R. 3486; Mr. PETERSON of Minnesota, Mr. DEFAZIO, Ms. MCKINNEY, Mr. ROTH, Mr. HANSEN, Mr. BARCA of Wisconsin, Mr. DEUTSCH, Mr. MICA, Mr. CASTLE, and Ms. DUNN.

H.R. 3490; Mr. ROWLAND.

H.R. 3507; Mr. RAVENEL, Mr. MCCREERY, and Mr. SPRATT.

H.R. 3630; Mr. LAFALCE, Mr. MCDERMOTT, Mr. FORD of Tennessee, and Mr. JACOBS.

H.R. 3659; Mr. LAFALCE.

H.R. 3695; Mr. BUNNING.

H.R. 3739; Mr. SOLOMON, Mr. MORAN, Mr. SKEEN, Mr. LEVY, Mr. DEAL, Mrs. MEYERS of Kansas, Mr. DREIER, Mr. LIVINGSTON.

H.R. 3750; Mr. WYNN and Mr. MINGE.

H.R. 3790; Mr. MCINNIS.

H.R. 3811; Mr. TORRES, Mr. MARTINEZ, Mr. BAKER of California, and Mr. BROWN of California.

H.R. 3851; Mr. FALCOMA, Mr. BAKER of Louisiana, Mr. COLEMAN, Mr. COX, Mr. RAVENEL, Mr. LIGHTFOOT, Mr. LINDER, Mr. ROYCE, Mr. SCHIFF, Mr. ZELIFF, Mr. BLUTE, Mr. LEVY, Mr. CRAPO, and Mr. BARTON of Texas.

H.R. 3875; Mr. ROHRBACHER, Mr. MCHUGH, Mr. MICA, Mr. HERGER, Mr. KYL, Mr. BAKER of California, Mr. THOMAS of California, Mr. MCKEON, Mr. MOORHEAD, Mr. DREIER, Mr. LEWIS of California, Mr. CALVERT, Mr. COX, Mr. HUNTER, Mr. MCINNIS, Mr. ALLARD, Mr. SCHAEFER, Mr. MCCOLLUM, Mr. YOUNG of Florida, Mr. GINGRICH, Mr. HYDE, Mr. BUYER, Mr. BURTON of Indiana, Mr. NUSSLE, Mr. ROGERS, Mr. SMITH of Michigan, Mrs. VUCANO-

VICH, Mr. SOLOMON, Mr. PAXON, Mr. HOUGHTON, Mr. COBLE, Mr. GILLMOR, Mr. HOBSON, Mr. KASICH, Mr. SMITH of Oregon, Mr. McDADE, Mr. WALKER, Mr. GOODLING, Mr. RIDGE, Mr. SPENCE, Mr. QUILLEN, Mr. DUNCAN, Mr. SUNQUIST, Mr. SAM JOHNSON, Mr. BARTON of Texas, Mr. SMITH of Texas, Mr. DELAY, Mr. ARMEY, Mr. BLILEY, Mr. ROTH, Mr. SENSENBRENNER, Mr. HASTERT, Mr. DOOLEY, Mr. GRANDY, Mr. ARCHER, Mr. FROST, Mr. LEWIS of Florida, Mr. ISTOOK, Mr. CLINGER, Mr. MYERS of Indiana, Mr. EWING, Mr. HOEKSTRA, Mr. LEVY, Mr. LINDER, Mr. KING, Mr. BACHUS of Alabama, Mr. KIM, Mr. TALENT, Mr. BARRETT of Nebraska, Mr. CONDIT, Mr. HALL of Texas, Mr. MILLER of Florida, Mr. BROOKS, and Mr. EDWARDS of Texas.

H.R. 3951: Mr. SWETT, Mr. DEAL, and Mr. WILLIAMS.

H.R. 3955: Mr. MURPHY and Mr. HUTCHINSON.

H.R. 3973: Mr. GILCREST, Mr. ENGEL, and Mr. FROST.

H.R. 4019: Mr. GEJDENSON.

H.R. 4043: Mr. MFUME, Mr. STOKES, Ms. COLLINS of Michigan, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HILLIARD, Mr. LEWIS of Georgia, Ms. MCKINNEY, Mr. BISHOP, Mr. TUCKER, Ms. BROWN of Florida, Mr. WYNN, Mr. RUSH, Mr. CONYERS, Mr. RANGEL, and Mr. HASTINGS.

H.R. 4051: Ms. MCKINNEY.

H.R. 4091: Mr. DELLUMS.

H.R. 4095: Mr. COX, Mr. STUMP, Mr. BACHUS of Alabama, Mr. GORDON, and Ms. PRYCE of Ohio.

H.R. 4100: Mr. ARCHER.

H.R. 4109: Mr. ACKERMAN.

H.R. 4118: Mr. TEJEDA, Mr. FRANK of Massachusetts, Mr. LANTOS, and Mr. SCHIFF.

H.R. 4128: Mr. FINGERHUT, Mr. FOGLIETTA, Mr. HILLIARD, Mr. STUPAK, Mr. TOWNS, and Mr. WYDEN.

H.R. 4135: Mr. ROSE, Mr. KILDEE, Mr. BEVILL, Mr. YOUNG of Florida, Mr. WAXMAN, Mr. HILLIARD, Mr. MATSUI, Mr. CARR, Mr. LANCASTER, Mr. JOHNSTON of Florida, Mr. HOYER, Mr. FLAKE, Mr. SWETT, and Mr. FALEOMAVAEGA.

H.R. 4148: Ms. NORTON, Mr. NEAL of Massachusetts, and Mr. MARKEY.

H.R. 4158: Mr. ALLARD, Mr. GUTIERREZ, Mr. BONIOR, Mr. FILNER, Mr. MILLER of California, Mr. TOWNS, Mr. NADLER, Mrs. MALONEY, Ms. DELAUNO, Mr. OWENS, Mr. HINCHEY, Mr. SERRANO, Mr. ACKERMAN, Mr. FLAKE, and Mr. WASHINGTON.

H.R. 4178: Mr. PACKARD and Mr. KLUG.

H.R. 4216: Mr. McDERMOTT.

H.R. 4223: Mr. BARTLETT of Maryland, Mr. BLILEY, Mr. DOOLITTLE, Mr. FAWELL, Mr. GEKAS, Mr. GINGRICH, Mr. HANSEN, Mr. HOBSON, Mr. PETRI, Mr. TORKILDSEN, Mrs. VUCANOVICH, and Mr. ZELIFF.

H.R. 4247: Mr. GRAMS and Mr. ZIMMER.

H.R. 4260: Mr. LAFALCE, Mr. PARKER, Mr. KLUG, Mr. RAVENEL, Ms. ESHOO, Mr. LIPINSKI, Mr. ABERCROMBIE, and Mr. NEAL of Massachusetts.

H.R. 4269: Mr. KING, Mr. ARMEY, Mr. WILSON, and Mr. DORNAN.

H.R. 4272: Mr. FAZIO, Mr. MINETA, and Mr. MEEHAN.

H.R. 4273: Mr. FAZIO, Mr. MINETA, and Mr. MEEHAN.

H.R. 4281: Mr. HUNTER, Mr. DORNAN, and Mr. ROBERTS.

H.R. 4345: Mr. ENGEL, Mr. LEWIS of Georgia, Mr. GENE GREEN of Texas, Mr. FISH, Mr. TORKILDSEN, and Ms. MOLINARI.

H.R. 4347: Mr. BARRETT of Nebraska, Mr. BOEHNER, and Mr. DICKEY.

H.J. Res. 90: Mr. McHUGH and Mr. BAKER of California.

H.J. Res. 297: Mr. DUNCAN.

H.J. Res. 302: Mr. MURTHA, Mr. CRAMER, Mr. GUTIERREZ, Mr. BALLENGER, Mr. EHLERS, Mr. LAFALCE, Mr. WELDON, Mr. GEJDENSON, and Mr. TEJEDA.

H.J. Res. 311: Mr. CALVERT, Mrs. CLAYTON, Mr. COBLE, Mr. COLEMAN, Mr. CRANE, Mr. DARDEN, Mr. DIXON, Mr. EDWARDS of California, Mr. EMERSON, Mr. FISH, Mr. PETE GEREN of Texas, Mr. GORDON, Mr. GREENWOOD, Mr. HASTERT, Mr. HORN, Mr. INHOFE, Mr. JOHNSON of South Dakota, Mr. KILDEE, Mr. MCINNIS, Ms. MCKINNEY, Mr. McNULTY, Mr. MARKEY, Mr. MATSUI, Mr. OBERSTAR, Mr. OLVER, Mr. ORTON, Mr. PALLONE, Mr. PAYNE of New Jersey, Mr. PETRI, Mr. SANDERS, Mr. SERRANO, Ms. SNOWE, Mr. TAYLOR of North Carolina, Mr. TAYLOR of Mississippi, Mr. TEJEDA, Mr. UPTON, and Mr. STOKES.

H.J. Res. 327: Mr. PICKETT, Mr. WYDEN, and Mr. DICKS.

H.J. Res. 333: Mr. FLAKE, Mr. HEFNER, Mr. BARCIA of Michigan, Mr. APPELGATE, Mr. BURTON of Indiana, Mr. EVANS, Mr. LEVY, Mr. GUNDERSON, Ms. DELAUNO, Mr. WELDON, Mr. MATSUI, Mr. MENENDEZ, and Mr. COBLE.

H.J. Res. 334: Mr. ACKERMAN, Mr. BATEMAN, Mr. DELLUMS, Mr. DE LUGO, Ms. FURSE, Mr. HINCHEY, Mr. LAZIO, Ms. LOWEY, Mr. McDADE, Mr. MORAN, Mr. NEAL of Massachusetts, Mr. PASTOR, Mr. ROMERO-BARCELO, Mr. TORRES, Mrs. UNSOELD, Ms. VELAZQUEZ.

H.J. Res. 344: Mr. HAYES, Mr. LANTOS, Mr. KASICH, Mr. PETERSON of Florida, Mr. CRAMER, Mr. GEKAS, Mr. KENNEDY, Mr. GONZALEZ, Mr. SMITH of New Jersey, Mr. DIXON, Mr. DORNAN, Mr. WELDON, Mr. LAFALCE, Mr. ANDREWS of New Jersey, Mr. ENGEL, and Mr. BONIOR.

H. Con. Res. 6: Mr. HANSEN and Mr. SMITH of Michigan.

H. Con. Res. 98: Mr. KIM, Mr. PACKARD, and Mr. SANTORUM.

H. Con. Res. 148: Mr. BACHUS of Alabama.

H. Con. Res. 176: Mr. CLYBURN and Mr. BERMAN.

H. Con. Res. 210: Mr. GALLO and Mr. SOLOMON.

H. Con. Res. 235: Mr. MILLER of California, Mr. MORAN, Mr. ABERCROMBIE, Mr. PENNY, Mr. SKAGGS, Mr. SLATTERY, Mr. CLEMENT, Mr. CONYERS, Mr. MEEHAN, Mr. DURBIN, Ms. PELOSI, Mr. SANDERS, Mrs. MALONEY, Mr. STARK, Mr. OLVER, Mr. PALLONE, Mr. HOCHBRUECKNER, Mrs. MORELLA, Ms. SLAUGHTER, Mr. FINGERHUT, Mr. HUGHES, Mr. PRICE of North Carolina, Mr. FILNER, Mr. McCLOSKEY, Mr. SERRANO, Mr. BEILENSON, Mr. EDWARDS of California, Mr. WAXMAN, Mr. LEWIS of Georgia, Ms. ROYBAL-ALLARD, Mr. STOKES, Mrs. SCHROEDER, Mr. BONIOR, Mr. LEACH, Mr. WHEAT, Mr. SHAYS, Mr. NADLER, Mr. WILLIAMS, Mr. POMEROY, and Mr. REYNOLDS.

H. Res. 255: Mr. HUTCHINSON, Mr. CRANE, Mr. TANNER, Mr. HYDE, Mr. UNDERWOOD, Mr. COX, Mr. SOLOMON, Mr. HASTERT, and Mr. CLINGER.

H. Res. 368: Mr. HOLDEN, Mr. FOGLIETTA, Mr. GEJDENSON, and Mr. EVANS.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

91. By the SPEAKER: Petition of the city of Sunrise, FL, relative to a correspondence between the Department of Justice and the city of Sunrise in regard to a grant request for more police officers; to the Committee on the Judiciary.

92. Also, petition of the city of Sunrise, FL, relative to city of Sunrise, FL, Resolu-

tion No. 94-70; Urgently calling for anticrime legislation; making recommendations and rededicating itself to crime prevention and suppression; to the Committee on the Judiciary.

DISCHARGE PETITIONS

Under clause 3 of rule XXVII, the following discharge petitions were filed:

Petition 16, May 4, 1994, by Mr. ZELIFF on House Resolution 407, was signed by the following Members: William H. Zelfiff, Jr., Cass Ballenger, Jay Dickey, Jack Quinn, James M. Inhofe, Craig Thomas, Gary A. Condit, Charles T. Canady, Stephen E. Buyer, Lamar S. Smith, Rob Portman, Roscoe G. Bartlett, Sam Johnson, Peter G. Torkildsen, Wayne Allard, Michael D. Crapo, Jim Ramstad, Michael Huffington, Stephen Horn, Dan Miller, Bob Franks, Dick Zimmer, Dean A. Gallo, Jim Saxton, Jim Nussle, Doug Bereuter, John Linder, Peter Hoekstra, Bill Barrett, Michael Bilirakis, Thomas E. Petri, Bill Emerson, Helen Delich Bentley, John A. Boehner, Howard P. "Buck" McKeon, Peter Blute, Joe Knollenberg, Ernest J. Istook, Jr., Vernon J. Ehlers, Jennifer Dunn, Bob Stump, Jim Bunning, Spencer Bachus, Terry Everett, Richard H. Baker, Martin R. Hoke, Porter J. Goss, Joe Barton, Nick Smith, Wally Herger, Alfred A. (Al) McCandless, Randy "Duke" Cunningham, Mel Hancock, Ken Calvert, Jay Kim, Richard W. Pombo, Jon Kyl, John M. McHugh, Barbara F. Vucanovich, Tom Lewis, E. Clay Shaw, Jr., Donald A. Manzullo, Deborah Pryce, Bob Goodlatte, Elton Gallegly, Christopher Cox, Pete T. King, Edward R. Royce, Dana Rohrabacher, Bill Baker, Amo Houghton, Sonny Callahan, Michael N. Castle, Duncan Hunter, Scott L. Klug, Dave Camp, Tom DeLay, Rick Santorum, Thomas W. Ewing, Steven Schiff, Bill McCollum, Scott McInnis, J. Dennis Hastert, James H. (Jimmy) Quillen, Robert H. Michel, Jim Kolbe, Howard Coble, Tillie K. Fowler, Bob Inglis, Cliff Stearns, John J. Duncan, Jr., Bill Paxon, Thomas J. Bliley, Jr., Robert E. Andrews, Jim McCrery, James C. Greenwood, Philip M. Crane, Charles H. Taylor, Dan Burton, Robert S. Walker, Jan Meyers, Steve Gunderson, Don Sundquist, Christopher H. Smith, Y. Tim Hutchinson, Henry J. Hyde, Ron Packard, John R. Kasich, Roby Roth, J. Alex McMillan, Harris W. Fawell, Bill Archer, Richard K. Armey, Wayne T. Gilchrest, David Dreier, Lincoln Diaz-Balart, William M. Thomas, James A. Leach, F. James Sensenbrenner, Rick Lazio, Arthur Ravenel, Jr., James M. Talent, Christopher Shays, Pat Roberts, David A. Levy, John L. Mica, Carlos J. Moorhead, Nancy L. Johnson, Paul E. Gillmor, Larry Combust, Curt Weldon, Robert K. Dornan, Jack Kingston, Dick Swett, Jim Cooper, George W. Gekas, Rod Grams, Ronald K. Machtley, Fred Grandy, Glenn Poshard, Newt Gingrich, Gary A. Franks, John T. Doolittle, Joel Hefley, Andrew Jacobs, Don Young, Gerald B.H. Solomon, James T. Walsh, Michel A. "Mac" Collins, Frank R. Wolf, Jack Fields, Thomas J. Ridge, Michael G. Oxley, William F. Goodling, Susan Molinari, Floyd Spence, Ileana Ros-Lehtinen, and Dan Schaefer.

Petition 17, May 4, 1994, by Mr. SHAW on House Resolution 386, was signed by the following Members: E. Clay Shaw, Jr., Charles T. Canady, Y. Tim Hutchinson, Hamilton Fish, Jr., Henry J. Hyde, Ron Packard, Dick Zimmer, Bill Archer, J. Alex McMillan, Toby Roth, Richard K. Armey, Tillie K. Fowler, Porter J. Goss, Tom Lewis, Tom DeLay, Jim McCrery, Wayne T. Gilchrest, David Dreier,

Ileana Ros-Lehtinen, William M. Thomas, Michael D. Crapo, James A. Leach, F. James Sensenbrenner, Jr., Rick Lazio, Robert S. Walker, Christopher Shays, James M. Talent, Pat Roberts, William H. Zeff, Jr., John L. Mica, Carlos J. Moorhead, Paul E. Gillmor, Peter Hoekstra, Thomas W. Ewing, John J. Duncan, Jr., Don Sundquist, Arthur Ravenel, Jr., Deborah Pryce, Howard Coble, Jay Dickey, Cliff Stearns, Bob Inglis, John Linder, Jim Bunning, Jack Kingston, Joe Knollenberg, Jim Saxton, Jennifer Dunn, Sam Johnson, Barbara F. Vucanovich, Craig Thomas, Charles H. Taylor, Rod Grams, Thomas J. Bliley, Jr., Fred Grandy, Bob

Goodlatte, Newt Gingrich, James C. Greenwood, Dan Miller, Joel Hefley, Gerald B.H. Solomon, Jim Nussle, Stephen E. Buyer, Stephen Horn, Nancy L. Johnson, Jim Kolbe, and Dan Schaefer.

**DISCHARGE PETITIONS—
ADDITIONS OR DELETIONS**

The following Members added their names to the following discharge petitions:

Petition 1 by Mr. SOLOMON on H.R. 493: Thomas E. Petri, Steve Gunderson, Hamilton Fish, Jr., and Christopher Shays.

Petition 11 by Mr. RAMSTAD on House Resolution 247: J. Dennis Hastert.

Petition 12 by Mr. TRAFICANT on H.R. 3261: Bill McCollum, Charles T. Canady, and Steve Gunderson.

Petition 15 by Mr. BILIRAKIS on House Resolution 382: Joe Skeen, Bill McCollum, Christopher Shays, and Bob Goodlatte.

The following Member deleted her name from the following discharge petition:

Petition 17 by Mr. SHAW on House Resolution 386: Ileana Ros-Lehtinen.