The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Standards of Official Conduct:

COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT,
Washington, DC, July 23, 1996.

Hon. NEWT GINGRICH,
The Speaker,
House of Representatives.

DEAR MR. SPEAKER: Pursuant to 4(e)(2)(D) of rule X, the gentleman from Washington, Mr. MCDERMOTT, has advised the Committee by letter of his ineligibility to participate as a member of the committee in a pending proceeding.

Sincerely,

NANCY L. JOHNSON,
Chairman.

DESIGNATION OF MR. STOKES TO ACT AS MEMBER OF COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT IN ANY PROCEEDING RELATING TO MR. MCDERMOTT

The SPEAKER pro tempore (Mr. HAYWORTH). Pursuant to clause 4(e)(2)(D) of rule X, the Speaker pro tempore, without objection, designates the gentleman from Ohio [Mr. STOKES] to act as a member of the Committee on Standards of Official Conduct in any proceeding relating to the gentleman from Washington (Mr. MCDERMOTT).

There was no objection.

GENERAL LEAVE

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 3814) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1997, and for other purposes, and that I be permitted to include tables, charts, and other extraneous material.

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

There was no objection.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore. Pursuant to House Resolution 479 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. 3814.

□ 1333

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. 3814) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1997, and for other purposes, with Mr. GUNDERSON 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 Kentucky [Mr. ROGERS] and the gentleman from West Virginia [Mr. MOLLOHAN] each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky [Mr. ROGERS].

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

Mr. Chairman, this $29.5 billion appropriations bill for the Departments of Commerce, Justice, State, the Judiciary, and related agencies for fiscal 1997, opens a new chapter in our effort to bring crime and drugs and our borders under control. It is a bill that puts the Congress on record as being willing to put the resources that are required to restore safety to our neighborhoods and make our citizens safe in their homes and on their streets. It is a bill that proposes funding to attack real life problems that exist today.

Let me spell out what the problems that are confronting our Nation are in this arena, Mr. Chairman. One is drugs.

The administration is sending a giant smokescreen to cover up its abject failure in the fight against drug use. All we hear is that cigarette smoking is so terrible and we have to wipe out this scourge on America's teenagers. They do not talk about the real problem with teenagers, and that is drugs, hard drugs. They are not just bad; they kill, and they cause people to kill others.

Drugs: After a decade of decline since 1992, overall drug use is on the rise again, and if my colleagues would notice on the chart the farthest away, prior to 1992 the number of Americans using illicit drugs plunged from 24.7 million in 1979 to 11.5 million in 1992, and the casual use of cocaine fell by 79 percent between 1985 and 1992. Overwhelming evidence shows a sharp and growing increase in drug use among young people since 1992, as that chart dramatically shows. Teenage drug use has increased by 50 percent from 1992 to 1994, from 2.4 million teen drug users to 3.8 million.

Do my colleagues know what happened when that valley occurred in those charts over there? That is when the Clinton administration came in and cleaned out the drug policy office of the White House, and all of a sudden teenage drug use skyrocketed and is still doing so.

Now I turn my colleagues' attention to this chart nearest to me. Since 1992, marijuana use by eighth graders has increased by 146 percent; among tenth graders, by 123 percent; and today one out of three high school seniors smoke marijuana.

The new approach to drug policy announced in September 1993, which promised to, ''reinvent drug control programs'' had the following effects: purity of drugs is up; supply of drugs is up; the cost of drugs is down. And we can see by the chart the results in high school marijuana use in our country.

This bill provides over $1 billion to the Drug Enforcement Administration, $173 million more than the current year, a 20-percent increase, including a major $75 million initiative on source country interdiction, restoring the policy that existed before this administration abandoned efforts to block drugs at the source, and $56 million to stop drug trafficking on the Southwest border where 70 percent of the drugs in the United States come into this country. We are reigniting the war on drugs to reverse the increase in drug use since 1992. That is problem 1: Drugs.

Problem 2: Our borders are still out of control. The administration's illegal alien strategy is leaking like a sieve. Illegal aliens are being caught and then, because we do not have the space to detain them, they are being released. INS first said they would deport 110,000 with the extra money we gave them the last 2 years. Now they are saying only 62,000 will be deported. That is half of what they first said and that is not acceptable. Seventy percent of our drugs come in across the Southwest border, yet alien drug dealers are being caught and released back across the Southwest border because they do not have the jail space to hold them for trial.

Here is what we are going to do in this bill. INS is funded at $2.2 billion, $443 million more than the current year, $30 million more than the President wants, a 26-percent increase over the current year. We provide for 1,100 new border patrol agents compared with 700 that the President has requested of us. A $114 million increase for removal of illegal aliens, $78 million more than the President wanted, including 2,700 more detention beds so that illegal aliens can be held until they are deported. We provide $405 million for Federal prisoner detention, $152 million more than the current year. That is for jail space to jail illegal alien drug smugglers until we can try them and then deport them.

With this 26-percent increase we are plugging the holes in the administration's sieve that they call a border policy. That is problem 2.

Problem 3: Violence against women and children. The administration is all talk and no action. We gave them $175 million this year. Do my colleagues know how much they have spent for violence against women? Guess. My colleagues you say 50 percent? No. Would my colleagues say a tenth? No. They have spent less than a half a million dollars out of $175 million, and they

have had the program for 2 years. It is all talk, my colleagues, no action.

We provide $197.5 million for violence against women, half a million dollars more than they want, $22.5 million more than the current year, and hope that they will spend it because we cannot spent it for them. They will have to spend it in grants.

They talk about stopping violence against women. We gave them the money 2 years ago, and they sit on it.

Enough is enough. We do not want talk, we want action. That is problem 3.

Problem 4: Juvenile crime. While railing against teenagers smoking cigarettes, this administration is letting teens get by with murder and hard drugs. Talk about a real smokescreen, they really got one going here.

Let me show my colleagues by this chart to my left.

□ 1345

One of every five violent crimes is now committed in this country by a juvenile. The FBI's report on crime showed in 1994, 17 percent of all murders were committed by juveniles. Fifth-five percent of all arsons, 36 percent of all burglaries, 16 percent of aggravated assaults in 1995 were committed by juveniles.

In addition to the $150 million in juvenile justice, we provide a $30.5 million incentive under the COPS Program to States that treat 14-year-olds as adults if they commit serious violent crimes. It is time to fight fire with fire on kids who choose violence. We provide $1.4 billion for the administration's COPS Programs and $571 million for the local law enforcement block grant, $68 million over the current year. We provide $560 million for the Byrne grants for locals to use. That is a $25 million increase.

All Federal law enforcement agencies—the FBI and the DEA—all the Federal law enforcement agencies are above what the President requested of us.

Overall for the Justice Department, we provide $16.3 billion for Department of Justice law enforcement programs, a $1.6 billion increase over the current year, an 11-percent increase. For the Judiciary, we provide an increase of $177 million up 5.8 percent, and we have provided for all of these increases by scraping the bottom of the barrel in other agencies. We had no choice.

In Commerce, we provide $3.5 billion for Commerce, down $120 million. We provide $110.5 million for the advanced technology program, half the 1996 level, to provide continuation grants for small businesses, not to subsidize Fortune 500 companies, which they are doing now. We increase the Census for the year 2000 census by $55 million, and we preserve trade promotion and basic science R&D in the Commerce Department.

In the State, USIA, and Arms Control Disarmament Agency Chapter, we are under $5 billion, down $128 million from 1996. We include $50 million for payment of U.N. peacekeeping arrearages conditioned on U.N. reform.

Mr. Chairman, with regard to the ongoing U.N.-sponsored negotiations on global climate change, I understand that the United States has agreed to negotiate a protocol or other legal instrument in 1997 which may set quantified limitation and reduction objectives for greenhouse gas emissions effective after the year 2000. These negotiations take place under the auspices of the 1992 Framework Convention on Climate Change, which requires that any proposed protocol or amendment to the convention be communicated to parties to the convention at least 6 months prior to proposed adoption. Because of the impact such proposals could have on U.S. companies and workers, the State Department and other U.S. Government agencies should fully analyze the economic impact of any proposal to set binding limits and timetables before adopting a U.S. negotiating position.

We fund the Legal Services Corporation at $141 million. The Committee on Appropriations has been required to act without the benefit of needed authorization legislation that should be passed that we set the policy of how this House and this Congress want to assure access to legal services by poor people. We are providing a level of funding in this bill that will permit the current system to remain in place at reduced levels, to spur policy decisions on that issue that are not within the jurisdiction of our committee.

Funding is terminated for several smaller organizations, as we try to tighten our belt wherever we can.

In summary, Mr. Chairman, I want to thank my ranking member, the gentleman from West Virginia, Mr. MOLLOHAN, who has been very, very helpful in this process, a true partner in drawing this bill, making the tough decisions; the gentleman from Louisiana, BOB LIVINGSTON, the chairman of the full committee and a stalwart when it came to providing funding necessary in this bill; the ranking member, the gentleman from Wisconsin, Mr. OBEY, who has been helpful; and, of course, all of the hard-working members of this subcommittee. We have some of the best in this body. I thank them for all of their work.

Overall, the Commerce, Justice, State appropriations bill opens a new chapter in our effort to bring crime, drugs, and borders under control. We set priorities, we make tough decisions, and we reduce spending on low-priority programs. We assert leadership to reignite the war on drugs, to make up for the Administration that has been woefully lacking on this issue. It plugs the holes in our borders by assuring we not only apprehend illegal immigrants and drug traffickers, we incarcerate and deport them. We put our priorities where they belong: in fighting the war on crime and protecting our citizens in their homes across this great country.

I urge our colleagues to support this bill. It is one that I think they can proudly support. I certainly urge them to do so.

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

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3814)

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses 1/	74,181,000	83,256,000	71,493,000	-2,688,000	-11,763,000
Counterterrorism fund	16,898,000	9,688,000	9,450,000	-7,448,000	-238,000
Administrative review and appeals:					
Direct appropriation	38,791,000	73,411,000	64,000,000	+25,209,000	-9,411,000
Crime trust fund	47,780,000	52,847,000	48,000,000	+220,000	-4,847,000
Total, Administrative review and appeals	86,571,000	126,258,000	112,000,000	+25,429,000	-14,258,000
Office of Inspector General	28,960,000	51,949,000	31,960,000	+3,000,000	-19,989,000
Total, General administration	206,610,000	271,151,000	224,903,000	+18,293,000	-46,248,000
Appropriations	(158,830,000)	(218,304,000)	(176,903,000)	(+18,073,000)	(-41,401,000)
Crime trust fund	(47,780,000)	(52,847,000)	(48,000,000)	(+220,000)	(-4,847,000)
United States Parole Commission					
Salaries and expenses	5,446,000	5,201,000	4,490,000	-956,000	-711,000
Legal Activities					
General legal activities:					
Direct appropriation	401,929,000	450,277,000	420,793,000	+18,864,000	-29,484,000
(By transfer)	(12,000,000)	.....	.....	(-12,000,000)	.....
Crime trust fund	7,591,000	7,750,000	7,750,000	+159,000	.....
Total, General legal activities	(421,520,000)	(458,027,000)	(428,543,000)	(+7,023,000)	(-29,484,000)
Vaccine injury compensation trust fund	4,028,000	4,028,000	4,028,000	.....	.....
Independent counsel (permanent, indefinite)	2,884,000	3,000,000	3,000,000	+116,000	.....
Antitrust Division	85,074,000	84,336,000	84,336,000	-738,000	.....
Offsetting fee collections - carryover	-19,360,000	.....	-7,889,000	+11,471,000	-7,889,000
Offsetting fee collections - current year	-48,262,000	-58,905,000	-58,905,000	-10,643,000	.....
Direct appropriation	17,452,000	25,431,000	17,542,000	+90,000	-7,889,000
United States Attorneys:					
Direct appropriation	894,346,000	949,279,000	931,029,000	+36,683,000	-18,250,000
Crime trust fund	30,000,000	44,409,000	43,876,000	+13,876,000	-533,000
Total, United States Attorneys	924,346,000	993,688,000	974,905,000	+50,559,000	-18,783,000
United States Trustee System Fund	102,272,000	111,633,000	107,950,000	+5,678,000	-3,683,000
Offsetting fee collections	-44,191,000	-49,869,000	-49,869,000	-5,678,000	.....
Direct appropriation	58,081,000	61,764,000	58,081,000	.....	-3,683,000
Foreign Claims Settlement Commission	829,000	878,000	878,000	+49,000	.....
United States Marshals Service:					
Direct appropriation	422,684,000	489,562,000	460,214,000	+37,530,000	-29,348,000
Crime trust fund	25,000,000	25,477,000	25,000,000	.....	-477,000
Total, United States Marshals Service	447,684,000	515,039,000	485,214,000	+37,530,000	-29,825,000
Federal Prisoner Detention	252,820,000	405,262,000	405,262,000	+152,442,000	.....
(Prior year carryover)	(33,511,000)	.....	.....	(-33,511,000)	.....
(By transfer)	(9,000,000)	.....	.....	(-9,000,000)	.....
Total, Federal prisoner detention	(295,331,000)	(405,262,000)	(405,262,000)	(+109,931,000)	.....
Fees and expenses of witnesses	85,000,000	100,702,000	100,702,000	+15,702,000	.....
Alternative dispute resolution	.....	2,000,000	.....	.....	-2,000,000
Total, Fees and expenses of witnesses	85,000,000	102,702,000	100,702,000	+15,702,000	-2,000,000
Community Relations Service	5,319,000	5,502,000	5,319,000	.....	-183,000
Assets forfeiture fund	29,487,000	30,000,000	30,000,000	+513,000	.....
Total, Legal activities	2,237,450,000	2,605,321,000	2,513,474,000	+276,024,000	-91,847,000
Appropriations	(2,174,859,000)	(2,527,685,000)	(2,436,848,000)	(+261,989,000)	(-90,837,000)
Crime trust fund	(62,591,000)	(77,636,000)	(76,626,000)	(+14,035,000)	(-1,010,000)
Radiation Exposure Compensation					
Administrative expenses	2,655,000	2,000,000	2,000,000	-655,000	.....
Payment to radiation exposure compensation trust fund	.....	13,736,000	13,736,000	+13,736,000	.....
Advance appropriation	16,264,000	.....	.....	-16,264,000	.....
Total, Radiation Exposure Compensation	18,919,000	15,736,000	15,736,000	-3,183,000	.....
Interagency Law Enforcement					
Interagency crime and drug enforcement	359,430,000	372,017,000	372,017,000	+12,587,000	.....

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3814)—Continued

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Federal Bureau of Investigation					
Salaries and expenses 1/	1,999,539,000	2,361,838,000	2,327,225,000	+327,686,000	-34,613,000
(By transfer)	(22,000,000)			(-22,000,000)	
Counterintelligence and national security	102,345,000	102,345,000	117,081,000	+14,736,000	+14,736,000
FBI Fingerprint identification	84,400,000	84,400,000	84,400,000		
Subtotal	(2,208,284,000)	(2,548,583,000)	(2,528,706,000)	(+320,422,000)	(-19,877,000)
Crime trust fund	218,300,000	133,123,000	153,000,000	-65,300,000	+19,877,000
Telephone carrier compliance		100,000,000			-100,000,000
Construction	97,574,000	55,676,000	55,676,000	-41,898,000	
Total, Federal Bureau of Investigation	2,502,158,000	2,837,382,000	2,737,382,000	+235,224,000	-100,000,000
Appropriations	(2,283,858,000)	(2,704,259,000)	(2,584,382,000)	(+300,524,000)	(-119,877,000)
Crime trust fund	(218,300,000)	(133,123,000)	(153,000,000)	(-65,300,000)	(+19,877,000)
Drug Enforcement Administration					
Salaries and expenses	796,315,000	870,862,000	785,862,000	-10,453,000	-85,000,000
Diversion control fund	-47,241,000	-52,824,000	-52,824,000	-5,583,000	
Direct appropriation	749,074,000	818,038,000	733,038,000	-16,036,000	-85,000,000
Crime trust fund	60,000,000	138,000,000	172,000,000	+112,000,000	+34,000,000
Transfer from Office of Justice Programs			71,000,000	+71,000,000	+71,000,000
Total, Drug Enforcement Administration	809,074,000	956,038,000	976,038,000	+166,964,000	+20,000,000
Immigration and Naturalization Service					
Salaries and expenses:					
Direct appropriation	1,393,064,000	1,683,914,000	1,667,614,000	+274,550,000	-16,300,000
Border Patrol:					
Direct appropriation (earmark)	(506,800,000)			(-506,800,000)	
Crime trust fund (earmark)	(75,765,000)			(-75,765,000)	
Subtotal, Border patrol	(582,565,000)			(-582,565,000)	
Immigration initiative (crime trust fund)	316,198,000	458,168,000	500,168,000	+183,970,000	+42,000,000
Subtotal, Direct and crime trust fund	(1,709,262,000)	(2,142,082,000)	(2,167,782,000)	(+458,520,000)	(+25,700,000)
Fee accounts:					
Immigration legalization fund	(1,821,000)	(1,893,000)	(1,893,000)	(+72,000)	
Immigration user fee	(356,187,000)	(388,664,000)	(388,664,000)	(+32,477,000)	
Land border inspection fund	(5,960,000)	(11,054,000)	(11,054,000)	(+5,094,000)	
Immigration examinations fund	(439,550,000)	(511,061,000)	(511,061,000)	(+71,511,000)	
Cuban/Haitian resettlement (examinations fund)	(10,057,000)			(-10,057,000)	
Breached bond fund	(6,351,000)	(6,613,000)	(6,613,000)	(+262,000)	
Subtotal, Fee accounts	(819,926,000)	(919,285,000)	(919,285,000)	(+99,359,000)	
Construction	24,960,000	5,541,000	9,841,000	-15,119,000	+4,300,000
Total, Immigration and Naturalization Service	(2,554,148,000)	(3,066,908,000)	(3,096,908,000)	(+542,760,000)	(+30,000,000)
Appropriations	(1,418,024,000)	(1,689,455,000)	(1,677,455,000)	(+259,431,000)	(-12,000,000)
Crime trust fund	(316,198,000)	(458,168,000)	(500,168,000)	(+183,970,000)	(+42,000,000)
(Fee accounts)	(819,926,000)	(919,285,000)	(919,285,000)	(+99,359,000)	
Federal Prison System					
Salaries and expenses	2,611,143,000	2,887,816,000	2,858,316,000	+247,173,000	-29,500,000
Prior year carryover	-47,000,000		-40,500,000	+6,500,000	-40,500,000
Direct appropriation	2,564,143,000	2,887,816,000	2,817,816,000	+253,673,000	-70,000,000
Crime trust fund	13,500,000	25,224,000	25,224,000	+11,724,000	
Total, Salaries and expenses	2,577,643,000	2,913,040,000	2,843,040,000	+265,397,000	-70,000,000
Buildings and facilities	334,728,000	295,700,000	395,700,000	+60,972,000	+100,000,000
Federal Prison Industries, Incorporated (limitation on administrative expenses)	(2,861,000)	(3,740,000)	(3,042,000)	(+181,000)	(-698,000)
Total, Federal Prison System	2,912,371,000	3,208,740,000	3,238,740,000	+326,369,000	+30,000,000
Office of Justice Programs					
Justice Assistance:					
Direct appropriation	99,853,000	117,797,000	100,000,000	+147,000	-17,797,000
State and local law enforcement assistance:					
Direct appropriations:					
Byrne grants (discretionary)	60,000,000		60,000,000		+60,000,000
Byrne grants (formula)	328,000,000		255,000,000	-73,000,000	+255,000,000
Weed and seed fund (earmark)	(28,500,000)	(28,500,000)	(28,500,000)		
Subtotal, Direct appropriations	388,000,000		315,000,000	-73,000,000	+315,000,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3814)—Continued

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Crime trust fund:					
Byrne grants (formula)	147,000,000	535,000,000	245,000,000	+98,000,000	-290,000,000
Community policing	1,399,980,000	1,950,000,000	1,400,000,000	+20,000	-550,000,000
Transfer to State and local task forces/DEA	.....	.....	-71,000,000	-71,000,000	-71,000,000
Youth violence initiative (earmark)	.....	.....	(30,500,000)	(+30,500,000)	(+30,500,000)
Law enforcement scholarship program	.....	10,000,000	.....	.....	-10,000,000
Police recruitment grants	.....	1,155,000	.....	.....	-1,155,000
Police corps (direct)	.....	15,000,000	.....	.....	-15,000,000
Police corps (earmark)	(10,000,000)	.....	(10,000,000)	.....	(+10,000,000)
Local law enforcement block grant	503,000,000	.....	571,000,000	+68,000,000	+571,000,000
Drug courts (direct)	.....	100,000,000	.....	.....	-100,000,000
Drug courts (earmark)	(18,000,000)	.....	(18,000,000)	.....	(+18,000,000)
Boys and Girls clubs (earmark)	(11,000,000)	.....	.....	(-11,000,000)	.....
D.C. Police (earmark)	(15,000,000)	.....	.....	(-15,000,000)	.....
Upgrade criminal history records	25,000,000	50,000,000	50,000,000	+25,000,000	.....
State prison grants	617,500,000	630,000,000	680,000,000	+62,500,000	+50,000,000
State criminal alien assistance program	300,000,000	330,000,000	330,000,000	+30,000,000	.....
State courts assistance	.....	28,000,000	5,000,000	+5,000,000	-23,000,000
Violence Against Women grants 2/	174,500,000	196,500,000	196,500,000	+22,000,000	.....
State prison drug treatment 2/	27,000,000	36,000,000	35,000,000	+8,000,000	-1,000,000
Other crime control programs	13,600,000	18,605,000	7,400,000	-6,200,000	-11,205,000
Subtotal, Crime trust fund	3,207,580,000	3,900,260,000	3,448,900,000	+241,320,000	-451,360,000
Total, State and local law enforcement	3,595,580,000	3,900,260,000	3,763,900,000	+168,320,000	-136,360,000
Juvenile justice programs	148,500,000	149,500,000	149,500,000	+1,000,000	.....
Public safety officers benefits program:					
Death benefits	28,474,000	30,126,000	30,126,000	+1,652,000	.....
Disability benefits	2,134,000	2,200,000	2,200,000	+66,000	.....
Total, Office of Justice Programs	3,874,541,000	4,199,883,000	4,045,726,000	+171,185,000	-154,157,000
Appropriations	(666,961,000)	(299,623,000)	(596,826,000)	(-70,135,000)	(+297,203,000)
Crime trust fund	(3,207,580,000)	(3,900,260,000)	(3,448,900,000)	(+241,320,000)	(-451,360,000)
Total, title I, Department of Justice	14,660,221,000	16,619,092,000	16,306,129,000	+1,645,908,000	-312,963,000
Appropriations	(10,734,272,000)	(11,833,834,000)	(11,811,211,000)	(+1,076,939,000)	(-22,623,000)
Crime trust fund	(3,925,949,000)	(4,785,258,000)	(4,494,918,000)	(+568,969,000)	(-290,340,000)
(Limitation on administrative expenses)	(2,861,000)	(3,740,000)	(3,042,000)	(+181,000)	(-698,000)
TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES					
TRADE AND INFRASTRUCTURE DEVELOPMENT					
Office of the United States Trade Representative					
Salaries and expenses	20,862,000	21,449,000	21,449,000	+587,000	.....
International Trade Commission					
Salaries and expenses	39,954,000	41,707,000	40,000,000	+46,000	-1,707,000
Total, Related agencies	60,816,000	63,156,000	61,449,000	+633,000	-1,707,000
International Trade Administration					
Operations and administration	264,885,000	268,277,000	272,000,000	+7,115,000	+3,723,000
Export Administration					
Operations and administration	38,604,000	43,651,000	38,604,000	.....	-5,047,000
Economic Development Administration					
Economic development assistance programs	328,500,000	333,500,000	328,500,000	.....	-5,000,000
Emergency appropriations (P.L. 104-134)	18,000,000	.....	.....	-18,000,000	.....
Salaries and expenses	20,000,000	20,036,000	20,000,000	.....	-36,000
Total, Economic Development Administration	366,500,000	353,536,000	348,500,000	-18,000,000	-5,036,000
Minority Business Development Agency					
Minority business development	32,000,000	34,021,000	29,000,000	-3,000,000	-5,021,000
United States Travel and Tourism Administration					
Salaries and expenses (P.L. 104-99)	2,000,000	.....	.....	-2,000,000	.....
Total, Trade and Infrastructure Development	764,805,000	762,641,000	749,553,000	-15,252,000	-13,088,000
ECONOMIC AND INFORMATION INFRASTRUCTURE					
Economic and Statistical Analysis					
Salaries and expenses	45,900,000	53,510,000	45,900,000	.....	-7,610,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3814)—Continued

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Bureau of the Census					
Salaries and expenses	133,617,000	150,665,000	133,617,000	.....	-17,048,000
Periodic censuses and programs	150,100,000	248,690,000	205,100,000	+55,000,000	-43,590,000
Total, Bureau of the Census	283,717,000	399,355,000	338,717,000	+55,000,000	-60,638,000
National Telecommunications and Information Administration					
Salaries and expenses	17,000,000	18,478,000	15,000,000	-2,000,000	-3,478,000
Public broadcasting facilities, planning and construction	15,500,000	8,000,000	10,250,000	-5,250,000	+2,250,000
Endowment for Children's Educational Television	.....	2,497,000	.....	.....	-2,497,000
Information infrastructure grants	21,500,000	59,000,000	21,490,000	-10,000	-37,510,000
Total, National Telecommunications and Information Administration	54,000,000	87,975,000	46,740,000	-7,260,000	-41,235,000
Patent and Trademark Office					
Salaries and expenses	81,252,000	115,000,000	100,000,000	+18,748,000	-15,000,000
Total, Economic and Information Infrastructure	464,869,000	655,840,000	531,357,000	+66,488,000	-124,483,000
SCIENCE AND TECHNOLOGY					
National Institute of Standards and Technology					
Scientific and technical research and services	258,670,000	270,744,000	268,000,000	+9,330,000	-2,744,000
Industrial technology services	300,927,000	450,000,000	200,400,000	-100,527,000	-249,600,000
Construction of research facilities	59,977,000	105,240,000	.....	-59,977,000	-105,240,000
Total, National Institute of Standards and Technology	619,574,000	825,984,000	468,400,000	-151,174,000	-357,584,000
National Oceanic and Atmospheric Administration					
Operations, research and facilities 3/	1,793,784,000	1,974,215,000	1,738,200,000	-55,584,000	-236,015,000
Offsetting collections - fees	-3,000,000	-3,000,000	-3,000,000	.....	.....
Direct appropriation	1,790,784,000	1,971,215,000	1,735,200,000	-55,584,000	-236,015,000
(By transfer from Promote and Develop Fund)	(63,000,000)	(61,068,000)	(66,000,000)	(+3,000,000)	(+4,932,000)
(By transfer from Damage assessment and restoration revolving fund, permanent)	3,900,000	6,000,000	6,000,000	+2,100,000	.....
(Damage assessment and restoration revolving fund)	-3,900,000	-6,000,000	-6,000,000	-2,100,000	.....
Total, Operations, research and facilities	1,790,784,000	1,971,215,000	1,735,200,000	-55,584,000	-236,015,000
Coastal zone management fund	(7,800,000)	(7,800,000)	(7,800,000)	.....	.....
Mandatory offset	(-7,800,000)	(-7,800,000)	(-7,800,000)	.....	.....
Construction	50,000,000	37,366,000	36,000,000	-14,000,000	-1,366,000
Emergency appropriations (P.L. 104-134)	7,500,000	.....	.....	-7,500,000	.....
Fleet modernization, shipbuilding and conversion	8,000,000	12,000,000	6,000,000	-2,000,000	-6,000,000
Fishing vessel and gear damage fund	1,032,000	200,000	200,000	-832,000	.....
Fishermen's contingency fund	999,000	1,002,000	1,000,000	+1,000	-2,000
Foreign fishing observer fund	196,000	196,000	196,000	.....	.....
Fishing vessel obligations guarantees	250,000	250,000	250,000	.....	.....
Total, National Oceanic and Atmospheric Administration	1,858,761,000	2,022,229,000	1,778,846,000	-79,915,000	-243,383,000
Technology Administration					
Salaries and expenses	7,000,000	9,531,000	5,000,000	-2,000,000	-4,531,000
Total, Science and Technology	2,485,335,000	2,857,744,000	2,252,246,000	-233,089,000	-605,498,000
General Administration					
Salaries and expenses	29,100,000	29,100,000	27,400,000	-1,700,000	-1,700,000
Office of Inspector General	19,849,000	20,849,000	19,445,000	-404,000	-1,404,000
Working capital fund (by transfer)	.....	(3,000,000)	(3,000,000)	(+3,000,000)	.....
Total, General administration	48,949,000	49,949,000	46,845,000	-2,104,000	-3,104,000
National Institute of Standards and Technology					
Construction of research facilities (rescission)	-75,000,000	.....	.....	+75,000,000	.....
National Oceanic and Atmospheric Administration					
Operations, research and facilities (rescission)	.....	.....	-10,000,000	-10,000,000	-10,000,000
Total, Department of Commerce	3,628,142,000	4,263,018,000	3,508,552,000	-119,590,000	-754,466,000
Total, title II, Department of Commerce and related agencies	3,688,958,000	4,326,174,000	3,570,001,000	-118,957,000	-756,173,000
(By transfer)	(63,000,000)	(64,068,000)	(69,000,000)	(+6,000,000)	(+4,932,000)

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3814)—Continued

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE III - THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	1,662,000	1,704,000	1,704,000	+42,000	.....
Other salaries and expenses	24,172,000	25,453,000	25,453,000	+1,281,000	.....
Total, Salaries and expenses	25,834,000	27,157,000	27,157,000	+1,323,000	.....
Care of the building and grounds	3,313,000	3,313,000	2,490,000	-823,000	-823,000
Total, Supreme Court of the United States	29,147,000	30,470,000	29,647,000	+500,000	-823,000
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	1,892,000	1,898,000	1,898,000	+6,000	.....
Other salaries and expenses	12,396,000	14,080,000	13,115,000	+719,000	-965,000
Total, Salaries and expenses	14,288,000	15,978,000	15,013,000	+725,000	-965,000
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,413,000	1,447,000	1,447,000	+34,000	.....
Other salaries and expenses	9,446,000	9,667,000	9,667,000	+221,000	.....
Total, Salaries and expenses	10,859,000	11,114,000	11,114,000	+255,000	.....
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	226,024,000	225,956,000	225,956,000	-68,000	.....
Other salaries and expenses	2,207,117,000	2,521,390,000	2,325,000,000	+117,883,000	-196,390,000
Direct appropriation	2,433,141,000	2,747,346,000	2,550,956,000	+117,815,000	-196,390,000
Crime trust fund	30,000,000	35,000,000	30,000,000	.....	-5,000,000
Total, Salaries and expenses	2,463,141,000	2,782,346,000	2,580,956,000	+117,815,000	-201,390,000
Vaccine Injury Compensation Trust Fund	2,318,000	2,390,000	2,390,000	+72,000	.....
Defender services	267,217,000	318,905,000	297,000,000	+29,783,000	-21,905,000
(Prior year carryover)	(28,544,000)	.....	.....	(-28,544,000)	.....
Total, Defender services	(295,761,000)	(318,905,000)	(297,000,000)	(+1,239,000)	(-21,905,000)
Fees of jurors and commissioners	59,028,000	68,083,000	66,000,000	+6,972,000	-2,083,000
Court security	102,000,000	131,885,000	125,000,000	+23,000,000	-6,885,000
Total, Courts of Appeals, District Courts, and Other Judicial Services	2,893,704,000	3,303,609,000	3,071,346,000	+177,642,000	-232,263,000
Administrative Office of the United States Courts					
Salaries and expenses	47,500,000	53,523,000	48,500,000	+1,000,000	-5,023,000
Federal Judicial Center					
Salaries and expenses	17,914,000	19,625,000	17,495,000	-419,000	-2,130,000
Judicial Retirement Funds					
Payment to Judiciary Trust Funds	32,900,000	30,200,000	30,200,000	-2,700,000	.....
United States Sentencing Commission					
Salaries and expenses	8,500,000	9,200,000	8,300,000	-200,000	-900,000
Total, title III, the Judiciary	3,054,812,000	3,473,719,000	3,231,615,000	+176,803,000	-242,104,000
Appropriations	(3,024,812,000)	(3,438,719,000)	(3,201,615,000)	(+176,803,000)	(-237,104,000)
Crime trust fund	(30,000,000)	(35,000,000)	(30,000,000)	.....	(-5,000,000)
TITLE IV - DEPARTMENT OF STATE					
Administration of Foreign Affairs					
Diplomatic and consular programs	1,716,196,000	1,747,209,000	1,705,450,000	-10,746,000	-41,759,000
Registration fees	700,000	700,000	700,000	.....	.....
Total, Diplomatic and consular programs	1,716,896,000	1,747,909,000	1,706,150,000	-10,746,000	-41,759,000
Salaries and expenses	364,698,000	358,159,000	352,300,000	-12,398,000	-5,859,000
Capital investment fund	16,384,000	32,800,000	16,400,000	+16,000	-16,400,000
Office of Inspector General	27,330,000	27,369,000	27,495,000	+165,000	+126,000
Representation allowances	4,500,000	4,656,000	4,490,000	-10,000	-166,000
Protection of foreign missions and officials	8,579,000	8,332,000	8,332,000	-247,000	.....
Security and maintenance of United States missions	385,043,000	386,060,000	370,000,000	-15,043,000	-16,060,000
Emergencies in the diplomatic and consular service	6,000,000	5,800,000	5,800,000	-200,000	.....
International center, Washington DC	.....	594,000	.....	.....	-594,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3814)—Continued

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Repatriation Loans Program Account:					
Direct loans subsidy	593,000	593,000	593,000		
Administrative expenses	183,000	663,000	663,000	+480,000	
Total, Repatriation loans program account	776,000	1,256,000	1,256,000	+480,000	
Payment to the American Institute in Taiwan	15,145,000	15,001,000	15,001,000	-144,000	
Payment to the Foreign Service Retirement and Disability Fund	125,402,000	126,491,000	126,491,000	+1,089,000	
Total, Administration of Foreign Affairs	2,670,753,000	2,714,427,000	2,633,715,000	-37,038,000	-80,712,000
International Organizations and Conferences					
Contributions to international organizations, current year assessment	892,000,000	1,045,000,000	875,000,000	-17,000,000	-170,000,000
Advance appropriation, FY 1998		43,076,000			-43,076,000
Advance appropriation, FY 1999		43,076,000			-43,076,000
Advance appropriation, FY 2000		43,076,000			-43,076,000
Advance appropriation, FY 2001		43,076,000			-43,076,000
Contributions for international peacekeeping activities, current year	359,000,000	425,000,000	332,400,000	-26,600,000	-92,600,000
Advance appropriation, FY 1998		150,070,000			-150,070,000
Advance appropriation, FY 1999		150,070,000			-150,070,000
Advance appropriation, FY 2000		150,070,000			-150,070,000
Advance appropriation, FY 2001		150,070,000			-150,070,000
International conferences and contingencies	2,996,000	5,820,000		-2,996,000	-5,820,000
Total, International Organizations and Conferences	1,253,996,000	2,248,404,000	1,207,400,000	-46,596,000	-1,041,004,000
International Commissions					
International Boundary and Water Commission, United States Mexico:					
Salaries and expenses	12,044,000	18,516,000	18,490,000	+6,446,000	-26,000
Construction	6,625,000	7,322,000	6,463,000	-162,000	-859,000
American sections, international commissions	5,791,000	5,627,000	5,490,000	-301,000	-137,000
International fisheries commissions	14,666,000	14,669,000	10,450,000	-4,216,000	-4,219,000
Total, international commissions	39,126,000	46,134,000	40,893,000	+1,767,000	-5,241,000
Other					
Payment to the Asia Foundation	5,000,000	5,000,000	8,000,000	+3,000,000	+3,000,000
Total, Department of State	3,968,875,000	5,013,965,000	3,890,008,000	-78,867,000	-1,123,957,000
RELATED AGENCIES					
Arms Control and Disarmament Agency					
Arms control and disarmament activities	38,638,000	48,455,000	38,495,000	-143,000	-9,960,000
United States Information Agency					
Salaries and expenses	445,371,000	468,016,000	439,300,000	-6,071,000	-28,716,000
Technology fund	5,050,000	10,000,000	5,050,000		-4,950,000
Educational and cultural exchange programs	199,727,000	202,412,000	185,000,000	-14,727,000	-17,412,000
Eisenhower Exchange Fellowship Program, trust fund	509,000	600,000	600,000	+91,000	
Israeli Arab scholarship program	397,000	400,000	400,000	+3,000	
International Broadcasting Operations	324,858,000	365,406,000	335,700,000	+10,842,000	-29,706,000
Radio Free Asia: Operations (earmark)	(5,000,000)	(10,000,000)	(5,000,000)		(-5,000,000)
Broadcasting to Cuba (direct)	24,775,000			-24,775,000	
Broadcasting to Cuba (earmark)		(25,000,000)	(13,775,000)	(+13,775,000)	(-11,225,000)
Radio construction	39,946,000	39,164,000	39,000,000	-946,000	-164,000
East-West Center	11,750,000	8,800,000		-11,750,000	-8,800,000
North/South Center	2,000,000	970,000		-2,000,000	-970,000
National Endowment for Democracy	30,000,000	30,000,000	30,000,000		
Total, United States Information Agency	1,084,383,000	1,125,768,000	1,035,050,000	-49,333,000	-90,718,000
Total, related agencies	1,123,021,000	1,174,223,000	1,073,545,000	-49,476,000	-100,678,000
Total, title IV, Department of State	5,091,896,000	6,188,188,000	4,963,553,000	-128,343,000	-1,224,635,000
TITLE V - RELATED AGENCIES					
DEPARTMENT OF TRANSPORTATION					
Maritime Administration					
Operating-differential subsidies (liquidation of contract authority)	(162,610,000)	(148,430,000)	(148,430,000)	(-14,180,000)	
Maritime Security Program	46,000,000	100,000,000	63,000,000	+17,000,000	-37,000,000
Operations and training	66,600,000	78,097,000	62,300,000	-4,300,000	-15,797,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3814)—Continued

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Maritime Guaranteed Loan Program Account:					
Guaranteed loans subsidy	40,000,000	40,000,000	37,450,000	-2,550,000	-2,550,000
Administrative expenses	3,500,000	4,000,000	3,450,000	-50,000	-550,000
Total, Maritime guaranteed loan program account	43,500,000	44,000,000	40,900,000	-2,600,000	-3,100,000
Total, Maritime Administration	156,100,000	222,097,000	166,200,000	+10,100,000	-55,897,000
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses	206,000	206,000	206,000	.....	.....
Commission on Civil Rights					
Salaries and expenses	8,740,000	11,400,000	8,740,000	.....	-2,660,000
Commission on Immigration Reform					
Salaries and expenses	1,894,000	2,498,000	2,196,000	+302,000	-302,000
Commission on Security and Cooperation in Europe					
Salaries and expenses	1,090,000	1,090,000	1,090,000	.....	.....
Competitiveness Policy Council					
Salaries and expenses	50,000	897,000	.....	-50,000	-897,000
Equal Employment Opportunity Commission					
Salaries and expenses	232,740,000	268,000,000	232,740,000	.....	-35,260,000
Federal Communications Commission					
Salaries and expenses	185,619,000	222,538,000	185,619,000	.....	-36,919,000
Offsetting fee collections - current year	-126,400,000	-152,523,000	-126,400,000	.....	+26,123,000
Direct appropriation	59,219,000	70,015,000	59,219,000	.....	-10,796,000
Federal Maritime Commission					
Salaries and expenses	14,836,000	15,000,000	11,000,000	-3,836,000	-4,000,000
Federal Trade Commission					
Salaries and expenses	98,889,000	93,819,000	93,819,000	-5,070,000	.....
Offsetting fee collections - carryover	-19,360,000	.....	-7,889,000	+11,471,000	-7,889,000
Offsetting fee collections - current year	-48,262,000	-58,905,000	-58,905,000	-10,643,000	.....
Direct appropriation	31,267,000	34,914,000	27,025,000	-4,242,000	-7,889,000
Japan - United States Friendship Commission					
Japan - United States Friendship Trust Fund	1,247,000	1,250,000	.....	-1,247,000	-1,250,000
(Foreign currency appropriation)	(1,420,000)	(1,420,000)	.....	(-1,420,000)	(-1,420,000)
Legal Services Corporation					
Payment to the Legal Services Corporation	278,000,000	340,000,000	141,000,000	-137,000,000	-199,000,000
Marine Mammal Commission					
Salaries and expenses	1,189,000	1,334,000	975,000	-214,000	-359,000
Martin Luther King, Jr. Federal Holiday Commission					
Salaries and expenses	350,000	.....	.....	-350,000	.....
National Bankruptcy Review Commission					
Salaries and expenses	.....	500,000	500,000	+500,000	.....
Ounce of Prevention Council					
Direct appropriation	1,500,000	.....	.....	-1,500,000	.....
Crime trust fund	.....	9,000,000	.....	.....	-9,000,000
Securities and Exchange Commission					
Salaries and expenses 4/	297,021,000	308,189,000	297,021,000	.....	-11,168,000
Offsetting fee collections	-184,293,000	.....	-193,974,000	-9,681,000	-193,974,000
Offsetting fee collections - carryover	-9,667,000	.....	-20,000,000	-10,333,000	-20,000,000
Direct appropriation	103,061,000	308,189,000	83,047,000	-20,014,000	-225,142,000
Small Business Administration					
Salaries and expenses	222,144,000	238,701,000	220,419,000	-1,725,000	-18,282,000
Offsetting fee collections	-3,300,000	-3,300,000	-6,000,000	-2,700,000	-2,700,000
Direct appropriation	218,844,000	235,401,000	214,419,000	-4,425,000	-20,982,000
Office of Inspector General	8,500,000	9,985,000	8,900,000	+400,000	-1,085,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3814)—Continued

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Business Loans Program Account:					
Direct loans subsidy	4,500,000	2,792,000	2,792,000	-1,708,000	
Guaranteed loans subsidy	155,010,000	316,263,000	160,660,000	+5,650,000	-155,603,000
Micro loan guarantees	1,216,000	2,317,000	1,216,000		-1,101,000
Administrative expenses	92,622,000	94,090,000	93,485,000	+863,000	-605,000
Total, Business loans program account	253,348,000	415,462,000	258,153,000	+4,805,000	-157,309,000
Disaster Loans Program Account:					
Direct loans subsidy	34,432,000	65,800,000	105,432,000	+71,000,000	+39,632,000
Emergency appropriations (P.L. 104-134)	71,000,000			-71,000,000	
Administrative expenses	71,578,000	78,000,000	100,578,000	+29,000,000	+22,578,000
Emergency appropriations (P.L. 104-134)	29,000,000			-29,000,000	
Contingency fund (emergency)		100,000,000			-100,000,000
Total, Disaster loans program account	206,010,000	243,800,000	206,010,000		-37,790,000
Surety bond guarantees revolving fund	2,530,000	3,730,000	3,730,000	+1,200,000	
Total, Small Business Administration	689,232,000	908,378,000	691,212,000	+1,980,000	-217,166,000
State Justice Institute					
Salaries and expenses 5/	5,000,000	13,550,000		-5,000,000	-13,550,000
Total, title V, Related agencies	1,585,721,000	2,208,318,000	1,425,150,000	-160,571,000	-783,168,000
Appropriations	(1,585,721,000)	(2,199,318,000)	(1,425,150,000)	(-160,571,000)	(-774,168,000)
Crime trust fund		(9,000,000)			(-9,000,000)
(Liquidation of contract authority)	(162,610,000)	(148,430,000)	(148,430,000)	(-14,180,000)	
TITLE VI - RESCISSIONS					
DEPARTMENT OF JUSTICE					
General Administration					
Working capital fund (rescission)	-65,000,000			+65,000,000	
DEPARTMENT OF STATE					
Administration of Foreign Affairs					
Acquisition and maintenance of buildings abroad (rescission)	-64,500,000			+64,500,000	
RELATED AGENCIES					
United States Information Agency					
Radio construction (rescission)	-7,400,000			+7,400,000	
Total, title VI, Rescissions	-136,900,000			+136,900,000	
Scorekeeping adjustments	-144,688,000	-856,320,000	16,264,000	+160,952,000	+872,584,000
Grand total:					
New budget (obligational) authority	27,800,020,000	31,959,171,000	29,512,712,000	+1,712,692,000	-2,446,459,000
Appropriations	(24,055,971,000)	(27,129,913,000)	(24,997,794,000)	(+941,823,000)	(-2,132,119,000)
Rescissions	(-211,900,000)		(-10,000,000)	(+201,900,000)	(-10,000,000)
Crime trust fund	(3,955,949,000)	(4,829,258,000)	(4,524,918,000)	(+568,969,000)	(-304,340,000)
(By transfer)	(106,000,000)	(64,068,000)	(69,000,000)	(-37,000,000)	(+4,932,000)
(Limitation on administrative expenses)	(2,861,000)	(3,740,000)	(3,042,000)	(+181,000)	(-698,000)
(Liquidation of contract authority)	(162,610,000)	(148,430,000)	(148,430,000)	(-14,180,000)	
(Foreign currency appropriation)	(1,420,000)	(1,420,000)		(-1,420,000)	(-1,420,000)

1/ Does not include "Health care fraud enforcement" legislative proposal to be transmitted later.
2/ Included under Justice Assistance in FY 1996.
3/ Does not include legislative proposals to be transmitted later.
4/ Does not include legislative proposal regarding fees to be transmitted later.
5/ President's budget proposes $5,000,000 for State Justice Institute.
6/ FY 1996 Enacted reflects administrative reductions from P.L. 104-134.

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

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

Mr. Chairman, I rise in support of H.R. 3814. Although imperfect, this bill is a vast improvement over that which we considered last year. I commend the chairman, the gentleman from Kentucky [Mr. ROGERS], as well as his able staff, Jim Kulikowski, Therese McAuliffe, Jennifer Miller, Mac Coffield, in addition to Pat Schlueter, the minority staffer.

Chairman ROGERS has conducted the affairs of this subcommittee in an exemplary manner. He has acted in an open and fair fashion toward all members. I want to express to the chairman, Mr. ROGERS, my gratitude for his openness and our ability to work together on this bill.

There are parts of this bill where we are in agreement, particularly in the crime-fighting and law enforcement area. I would like to take this opportunity to remind my colleagues that this is the real crime-fighting bill. This bill provides extremely robust funding levels, $1.6 billion more than the appropriations for the current fiscal year, for the Department of Justice and its law enforcement functions.

If Members like law enforcement, they are going to love this bill. Let me give Members some appreciation for just what I am talking about. First, let me say that President Clinton's requests in the justice area, the law enforcement and crime-fighting area, the law enforcement and crime-fighting area, were very strong, very generous. This bill provides a bit more funding.

We can anticipate, that the Senate side, if pattern holds, will provide more funding than is in our House bill. In other words, this is a game of up-the-ante. But that is fine, because in the end we really do end up with strong funding for law enforcement efforts.

This bill provides $7.1 billion for drug enforcement initiatives, including a 21-percent increase over fiscal year 1996 funding for the Drug Enforcement Administration.

The bill also provides funds for 1,100 more border patrol agents; 2,700 additional detention beds for safe holding of illegal aliens until deportation, a $51 million increase is provided for U.S. attorneys, a $37.5 million increase is provided for the Marshal Service, and $255 million in increased funding is provided for the Federal Bureau of Investigation.

Of special note, I want my colleagues to know that $1.4 billion is provided for the COPS program, the cornerstone of the President's crime-fighting strategy. Let me take a moment to address specifically the COPS program.

As many of the Members know, during his 1994 State of the Union address, President Clinton pledged to put an additional 100,000 police officers on our Nation's streets. Authorization was provided, $8.8 billion over 6 years, in the 1994 crime bill. The COPS program is now a reality, with funding now approved for over 44,000 cops on the beat.

Mr. Chairman, I think everybody in this body and everybody across this Nation understands what a significant accomplishment it has been to get the President's COPS program up, and operating. I commend the President for his leadership in this regard.

The impact of community policing has been strong and swift. Crime is down, Mr. Chairman. That is the good news. There is not doom and gloom about crime statistics. Crime is down. Members can spin these statistics any way they want, but the bottom line is, crime is down. We can take a category, we can look at a spike.

It is absolutely true that in the last year or so drug use in juveniles is up. That is a matter that everybody is concerned with, and all of a sudden, everybody is turning to focus specific attention on that issue. We have to fight it. This bill does it, and this administration supports that effort.

Preliminary crime figures released by the FBI in December 1995 show a dramatic decline in serious crime in the first half of 1995, compared with the same period in 1994.

In New York City, for instance, overall crime has dropped by 14.5 percent, according to FBI figures. Just last month it was reported that the COPS program is providing dollars for an additional 500-plus new cops on the beat. That is significant. It is difficult to argue with results like this. Simply put, community policing works, it works well, and I am pleased that the bill before us provides funding to continue our march down the road to 100,000 more cops on the beat, in accordance with the President's program and his commitment. We are ahead of schedule.

Mr. Chairman, I want to compliment our law enforcement agencies for the good job they have done in managing and applying the new resources we have given them, and also I want to compliment the unprecedented level of cooperation going on between our law enforcement agencies.

I know of no time, certainly during my service, when, for example, the FBI and the DEA and the other Federal law enforcement agencies are working more closely together. They are cooperating, they are focusing, they are sharing information, and it is having a wonderful effect in crime-fighting.

Mr. Chairman, I would also point out to my colleagues that substantial funds are provided in this bill for State and local law enforcement assistance and juvenile justice programs. The Violence Against Women Act programs are fully funded at $197.5 million. I want to compliment my chairman, the gentleman from Kentucky [Mr. ROGERS] for that funding.

He does express concerns about the fact that the Violence Against Women grants are not already out there. Perhaps, in a way, that is a fair consideration. We are all impatient as appropriators that this money get out and get expended. I would add, however, that we could have helped those who were managing those grant programs last year if we did not have some 10, 12, 15, or however many continuous resolutions. No administrator can develop a grant program for a 2-week continuing resolution, and I do not think the Congress would want them to try.

In addition, the States could not respond to grant applications for a 2-week continuing resolution. After 2 weeks that money expired, and we went into another continuing resolution. In other words, there was considerable legislative instability that the administration and the States were trying to work successfully within last year. This perfectly well explains why the Violence Against Women grants were not let out. Mr. Chairman, the good news is that since obtaining their fiscal year 1996 appropriations, the Office of Justice programs has mailed out application kits to all the States in this Violence Against Women Program. They were due back July 1 of this year, and awards will be made on a rolling basis within 30 days of receipt of the applications. Most of the Violence Against Women grants will be awarded by August 15, within 4 months of the signing of the omnibus appropriations bill, making those funds available. That is timely, and I know they have been working hard to make sure those grants do get out to fight violence against women.

I am very pleased with the very generous funding levels with the Department of Justice.

However, Mr. Chairman, I must note the areas in this bill with which I have serious concerns. First, I am extremely concerned with the level of funding provided for the programs under the Department of Commerce. This bill would cut the Department by $756 million below the administration's request and $119 million below the level provided in fiscal year 1996.

The bill does not provide adequate funding for the Department of Commerce' technology initiatives. The most egregious example is the advanced technology program. There is only $110.5 million for the ATP in this bill, not nearly enough for the Federal Government to fulfill its obligations in prior-year grant awards. In other words, there is not enough money in this bill to meet obligations already incurred by the Government. While I realize there is a philosophical difference of opinion regarding the advanced technology program, this program is a critical part of the President's competitiveness agenda, and deserves to be funded robustly. While I am pleased with the increases this bill provides for the NIST internal programs, it is simply not a substitute for ATP.

I also regret the majority's decision to zero out NIST's construction account. The current laboratory facilities

are woefully inadequate to today's mission, and such an action only serves to perpetuate the problem.

Also in Commerce, I want to make note of the funding level available for the Census Bureau. This bill provides a funding level which is $60 million below the President's request. It does not provide much-needed funding increases for the current economic statistics, and cuts in half the requested increase for the ramp-up for the 2000 census. I know every American is concerned that the census is done accurately, done properly, done on time, and we are cutting money in that vital area.

There are several other areas for Commerce's budget which this bill does not fund adequately, Mr. Chairman.

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With regard to the Small Business Administration, this bill does not provide the requested and needed increase for the 7(a) loan program. I am concerned that without necessary changes to the program's subsidy rate, this bill may limit capital available to small businesses. I plan to work with the chairman during the conference to increase funding for this vital agency.

In addition, while I am pleased that the bill offers a first step at reducing our peacekeeping debt, I am concerned that it does not go far enough and will put us further behind in the long run in meeting this international obligation. My colleagues will be pleased to know that the committee has remained firm in its resolve to seek continued reform at the United Nations. This is an issue that Chairman ROGERS has worked on for many years and he has been successful in bringing the United Nations to a reform posture, or at least in providing incentives to bring them to a reform posture.

My only concern is not with the incentives, but the fact that we are not funding peacekeeping arrearages enough. I think we could do much more and still maintain the momentum with regard to reform at the United Nations.

Further, I must take a moment to express a reservation about reductions in USIA's accounts, especially in salaries and expenses and educational and cultural exchanges. At the same time, I have serious concerns about providing additional funds for Radio Free Asia. The Broadcasting Board of Governors has not produced an operating plan or provided any meaningful operation about transmission or other operating costs and, in addition, the newly assembled Radio Free Asia staff either is unable or unwilling to provide the committee with estimates of just how much Radio Free Asia Pacific broadcasting will grow to cost in the out years. In addition, I express concerns about the funding for Radio and TV Marti, some of which we have addressed in the full committee.

I have saved my biggest concern, Mr. Chairman, about this bill for last, the shameful cut made to funding for the Legal Services Corporation. I will at the appropriate time be offering an amendment to increase funding for this account, so I shall not spend time now detailing my concerns. I will do so during consideration of the amendment to increase funding for legal services.

Mr. Chairman, this list by no means represents every deficiency in the bill, but with limited time here I wanted to highlight my biggest concerns. I intend to work hard with the majority to make improvements. Let me emphasize again that the chairman has labored hard, with scarce resources, to come up with a fair bill. I am most appreciative for his hard work and for his attitude of cooperation as this bill has been drafted and moved to the floor. I look forward to that kind of relationship as we finalize this legislation through the process.

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

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. REGULA], a very hardworking member of our subcommittee.

(Mr. REGULA asked and was given permission to revise and extend his remarks.)

Mr. REGULA. Mr. Chairman, I thank the gentleman for yielding me this time. I would commend the chairman and the ranking member. They have done an excellent job of working with some very important aspects of our Government responsibility.

The matter of crime and rising use of drugs among young people has been recognized in the committee bill and in the increase of $1.6 billion for the Justice Department activities. Likewise antidrug programs, a serious problem, and we have tried to recognize that need by some additional initiatives on antidrug programs, including a $75 million increase for that type of program.

Illegal aliens: We have increased the funding to speed up the deportation of illegal aliens that have been apprehended. It provides significant funding for grants to State and local governments. I think we should recognize that the States and local governments are often the incubators of good ideas. And so we try to give them a little more opportunity to be innovative in their programs so that we can develop ideas that work well for others.

For example, in Ohio the attorney general has recently developed a new program that would identify and provide accelerated delinquency intervention services to high-risk youth who attend a middle school or junior high school. It is called Ohio's accelerated school based intervention solution. The subcommittee urges the Justice Department to carefully review this innovative early intervention approach when it disburses juvenile justice grants. That is just one example of trying to get to the problems with young people before they develop into much larger difficulties.

As chairman of the Steel Caucus, I am pleased to note that we recognize the importance of promoting U.S. exports abroad and enforcing our U.S. trade laws. Therefore, we provided a modest $7 million increase for the International Trade Administration. That may provide the assistance that is needed in ensuring that we do not have dumping or countervailing and the enforcement of our antidumping and countervailing duties laws.

Mr. Chairman, I certainly urge the support of the bill. I think it recognizes a lot of important policies and funds them adequately.

Mr. MOLLOHAN. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Colorado [Mr. SKAGGS], a member of the subcommittee.

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

I, too, want to commend our chairman, the ranking member, and their staffs, for a commendable job under very, very difficult circumstances in fashioning this bill.

It is a real improvement over the fiscal 1996 bill in several areas. We do have funding for ATP. It is too low, but it is better than the zero we started our with last year. There is substantial funding for the COPS Program, rather than no funding, where we started out last year. There is good funding for the core programs at the National Institute for Standards and Techonolgy, very, very robust funding for law enforcement and immigration and many, many other important areas.

But there are some real deficiencies here. And without wanting to exaggerate those relative to the pluses in the bill, I do want to touch on several of them.

The gentleman from West Virginia [Mr. MOLLOHAN] has already mentioned a serious shortcoming with regard to funding for Legal Services. We will all be addressing that later on at the time of his amendment, but it is an egregious problem for us to remedy later on in this debate.

The Advanced Technology Program is at 32 percent of the administration's request, half of last year's funding level. That is a very important investment in the economic and technological future of the country. We need to be doing better there.

Also in the Commerce Department, several accounts within the National Oceanic and Atmospheric Administration that are critical for this Nation's leadership internationally, as well as providing for the safety and well-being and economic health of our own people, whether the Climate and Global Change Program, the Space Environmental Laboratory or several other areas, need to be beefed up.

I would like to take just a moment to talk about the international accounts in this bill and particularly the overall funding to the Department of State. I think that we have lost sight of the fact that diplomacy in behalf of the United States is preventive medicine. It is designed to avoid the kind of cataclysmic international problems that

require us to then call on the Defense Department. It is very much like preventative care rather than surgery. Yet we have seen over the last several budget cycles a continuing contraction of our resources going into that very, very important area of looking out for our national interests abroad. We cannot afford a further erosion of our diplomatic preparedness, whether it is in the State Department directly, the Arms Control Agency, which is doing very, very important work for this country in so many important fields, with proliferation and other areas, or the USIA, representing the ideas and the culture of this country abroad.

One of the areas that is a plus as this bill comes to the floor is that it contains no funding for that failed activity known as TV Marti, where all objective accounts have confirmed what is the unfortunate reality; that is, there is no audience for the broadcasts of TV Marti into the island of Cuba. As pathetic as is the record of TV Marti, as insulting as its waste of over $100 million is to the American taxpayer, who is hard pressed enough, still the apologists for this abject failure say that they have gotten the commitment to restore funding later on in the process. That would be a huge mistake, Mr. Chairman, and a classic example of a victory of special interests and special influence over common sense. I hope we will be on alert to avoid making that mistake as this bill moves through the process.

Again, let me just close by offering my congratulations to our chairman and our ranking member for the job they and their staffs have done.

I thank the chairman. I commend Chairman ROGERS, Ranking Member MOLLOHAN and their staff members for their efforts in trying to balance the disparate competing interests represented in this bill. Their impossible task was to somehow provide adequate funding under the restrictions of the new budget resolution for our Nation's important research, technology, crime fighting, judiciary, and international activities.

In some ways, the bill we are considering today is better than last year's House version of the Commerce, Justice, and State Departments appropriations bill.

For one thing, it omits further wasteful spending on the TV Marti boondoggle. And, in other areas, it provides some funding for the National Institute of Standards and Technology's [NIST] Advanced Technology Program [ATP], instead of no funding. It provides most of the requested funding for the COPS community policing program, instead of no funding. It provides full funding for the core research activities at NIST. And this bill generously funds law enforcement accounts, most above last year's level and many above the administration's request.

There are, however, serious problems with this bill that I hope can be addressed through the amendment and conference process.

First, this bill cuts funding for the Legal Services Corporation by almost 50 percent. This cut comes on top of a funding reduction of 30 percent for fiscal year 1996. These funding cuts represent an unconscionable abandonment by this Congress of the Nation's commitment to equal justice for all citizens regardless of economic status. LSC provides low-income Americans access to the legal system on basic matters of family law, consumer issues, housing disputes, and other issues affecting veterans and the elderly. The funding cut included in this bill will cripple LSC's ability to carry out its important mission.

This bill funds the ATP Program at 32 percent of the administration's request and only one-half of the final conference funding level of last year. The ATP Program provides a private industry/government partnership to nurture cutting edge industrial technology that is either too high risk or too broad based for a single private company alone to afford to develop. It provides small, competitive grants to consortia of large and small companies for development of preproduct technology. These grants are matched by private funds and motivate private industry to take risks in product and technology development that otherwise would not occur, not because they lack merit or profit-making potential, but because the pay-back in the short term is too problematic for purely private capital. This program promotes America's long-term economic interests and deserves full support.

I'm also concerned about the committee's effort to restrict ATP funding to only small businesses. ATP grants often go to a consortium made up of small and large businesses working together on a single project. Separating funding and, therefore, grantees according to size could end up disrupting the valuable partnerships forged between small and large businesses through previous ATP projects.

I'm also disappointed that the committee was unable to meet the administration's funding requests for many of the National Oceanic and Atmospheric Administration's [NOAA] programs. NOAA's work contributes to a more productive and competitive nation. NOAA's mission is to protect life, property, marine and fisheries resources, and our Nation's coasts and oceans. It accomplishes its mission through research and monitoring of the condition of the atmosphere, oceans, and Great Lakes. NOAA predicts the weather, climate, and fisheries' productivity. In addition to the obvious importance of NOAA to the health of industries tied to coastal and marine life conditions, the work at NOAA is important to agribusiness, industries that have an impact on air quality, and the transportation and communications industries.

While I understand that these are difficult budgetary times and that for most accounts the committee bound itself to the authorization bill produced by the Science Committee earlier this year, NOAA's atmosphere and ocean programs are important to the economic and environmental future of the Nation and should be fully supported.

In particular I'm disappointed that the committee didn't move closer to the administration's funding request for the Climate and Global Change Program which conducts research to develop long-term climate observation and prediction techniques, particularly for North America. This program also examines the role of ocean conditions on long-term climate changes and provides information on which to base important policy choices about the necessity or results of environmental and industry regulation.

Another particular concern is the small, but significant cut in the Solar/Geomagnetic Research Program. The Space Environmental Laboratory funded under this account forecasts solar and geomagnetic activity which can damage satellites and electrical power systems. The warnings provided by SEL provide the valuable time needed to take steps to limit the damage caused by unusual solar and geomagnetic activity.

I am also very concerned about the effects of this bill's cuts in the budgets of the State Department, the U.S. Information Agency and the Arms Control and Disarmament Agency. This year's reductions come after many years of downsizing and restructuring in these agencies. Since 1984, our international affairs budget has fallen 51 percent in real terms. By the end of the current fiscal year, the State Department alone will have reduced the size of its work force by 1,900 full-time employees and will have closed 30 posts worldwide.

These funding reductions have already eroded our diplomatic preparedness. Further cuts to foreign affairs agencies will threaten our ability to protect and promote our national interests. The cuts come at a time when our foreign policy agenda is increasingly dominated by such issues as access to overseas markets, control of weapons of mass destruction, protection of the environment, and the promotion of democracy. In these areas, our country needs effective diplomatic efforts to negotiate agreements and build coalitions among governments.

I am worried that the cuts contained in this bill may force the State Department to close additional foreign posts. Before we continue to diminish our overseas presence, we should make certain that we won't be severely undermining our ability to gather critical information and intelligence and to support American commercial interests abroad. We also need to be certain that the needs of the Defense Department, the CIA, and other State Department tenants have been fully considered in decisions to close posts.

The bill provides an inadequate downpayment on the enormous debt we have run up by failing to pay our dues to the United Nations and other international organizations. This is not just a matter of being an international deadbeat. It will harm our ability to promote our interests in international organizations and will undermine our credibility in pressing for further U.N. reforms. It also would scuttle a bold initiative of our Ambassador to the U.N. Madeleine Albright, to convince U.N. members to reduce from 25 percent to 20 percent the U.S. share of the U.N.'s regular budget in return for a multiyear American commitment to make good on our debt.

Another area of concern is the low level of funding the bill provides for the Arms Control and Disarmament Agency. The budget for this small but crucial agency has been slashed almost 30 percent in the last 3 years. At the same time, we in Congress, along with the President, have continued to give the agency more tasks. While the level of funding provided this year is close to the bare bones budget provided last year, the agency then had significant carryover funds that are no longer available. I fear that the funding in the bill will not enable the agency to fulfill crucial responsibilities like completing negotiations on banning nuclear testing, ensuring that all nuclear weapons are removed from Ukraine, Kazakstan, and Belarus by the end of the year, and monitoring the elimination of hundreds of bombers and missiles from Russia.

On a positive note, as I mentioned earlier, the bill reflects the overwhelming bipartisan support expressed in the full committee for a measure to kill funding for TV Marti, the United States Information Agency's television broadcasts to Cuba.

TV Marti is a failed experiment. After 8 years and the waste of $100 million in taxpayer's money, virtually no one in Cuba sees these United States Government television broadcasts.

TV Marti is on the air only between 3:30 a.m. and 8:00 a.m. Unfortunately, the Castro government is very successful in jamming the broadcasts. The result? No one sees TV Marti.

The objective evidence is overwhelming. In 1994, a Federal advisory panel stated

> categorically that at present TV Martis broadcasts are not consistently being received by a substantial number of Cubans.* * * Whatever TV Marti's [other] shortcomings they are negligible compared to its inability to reach its intended audience.

A report from the Appropriations own committee staff investigation concluded there was virtually no audience or policy purpose for continuing TV Marti broadcasts.

It's bad enough that TV Marti accomplishes nothing. But that's not the end of the story. National security and drug interdiction efforts can suffer when TV Marti preempts use of Federal balloons—used for TV Marti and radar surveillance—on the Florida Keys. That's why in 1993 a defecting Cuban MiG pilot wasn't detected until right before his plane landed at Key West Naval Air station. Fortunately, his intentions were friendly.

The elimination of TV Marti won't diminish our ability to send United States Government broadcasts to Cuba. Even without TV Marti, Radio Marti will continue—and many Cubans listen to it. Killing the TV Marti boondoggle doesn't score a propaganda victory for Castro. It does score a victory for the American taxpayer.

In conclusion, while I believe the chairman should be commended for his diligent efforts under such difficult budgetary constraints, I must say that I have grave reservations about this bill.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. KOLBE], a very hardworking member of this subcommittee who has given us a lot of help in constructing this bill.

(Mr. KOLBE asked and was given permission to revise and extend his remarks.)

Mr. KOLBE. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of this legislation, H.R. 3814, the Commerce, Justice, State and Judiciary Appropriations Act for Fiscal Year 1997. We are nearing the end of our appropriations work on the floor of the House but we have saved one of the more important bills here for the end.

I especially want to commend Chairman ROGERS for his excellent work through a very difficult fiscal climate. Despite the hurdles, the chairman and subcommittee, I think, brought to the floor of the House a bill worthy of support. I also want to thank and applaud the gentleman from West Virginia [Mr. MOLLOHAN], the ranking minority member, for the bipartisan and cooperative spirit that he has adopted in working on this bill.

Downsizing Government does mean making choices in spending priorities and this bill does that. It does it by channeling funds to programs that we think are in the taxpayers' interest. I do not agree, of course, with every single decision that is made here but on balance this is a good bill, a responsible bill, and one that I am proud to be associated with.

This bill takes a giant step toward addressing the issue of border enforcement, something that is very important to those of us along the southwest border. It provides funding to put an additional 1,100 Border Patrol agents and inspectors on the front lines of the border. Overall it provides $2.8 billion for the enforcement of our immigration laws. Funding is also provided for 2,700 more detention cells to ensure that we can hold for deportation illegal aliens in the United States. That is 2,000 more beds than have been requested by the administration.

The bill provides $500 million for the State Criminal Alien Assistance Program that reimburses States for the costs associated with incarcerating criminal aliens. The General Accounting Office estimates that the nationwide cost incurred by States for this could exceed $650 million. This appropriation takes a huge step toward addressing that problem.

Mr. Chairman, we must recognize that illegal immigration is a national problem, that it is not just a State problem. This Congress must reaffirm its commitments to States and local communities because they are the ones that must contend with the failed immigration policies of the past. To turn our back on that would be wrong.

The Federal Government does not have all the answers when it comes to combating the crime we are most concerned about. I do not believe the Congress should try to manage State and local law enforcement agencies. Rather, we need to support measures that empower local law enforcement—H.R. 3814 does just that. This legislation gives maximum flexibility to local law enforcement officials to administer $571 million for law enforcement and prevention programs instead of mandating that money be used for specific purposes. The bill will allow local officials to use funds to put more police on the streets, purchase needed equipment, fund youth prevention programs, provide drug court programs, or other urgent needs, according to the priorities determined by 39,000 State and local entities—not Washington. Additionally, this bill provides nearly $500 million for the Byrne grant program that has been used very effectively by local law enforcement. In my own district, very successful law enforcement alliances have succeeded because of the availability of Byrne grant moneys.

Let me shift gears for a moment to address what this bill does with funding for the Commerce Department. I support restructuring the Commerce Department. Over the years, this agency has become the dumping ground for every new function of the Federal Government that didn't fit someplace else. While this bill does not dismantle the Commerce Department, it cuts it by nearly 17 percent for fiscal year 1995 levels—a clear signal to Congress to reorder its functions. I will support amendments to this legislation making further cuts in certain areas of Commerce.

I am pleased the committee funded the Small Business Administration's microloan program which has helped create hundreds of jobs in Arizona at little or no cost to the Government. Organizations like Project PPEP help to effectively administer these startup loans in areas where this type of assistance is effectively used and where loan defaults are almost nonexistent.

The bill provides resources for the State Department to continue its vital functions across the globe. H.R. 3814 does cut funding just below last year's spending levels. Contributions to U.N. peacekeeping operations are kept in check while affording the executive branch maximum flexibility and the legislative branch maximum oversight.

I encourage all of my colleagues to support this legislation that is both fiscally responsible and attentive to the needs of the American people.

Mr. MOLLOHAN. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. I thank the gentleman from West Virginia [Mr. MOLLOHAN] and likewise thank the chairman, but I thank the ranking member for his continued hard work on this issue.

Mr. Chairman, I wish that I could rise in overwhelming enthusiasm for the effort that has been put forward. I do believe, however, there is room for improvement. In particular I would like to note that we have been successful. We have stood in the way of the obliteration and dissolution of the Commerce Department, one of the few departments in this Nation that is in the Constitution, one of the few that have been able to claim over billions of dollars of job opportunities and business opportunities for American businesses, and yet we find that this appropriation bill gives $756 million below the administration request, even though the Commerce Department has done its own internal downsizing.

Juvenile justice grants: I appreciate the funding of such grants and certainly the funding of violence-against-women grants and the successful keeping of the 100,000 cops on the beat.

I am concerned, however, when it comes to the Advanced Technology Program under the Department of Commerce, that we would not consider the importance of technology creating the jobs of the 21st century and would be shortsighted in underfunding opportunities for innovative technology projects to be successfully funded. Our support falls short in comparison to what is done by our neighbors like Japan and Germany in investing in

technology. It is important to recognize that in order to have businesses succeed, the government must be a successful partner to business.

I likewise rise, Mr. Chairman, to speak against the drastic and draconian cuts in the Legal Services Corporation: Only $141 million given to this agency—over a 50-percent cut.

□ 1415

What that says is the number of clients will fall from 2.1 million to 1.1 million, that we are saying to America that you can have your access to justice, but those individuals who are poor, who are indigent, who are women, who are children, who are the elderly, cannot have the ability to receive the kind of legal services that the Constitution provides. Twenty-six thousand poor Americans will get to access one lawyer with the legal services cuts.

I think it is important, Mr. Chairman, that we recognize the commitment of this government to be a government of laws and not of men and women. And so these services should be provided by the Legal Services Corporation, 323 guarantees provided services to almost 2.1 million clients from 1,100 locations last year, approximately 24 million families are poor enough to qualify for free services. In 1995, the legal services fund provided 1 lawyer for every 200 low-income families. Without sufficient funding this year these families cannot be served.

Legal Services helps us in defending against spousal abuse or child abuse. It helps us with divorce and separation for indigent families and women. The Legal Services lawyers help poor people with wage claims, discrimination, termination, unlawful termination, and unemployment claims

Frankly, Mr. Chairman, what it does is it simply says you are an American, too. I am concerned that we do not sufficiently fund the Legal Services Corporation to serve the poor, so I am supporting the Mollohan-Fox amendment to increase legal services because that is the right thing to do, and that would add to a better Commerce, Justice Department, State Department appropriations bill.

Mr. Chairman, I would have risen to offer an amendment to the Commerce-Justice-State appropriations bill. This amendment would restore $20 million for the Legal Services Corp. [LSC], which distributes Federal funds to more than 300 local legal aid organizations to pay for the representation of low-income individuals in civil legal matters, such as landlord-tenant disputes, domestic relations, and Social Security matters. However, I now rise to support the Mollohan-Fox amendment to increase Legal Services to almost to last year's funding and if it passes, I will not offer my amendment.

This program provides desperately needed assistance to our Nation's poor families and individuals. Without some kind of legal aid our poorest citizens would have no recourse against unscrupulous merchants, no help in arranging adoptions or enforcing child support orders, and no protection against abusive spouses.

The U.S. Bureau of Justice Statistics reports that over 1 million women a year are victims of violence at the hands of husbands or boyfriends. Poor women and children, who frequently lack access to support networks, are especially vulnerable to the vicious cycle of domestic abuse.

Family law, which includes the representation of victims of domestic violence, is the single largest category of cases handled by the 278 local Legal Services programs across the Nation. In 1995, Legal Services programs handled over 59,000 cases in which clients sought legal protection from abusive spouses and over 9,300 cases involving neglected, abused, and dependent juveniles.

Legal Services attorneys assist victims of domestic violence in a variety of ways: obtaining orders of protection, child support, and divorces from abusive spouses; representing them in child custody proceedings; assisting them with applications for emergency housing or other benefits that enable them to escape violent situations; and helping them make a realistic plan for moving from dependency to self-sufficiency.

H.R. 3814 would fund the LSC in fiscal year 1997 at $141 million, which is an extreme cut from the fiscal year 1995 level of $415 million. This cut will result in the virtual abandonment of this country's longstanding Federal commitment to the legal protection of low-income individuals, including victims of domestic violence. Withdrawing aid for this program will effectively shut millions of Americans out of the justice system.

Cutting the fiscal year 1997 funding level to $114 million will most likely result in the following: the number of clients served will fall from 2.1 million in fiscal year 1995 to 1.1 million; the number of neighborhood officers will fall from 1,100 in fiscal year 1995 to approximately 550; the number of LSC attorneys serving the poor will fall from 4,871 in fiscal year 1995 to 2,150; there will be only one LSC lawyer for every 23,600 poor Americans; there will be no legal assistance for clients in thousands of counties throughout the country; millions of poor people in rural areas in the South, Southwest, and large parts of the Midwest, which have virtually no non-LSC funding, will have extremely limited resources to obtain meaningful access to justice; and Legal Services programs will be forced to severely limit their services, resulting in the substitution of brief advice and referral for complete legal representation in most cases.

By restoring some funding for this vital program, the Jackson-Lee amendment will help soften the bill's negative impact on the LSC. My amendment would provide $20 million for the LSC by taking $20 million from the U.S. Information Agency—International Broadcasting Operations [USIA], which receives $346.7 million under the bill, and $2 million from the National Endowment for Democracy, which receives $30 million under the bill.

The Legal Services Corp. is a representation of this country's commitment to the ideal of equal justice. By providing access to justice for millions of Americans, the LSC has given them a stake in the justice system and a sense that government is meant to be a servant of the people rather than a master. We must not allow this program to be gutted—it is fundamental to our Nation's sense of fair play.

Support the Jackson-Lee amendment and help make good on this country's promise of liberty and justice for all.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. GILMAN], the very able chairman of the Committee on International Relations of this House.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

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

Mr. Chairman, I am pleased to rise in support of the bill before us. Under tight budgetary allocations, the gentleman from Kentucky, Chairman ROGERS, and the gentleman from West Virginia, Mr. MOLLOHAN, ranking minority member, have responsibly crafted a good bill. I appreciate the gentleman from Kentucky's close consultation with our Committee on International Relations.

I have been informed there may be amendments to further reduce operations funding U.S. Information Agency, which I strongly oppose. I oppose reductions in those activities and point out to my colleagues that in the budget, the USIA already has been reduced by $6 million below the fiscal year 1996 appropriated level. The 2-year cumulative reduction in USIA operating account is now $36 million.

It is gratifying that this bill contains important new directions and guidance in our war against illicit drugs, and I applaud the gentleman from Kentucky, Chairman ROGERS, the gentleman from Illinois, Mr. HASTERT, the gentleman from New Hampshire, Mr. ZELIFF, and all those who have enhanced funding for international strategy against drugs and provided direction to the DEA and the source nations. The result is that there will be more DEA agents on the ground, improvements in intelligence collection, and more vetted units aimed at the problem of systematic corruption in many of these nations of illicit drugs and the traffickers.

In recent years the battle against drugs has not progressed under the present administration. This is particularly evident in the alarming soaring drug use since 1992, especially among our young people. This rise in drug use followed administration decisions that diminished interdiction resources by nearly one-half while also neglecting source country eradication efforts. The results have been disastrous.

Mr. Chairman, today's bill reverses some of those unwise decisions that will help take the battle to the traffickers and the source and transit zones long before that poison hits our streets and destroys our young people and adds billions to our societal costs.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I would like to address two issues in this bill

which directly affects women and their families.

First, I would like to thank the gentleman from Kentucky, Chairman ROGERS, for fully funding the Violence Against Women Act. These funds are needed desperately, and we appreciate the attention to this issue. However, I would like to reiterate the concerns of the gentleman from West Virginia [Mr. MOLLOHAN] which were mentioned previously. Because the bill was so late and was not signed until April, the funds for 1996 are just being processed. The Department of Justice is doing a valiant job in getting these funds out.

Many of my colleagues may not think of legal services as a women's issue, but it clearly is. The funding cuts contained in this bill will force the Legal Services Corporation to abandon many of the critical legal services that it provides to poor women, particularly victims of domestic violence.

In 1995, legal services programs handled over 59,000 cases in which clients sought legal protection from abuse of spouses and over 9,300 cases involving neglect and abused and dependent juveniles. In fact, family law, which includes domestic violence cases, makes up one-third of the 1.7 million cases handled by legal services programs each year.

In addition to helping victims of domestic violence, the lawyers of the Legal Services Corporation help poor women with many necessary legal services. For example, the lawyers at legal services assists mothers and their children to enforce child support orders against deadbeat dads. They also help women with employment discrimination cases and parents who are trying to protect their children's educational interests.

If we slash funding to the Legal Services Corporation, we will be abandoning hundreds of thousands of women who desperately need legal help. These women have nowhere else to turn. So please, I ask my colleagues, let us make sure that we do not short-shrift the women of America and not turn our back on their families.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. HASTERT], the very distinguished chief deputy majority whip.

(Mr. HASTERT asked and was given permission to revise and extend his remarks.)

Mr. HASTERT. Mr. Chairman, thank you for reversing a trend that has happened in this country over the last 5 years. This bill changes a trend that has seen a reduction in drug interdiction. It has seen a reduction in the ability to stop children from using drugs. Your work, Mr. Chairman, has changed this whole issue.

What we do in this bill is increase the ability for the Drug Enforcement Administration to renew counternarcotics attacks on those countries who grow the drugs and manufacture drugs. We have given our country the ability to go into those countries and crush those drug growing and manufacturing areas.

Let me just say one very simple illustration. If you have seen on TV the last couple nights about ruby red, a new type of heroin that teenagers use, they smoke it because the purity has gone from 4 to 90 percent. We will be able to stop the infusion through Colombia, who used to use cocaine, now using ruby red, a more devastating drug to teenagers then anything we have ever seen.

This bill will help us stop that. I support its passage and really salute the chairman of the committee who has made this happen.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. BLUMENAUER].

Mr. BLUMENAUER. Mr. Chairman, I strongly agree with the comments that my colleague from West Virginia has made regarding the bill and its benefits and deficiencies. Among other things, I appreciate the additional resources included in the bill for community policing, a program which has made such a difference in communities in my district and around the country.

But, I do want to spend a moment speaker about a grave area of deficiency dealing with the Advanced Technology Program. This is one program that promotes partnerships and boosts competitiveness by encouraging innovation. It is worthy of bipartisan support and adequate funding. The partnerships created by the ATP allow the U.S. Government to work with businesses and universities, helping existing technological leaders to leverage their talent and expertise.

I have seen this take place in my State of Oregon. In the last several years, we have watched as the companies—which must match Federal funds—have invested approximately the same amount in ATP projects as they have received from the Federal Government. These recipients are developing broad-based technologies, which will not only make them more competitive globally, but will be creating new industries and new jobs. In Oregon over the last 5 years, 10 Oregon participants have joined in ATP projects. Five of these participants have been small businesses.

For example, Precision Cast Parts in my district is working on developing large-scale industrial gas turbines which can operate at higher temperatures. These higher operating temperatures mean increased fuel efficiency and the option of using a larger variety of fuels.

At Tektronix, over the last 3 years they have been developing the ADVANCED Program, the Advanced Digital Video Network for Creative Editing and Distribution Program, a new technology which allows video to be used just like other electronic data. These programs attract expertise to the region and to the State. And they create new jobs.

I hope we will take another hard look at this program as this bill wends its way through the legislative process. The ATP Program needs to be restored in order for this bill to be worthy of our support.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. SMITH], the chairman of the Subcommittee on Immigration and Claims of the Committee on the Judiciary.

Mr. SMITH of Texas. Mr. Chairman, I rise in strong support of a Commerce, Justice, State, and judiciary appropriations bill.

This bill provides $2.1 billion in funding for the Immigration and Naturalization Service. That is $30 million more than the administration requested. The funds for the INS in fact represent a 25-percent increase over last year, and they demonstrate Republicans' commitment to reducing illegal immigration.

H.R. 3814 provides the necessary funding to hire 1,100 new Border Patrol agents. The administration's request would only have funded 700 new Border Patrol agents. This bill also contains a significant funding increase for the detention and removal of illegal aliens, including 2,700 new detention beds. The administration's request would only have funded 700 detention beds. Funding is critical to the effective implementation of America's immigration policies.

I thank Chairman ROGERS for the tireless efforts he has made to secure our borders.

There is another bill which passed the House in March of this year by a vote of 333 to 87 that also advances immigration reform. H.R. 2202, the Immigration in the National Interest Act, will soon go to conference with the Senate. It will benefit American families, taxpayers and workers by securing the borders, removing criminal and illegal aliens from the country, and ensuring that immigrants are self-reliant.

Mr. Chairman, the American people are demanding that we pass comprehensive immigration reform. I urge my colleagues to provide sufficient funding for border security by voting ''yes'' on this bill.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, I appreciate the work done on this bill, but regrettably the bill sharply reduces critical law enforcement resources by underfunding the COPS community policing initiative and legal services and cuts research and technology investments.

Community Policing Services has its roots in New Haven, CT. The New Haven Police Department began a groundbreaking experiment in community policing in the early 1990's in response to an extremely high crime rate. Community policing worked in New Haven to make streets safer. Because of its success in my district and others, the previous Congress passed a national community policing initiative

as part of the 1994 Crime Control Act. Since its enactment, COPS grants have put over 55 new police officers on the beat in my district, helping to reduce crime on the streets and providing increased security to the citizens in my community. This bill level funds COPS and impedes the ability of police departments in cities like New Haven to do their difficult job.

I am equally distressed about the bill's attack on the Legal Services Corporation, which provides essential legal representation to indigent families in my district, especially courageous women escaping an abusive partner. Dismantling the Legal Services Corporation will keep women and children in violent settings and perpetuate domestic violence.

Finally, I strongly oppose this bill's provision to kill the ATP public-private partnership that helps small businesses grow and generate good-paying, high-technology jobs. Health Information Systems in Wallingford, CT, CuraGen Corp. in Branford, and Alexion Pharmaceuticals in New Haven are but three examples in my district of how ATP works to generate good jobs. I strongly oppose killing ATP.

Mr. Chairman, these priorities need to be restored. I urge my colleagues to restore these important priorities as we consider this bill.

□ 1430

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. FORBES], a very able and hard-working member of our subcommittee.

Mr. FORBES. Mr. Chairman, I rise in strong support of this Commerce, Justice, and State, the Judiciary, and related agencies appropriations bill, and I also rise to thank both the ranking minority and majority members for the conciliatory and balanced effort that this bill represents.

There has been every effort to move the spending bills in this Congress forward in a very dramatic and dynamic way, and I believe all of us can appreciate the fact that this bill really is a bipartisan effort to get a balanced spending plan in an environment where we have dwindling resources.

This is a excellent bill, and I want to compliment not just the gentleman from Kentucky, Chairman ROGERS, and the gentleman from West Virginia, Mr. MOLLOHAN, but also the chairman of the full committee, the gentleman from Louisiana, Mr. LIVINGSTON, and of course the gentleman from Wisconsin, Mr. OBEY.

We are all working very, very hard, in a very tough environment, where we have fewer dollars and great needs, unending needs, and this is a good bill and I urge its adoption.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. GEKAS], the chairman of the Subcommittee on Commercial and Administrative Law of the Committee on the Judiciary.

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

The Susquehanna River begins in New York State, flows through Pennsylvania and then Maryland, and empties into the Chesapeake Bay. It is a gorgeous river. Everyone loves it. Those who live on either side of it are happy people. But last January, like many other times in the history of the Susquehanna Valley, the Susquehanna River turned on us and in a rage destroyed billions of dollars worth of property and killed 16 people.

Why do I tell my colleagues this? Because the flood warning system that we had in place, which this committee was able to put in place several years ago, was responsible, we believe, for preventing even further damage. I want to thank the chairman of the committee for recognizing that pattern of behavior on the part of the Susquehanna River and for his efforts in making a $1 billion appropriation, upwards from the 669, where it rested before, in recognition of how dangerous the Susquehanna can become.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from New Hampshire [Mr. ZELIFF].

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

I thank the gentleman from Kentucky [Mr. ROGERS] for his commitment and strong support to our Nation's drug war. In the past 2 years I have worked very hard, traveling through the transit zone and parts of South America and source country programs and we have seen firsthand the people out there putting their lives on the line every day with limited resources.

The sad reality is that we have witnessed a record increase in drug use among America's children between 1992 and 1995, amounting to an aggregate increase of nearly 200 percent. This reverses a downward trend that lasted from 1979 through 1992. That reversal, as everyone knows, or should know, paralleled unprecedented cuts in drug interdiction, international programs and other supply reduction efforts.

The sudden rise in youth drug use and drug related violence is also accompanied by a dramatic increase in drug availability on America's streets, and a major increase in the potency of these drugs, especially cocaine, heroine, marijuana flowing into the United States from Colombia, Bolivia, Peru, and Mexico.

Mr. Chairman, for the best interest of our children and grandchildren, we need a balanced effort of education, prevention, treatment, interdiction, and source country programs. Thanks to the gentleman from Kentucky and his leadership we will have that balanced effort.

Mr. MOLLOHAN. Mr. Chairman, I yield the balance of my time, 1 minute, to the gentleman from Kentucky [Mr. ROGERS] so that he may yield it to the gentlewoman from Maryland [Mrs. MORELLA].

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

Mrs. MORELLA. Mr. Chairman, I thank the chairman of the subcommittee for yielding me this time and the ranking member of the subcommittee for yielding to me.

Mr. Chairman, I do appreciate the difficulties in preparing this appropriations bill, and I want to commend the gentleman from Kentucky, Chairman ROGERS, and the ranking member, the gentleman from West Virginia, Mr. MOLLOHAN, for the work that they have done in trying to bring a bill before us that will make a difference.

I applaud the more than full funding of $197,500,000 for the Violence Against Women Act. It will go a long way.

I am, however, concerned about cuts in the Legal Services Corporation and the elimination of the superb NOAA corps of commissioned officers before the forthcoming GAO report. This is certainly premature.

While I support funding for the Technology Administration, the National Institute of Standards and Technology Laboratories, the Advanced Technology Program, the MEP program, I am deeply troubled by lack of funding for the NIST construction of research facilities account, especially since a $30 million rescission was experienced in fiscal year 1995 and a further $24 million rescission in fiscal year 1996. I believe these rescissions, along with zeroing this out, would be absolutely detrimental to NIST's meeting its mission.

I look forward to continuing to work with the subcommittee to develop funding for the completion of NIST's 10-year plan to construct and renovate facilities to allow the National Institute of Standards and Technology to fulfill its important missions and to live up to U.S. industries' needs for the new millennium and thereafter.

Mr. Chairman, I appreciate the difficulties in preparing this appropriations bill and I commend Chairman ROGERS for his efforts.

I wish to speak regarding a few provisions in the bill, with particular emphasis on funding for the National Institute of Standards and Technology [NIST].

While I support the committee's funding for the technology administration, and for the NIST laboratories, its advanced technology program, and its manufacturing extension program, I do have very strong concerns about the committee's lack of funding for NIST's construction of research facilities account.

Failure to fund this account would adversely affect NIST and its ability to meet its mission, and by extension, our Nation's industries which rely on NIST to compete in the global marketplace.

Mr. Chairman, an independent study in 1991 found that the overwhelming majority of NIST's facilities will fail to meet program needs within this decade unless steps are

taken immediately to renovate and construct its facilities.

NIST's specialized research buildings, needed for world-class measurement and standards research in support of industry, are fast becoming scientifically obsolete.

In addition, they suffer from environmental, systems, and safety flaws.

The decaying state of NIST's facilities already has made it impossible to provide some of our Nation's industries with essential services, such as state-of-the-art calibrations urgently needed to maintain production-line quality controls on a par with overseas competitors.

Environmental controls which were more than adequate when the buildings were first constructed over three decades ago are now completely inadequate for advanced atomic-level research.

Also, the poor quality of NIST power supplies regularly results in inaccurate measurements, costly delays, rework, and loss of data.

NIST identified $42 million in facilities safety and capacity projects requiring major retrofitting in that 1991 report.

The project list for this much-needed renovation, since then, has continued to grow.

In the years since the report was developed, high priority facilities maintenance problems, requiring an additional $285 million have been identified.

These projects, now totaling $327 million represent only the most critical retrofit requirements.

NIST must continue to receive construction funding in fiscal year 1997 to address the highest priority projects from this list.

Mr. Chairman, no one has legitimately disputed the need for NIST's modernization and renovation. In past years, the Appropriations Committee has provided funding which keeps NIST's necessary 10-year modernization project on schedule.

I believe that not providing funding for the construction account at this time, especially since there was a $30 million rescission in fiscal year 1995 funding and a further $24 million rescission in fiscal year 1996, would be absolutely detrimental to NIST's ability to meet its mission.

I look forward to continue working with the chairman of the subcommittee to develop funding for the completion of NIST's 10-year plan to construct and renovate facilities which will bring NIST up to U.S. industry's needs for the beginning of the 21st century and beyond.

In addition, I am concerned that cuts in The Legal Services Corp. threaten to abandon impoverished women and children, particularly those who are victims of domestic violence. LSC has provided critical legal assistance to these women and children, assuring that they are not trapped in a violent relationship by helping to get protection orders, file for divorce, and receive child support. I hope that we will be able to increase this account before the bill is presented to the President.

I am pleased that this bill includes $197,500,000 for implementation of the Violence Against Women Act. This represents more than full funding and will go a long way in the fight against domestic violence in our neighborhoods and communities all across this Nation.

The bill underscores the important role of the Federal Government—working with State and local authorities—in combating domestic violence, child abuse, and sexual assaults against women in this country.

Under this bill, funding will be provided to train judges and court personnel about domestic violence; to train law enforcement personnel in targeting crimes against women and in implementing effective arrest policies with regard to domestic violence. The funding will also strengthen services to women and children who are victimized by these terrible crimes.

Mr. Chairman, the NOAA Commissioned Corps, one of our Nation's seven uniformed services, was established at the beginning of the First World War. It will be celebrating its 80th birthday in 1997, the year that the administration and Congress have planned its extinction.

A General Accounting Office report has been completed and will be released in the very near future. I believe that it is premature to eliminate the Corp by the end of fiscal year 1997, and I urge my colleagues to wait for this report before taking this irrevocable step.

NOAA Corps' 333 commissioned officers, down already from 370 a year ago, all have engineering or science degrees, and have been actively recruited from among students with a grade point average of 3.1 or better. The Corps boasts an up or out promotion system, and officers are subject to transfer anywhere throughout NOAA. This traditionally includes multiple assignments in the air, on land, or prolonged sea service, often as the commanding officer or chief scientist. Their home base, however, is most often in Seattle, WA; Norfolk, VA; Tampa, FL; or at NOAA headquarters in Silver Spring, MD.

I have serious reservations over the wisdom of eliminating this superb Corps of commissioned officers, who were earlier this month flying into the eye of Hurricane Bertha, giving invaluable information to responsible officials up and down the east coast. There is no way to quantify the number of lives that were potentially saved, or the number of buildings and homes that were protected, by emergency personnel having access to this incredibly accurate weather information. Many of you may remember the picture of the hurricane on the front page of the July 12 Washington Post. This was taken from an NOAA Hurricane Hunter aircraft, flown by two retirement-eligible NOAA Corps officers. The present version of the fiscal year 1997 Commerce Department appropriations bill, page 54, would retire these flyers and eliminate their positions.

However, these are only 2 of the 333 officers throughout NOAA—all in positions of great responsibility and with many years of experience—that would have to be replaced by civilians or contractors. In addition, we would lose the backbone of the Nation's nautical charting program, which is manned by Corps officers. What advantage is there to eliminate this resource and hire or subcontract replacement, replacements which may well cost more, and almost surely not have the same sense of duty and sacrifice that has for 80 years been instilled in the NOAA Corps?

I have to believe that this scenario is not the result of rational planning but, sadly, of misinterpreted good intentions. The language in the National Performance Review asks NOAA to reduce the Corps by 130 officers by fiscal year 1999, and only eventually eliminate the service. A study conducted by the accounting firm of Arthur Anderson failed to indicate any monetary benefit, at least in the near future, should the Corps be eliminated. I fail to see why accelerating this process at this time, can be anything but detrimental.

Last, Mr. Chairman, I would like to briefly pay homage to this extraordinary Corps of dedicated men and women, who by terms of their employment, are subject to frequent and prolonged periods away from home, extremely dangerous, rigorous, or hardship postings—including a winter's stay in the Antarctic, and who exemplify some of the most dedicated public servants anywhere in the world.

As one of my constituents wrote me, ''The Nation benefits significantly from their sacrifice, since uniformed service members can be sent anywhere at any time to meet any mission, without incurring the expense or other limitations inherent in a civilian work force.'' Although the uniformed service pay system under title 37 of the United States Code was designed to compensate for the Corps mobility and field operations, it can hardly compensate for their dedication in performing difficult tasks.

I regret that this provision was included in the bill, and I urge my colleagues to join me in working to ensure that the Senate bill, and the final conference report, delay this action—allowing time for the GAO report, requested by Budget Committee Chairman KASICH, to provide Congress with guidance on how best to shape the Corps' future.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentlewoman from Kansas [Mrs. MEYERS], the very able chairwoman of the Committee on Small Business of this House, a Member who is departing this House after this term, regrettably.

(Mrs. MEYERS of Kansas asked and was given permission to revise and extend her remarks.)

Mrs. MEYERS of Kansas. Mr. Chairman, as Chair of the authorizing committee for the Small Business Administration, I rise in strong support of H.R. 3814 and commend the gentleman from Kentucky, Chairman ROGERS, for the excellent work he has done on this appropriations measure, as well as the ranking member, the gentleman from West Virginia, Mr. MOLLOHAN.

Mr. Chairman, the Committee on Small Business has had a very good working relationship with the Commerce, Justice, State Appropriations Subcommittee. We communicated our priorities for funding vital SBA programs, and Chairman ROGERS gave careful consideration to our recommendations. I am pleased to say that, in most instances, he accepted our recommendations.

On Thursday, the Committee on Small Business completed its markup of H.R. 3719, legislation making significant changes and improvements to a number of SBA programs. These changes were needed to keep the subsidy rates on our loan programs low, to provide long-term capital to small business at the least possible cost, and in some cases no costs, to the taxpayer.

In addition, the committee initiated several pilot programs to move the liquidation function from SBA employees to the private sector. The authorizers and Chairman ROGERS' subcommittee

have had to labor under the dilemma of sudden increases in the loan subsidy rates. These increases are largely due to a reduction in SBA's recoveries. We have found a number of deficiencies in SBA's liquidation practices, with liquidations taking far longer than in the private sector. Moving more of the loan servicing and liquidation functions to the private sector is, in my opinion, the best way to increase recoveries. These pilot initiatives will allow us to test that theory in the 7(a), 504, and disaster loan programs.

The authorization changes contained in H.R. 3719 will work hand in hand with the funding levels provided in H.R. 3814, to continue the essential services of the SBA, but at a much reduced funding level from the administration's unrealistic request. Again, I commend my friend, Chairman ROGERS, and I urge my colleagues to support this legislation.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the very able gentleman from Illinois [Mr. WELLER].

Mr. WELLER. Mr. Chairman, I of course want to thank the gentleman from Kentucky, Chairman ROGERS, for yielding me this time, and I rise in strong support of this bill. I also want to commend the bipartisan leadership in the subcommittee for producing a good bill.

Let us make it very, very clear, this legislation fights crime. Not only does it increase funding or provide funding to train and equip new police officers and provide for better enforcement along our borders, but it does something else that is very, very important, and that is, it provides $680 million in funding for prisons and juvenile detention center development. In fact, that is $50 million more than the President asked for.

That is particularly important to States like Illinois, which I represent, and there is a reason why. If we look at crime statistics, the biggest increases are in juvenile crime. In fact, in Illinois, unfortunately, while we are seeing an increase in juvenile crime, there are only 351 juvenile detention center beds outside of Cook County. Counties such as Grundy, Kankakee, and La Salle, which I represent, are seeing an increase in youth crime but no place to put them.

Thanks to this Republican Congress we passed legislation, signed into law this year, which allows these funds to be used for juvenile detention center jails. I urge an ''aye'' vote, and look forward to working with local law enforcement. This is a good bill.

Mr. ROGERS. Mr. Chairman, I yield the balance of my time to the gentlewoman from California [Mrs. SEASTRAND].

Mrs. SEASTRAND. Mr. Chairman, I rise in strong support of the fiscal year 1997 Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, and also to say to the chairman that I really appreciate his taking the time and his staff taking the time, and for the hard work and openness they have put into this bill. The chairman has kept us on track toward reducing our Federal deficiencies, and these reductions have made it possible and responsible with an environmental conscience.

Now, within the National Oceanographic and Atmospheric Administration [NOAA], the budget for the National Marine Sanctuary Program is maintained at fiscal year 1996 levels. This is very important because America's 13 marine sanctuaries protect and preserve some of the Nation's most significant ocean resources.

I am fortunate to have two marine sanctuaries within my district, the Channel Islands National Marine Sanctuary and the southern tip of the Monterrey National Marine Sanctuary. These and the 11 other sanctuaries provide safe habitats for many threatened and endangered marine species.

Furthermore, NOAA's National Ocean Service monitors the health of the coast and probes how our use of the Nation's near shore waters affects the environment. This critical information is used to help assess the effects of oil spills and coastal pollution.

Again, I thank the gentleman from Kentucky [Mr. ROGERS] and his staff for his hard work on this appropriations bill and for the wise manner in which he has kept us on track.

Mr. CRAMER. Mr. Chairman, I want to take particular note today of a small item in the Department of Justice budget—the Office of Juvenile Justice and Delinquency Prevention. This agency, which began in 1974 with a focus on noncriminal juvenile offenders and four programs, now addresses a full range of juvenile issues, from violent juvenile crime to the victimization of children through child abuse and neglect. The office administers 13 programs under the Juvenile Justice and Delinquency Prevention Act and the Victims of Child Abuse Act. The budget which totals a modest $162 million, returns huge dividends for America's children and families.

We are at a critical time in the history of our juvenile justice system. It is facing a surge in violent crime and spiraling increase in reports of child abuse and neglect. It is under attack as not being effective in dealing with these problems.

America is frightened of crime and violence, and more specifically, of violent crime committed by youth. Indeed, to a certain degree, America is becoming frightened of many of its youth. Is there good reason for this fear? In looking at recent arrest data for violent offenders, the greatest increase is in the category of offenders under the age of 15. As to weapons offenses, there was a 23.2 percent increase for offenders under the age of 15, as opposed to a 4.8 percent increase for offenders over 18.

OJJDP has taken a two-pronged approach to addressing these issues, stressing the need to provide safety in our communities through accountability and sanctions programs, while at the same time making every possible effort in the areas of prevention, early intervention and rehabilitation. In addition OJJDP has recognized that this society must support its families in their attempts to provide the care their children need. This approach is supported by recent research sponsored by OJJDP and others that clearly demonstrates the linkages between abuse and neglect, delinquency and violence.

Dr. Terry Thornberry, in his causes and correlates study sponsored by OJJDP, found that adolescents from families with two or more forms of abuse present, are close to three times as likely to report committing violent offenses as their peers from nonviolent families. Cathy Spatz Widom, in her cycle of violence study sponsored by the National Institute of Justice, found that childhood abuse and neglect increases the likelihood of arrest as a juvenile and as an adult. The direct connection between child neglect and violence is striking—12.5 percent of neglected children will be arrested for a violent offense by the time they reach age 25. The connection between physical abuse and later violence is even high at 15.8 percent.

These correlations are significant, for they tell us that while we must provide for the immediate safety needs of our communities, through adequate law enforcement efforts and accountability and sanctions, we must also intervene early in the lives of our children and help to enrich the life experience of our youth if we are to have a chance to dramatically reduce our crime rate. That is why OJJDP is fostering such programs as: parent training classes to give parents the tools they need to be effective in dealing with and nurturing their children; Head Start to make certain high-risk children are ready for school and have a fair chance to succeed; community public health teams; after school programs to give children a positive activity in which to participate; mentoring to provide positive role models; conflict resolution in schools, the community, and juvenile justice settings; home visitation programs to help new families nurture and care for their children; truancy and dropout reduction programs designed to keep kids in school and give them the tools they need to be self-sufficient; and community policing efforts to bring many of these interventions together as part of a strategy to provide safe and supportive neighborhoods.

That is why OJJDP's child protection programs—missing and exploited children, court-appointed special advocates, improvement of the dependency court system, prosecutor training on child abuse and neglect, and the establishment, expansion and improvement of a network of children's advocacy centers across the country are so important. They will serve to prevent the next generation from becoming violent delinquents and from abusing their own children.

In fiscal year 1996, OJJDP announced a $3 million competitive program funded by OJJDP, the Violence Against Women Office and the Weed and Seed Program. Entitled ''Safe Kids/Safe Streets: Community Approaches to Reducing Abuse and Neglect and Preventing Delinquency,'' this $2.7 million program seeks to reduce juvenile delinquency by helping to break the cycle of child and adolescent abuse and neglect. It will do this by coordinating community services, both public and private, in order to make the system more accountable by providing a continuum of services.

This is just 1 of 11 new competitive programs funded by the office in fiscal year 1996.

The others include: Juvenile mentoring; community assessment centers; juvenile gun violence reduction; native American, disproportionate minority confinement, and gender-specific services training and technical assistance programs; field-initiated research; and four independent evaluations of the mentoring, child abuse and neglect, assessment center, and juvenile gun violence reduction programs.

These exciting new initiatives respond to identified State and local needs to prevent and reduce violence and improve the juvenile justice system's ability to respond to juvenile violence and victimization. They join an array of prevention, early intervention, graduated sanctions, and system improvement programs that will be continued in fiscal year 1997 with funds under this appropriation.

I encourage my House colleagues to learn more about this important program and the outstanding work OJJDP is doing on behalf of America's children.

Mr. FAZIO of California. Mr. Chairman, I wish the record to reflect my opposition to the measure before us. Let me state at the outset that there are provisions in this bill that I strongly support, namely the committee's focus on the growing problems created by methamphetamine. I am hopeful that these provisions, coupled with the President's national methamphetamine strategy, will begin to turn the tide on this highly destructive drug. I also support the committee's efforts to strengthen the ability of the Immigration and Naturalization Service to patrol our Nation's borders.

However, I must oppose the bill because it contains unacceptably severe cuts to the Legal Services Corporation [LSC]. The LSC is a not-for-profit organization which provides legal access to poor and indigent citizens who would normally be shut out of our country's legal system. This bill contains a cut of $137 million from the fiscal year 1996 level and is almost $200 million below the President's request.

SInce 1975, the LSC has worked to ensure access to the justice system for millions of Americans who otherwise could not afford assistance with urgent civil legal problems. Legal services programs provide representation and counseling for people facing issues such as substandard housing, domestic violence, child custody disputes, and the myriad needs of victims of natural disasters.

The cuts contained in the bill will take a very real human toll on our citizens. What these cuts mean, as the First Lady wrote recently, is that—

> Somewhere a couple and their young children will have to sleep in an unheated car or on the street because of an unlawful eviction; a woman will be forced to cower in her bedroom, a victim of domestic violence; and a child will go hungry because his father refuses to pay child support.

In my State of California, LSC-funded programs are major providers of civil legal services. In fact, LSC funds accounted for approximately 45 percent of the funds available for civil legal services to the poor in California in 1995.

Access to justice is the great equalizer in American society. Equal Justice Under Law is not only one of our Nation's founding precepts; it is also the promise inscribed on the pediment of the Supreme Court building itself.

The serious reduction in the fiscal year 1997 LSC appropriation effectively undercuts this promise, and I urge my colleagues to support an increase to the LSC budget.

I am also troubled by the $110.5 million cut to the Advanced Technology Program [ATP]. ATP has enjoyed wide bipartisan support in the past and has been extremely effective in building partnerships between industry and government. Using modest Federal funds to leverage private sector contributions has resulted in many successful efforts in the fields of high technology and scientific research.

ATP is the very sort of program utilized by our global competitors to achieve important advances in the industries of tomorrow. I believe that the substantial cut to the ATP budget is very short-sighted.

I am also disappointed that the committee has funded the COPS office at $576 million below the President's request. COPS has been a tremendous success nationwide. It has provided funding for over 44,000 positions across the country. In my congressional district, over 230 law enforcement positions have been funded and more are on the way. The COPS Program has assisted communities large and small, rural and urban, in funding the best and most effective deterrent to crime—the officer on the beat. COPS funds not only the hiring of officers, but also the purchase of equipment and technology, the hiring of civilians, and the payment of overtime.

Mr. Chairman, this bill contains several provisions that I strongly support. On balance, however, I must oppose this bill.

Mr. GEKAS. Mr. Chairman, I rise today to recognize the fine work of the House Appropriations Subcommittee on Commerce, Justice, State, and Judiciary under the leadership of Chairman HAROLD ROGERS for their support for the Susquehanna River basin flood warning system [SRBFWS].

Mr. Chairman, as many of my colleagues know, this past January the Commonwealth of Pennsylvania, along with other Mid-Atlantic and Northeastern States, were devastated by one of the Nation's worst floods on record. By the time the waters subsided in Pennsylvania, more than $1 billion in property damages were sustained and 16 lives were lost. According to the U.S. Geological Survey's Water Resources Division: ''The Susquehanna River Basin in central Pennsylvania was hit hardest by the January 19–21 flood.'' If it were not for the 24 hour monitoring provided by the SRBFWS, thousands of people living along the river would not have been evacuated and brought to safety.

Mr. Chairman, I rise today because contained in the bill before us, H.R. 3814, the Department of Commerce, Justice, and State, the Judiciary, and related agencies appropriations bill, is an increase in funding for the SRBRWS from the fiscal year 1996 level of $669,000 to a fiscal year 1997 level of $1 million. This increase funding is significant when considering that the Federal Government has already obligated more than $100 million in disaster relief to the Commonwealth of Pennsylvania for the January 1996 floods. A dollar spent on flood warning today will save us from spending far more in disaster relief tomorrow; clearly, this is money well spent.

Mr. Chairman, it is important to point out to the Members of the House that Chairman ROGERS provided this funding after meeting his subcommittee's overall budgetary restriction consistent with our balanced budget goal. Once again, I thank Chairman ROGERS for his work and leadership.

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise in strong support of this legislation. I wish to add my compliments and thanks to Chairman ROGERS and the staff for their hard work in crafting a bill that has such widespread support. The chairman and the subcommittee staff have put together a very solid bill. Although discretionary spending is above last year's level, it remains below the level enacted 2 years ago. The members of the subcommittee faced extremely difficult decisions in determining the funding levels for the various programs funded in this bill.

The bill reflects the Republican commitment to public safety and law enforcement by targeting resources toward the war on drugs, important crime initiatives, and the protection of our Nation's borders.

Over $7.1 billion is included in the bill to restart the war on drugs, including a $167 million increase for the Drug Enforcement Administration. This includes a new $75 million initiative targeted at source countries, restoring successful international drug efforts to 1992 levels, and a $56 million initiative to stop trafficking on the Southwest border.

We are seeing increased drug activity and illegal alien immigration occurring on Federal forest lands along the Southwest border. In response, the committee report urges both INS and DEA to work collaboratively with the Forest Service to reduce illegal alien and drug activity on Federal forest lands. With the increased resources provided to both agencies, the committee expects additional efforts will be undertaken to address this pressing problem.

I was pleased that the bill continues the 3-year phase-out of the Legal Services Corporation and continues the restrictions we placed on LSC's activities. I am aware of at least one amendment that will be offered later today to increase the funds provided to LSC. I urge all of my colleagues to vote against such an attempt and continue the phase-out of Federal funding.

Finally, I appreciate the chairman working with me so that a provision dealing with religious broadcasters could be included in the bill. The language in the bill simply prevents the FCC from using appropriated funds to deny a license, license transfer or assignment, or license renewal for any religious entity on the grounds that its recruitment and hiring of employees is limited to persons of a particular religion, or persons having particular religious knowledge, training, or interest.

I would like to address the provisions of this addition, which I authored and which is strongly supported by a number of our colleagues on the Appropriations Committee. I wish to outline the intent of the provision, and the direction we have provided to the Federal Communications Commission. First, I wish to be sure that the requirements of the provision are not misrepresented as the debate over this bill continues to the other body. Second, and perhaps more importantly, I wish to provide clear direction to the FCC, and do everything possible to assure that the agency understands, and can execute the direction we have provided.

The Commerce, Justice, State, Judiciary Subcommittee has discussed the matter in the

past with the FCC. Last year, I offered a similar amendment but chose to withdraw the legislative solution to the problem in favor of report language. Unfortunately, we saw no response to the direction the committee provided the Commission, and this year bill language was included in the appropriations legislation.

In January 1994, Chairman HUNDT announced that the agency's priority would be to promote diversity in broadcasting. Because the policy came on the heels of a 2-year FCC inquiry into NAACP allegations that several radio stations had not fully complied with the FCC's equal employment opportunity [EEO] rule, the policy was apparently aimed at stations that discriminated against minorities.

In reality, the FCC has used its new charge to challenge and deny radio license applications or renewals for religious broadcasters on the grounds that they discriminate by requiring religious knowledge, training or expertise for employees.

In secular stations, there is a fundamental necessity to hire people who have a certain level of knowledge of the format and content of the station's programming. For example, an all-sports station hires people with adequate knowledge of sports. Financial and economic news stations require staff with an education or experience in such issues. And classic rock stations need people who know the difference between Frank Sinatra and Led Zeppelin.

The absurdity in the FCC's diversity policy is that it discriminates against religious broadcast stations for attempting to insure some knowledge or expertise by employees of the station's content. The conflict lies in the FCC's determination of which positions have substantial connection with program content.

For example, the FCC believes that a receptionist is not connected with the espousal of a licensee's religious views, and therefore, a knowledge of the station's position is an inappropriate job preference. However, when the public calls in to comment on a program or to question a particular aspect of a broadcast, the receptionist is usually the first person at the station with whom they have contact. A basic knowledge of the station's programming would certainly be useful.

My provision exempts a case currently pending at the Federal Communications Commission. In Lutheran Church/Missouri Synod, the Commission designated for hearing the license renewal applications of two radio stations owned by the Lutheran Church/Missouri Synod [LCMS]. Although the FCC staff concluded that there was no evidence of any intentional discrimination by the church, the staff recommended to an administrative law judge that the church lose its license for the station despite the station's exemplary compliance record with all other commission rules and regulations. The FCC staff contend that the church violated the Commission's equal employment opportunity rule by requiring knowledge of Lutheran Church doctrine and practices for many positions at the station. The ALJ did not find denial of the renewal applications to be appropriate given the lack of evidence of intentional discrimination against minorities. The ALJ's decision was appealed to the Commission's Review Board, which adopted a decision affirming the ALJ's decision and ordering the license renewal applications granted for a short term.

Although the Lutheran Church/Missouri Synod case was exempted in the provision, this case was the impetus for inquiries to the FCC and the basis for the legislative language. In my opinion, this case is in more need of the bill language than any other. I agreed to the exemption so that Congress would not be interfering with an ongoing case at the FCC. However, I hope that the Commissioners and staff will take note of the strong congressional support for the bill language and will move forward expeditiously to settle this matter with the Lutheran Church/Missouri Synod.

It is my understanding that a number of license renewals are pending before the Commission. This limitation language will only apply to religious broadcasters and their recruitment and hiring of employees based on religious knowledge, training or interest. This language does not limit the Commission's ability to deny a license for other reasons, including EEO violations.

The CHAIRMAN. All time for debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

Before consideration of any other amendment, it shall be in order to consider the amendment printed in House Report 104–678 if offered by the gentleman from Kentucky [Mr. ROGERS] or his designee. That amendment shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Pursuant to the order of the House of Wednesday, July 17, 1996, it shall be in order immediately after disposition of the amendment printed in the report to consider an amendment relating to the advanced technology program, if offered by the gentleman from Kentucky [Mr. ROGERS].

During consideration of the bill for further amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment and may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

After the reading of the final lines of the bill, a motion that Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted shall, if offered by the majority leader or a designee, have precedence over a motion to amend.

The Clerk will read.

□ 1445

The Clerk read as follows:

H.R. 3814

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1997, and for other purposes, namely:

The CHAIRMAN. It is now in order to consider the amendment printed in House Report 104–678.

AMENDMENT OFFERED BY MR. ROGERS

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROGERS: In title I, under the heading ''Violent Crime Reduction Programs, State and Local Law Enforcement'', after ''and of which $12,500,000 shall be available for the Cooperative Agreement Program'' insert the following: '': *Provided further,* That funds made available for Violent Offender Incarceration and Truth in Sentencing Incentive Grants to the State of California may, at the discretion of the recipient, be used for payments for the incarceration of criminal aliens''.

In title II, under the heading ''Economic Development Administration, Economic Development Assistance Programs'', after ''September 30, 1982,'' insert the following: ''and for trade adjustment assistance,''.

In title II, under the heading ''National Oceanic and Atmospheric Administration, Operations, Research, and Facilities'', strike ''$180,975,000'' and insert ''$182,660,000'', and strike ''$431,582,000'' and insert ''$429,897,000''.

In title V, after the matter under the heading ''Administrative Provisions—Maritime Administration'', insert the following:

''COMMISSION ON THE ADVANCEMENT OF FEDERAL LAW ENFORCEMENT

''SALARIES AND EXPENSES

''For necessary expenses of the Commission on the Advancement of Federal Law Enforcement, as authorized by the Antiterrorism and Effective Death Penalty Act of 1996, $2,000,000, to remain available until September 30, 1998.''.

The CHAIRMAN. Pursuant to House Resolution 479, the gentleman from Kentucky [Mr. ROGERS] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky [Mr. ROGERS].

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

This is a noncontroversial amendment that all parties are in agreement with. It provides four main items which I will summarize and then hopefully yield back the balance of our time so that we can proceed.

This is a manager's amendment that, first, provides flexibility to California so that they can use their State prison grant funds to fully fund the cost of incarcerating illegal aliens in the State, a particular problem in California.

Second, it allows the Economic Development Administration funding to be used for trade adjustment assistance centers, as has been the case in past years.

Third, it increases funding for the national marine sanctuaries program by $1.68 million to last year's level, offset by decreasing funding for satellites by the same amount.

Fourth and finally, it provides $2 million for the Commission on the Advancement of Federal Law Enforcement recently authorized under the Antiterrorism and Effective Death Penalty Act of 1996.

Those are the four main provisions in the amendment, Mr. Chairman. They are noncontroversial. I am prepared shortly to yield back the balance of my time, unless there are other Members who desire to be heard.

The CHAIRMAN. Does any Member seek time in opposition to the amendment?

Mr. MOLLOHAN. Mr. Chairman, we support the amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. ROGERS].

The amendment was agreed to.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 17, 1996, it is now in order to consider the amendment relating to the Advanced Technology Program, if offered by the gentleman from Kentucky [Mr. ROGERS].

AMENDMENT OFFERED BY MR. ROGERS

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: On page 54, strike the language on lines 3 through 15, and insert the following:

''In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, $110,500,000, to remain available until expended, of which not to exceed $500,000 may be transferred to the ''Working Capital Fund'': *Provided,* That none of the funds made available under this heading may be used for the purposes of carrying out additional program competitions under the Advanced Technology Program: *Provided further,* That funds made available for the Advanced Technology Program under this heading and any unobligated balances available from carryover of prior year appropriations for such program may be used only for the purposes of providing continuation grants for competitions completed prior to October 1, 1995: *Provided further,* That such continuation grants shall be provided only to single applicants or joint venture participants which are small businesses: *Provided further,* That such funds for the Advanced Technology Program are provided for the purposes of closing out all commitments for such program.''

Mr. ROGERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. ROGERS. Mr. Chairman, this amendment represents a compromise reached with the authorization committee chairman, the gentleman from Pennsylvania [Mr. WALKER], regarding the use of funding provided for the Advanced Technology Program under NIST. The bill funds ATP at $110.5 million, an amount sufficient to provide final year funding to close out commitments for awards previously made to small businesses under the ATP program. The amendment modifies language in the bill to clarify that funds are being provided only for this purpose.

Specifically, the amendment adds language to the bill to clarify that, first, funds provided for continuation grants are only for small businesses and only for those small businesses who were awarded an ATP grant prior to fiscal year 1996 and, second, funds are being provided for the purpose of closing out all commitments for the ATP program.

Under the rule, if my amendment is adopted, points of order will be waived against all provisions in the bill, including the Advanced Technology Program and the Technology Administration.

The amendment further clarifies congressional intent regarding the ATP program and ensures that Congress will have an opportunity to fully consider and debate these programs.

Mr. Chairman, I urge adoption of the amendment.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding to me and for working with the authorizing committee on implementing our policies and priorities regarding NIST and NOAA as passed by the House on May 30 as a part of H.R. 3322, the Omnibus Civilian Science Authorization Act.

I just want to clarify and confirm the intent and effect of the chairman's amendment. If passed, the language will provide the terms and conditions for the termination of the Advanced Technology Program in fiscal year 1997; is that correct?

Mr. ROGERS. Mr. Chairman, the authorization chairman is correct. My amendment adds language to the bill which specifies that the funds provided in the bill are only for the purpose of closing out all commitments under the ATP program.

Mr. WALKER. Mr. Chairman, if the gentleman will continue to yield, I appreciate the chairman's confirmation. With the adoption of this ATP termination language, I have agreed to drop the point of order striking the ATP closeout funding of $110.5 million. The language of the manager's amendment which he drafted with me sets the statutory ground rules for ending this program. It is consistent with the authorization committee's action not to authorize continuation of ATP.

I thank the gentleman.

The CHAIRMAN. Does any Member seek time in opposition to the amendment?

(Mr. MOLLOHAN asked and was given permission to revise and extend his remarks.)

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to speak on the gentleman's amendment. This amendment is the result of an agreement reached among Chairman ROGERS, Mr. WALKER, the distinguished chairman of the Committee on Science, and myself.

Mr. Chairman, I have an extended statement that I will submit for the RECORD. I only want to say that I support this amendment, but I stand here today as a staunch supporter also of the Advanced Technology Program. I will only vote in favor of the amendment because it is the only alternative to zero funding for ATP as this bill moves forward in this process. So I ask my colleagues to join me in support of this amendment.

Mr. Chairman, I rise to speak on the gentleman's amendment.

This amendment is the result of an agreement reached among Chairman ROGERS, Mr. WALKER, the distinguished chairman of the Science Committee, and myself.

If this amendment is adopted, the funding contained in the bill for the Commerce Department's Advanced Technology Program and the Technology Administration will be protected from a point of order. Without this amendment, funding for these critical initiatives will be stricken from the bill.

I agree to support this amendment only as a means to protect funding for ATP and TA, not because I agree with it in principal. In fact, I am extremely opposed to placing any additional restrictions on the funding provided for ATP. I believe this program should be a national priority.

ATP is about investing in our Nation's competitiveness in the global market place. It does nothing more than put U.S. industry on a level playing field with our major global competitors.

As we sit here today foolishly placing more restrictions on ATP and severely cutting the program's funding, our foreign competitors are pouring money into similar initiatives.

The European nations are accelerating investment in commercial technologies. Japan has plans to double its government science and technology budget. And China is planning to triple its investment in R&D by the year 2000, targeting computers, software, telecommunications, and infrastructure.

Simply stated, the United States is in a battle for global markets, where the spoils are jobs and national prosperity. And we are in a dead heat. Funding ATP helps give us the competitive edge we need.

I realize that some of you on the other side of the aisle are ATP skeptics. But I continue to assert that ATP is critical to our Nation's long-term competitiveness. And although the program is young, there are already numerous success stories.

For example: As a result of an ATP grant award, a small company in Woburn, MA, has developed a cost-effective method for inactivating viruses in human blood plasma products. Currently, there are no commercially available technologies for inactivating protein-encased viruses in biological products. You can imagine the impact this technology will have in both economic and human terms. Aphios Corp., has gone from employing only 2 people to providing jobs for more than 20 virologists, molecular and cell biologists, and biomedical, chemical and mechanical engineers. That is pretty impressive high-technology job growth.

But—contrary to what a few of my Republican colleagues would have you think—the

commercialization of this technology will not be financed by the Federal Government. The CEO of Aphios predicts it will take an additional $5 million to get the technology to the commercial phase. This will be private sector money—leveraged by the initial investment made by the Federal Government.

Another success story—X-ray Optical Systems, Inc., a small company in Albany, NY, has developed a new type of lens that focuses x-rays in a concentrated beam. It allows users to control where the beam is directed. Using infusions of private capital, that it was able to leverage as a result of its ATP award, the company began sales of neutron-focusing optics and x-ray optics for material analysis. According to officials at the company, ATP has provided about a 5- to 8-year jump on the technology development and allowed it to stay in the United States.

These are just two of many success stories resulting from ATP grant awards.

So, I stand here today a staunch supporter of the Advanced Technology Program. However, I will vote in favor of this amendment. It is the only alternative to zero funding for ATP as this bill goes to conference. I ask my colleagues to join me in my support of this important initiative.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. ROGERS].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $71,493,000; of which not to exceed $3,317,000 is for the Facilities Program 2000, to remain available until expended: *Provided,* That not to exceed 43 permanent positions and 44 full-time equivalent workyears and $7,477,000 shall be expended for the Department Leadership Program only for the Offices of the Attorney General and the Deputy Attorney General, exclusive of augmentation that occurred in these offices in fiscal year 1996: *Provided further,* That not to exceed 71 permanent positions and 85 full-time equivalent workyears and $8,987,000 shall be expended for the Offices of Legislative Affairs, Public Affairs and Policy Development: *Provided further,* That the latter three aforementioned offices shall not be augmented by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis or any other type of formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Attorney General, $9,450,000, to remain available until expended, to reimburse any Department of Justice organization for (1) the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a reuslt of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City or any domestic or international terrorist incident, (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism, including payment of rewards in connection with these activities, and (3) the costs of conducting a terrorism threat assessment of Federal agencies and their facilities: *Provided,* That funds provided under this heading shall be available only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

AMENDMENTS OFFERED BY MR. ROGERS

Mr. ROGERS. Mr. Chairman, I offer several amendments, and I ask unanimous consent that they be considered en bloc.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. ROGERS: On page 14, line 21, under the heading ''Federal Bureau of Investigation, Salaries and Expenses'', strike ''$117,081,000'' and insert ''$133,081,000''.

On page 2, line 24, at the end of the paragraph under the heading ''General Administration, Salaries and Expenses'', insert the following new paragraph:

''In addition, for reimbursement of expenses associated with implementation of drug testing initiatives for persons arrested and convicted of Federal offenses, $7,000,000, to remain available until expended.''.

On page 25, line 20, at the end of the paragraph under the heading ''Justice Assistance'', insert the following new paragraph:

''In addition, for local firefighter and emergency services training grants, $5,000,000, to remain available until expended, as authorized by section 819 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132; 110 Stat. 1316).''.

On page 69, line 10, strike ''$125,000,000'' and insert ''$131,000,000''.

Mr. ROGERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

Mr. ROGERS. Mr. Chairman, this amendment provides funding for three important crime and security initiatives.

First, it provides $7 million for Federal drug testing initiatives to address the use of illegal drugs by defendants who cycle through the Federal criminal justice system. The bill already provides $25 million under the Byrne formula grant program for State drug testing initiatives. The Federal drug testing program will augment current drug testing that is performed by the courts during pretrial custody and during probationary periods.

It will ensure that prosecutors are aware of the drug status of the defendants they prosecute and that appropriate measures are taken before drug-using defendants in pretrial detention or probationary status are released back into the community.

Second, the amendment provides $5 million for training of firefighters and public safety officials in order to better equip them to assist law enforcement officials in response to terrorist attacks. Funding for this training program was authorized in the antiterrorism bill.

Third, the amendment provides $6 million in funding for court security under the Federal Judiciary to respond to concerns expressed by the judiciary that adequate funding be available to fully equip and staff courthouses that are scheduled to come on line in fiscal year 1997.

This funding is provided by moving $16 million from nondefense discretionary spending to defense discretionary spending within funding provided for the FBI in order to free up discretionary funds for these important crime initiatives.

Mr. Chairman, I urge adoption of this amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I rise to engage in a colloquy with the chairman of the subcommittee, the gentleman from Kentucky [Mr. ROGERS].

I, first of all, want to thank Mr. ROGERS for his diligent efforts on behalf of this bill. Having included in this bill $7 million for the establishment of a Federal drug testing initiative for prisoners, arrestees, and those recently released from Federal prison and on probation, the chairman has been a reasonable and thoughtful legislator, and I appreciate the work of him and his staff.

Essentially, we are going to set aside about $7 million to enable the Federal drug testing program to take place, an effort that I believe the gentleman from West Virginia [Mr. MOLLOHAN] made at the subcommittee level and was intended certainly by the administration.

Second, it would set aside, within the $25 million that the bill currently sets aside for the purposes of drug testing, that comes out of the Byrne grant program. The concern is that the moneys would be so diluted and otherwise diverted that States and local governments would not be able to establish drug testing programs of any significance.

If the States distribute the drug testing programs using strict formula distribution practices, no jurisdiction in the country will have enough money to implement a workable statewide or systemwide program.

It is also my understanding that the original administration proposal, as developed by the Justice Department and others, was intended to be made available under a competitive grant process where jurisdictions would compete for funds made available in only those amounts which would allow for comprehensive drug testing.

What are the intentions of the chairman as the House goes into conference with the Senate with respect to the implementation of the $25 million Byrne grant program?

Mr. ROGERS. Mr. Chairman, with respect to the $25 million included in the committee report under the formula funds of the Byrne grant program, it is my intention to see that these funds be

made available under the formula distribution. Under the bill, States and localities decide their own priorities. Under this bill, these priorities may include drug testing.

It is also my intention to see that those States seeking to encourage drug testing initiatives at the local level should establish a competitive grant program with interested local jurisdictions.

It is my intention to work with the gentleman from Massachusetts and others who have an interest in the program to clarify this further in the expected conference with the Senate. I thank the gentleman for his comments.

Mr. KENNEDY of Massachusetts. Mr. chairman, if the gentleman will continue to yield, I appreciate the chairman's comments. I appreciate he and his staff's willingness to make certain that we divide these moneys. If you take the $25 million and simply divide it around the country and provide $500,000, $400,000, or $800,000 per State, you are never going to have the kind of comprehensive system that we are looking to create.

I appreciate the chairman's willingness to devise a program that can actually work at the local level. We will not have enough money to make this a national program. In the localities where the program actually goes into existence, there will be the necessary funds to make the program comprehensive and successful. I appreciate the chairman's willingness to make this program a reality.

□ 1500

Mr. WELDON of Pennsylvania. Mr. Chairman, I move to strike the last word.

I want to rise to thank the gentleman from Kentucky [Mr. ROGERS] for working with the gentleman from New York [Mr. SCHUMER] and I to reach a compromise on this important amendment dealing with the fire and emergency services in this country.

As our colleagues know, terrorism is no longer a foreign problem, it has hit American soil, and we must better prepare ourselves to deal with it. We all know the situations that have occurred over the past several years involving attack to the World Trade Center, the attack at the Oklahoma Murrah Federal Building and, most recently, TWA flight 800. In each of these tragic cases our Nation's first responders were the first on the scene to actively work to save lives.

While I applaud the work of the fire and emergency services personnel from New York and Oklahoma, overall our Nation's first responders are unprepared and untrained on how to respond to terrorist events.

Accordingly, fire and emergency service providers, especially in metropolitan areas, unfortunately need specialized training, strategic and tactical training, on how to handle the gamut of known types of terrorist attacks.

Last year, Congress recognized the importance of terrorism training and acted to provide our Nation's first responders with crucial funding. In fact, Mr. Chairman, right now in the defense conference we are working on Nunn-Lugar II, which my panel is overseeing to deal with this issue to further enhance the lead taken in this particular bill.

I applaud the work of the gentleman from New York [Mr. SCHUMER] for his leadership in this effort, and I especially applaud the subcommittee for their aggressive effort to provide funding in the form of the chairman's amendment or mark to provide funding for the Nation's fire and emergency service.

We have 1.5 million men and women in this country, Mr. Chairman, from 32,000 departments who respond to disasters every day. What this amendment will do is allow FEMA to provide some training in the area of dealing with these most difficult situations that face this country and our metropolitan areas.

So with that I rise to thank the gentleman from Kentucky [Mr. ROGERS] and thank the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Chairman, I move to strike the requisite number of words.

First I want to thank the gentleman from Kentucky [Mr. ROGERS], the gentleman from West Virginia [Mr. MOLLOHAN] and the gentleman from Pennsylvania [Mr. WELDON] for their support of this first responders amendment.

Mr. Chairman, when I drafted this amendment last week I had no idea that it would take place in the shadow of the tragedy of TWA flight 800. The fact is, whether my colleagues think the downing of the TWA flight was an accident or an act of terror, it is inevitable that some day our Nation's firefighters, paramedics and emergency response teams will be put to the test. They will have to respond to an emergency terrorist situation that may involve lethal chemical, biological and nuclear materials. My amendment funds a modest grant program created in this year's terrorism bill to help them prepare for a terrorist attack. It strongly supported by fire chiefs and firefighters who know firsthand how much more work needs to know done in this area.

Why is the amendment needed? Well, we know that the first 3 to 6 hours after the terrorist attack are the most crucial period for treating the injured, containing damage and searching for survivors. In this short time frame Federal help can usually not get to the scene. Local responders will be the linchpin for the entire operation.

Recently in three cities, my city of New York, Los Angeles and New Orleans undertook surprise preparedness tests for different kinds of terrorist attacks. In New York the test was a simulation of a deadly gas like that used in the recent terrorist attack in Japan. It was leaked into the subway, but because they had not received the proper training, every first responder would have perished had the gas been real. In L.A. and New Orleans the results were the same. With the first line of defense out of the way, a terrorist attack involving chemical, biological or nuclear weapons will be that much more deadly to civilians.

In conclusion, Mr. Chairman, it would be wonderful if we could turn back the clock to a time when terrorism was someone else's problem. But we cannot. We cannot hide and pretend that terrorism will not touch our lives. America unfortunately faces an increasing threat from terrorism within our borders, and those who are first on the scene must be prepared.

I am pleased and grateful that the gentleman from Kentucky [Mr. ROGERS], the chairman, and the ranking Democrat, the gentleman from West Virginia [Mr. MOLLOHAN], have agreed to support this amendment and include it in the manager's amendment. Let us put the odds of surviving a terrorist attack in our favor.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Kentucky [Mr. ROGERS].

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

RECORDED VOTE

Mr. ROGERS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 416, noes 1, not voting 16, as follows:

[Roll No. 340]

AYES—416

Abercrombie	Brown (OH)	Cubin
Ackerman	Brownback	Cummings
Allard	Bryant (TN)	Cunningham
Andrews	Bryant (TX)	Danner
Archer	Bunn	Davis
Armey	Bunning	de la Garza
Bachus	Burr	Deal
Baesler	Burton	DeFazio
Baker (CA)	Buyer	DeLauro
Baker (LA)	Callahan	DeLay
Baldacci	Calvert	Dellums
Ballenger	Camp	Deutsch
Barcia	Campbell	Diaz-Balart
Barr	Canady	Dickey
Barrett (NE)	Cardin	Dicks
Barrett (WI)	Castle	Dingell
Bartlett	Chabot	Dixon
Barton	Chambliss	Doggett
Bass	Chapman	Dooley
Bateman	Chenoweth	Doolittle
Becerra	Christensen	Dornan
Beilenson	Chrysler	Doyle
Bentsen	Clay	Dreier
Bereuter	Clayton	Duncan
Berman	Clement	Dunn
Bevill	Clinger	Durbin
Bilbray	Clyburn	Edwards
Bilirakis	Coble	Ehlers
Bishop	Coburn	Ehrlich
Bliley	Coleman	Engel
Blumenauer	Collins (GA)	English
Blute	Collins (MI)	Ensign
Boehlert	Combest	Eshoo
Boehner	Condit	Evans
Bonilla	Conyers	Everett
Bonior	Cooley	Ewing
Bono	Costello	Farr
Borski	Cox	Fattah
Boucher	Coyne	Fawell
Brewster	Cramer	Fields (LA)
Browder	Crane	Fields (TX)
Brown (CA)	Crapo	Filner
Brown (FL)	Cremeans	Flake

Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
McCarthy
McCollum
McCrery
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Yates
Young (AK)
Zeliff
Zimmer

NOES—1

Taylor (MS)

NOT VOTING—16

Collins (IL)
Fazio
Ford
Gallegly
Istook
Lincoln
Matsui
McDade
Peterson (FL)
Rose
Saxton
Tauzin
Waters
Williams
Wise
Young (FL)

□ 1523

Mr. OLIVER changed his vote from ''no'' to ''aye.''

So the amendments were agreed to.

The result of the vote was announced as above recorded.

Mr. ROGERS. Mr. Chairman, I move to strike the last word.

Mr. FOX of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Pennsylvania.

Mr. FOX of Pennsylvania. Mr. Chairman, I rise to enter into a colloquy with the chairman of the committee.

Mr. Chairman, I had intended to offer an amendment to this bill aimed at restoring funds to an important program known as the Trade Adjustment Assistance Program. The Trade Adjustment Assistance Program helps small- to medium-sized manufacturing firms, most of which have been impacted by either GATT or NAFTA. Trade adjustment assistance is a tool used to help companies compete with foreign competition without interfering with trade. It is the only program in the Federal Government that does not directly interfere with free and open trade and is not a trade barrier.

TAA has helped save 597 companies between 1989 and 1995, saving and creating over 78,800 jobs, 12.2 percent job growth, and among those firms assisted, Mr. Chairman, sales have increased by $1.8 billion.

Originally the language in the bill and the accompanying report would have provided no funding for the trade adjustment assistance program. However, it is my understanding that the gentleman from Kentucky [Mr. ROGERS], the chairman of the subcommittee, has included language within his manager's amendment to allow funds under the Economic Development Agency to be used for the trade adjustment assistance.

Mr. Chairman, I would ask the chairman of the committee, will he confirm this?

Mr. ROGERS. That is correct, Mr. Chairman. The gentleman will note we have included language within the manager's amendment which will allow the EDA to use funds available for the Trade Adjustment Assistance Program.

Mr. FOX of Pennsylvania. Mr. Chairman, is it the gentleman's position that the House will urge in conference committee that the trade adjustment assistance program should be funded at least at the same level as in fiscal year 1996?

Mr. ROGERS. I would say to the gentleman, yes, the committee will clarify that it is the position of the House to fund all EDA programs, including the trade adjustment program, at the fiscal 1996 level.

Mr. FOX of Pennsylvania. I thank the chairman.

As a point of further clarification, is it the understanding of the chairman that the Trade Adjustment Assistance Program is authorized to receive appropriations through fiscal year 1998, as detailed in the Omnibus Reconciliation Act of 1993?

Mr. ROGERS. That is correct. The Omnibus Budget Reconciliation Act of 1993 provided an extension of authority for the Trade Adjustment Assistance Program through fiscal year 1998.

Mr. FOX of Pennsylvania. I thank the chairman for that further clarification, and I commend him for his willingness to work with Members on issues that have concerned them. In particular, I thank the chairman for his leadership, and his staffers for their diligence and cooperation on this issue dealing with trade adjustment assistance.

Mr. ROGERS. I thank the gentleman for his interest and his hard work on behalf of these centers.

Mr. DAVIS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Virginia.

Mr. DAVIS. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, my colleagues, the gentleman from Virginia and I, would like to engage our colleague, the gentleman from Kentucky, the chairman of the subcommittee in a brief colloquy regarding the District of Columbia's Department of Corrections facility in Lorton. VA.

□ 1530

Without reviewing the entire troubled history of the correctional complex at Lorton, I would like to share with my colleagues some very compelling facts. First, as the gentleman from Kentucky is aware, the D.C. government has allowed the prison population there to double over the last 12 years, and at the same time the appropriation level today is the same as it was 12 years ago, double the population, same appropriation, and during that time we have had intervening court decisions requiring more upkeep, inflation and the like.

We have had the head of the D.C. Department of Corrections, Margaret Moore, before our Subcommittee on the District of Columbia coming forward and just saying they need help. The city right now is swimming in a sea of red ink and they cannot handle this complex by themselves. They have asked us for help. The Mayor's plan calls for the downsizing and closing of most of this facility over the last 5 years.

What we would do, Mr. Chairman, is appreciate your support for including a statement of managers language in the conference report that would direct the Attorney General of the United States to undertake a joint review with the

Federal Bureau of Prisons, the U.S. Marshals Service and the District of Columbia for immediate steps necessary to first address the security problems at the Lorton corrections complex as identified in current and ongoing studies by the National Institute of Corrections, and frankly I would also think we should ask of the Bureau of Prisons to work with the Department of Corrections in the District to work out a strategy to close this complex and perhaps rebuild it, hopefully somewhere else, over a given time period, the next 5 to 7 years.

That is what I would like to see from my perspective. I know Mr. WOLF and Mr. MORAN have some equally compelling feelings and arguments on this.

Mr. ROGERS. My colleagues from Virginia have been tenacious in bringing the problems at Lorton prison to my attention. It is certainly a situation which needs to be addressed in the near future. As the gentleman have requested, I will work in conference to secure language directing the Attorney General to look at this problem with the D.C. Department of Corrections and report to the Congress on necessary steps.

Mr. WOLF. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just want to second what the gentleman from Virginia [Mr. DAVIS] said and hope that we can work together with the chairman of this committee, but also some of the other committees, to see how we can do what the gentleman from Virginia [Mr. MORAN] and the gentleman from Virginia [Mr. DAVIS] and others like, and that is to shut Lorton Reformatory down in a set period of time.

Most of the major crimes that are committed in the District of Columbia and this region are committed by people who have served time in Lorton. There is no rehabilitation down at Lorton. There is no drug treatment down at Lorton. You cannot put men in a prison for 10 and 12 years with no training, no rehabilitation, and expect them to come out and be good citizens.

I share the concerns of the gentleman from Virginia [Mr. DAVIS] and also the gentleman from Virginia [Mr. MORAN]. I look forward to working with the chairman of this committee and other committees to see what we can do in very short order to deal with this issue.

Mr. DAVIS. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Virginia.

Mr. DAVIS. Mr. Chairman, I think it is important to note, no other city in the United States is responsible for housing the felony prisoners, no other city in the United States. We have put this burden on the District of Columbia, and they have, I think to their credit, come forward and said they do not have the financial wherewithal to handle it under their current financial circumstances.

That is why we need to engage the Bureau of Prisons, working with the city, with the National Institute of Corrections, with the Congress, to find a way that we can handle this situation in a more equitable manner than it is being handled today, along the lines that I have outlined.

Mr. MORAN. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Virginia.

Mr. MORAN. Mr. Chairman, I appreciate the gentleman yielding to me.

In this very bill, Mr. Chairman, 2 years ago I put money in for the National Institute of Corrections to study Lorton, to determine how bad it was and what could be done. They finished their report. We have their report. It says the situation is real bad. They suggest that dramatic action needs to be taken. The time to take dramatic action was yesterday, or last year, or several years ago.

I see my good friend and colleague, Ms. NORTON, standing, who represents the District of Columbia so ably. She has a plan to reduce the tax rate to 15 percent, which would cost about $700 million. I think the chances of getting that are problematic, but I wish her luck in trying to push it forward.

There are other solutions, another more obvious solution right in front of us. That is to relieve the District of Columbia of responsibilities that it should not have to and cannot maintain. It cannot run the kind of a prison that a State would be expected to run. Yet Lorton Reformatory, Lorton Prison is burying the District in debt, in embarrassment, in all kinds of horror stories in the paper. It further undermines the credibility of the District government.

They should not have to maintain this prison. It is too much. It is a State responsibility, we think, I think, and I think a lot of others feel this is a Federal Bureau of Prisons responsibility, that it should be put under the Bureau of Prisons. It should probably be closed and moved to a place, for example, in Pennsylvania. We have some districts that feel it is a win-win situation. They would love to have the jobs, to rebuild it somewhere like that, where it is still accessible, it is not as close but it is still accessible.

We can do a good job. We can put in real rehabilitation, not teach prisoners how to farm and to milk cows, and so on, which might have been appropriate generations ago, but certainly not now. We need to teach them the most modern skills in construction, electronics, and the like.

We need to start all over again with Lorton. We need to move at least the maximum security people to a new prison. We need to build that new prison. We need to start doing that today. To put this off another year is irresponsible. We cannot even afford toilet paper for the prisoners, for crying out loud. Every day you read about the situation worsening. It is our responsibility to do something about it. The vendors have not been paid in months. They are not going to continue providing the necessary supplies. Every day that this goes forward it is our responsibility to do something about it.

I really wish that we would put more attention to this possibility of putting it on the Bureau of Prisons. I think we should have had an amendment on this appropriations bill. I would hope we would in the future, and maybe we can get something in the District of Columbia bill.

Ms. NORTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have no objection to the colloquy now in progress. I would say to my good friend on this side of the aisle from Virginia, any comparison between what you now desire here and my tax bill is nonapt. These are the only nontaxpayers leaving the District that we do not welcome back. But this is also the only State responsibility that any Member of this Congress has stood to help the District with. We are the only city in the United States that bears responsibility for State prisoners along with Medicaid and every other State responsibility.

I welcome the attention that this matter is now given, even if it comes from the fact that it is in the State of Virginia. When mutual interests come together, that may be the best way to solve a problem. My good friends are correct that conditions at Lorton are detestable and that it is irresponsible to wait until a prison crisis develops, even as we have waited until a financial crisis has developed in the District. Everyone knows that the District is powerless at the moment to do anything about conditions at Lorton because of the insolvency of the city. The mayor and I have indicated that we would accept some measure of Federal responsibility despite the fact that home rule figures large for all of us. But we have also said that that Federal responsibility must come with Federal funds and those funds have not even been requested and there is very little movement, when there could have been some, to find a practical way to get there.

We do not expect that the Bureau of Prisons where the Federal prisons lie will simply eat D.C. prisoners. These are felony inmates of a kind that are fairly rare in the Federal system. The Federal system is beyond capacity. We have to bring a problem-solving approach here. I have absolutely no objection to what the Members are trying to do. As long as they include me and the District in what they are trying to do, they will find that I have no objection. But we have to do more than simply beat up on the Bureau of prisons. We have to in fact analytically make our way through this problem step by step until we find a way for Federal responsibility consistent with home rule and funding to obtain in this matter. I thank the gentlemen for their concern.

Mr. MORAN. Mr. Chairman, will the gentleman yield?

Ms. NORTON. I yield to the gentleman from Virginia.

Mr. MORAN. Would the gentlewoman from the District of Columbia agree to

a proposal that we set a 5-year time limit, at which time we would hope to have at least part of Lorton, perhaps the maximum detention, moved?

Ms. NORTON. Time limits without a way to get to that point are meaningless, especially when the city is insolvent.

Mr. MORAN. What we are talking about is not making the Bureau of Prisons eat it but building a prison that would house Lorton but with Federal funding, because there are different sentencing rules that apply to D.C. versus other Federal sentencing guidelines. So we probably need to keep them as a discrete population. We are talking about building a new facility, for example. If we could do that and do that within a reasonable period of time, the gentlewoman would not object to that.

Ms. NORTON. I would have no objection to a plan that takes us toward that goal step by step and year by year with a funding bill to that end.

Mr. MORAN. Does the gentlewoman agree that we have done enough studying, that it is time for action?

Ms. NORTON, Absolutely. It is time for an implementation plan. That is what has been missing from this issue.

Mr. DAVIS. Mr. Chairman, will the gentlewoman yield?

Ms. NORTON. I yield to the gentleman from Virginia.

Mr. DAVIS. I think once again to resolve this problem in a way favorable to the inmates, to the surrounding communities and everybody else, it takes a joint effort. So far what is missing from this debate is a Federal presence thought the Bureau of Prisons. The city has gone overboard in trying to look at privatization alternatives and the like and the Mayor's visionary plan, in fact, calls for the downsizing, if not the elimination, of the Lortion complex. But we are going to need some help.

What we are asking the chairman of the committee to do in this particular case is to direct the Bureau of Prisons to become engaged in this process so that we can come up with a proposal. Last year's District of Columbia appropriations bill had some language where we have asked the city to come up with a 5-year plan to close it. Now we need to see what BOP can take and if it is going to take money, we need to know what it is, but we need their involvement. It is unrealistic to ask the city government to do this by themselves. It is the only city in the country that does it.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the bill through page 12, line 18, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the bill through page 12, line 18 is as follows:

ADMINISTRATION REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration related activities, $64,000,000.

VIOLENT CRIME REDUCTION PROGRAMS, ADMINISTRATIVE REVIEW AND APPEALS

For activities authorized by section 130005 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, $48,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $31,960,000; including not to exceed $10,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and for the acquisition, lease, maintenance, and operation of motor vehicles, without regard to the general purchase price limitation for the current fiscal year.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized by law, $4,490,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses, necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia; $420,793,000; of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended: *Provided,* That of the funds available in this appropriation, not to exceed $17,525,000 shall remain available until expended for office automation systems for the legal divisions covered by this appropriation, and for the United States Attorneys, the Antitrust Division, and offices, funded through ''Salaries and Expenses'', General Administration: *Provided further,* That of the total amount appropriated, not to exceed $1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: *Provided further,* That notwithstanding 31 U.S.C. 1342, the Attorney General may accept on behalf of the United States, and credit to this appropriation, gifts of money, personal property and services, for the purposes of hosting the International Criminal Police Organization's (INTERPOL) American Regional Conference in the United States during fiscal year 1997.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986 as amended, not to exceed $4,028,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

VIOLENT CRIME REDUCTION PROGRAMS, GENERAL LEGAL ACTIVITIES

For the expeditious deportation of denied asylum applicants, as authorized by section 130005 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, $7,750,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $76,447,000: *Provided,* That notwithstanding any other provision of law, not to exceed $58,905,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Radino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further,* That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 1997, so as to result in a final fiscal year 1997 appropriation from the General Fund estimated at not more than $17,542,000: *Provided further,* That any fees received in excess of $58,905,000 in fiscal year 1997, shall remain available until expended, but shall not be available for obligation until October 1, 1997.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Office of the United States Attorneys, including intergovernmental agreements, $931,029,000; of which not to exceed $2,500,000 shall be available until September 30, 1998, for the purposes of (1) providing training of personnel of the Department of Justice in debt collection, (2) providing services to the Department of Justice related to locating debtors and their property, such as title searches, debtor skiptracing, asset searches, credit reports and other investigations, (3) paying the costs of the Department of Justice for the sale of property not covered by the sale proceeds, such as auctioneers' fees and expenses, maintenance and protection of property and businesses, advertising and title search and surveying costs, and (4) paying the costs of processing and tracking debts owed to the United States Government: *Provided,* That of the total amount appropriated, not to exceed $8,000 shall be available for official reception and representation expenses: *Provied further,* That not to exceed $10,000,000 of those funds available for automated litigation support contracts shall remain available until expended: *Provided further,* That in addition to reimbursable full-time equivalent workyears available to the Office of the United States Attorneys, not to exceed 8,758 positions and 8,989 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Attorneys.

VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES ATTORNEYS

For activities authorized by sections 40114, 130005, 190001(b), 190001(d) and 250005 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, and section 815 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132), $43,876,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which $22,166,000 shall be available to help meet the increased demands for litigation and related activities, $500,000 for telemarketing fraud, $10,577,000 for Southwest Border Control, $1,000,000 for Federal victim counselors, and $9,633,000 for expeditious deportation of denied asylum applicants.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized by 28 U.S.C. 589a(a), $107,950,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided,* That notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further,* That notwithstanding any other provision of law, $107,950,000 of offsetting collections derived from fees collected

pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and remain available until expended: *Provided further,* That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 1997, so as to result in a final fiscal year 1997 appropriation from the Fund estimated at $0: *Provided further,* That any such fees collected in excess of $107,950,000 in fiscal year 1997 shall remain available until expended but shall not be available for obligation until October 1, 1997.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, $878,000.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service; including the acquisition, lease, maintenance, and operation of vehicles and aircraft, and the purchase of passenger motor vehicles for policy-type use, without regard to the general purchase price limitation for the current fiscal year, $460,214,000, as authorized by 28 U.S.C. 561(i); of which not to exceed $6,000 shall be available for official reception and representation expenses; and of which not to exceed $4,000,000 for development, implementation, maintenance and support, and training for an automated prisoner information system, and $2,200,000 to support the Justice Prisoner and Alien Transportation System, shall remain available until expended: *Provided,* That, with respect to the amounts appropriated above, the service of maintaining and transporting State, local, or territorial prisoners shall be considered a specialized or technical service for purposes of 31 U.S.C. 6505, and any prisoners so transported shall be considered persons (transported for other than commercial purposes) whose presence is associated with the performance of a governmental function for purposes of 49 U.S.C. 40102.

VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES MARSHALS SERVICE

For activities authorized by section 190001(b) of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, $25,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

FEDERAL PRISONER DETENTION

For expenses, related to United States prisoners in the custody of the United States Marshals Service as authorized in 18 U.S.C. 4013, but not including expenses otherwise provided for in appropriations available to the Attorney General, $405,262,000, as authorized by 28 U.S.C. 561(i), to remain available until expended: *Provided,* That this appropriation hereafter shall not be available for expenses authorized under 18 U.S.C. 4013(a)(4).

FEES AND EXPENSES OF WITNESSES

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diems in lieu of subsistence, as authorized by law, including advances, $100,702,000, to remain available until expended; of which not to exceed $4,750,000 may be made available for planning, construction, renovations, maintenance, remodeling, and repair of buildings, and the purchase of equipment incident thereto, for protected witness safesites; of which not to exceed $1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed $4,000,000 may be made available for the purchase, installation and maintenance of a secure, automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, established by title X of the Civil Rights Act of 1964, $5,319,000: *Provided,* That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict prevention and resolution activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further,* That any transfer pursuant to this paragraph shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

The CHAIRMAN. Are there amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(A)(ii), (B), (C), (F), and (G), as amended, $30,000,000, to be derived from the Department of Justice Assets Forfeiture Fund.

AMENDMENT OFFERED BY MR. MOLLOHAN

Mr. MOLLOHAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 32 offered by Mr. MOLLOHAN: On page 12, line 21, after the dollar amount, insert the following: ''(reduced by $14,000,000)''.

On page 21, line 9, after the dollar amount, insert the following: ''(reduced by $45,000,000)''.

On page 53, line 6, after the dollar amount, insert the following: ''(reduced by $33,748,000)''.

On page 66, line 23, after the dollar amount, insert the following; ''(reduced by $12,000,000)''.

On page 73, line 1 after the dollar amount, insert the following: (''reduced by $14,000,000)''.

On page 99, line 14, after the dollar amount, insert the following: ''(increased by $109,000,000)''.

On page 99, line 15, after the dollar amount, insert the following: ''(increased by $109,000,000)''.

On page 103, line 17, after the dollar amount, insert the following: ''(reduced by $10,000)''.

On page 103, line 25, after the dollar amount, insert the following: ''(reduced by $25,000,000)''.

On page 106, line 7, after the dollar amount, insert the following: ''(reduced by $25,000,000)''.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 1 hour and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from West Virginia [Mr. MOLLOHAN] will be recognized for 30 minutes in support of his amendment. Who seeks to control the time in opposition?

Mr. TAYLOR of North Carolina. Mr. Chairman, I seek the time in opposition.

The CHAIRMAN. The gentleman from North Carolina [Mr. TAYLOR] will be recognized for 30 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield 12 minutes to the gentleman from Pennsylvania [Mr. FOX], the co-author of this amendment, and I ask unanimous consent that he be permitted to control that time.

The CHAIRMAN. Without objection, the gentleman from Pennsylvania will control 12 minutes in support of the amendment.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. MOLLOHAN].

□ 1545

Mr. MOLLOHAN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise today to join my distinguished colleague from Pennsylvania [Mr. FOX] in offering an amendment to increase funding for the Legal Services Corporation. Simply put, the Mollohan-Fox amendment increases funding for the Legal Services Corporation from $141 million to $250 million.

As many of my colleagues know well, the Legal Services Corporation was created in 1974 as a private, nonprofit corporation. Since then, the Legal Services Corporation has worked to ensure access to our judicial system for Americans unable to afford assistance with their civil legal problems. The Legal Services Corporation, for many of our poorest, most vulnerable citizens, has helped make the most basic tenet of our judicial system, equal justice under the law, a reality.

About 34 percent of the cases closed by Legal Services Corporation attorneys in 1995 were in the realm of family law, 22 percent were housing related, 16 percent were related to income maintenance, and 10 percent were consumer problem oriented.

The Legal Services Corporation provides grants to about 280 programs operating over 900 neighborhood law offices serving every county in the United States. In 1995, Legal Services Corporation handled over 2.1 million cases across this Nation.

I cannot stand before my colleagues today without acknowledging the fact that in the past the Legal Services Corporation has not been without its share of problems, some of which have occurred in my own home State of West Virginia. But over the last year, the Legal Services Corporation has undergone major changes. The omnibus appropriations bill, which included the fiscal year 1996 appropriations for legal services, contained many new legislative requirements for the Legal Services Corporation. This bill contained

restrictions on legal services which were more or less agreed to on a bipartisan basis, although not unanimously.

For example, a competitive grant process was put in place, and grantees are now required to provide audited financial statements. They must also maintain strict timekeeping records.

Many restrictions are in place governing the type of cases that the Legal Services Corporation lawyers can work on. These restrictions prohibit cases in many areas. Many of these areas go to the core of the major concerns of most Members of this body about Legal Services Corporation. They include restrictions on legal services lawyers taking such cases as drug-related evictions from public housing. Legal Services Corporation lawyers now cannot take class action litigation. They cannot deal with abortion-related activity.

Legal Services Corporation cannot deal with redistricting questions or political demonstrations. Legal Services Corporation cannot get involved in strikes or union organizing activities. They cannot get involved in litigation to influence welfare reform initiatives.

Those are just a few of the examples of the restrictions that we placed on Legal Services Corporation and under which their lawyers operate today. I note to my colleagues that the Mollohan-Fox amendment does not change in any way a single one of these restrictions. They are still in place and will be in place after the passage of this amendment.

The Mollohan-Fox amendment simply increases funding for grants to the basic field programs by $109 million, raising the total funding for legal services for fiscal year 1997 to $250 million.

Mr. Chairman, it was an excruciatingly difficult exercise to go through and find the offsets for this $109 million amendment. The offsets for the amendment are as follows: Department of Justice, assets forfeiture fund, $14 million; Bureau of Prisons, $45 million; Patent and Trademark Office, $34 million; Court of Appeals and District Courts, $12 million; Diplomatic and Consular Affairs, $14 million; Securities and Exchange Commission, $25 million; and the National Bankruptcy Review Commission, $10,000.

I would now like to take this opportunity to turn to the issue of what happens if we do not pass this amendment. What happens if funding remains at the level of $141 million as provided in H.R. 3814? What needs, Mr. Chairman, go unmet?

Without increased funding, it is expected that the 2.1 million clients served in fiscal year 1995 will fall to about 1.1 million. The number of neighborhood offices will decrease from 1,100 in 1995 to 550.

Mr. Chairman, I urge adoption of this amendment. The harm will be to the most needy for legal services, and it will be great if our amendment is not adopted.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would agree with the gentleman from West Virginia that he is not attempting to change any of the restrictions that were placed on legal services last year. But part of the deal, part of the agreement that was placed in legal services was there was to be a reduction, a gradual reduction. Rather then zeroing out legal services, we agreed that it would be taken down to $141 million.

Now the gentleman proposes to nearly double that amount, breaking that agreement. How long will it be that we say those other restrictions placed on legal services are unnecessary and then we will be wanting to take those off.

Let us look at the history, 20 years of history of an organization that did not help the poor. It in fact punished the poor and used them as an excuse for a very liberal agenda. The Legal Services Corporation supported drug dealers against public housing authorities, tax-paid public housing authorities. It voted to keep illegal immigrants in even while we were paying the INS and other Federal agencies to try to stem the flow of illegal immigrants.

It supported appeals and worked against the prison systems of this country to separate patients with AIDS from other prisoners in order to stem the spread of AIDS inside prison systems. It moved in other areas, in one case to support a rapist to get custody of the child, the product of his rape, even though that rapist had two other illegitimate children, was in jail, and his psychiatrist said he was in no position to be a parent of any children.

All of this is the legacy and the history of the Legal Services Corporation. I would like to point out, Mr. Chairman, that legal services in this Nation will not end if we maintain the reduction, agreed upon reduction to $141 million.

First of all, let us talk about legal services. It is really two areas of legal services in this country. First of all, there is the Big Government legal services that the gentleman from West Virginia, [Mr. MOLLOHAN] wants to double the funding for, the one that has had 20 years of abuse in this country.

There is the great portion, the majority of legal services, which are small community-based legal services organizations. The poor will not be denied free legal services. Even legal service organizations, nontaxpayer organizations receive more than the majority of the funding of all legal services, as a matter of fact in this country, and comes from non-tax paid sources.

In the last 5 years, nonfederal funds for legal services grew by 82 percent and continues to grow. The American Bar Association's directory of 1993–94 listed over 900 pro bono legal services organizations, services not funded by the U.S. taxpayer, not part of the Big Government legal services that is being debated here today. There are millions of dollars of increases in interest on lawyers' trust accounts; IOLTA is the term.

Over 25 States including California and New York have increased their IOLTA grants by 21 percent. North Carolina alone increased its grant by $1.2 million. These funds are increases. These go into community-based legal services programs. There are not funded by the U.S. taxpayers. These are not Big Government programs. Numerous national organizations contribute to legal services aids today: United Way, the NAACP, the ACLU and others.

Eighty percent of the bar still is not participating in pro bono programs. There is room, plenty of room with 80 percent of the bar to participate and increase its pro bono service. The difference in efficiency between the Big Government program being advocated and my friend from West Virginia wants to double the funding for, it is much more inefficient than the local community-based organization.

Now, is that not a surprise when the Federal Government gets involved, it always costs more. For instance in Chicago, the private legal services in Chicago, some 25,000 inquiries, the average price was about $80 per case. In Chicago they operated that service with nine staff people. The 79-person staff, nationally funded, Big Government legal services supported program cost $250 per case. And that is really no surprise when we consider that, any time the Federal Government is involved, there is usually more cost, and it moves more toward political correctness and liberalism than it does toward service for the poor. Taxpayer money is being used in the Big Government legal services to fight tax-paid organizations. Let me give my colleagues an instance.

In one case there was a woman, an unmarried woman with a child, a drug addict. The child was taken away by the social services for its protection because the woman clearly was incapable of handling the child. Legal services sues the social services agency to get the child back. The woman then beats the child to death within 2 weeks after getting the child back. Here is a tax-paid organization, in this particular case, who used their best judgment, the medical authorities. They had to make a ruling on behalf of the citizens of the country in removing the child for its safety. Here is the taxpayer, large government, legal services suing the social services for the mother to get the child back.

What I am saying, we do not have the information to support that kind of suit. There was a suit to give the child back, not what the measure of damage was or threat to the child or anything else. This was strictly a suit to get the child returned to the mother.

Now, there are many other cases that we can show where legal services fights federally funded agencies with tax-paid dollars. It would make much more sense to reform those agencies if necessary. Where does the gentleman from West Virginia [Mr. MOLLOHAN] suggest we get the funds to shift to the Big Government legal services? First of all,

he wants to take $12 million from our Federal courts even as we put more and more cases on our courts, and it is necessary for those court cases to be had to get violent criminals off the street.

Mr. Chairman, $14 million would come from the State Department's consular services although we would slow down drastically visitation and legal immigration into this country; $45 million from the Federal prison system at a time when we need to increase prison system funding, here again to address the question of violent criminals.

I remind the House that this program never has been authorized in its history, that for 20 years it did not keep time records. It did not allow auditing, and the agreement that was made last year to bring about those reforms also called for the reduction to go to $141 million which we should keep in this House.

I urge the House to vote against the Mollohan amendment.

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

Mr. FOX of Pennsylvania. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I rise today to join the gentleman from West Virginia in offering the Mollohan-Fox amendment to restore vital funding to legal services for the poor in the United States. I can speak with firsthand knowledge of the benefits of these legal services having served on the board of directors of my own local legal aid office in Montgomery County, PA.

In every district throughout this country, there are citizens who find a need for legal services and assistance at trying times in their lives. While there may be some private resources available in some areas, there is no guarantee that a private lawyer or group will be there to offer pro bono service.

□ 1600

The Philadelphia Bar Association raised $100,000 in private donations last year to direct toward legal services. However, this valiant effort cannot even scratch the surface of need that exists among our poor.

There are 40 million Americans at or below the poverty level. In State after State studies show that no more than 20 percent of the legal needs of the poor are being met. Even with full funding for the Legal Services Corporation and the efforts of the private bar, the legal needs for low-income Americans exceed all available resources. Even with full funding, no one can argue the poor will have equal access to the courts. In offering this amendment, we are merely attempting to ensure that the indigent of our Nation have some access to the courts.

This Congress, through the appropriations process, made significant changes to the structure of the administration of the Legal Services Corporation. Most, if not all, of the concerns and objections about the program were responded to. Legislative language, including the appropriations bills, included appropriate restrictions on class action lawsuits, legal assistance to illegal aliens, or representing individuals evicted from public housing due to sale of drugs. These were all changed.

Now it is time to let the program operate to fulfill the purposes which we all endorsed, to meet the day-to-day legal problems of the poor. The program helps millions of poor Americans stay self-sufficient and productive citizens. Properly structured and supervised as it can be, this is a fundamentally conservative program, one which facilitates the peaceful resolution of disputes in our society and reinforces the rule of law.

Further cuts in funding will constitute a denial of equal justice under the law to millions of low-income citizens who have no other access to the courts. For this reason, I urge Members to support Legal Services and to support the Mollohan-Fox amendment.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. BALLENGER].

Mr. BALLENGER. Mr. Chairman, the Legal Services Corporation is a Government bureaucracy that is out of control, and it must be tamed. The spending cut reflected in this appropriations bill is based on an agreement reached in July of last year between appropriators and House leaders. The proposed $141 million level is the agreed upon second step in this process.

Legal Services has long been involved in political advocacy with tax dollars. For example, over the years, Legal Services has committed vast resources to litigation to stop public housing authorities from evicting dangerous drug dealers. This is a perfect example of why critics argue that Legal Services works harder to protect the rights of criminals than it does to protect their victims. After years of abuse, the Corporation has become a place for attorneys to put forth their liberal agenda, not defend poor people.

Many Legal Services supporters are not aware that sufficient private alternatives already exist to provide more effective legal assistance to the poor. Lawyers have a long history of providing free legal service to the poor; for example, the American Bar Association's 1993–94 directory of pro bono legal services listed over 900 programs. This does not include the innumerable lawyers who perform these services on an individual basis. These private-sector programs are much more effective and do not waste the taxpayers' money.

The House should continue to abide by the agreed level of appropriations for Legal Services. Reject the Mollohan amendment and support the funding level in the bill.

Mr. MOLLOHAN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Chairman, I rise in support of the Mollohan-Fox amendment. For over a decade now the gentleman from Florida, Representative BILL MCCOLLUM, and I have worked to reform the Legal Services Corporation, with a lot of considerable help from the gentleman from Kentucky, Chairman ROGERS, and it has been like pulling teeth.

Our intention all along has been to make sure that the folks in our country who cannot afford legal assistance in civil matters have access to the courts, the original intent of LSC. Last year we introduced H.R. 1806, a bill to reauthorize LSC for 5 years at $250 million per year. In addition, our legislation proposes tough, smart restrictions on the corporation.

The full Committee on the Judiciary marked up its bill, H.R. 2277, with the gentleman from Pennsylvania, Chairman GEKAS, and reported it out last September. This is a 4-year authorization which recommends $250 million in fiscal year 1997 to provide legal services to the poor.

That notwithstanding, we have not had the opportunity to debate this or any other authorization bill here in the full House. In fact, Legal Services has not been reauthorized since 1980, yet here we are today trying to decide its fate in a 1-year appropriation bill.

Let us let the process work the way it is supposed to. Let us take the authorizing committee's recommendation of $250 million with appropriate restrictions for fiscal year 1997, and come back next year and address the future of LSC through the authorization process, the right way.

All of the arguments we will hear today come down to one fundamental question: whether we believe that the Federal Government has a role to play in ensuring that the poor have access to the courts. I will be the first one to tell my colleagues that the Legal Services Corporation has had its share of problems over the years, and we will hear many of them today. In fact, if the program is ever killed, it will be by some of its supporters.

Absent any other well-developed approach to caring for the people that depend on legal assistance in their daily lives, I am not yet willing to demolish the LSC. That is precisely the direction we will be heading if we cut the fund to $141 million.

As a lifelong supporter of a balanced budget, I understand budget realities and know we cannot fund every program at the level we want. That is why I commend the sponsors of this amendment, who have worked extremely hard in finding the offsets to pay for this amendment in a fair and reasonable manner.

Additionally, I am very pleased that they specify that all the increased funding will go to field programs, not to management and administration.

We continue all of the restrictions agreed to on the LSC in the effort to make sure that this program works for its original purpose.

There can be no denying that there are a large number of indigent individuals who desperately need legal assistance in their daily lives. We cannot become a country where just treatment in the courts depends on economic status.

For this reason, and in agreement with many of those who will find things that have gone wrong with Legal Services, this is not the time and the place to make that decision. Let us allow the program to continue and allow the full changing of the program to take place in an orderly manner, so that we do not end up doing more harm than good for all the right reasons.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume to remind this body that the Committee on the Budget only approved $95 million for Legal Services, and the CJS committee is putting up a 50-percent increase over that, and now it would be a 250 percent increase if we adopt this amendment.

Mr. Chairman, I yield 6 minutes to the gentleman from Indiana [Mr. BURTON].

(Mr. BURTON of Indiana asked and was given permission to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Chairman, my colleague from Texas just talked about the changes that were made in the Legal Services Corporation and how Legal Services was going to be restricted for its original intended purpose. Let me read to my colleagues what a Legal Services grantee in California said about the new restrictions. He said, ''If Congress can screw people with technicalities, we can unscrew them with technicalities. That is why we are lawyers and not social workers. Two can play this game.''

Now, Congress prohibited Legal Services Corporation from doing certain things. Legal Services grantees are getting around these restrictions by forming new shell organizations to accept Federal grants so that the original groups can continue to pursue their liberal agenda with private funds.

For example, the Philadelphia Legal Assistance Center and the Legal Aid Society of Santa Clara, in many cases the two organizations have the same board of directors, many of the same lawyers, and they share office space. They are two separate organizations in name only. They are just getting around the restrictions so they can do whatever they damn well please.

Let me just ask my colleagues a question. If there is a child and we are concerned about that child being molested by a sex offender, we would like to know if that sex offender moved into the neighborhood because we do not want a 2, 3, 4, or 5-year-old child running around with a known sex offender moving into the neighborhood.

Well, President Clinton supports what is called Megan's Law. On May 17, President Clinton signed Megan's Law into effect, which requires convicted sex offenders to register their addresses with local communities after being released from prison.

The Legal Services Corporation is fighting that law. On March 6 the Legal Aid Society of New York, an LSC grantee, sued on behalf of three sex offenders to block New York's version of Megan's Law, which includes a 900 number for community notification. They won a restraining order delaying the implementation for months.

Legal Services lawyer Thomas O'Brien called sex offenders, listen to this, the Legal Services lawyer Thomas O'Brien called sex offenders ''the victims of a unilateral decision made by the State.''

Now, what about that parent that does not want their child molested by that sex offender? They want to know if he is in the neighborhood. Everybody agreed to it. We passed a law, and the Legal Services Corporation, funded by this Government and the taxpayers of this country, is defending that sex offender and protecting his right not to be known in a new neighborhood by the parents who have kids that might be molested by him.

Does that sound right? I do not think we want our taxpayer dollars spent for that.

Welfare reform. President Clinton supports Wisconsin's welfare reform plan. On May 18 President Clinton announced his strong support for Wisconsin's bold welfare reform plan.

The LSC is fighting the welfare reform plan in Wisconsin. Legal Action of Wisconsin, and LSC grantee, has filed numerous suits to frustrate and block welfare reform in Wisconsin, even though this Congress and the President of the United States say that support it.

Why are taxpayers' dollars being used to fight the very things we think are important?

Then we take people who live in public housing projects. One of the problems we have in major urban areas around this country is that drug dealers are taking over in public housing projects, and they are taking kids and they are making them become deliverers of narcotics. If the kids do not join the gangs, they shoot them, they beat them up or they scare them to death. Mothers are afraid to let their kids go outside in public housing projects.

Now, the Legal Services Corporation is defending the right of the drug dealers to stay in the public housing projects. They are trying to frustrate the local government officials in trying to get those people out of there so that people who live in those public housing projects will be able to protect their kids and protect themselves.

Some of those people have been in their living rooms and dining rooms when bullets have come through the windows and they have to get down on the floor to protect themselves, yet the Legal Services Corporations in many parts of the country are defending the rights of the drug dealers to stay in there, in public housing, and not to be evicted.

What kind of nonsense is that? It makes absolutely no sense whatsoever.

Now, an agreement was reached to phase Legal Services Corporation out over a 3-year period. We gave them $280 million or so last year, we agreed to $141 million this year and zero next year. The leadership signed onto it and the appropriations leadership signed onto it, and today we are seeing a move to increase it to $250 million and to keep this organization in effect.

It is the wrong thing to do. The right thing to do is protect the people of this country and get rid of the Legal Services Corporation.

Mr. FOX of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Pennsylvania.

Mr. FOX of Pennsylvania. Mr. Chairman, I would say to the gentleman from Indiana, Congressman BURTON, that I understand his arguments and the situation he is talking about, but I would ask him if he is aware there are new restrictions now on these Legal Services Corporations not to be involved in suits dealing with welfare reform litigation and with the prison lawsuits? There are not involved in that any more.

Mr. BURTON of Indiana. Mr. Chairman, reclaiming my time, I do not know whether the gentleman heard the first part of my argument, but the Legal Services Corporations around the country are forming shell corporations to get around that provision so they can use Federal dollars for one thing and the private dollars for another.

I gave two examples: The Philadelphia Legal Aid Center and the Legal Aid Society of Santa Clara. I will quote once again what a Legal Services grantee in California said. He said, and I quote, ''If Congress can screw people with technicalities, we can unscrew them with technicalities. That is why we are lawyers and not social workers. Two can play this game.''

They are getting around what we tried to do by putting constraints on them in this Congress of the United States.

Mr. FOX of Pennsylvania. Mr. Chairman, if the gentleman would continue to yield, I think the facts show otherwise.

□ 1615

Mr. BURTON of Indiana. Mr. Chairman, I do not think the facts do show otherwise.

Mr. FOX of Pennsylvania. Mr. Chairman, the gentleman is trying to make emotional arguments about the facts and problems of the inner cities.

Mr. BURTON of Indiana. Mr. Chairman, these are not emotional arguments.

Mr. FOX of Pennsylvania. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. RAMSTAD].

(Mr. RAMSTAD asked and was given permission to revise and extend his remarks.)

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

I rise today in strong support of the Mollohan-Fox amendment to restore critical funding for the Legal Services Corporation. I think it is important, Mr. Chairman, that we put this in perspective.

The bill before us today contains a 50-percent cut for legal services. This 50-percent cut follows on last year's cut in funding of 33 percent. These cuts, Mr. Chairman, are extreme and they are unconscionable because they mean that our poorest and most vulnerable citizens will be unable to have legal representation in civil matters.

In Minnesota alone, Mr. Chairman, these cuts meant that 25,000 eligible people who needed legal help have already been turned away. Because of last year's cut, Legal Services in Minnesota will close 4,000 fewer cases. Some claim that the private bar can step in and make the difference.

Well, Mr. Chairman, in Minnesota, over 3,000 attorneys last year donated over 30,000 hours of legal services. The Minnesota lawyers and firms contributed over $500 thousand, but they cannot meet these critical legal needs alone any more than doctors can meet the critical medical needs of indigent people across this country.

Many government entities are not known for efficiency. We all know that, and charges have been made today by opponents of this amendment. Let me tell you the facts. Mr. Chairman, 97 cents of every LSC dollar goes directly to the delivery of legal assistance, and Federal oversight accountability of these dollars is ensured.

I take a back seat to nobody in this body in terms of cutting wasteful spending. Last year it was announced, or this year rather, that I have the best rating from Citizens Against Government Waste for cutting wasteful spending.

Mr. Chairman, we are not talking about cutting wasteful spending here. We are talking about honoring those words on the front of the Supreme Court across the way, ''Equal justice under law.''

There has been overheated rhetoric from those who want to kill legal services for the poor. I would just remind my colleagues that the restrictions are in place from last year. Some of these anecdotal references refer to horror stories in the past. There have been abuses; we all know that. But the following restrictions are in place: No class action suits by LSC, no lobbying, no legal assistance to illegal aliens, no political activities, no prisoner litigation, no redistricting representation, no representation of people evicted from public housing due to drugs. That is all in the past. Those restrictions are on LSC as a result of last year's bill.

Mr. Chairman, I plead with Members of this body, do not gut the words etched on the Supreme Court building, ''Equal justice under law.'' Support basic fairness and equality under the law. Support the Mollohan-Fox amendment to restore legal services funding. Let us do the right thing.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I have friends on both sides of this argument. I understand there are merits on both sides of the argument. But let me give you my humble opinion as a guy who used to practice law in the barrio in San Diego about 5 blocks south of Chicano Park in half of a barber shop.

There is merit to the argument that Legal Services did go far past the bounds that we set for them when we first initiated this program. We know that we had legal services to get Aunt Flossie's car out of hock, to do domestic law, allow people to have access to court for personal injury when they did not have the up front money that was necessary if they went to a paid lawyer. But what some legal services devolved into was a legal services operation that went for the sexier lawsuits. They liked the class action suits. They like innovating, and they liked lawsuits that drew headlines. And they liked to move away from what I call the ham and eggs things.

I think we have to strike a balance. I think the money that we have in the bill right now is a balance. It does balance the need to have legal services for people who cannot afford them, but it also leaves a little need there so the local bars will step forward and pick up the slack.

One thing that I say as a lawyer who never got any Government money was the fact that when you do have these Government programs, you do have a lessening of the private bar's interest in protecting the poor and in doing pro bono suits. You do have a reduction in that area. So we have to maintain a balance.

I think the money that we have in the bill does maintain a balance, and the reason that we have gotten away from class action suits and gotten away from these abuses is because this Congress has monetarily and in a policy sense constrained Legal Services. We have constrained them from doing the class action suits.

I am sorry to see that, if it is true that some shell corporations are being formed to allow them to continue to pursue a social policy, I am sorry to see that because they are supposed to be doing ham and eggs work for poor people. I like the balance. Let us stick with what we have got.

Mr. MOLLOHAN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Missouri [Ms. MCCARTHY].

(Ms. MCCARTHY asked and was given permission to revise and extend her remarks.)

Ms. MCCARTHY. Mr. Chairman, I rise in support of the Mollohan-Fox amendment.

Mr. Chairman, I rise in support of the Mollohan-Fox amendment. This amendment is a significant improvement from the base bill.

Since 1974, the Legal Services Corporation has provided poor families access to our justice system, thus putting into practice the principle of equal justice for all. The proposed fiscal year 1997 funding level represents a 49-percent reduction from the current appropriation.

This is an unacceptable funding level, particularly given the fact that last year's 30 percent funding reduction forced the Kansas City Legal Aid to eliminate 10 percent of the staff. These reductions leave 80 workers to tackle approximately 22,000 cases a year. In addition, legal aid attorneys are forced to turn away applicants desperately seeking assistance. Further dramatic reductions in funding would make it even more difficult for many communities, like Kansas City, to keep their legal aid offices open.

I am dedicated to balancing the budget, but we must do so in a responsible manner. Slashing legal services for poor families is not responsible. I urge my colleagues to support the Mollohan-Fox bipartisan amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Colorado [Mr. SKAGGS], a member of the subcommittee.

Mr. SKAGGS. Mr. Chairman, this amendment would restore just a portion of what is needed for the basic functions of the Legal Services Corporation, and it ought to command the support of every Member of this body.

The Constitution holds out the promise of equal justice under law to every American. But that promise is made real only as our citizens have effective access to the courts to enforce their rights. For the poor these rights often exist only in theory because they cannot afford the lawyers to get into court. Legal Services provides that legal representation.

Access to the legal system is more than a matter of equal justice. It is also a key ingredient in maintaining a civil society based on the rule of law. If people are expected to respect the rule of law, they must have some expectation of its protections, as well as of its discipline. Legal Services plays an essential role in that.

Mr. Chairman, Legal Services work is accomplished by staff lawyers who work for low pay, supported last year by 150,000 volunteer lawyers providing pro bono services. I used to be one of those volunteers. I can tell you, the staff lawyers can not possibly do anything more than provide the basic representation that they are charged with under the law as it now stands. There is simply no rational basis to assert that additional pro bono work by the private bar can make up the difference for Legal Services. That makes as much sense as suggesting we are going to get volunteer doctors to make up for eliminating Medicaid. It will not happen.

Cuts in legal services funding in this bill will hurt those who can least afford it and betray America's promise of

equal justice. Support the Mollohan-Fox amendment. It is fundamental to American justice.

This amendment to restore but a portion of the basic funding for the Legal Services Corporation [LSC] should command the support of every Member.

While I certainly support this amendment, I must say that it is only a start. It will bring LSC funding to a level 10 percent below last year's level, which itself took a 30 percent cut from 1995. We need to do more, much more than is provided for in this amendment, to bring LSC funding back to a level where the Nation's poor can have reasonable access to the civil justice system.

As my colleagues know, LSC provides legal representation to our poorest citizens. When LSC was established under President Richard Nixon's leadership in 1974, it was intended to become a permanent, vital part of the American justice system.

The Constitution holds out the promise of equal justice under law. That promise is made real as American citizens have effective access to the courts to enforce their rights. For the poor, these rights often exist only in theory because they can't afford the lawyers necessary to get their day in court. LSC provides that legal representation. If we are going to ensure that the quality of American justice isn't primarily a function of wealth, the work of LSC must continue.

Access to the legal system is more than a matter of equal justice. It is an important factor in maintaining civil society based on the rule of law. If people are expected to respect the rule of law, they must have some expectation of its protection, as well as of its discipline.

Last year, LSC closed 1.7 million cases. About one-third or 558,000 of those involved family law, including representation of almost 60,000 individuals seeking protection from battering by their spouses. LSC helped over 200,000 older Americans with legal problems involving their health and income. It helped thousands of low-income military veterans and family farmers, representing them before banks and government bureaucracies that would otherwise have overwhelmed them.

Cases concerning families, housing, income, and consumer protection alone account for over 80 percent of LSC's work. This bill would cut LSC by almost half. It is not hard to figure who will pay the price—women, children, and low-income older Americans, farmers, and veterans.

Mr. Chairman, LSC's work is accomplished by staff lawyers who are willing to work for low pay, supported last year by almost 150,000 private attorneys who participated by providing pro bono representation as volunteers. As a former volunteer attorney myself, I can tell you, the lawyers I worked with were too busy trying to meet the basic legal needs of their clients to engage in some of the activities that detractors claim. And there's simply no rational basis to assert that additional pro bono work by the private bar can replace Legal Services lawyers. That makes as much sense as expecting volunteer work by doctors to make up for ending Medicaid.

Mr. Chairman, the cuts in LSC funding in this bill will hurt those who can least defend themselves and betray our Nation's promise of equal protection under law for all Americans. This amendment is the right thing to do; it is the least we can do.

I strongly urge a "yes" vote.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Chairman, I rise to oppose this amendment. We had an agreement worked out. Many of us thought this should have been zeroed out immediately rather than phased out, as was the agreement that was worked out. Now we have an amendment before us that will approximately double the funding provided.

The fact of the matter is, we have got a budget to balance. It seems like in this body there is no program that can be eliminated. Every single thing has its adherents. I would submit if we ranked the things this Federal Government funds, Legal Services would be at or near the bottom just on the merits of the relative order of importance.

Yet here we go again, there is always some group of individuals within this body that feels they have got to try and maintain another one of these programs. This is what is sinking America, Mr. Chairman: All these programs designed to help somebody and, in fact, they are crushing everybody by destroying our economic growth.

We talk about helping those who need legal services. Where in the Constitution in the powers given under article I to the Congress is that one of our responsibilities?

We are a Nation made up of sovereign States. If these things are important, let the States handle them. That, in fact, is what was the practice until whenever Legal Services came into being, I think some time in the 1970's.

I do not know if the Members are aware but there are over 900 organizations that provide pro bono services, lawyers that donate their time, that do not get Legal Services Corporation funding. Why do we have to have the Federal Government involved in everything?

The answer is simple. The reason a lot of Members want to keep this is because it is an advocacy group for liberal causes, as we have heard the gentleman from North Carolina [Mr. TAYLOR] and the gentleman from Indiana [Mr. BURTON] allude to.

The fact of the matter is, we cannot afford it. We do not need it. It should be terminated. Certainly this amendment should be rejected.

Let me share a couple of examples here, in terms of the ample resources that are available to the poor in the event they need legal help:

Chicago Volunteer Legal Services provides legal aid to the poor without LSC funding by using seven staff attorneys and 1,500 pro bono lawyers. The Indianapolis Legal Aid Society last year received all of its $458,000 budget from private sources, primarily the United Way.

In Tampa, FL, the Courthouse Assistance Project, which receives no Government support, assists 300 low income individuals a month right in the county courthouse. Similar programs are being set up in 14 other cities. In New York State every county has set up a community dispute resolution center to handle legal disputes through mediation and arbitration. Each center receives half of its budget from the State and half from local governments and private groups.

In 1994, the center handled 25,000 cases at a cost of $68 per case. The United Charities Legal Aid Bureau of Chicago handled 25,000 inquiries last year with a staff of only nine attorneys and a budget of less than $2 million. Its cost per case ratio was $80 compared to $250 for the 79 staff Legal Assistance Foundation of Chicago, which receives over 60 percent of its $10 million budget from the Legal Services Corporation.

Mr. Chairman, this is an amendment we ought to reject. We ought to maintain the agreement entered into. We ought to phase down this funding as proposed in the bill, and we ought to let Americans have a smaller and better and more efficient Federal Government.

Mr. BERMAN. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from California.

Mr. BERMAN. Mr. Chairman, I was wondering if the gentleman could tell me, other than the hortatory language in a budget resolution, which does not appropriate funds and which is not authorizing legislation, what agreement is the gentleman talking about that we reached regarding the eventual elimination of the Legal Services Corporation?

Mr. DOOLITTLE. This was an agreement amongst the Republicans with the Republican leadership.

Mr. BERMAN. The appropriations process each year funds that Legal Services Corporation, am I not correct?

Mr. DOOLITTLE. Mr. Chairman, the gentleman is correct. And I would observe that we have been on track. In fact, the figure in this bill reflects the agreement. Now it is being changed.

Mr. BERMAN. Mr. Chairman, if the gentleman will continue to yield, is it the same agreement among Republicans that was going to eliminate the Department of Commerce, eliminate cops on the beat, eliminate the advanced technology program. Is that the agreement we are talking about?

Mr. DOOLITTLE. Different agreement but the same philosophy, the philosophy that returns power to the people and cuts their taxes, not bigger and more expensive government.

Mr. FOX of Pennsylvania. Mr. Chairman, I yield 3 minutes to the gentleman from New Mexico [Mr. SCHIFF].

□ 1630

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

I rise in support of this amendment. I believe that the Federal Government has a role in insuring access to the courts in our system. In the first place,

litigation can occur over Federal rights. The Federal Government has provided, through many types of legislation, rights for individuals. Those rights sometimes can only be vindicated in court. Therefore, there is specifically a Federal role in ensuring that people, poor people, indigent people have an ability to go into Federal court and exercise their rights.

Second of all on the same lines, the Federal Government has a role in insuring that we have a democratic system, and a democratic system means that we resolve our disputes in court and not on the streets.

I have heard three arguments basically against this amendment. The first is that there is an agreement among Republicans to the funding levels as proposed.

I am a Republican. I never reached any agreement with anybody. If other Republicans did make such an agreement, and they have to honor their agreement, then they should vote against this amendment. But I do not think all of us Republicans were ever asked to reach this agreement. I know I certainly was not.

Second of all, the issue is just made we have to balance our budget. I agree we have to balance the budget. I agree that the Federal Government should not have the sole responsibility for legal services. But Legal Services has already been reduced in budget. About 2 years ago the budget was, I believe, well over $400 million. The amendment before us today asks for funding for next fiscal year of $250 million. I think that that is a recognition that all programs have to make their contribution toward reaching a balanced budget, and, further, this amendment is funded by making other adjustments in the bill before us so it does not cost any additional funds.

Finally, I want to address the fact that it has been brought to our attention that a number of unpopular individuals have brought unpopular lawsuits through the Legal Aid Society. Well, I can top those examples. We use taxpayers' money to defend people accused of murder. We use taxpayers' money to defend people accused of armed robbery and all the horrendous crimes we can think of through the Federal Public Defender Program. And we do so for the exact same philosophy, that people have a right to present their case in court. And lawyers only represent clients, they did not raise them, and they do not go home and live with them usually.

The fact of the matter is the lawyer is providing a mechanism where even the most unpopular individual can present their case in court and have a judge and jury render a decision. It seems to be that is what American justice is all about.

Mr. TAYLOR of Mississippi. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding this time to me.

I did take the time to meet with some of the Legal Services Corporation representatives in my congressional district to discuss this issue last year after we debated it at some length. I did hear about some of the good things they do representing people who are being unfairly evicted from their housing, helping out the poor. But I did get them to acknowledge that there are Legal Services Corporation lawyers in some localities, unfortunately it was not in mine, that engage in what I would call public advocacy to basically thwart the will of the people. And we have heard examples from the gentleman from Indiana [Mr. BURTON] and some of my other colleagues of some of the horrendous cases where the people of the United States want welfare reform, and Legal Services Corporation lawyers are fighting welfare reform in some localities.

We heard about Megan's law that gives parents the ability to be notified when sex offenders are moving into their neighborhood. We hear about Legal Services Corporation attorneys advocating against this legislation. I have in front of me a whole list after list of examples of where Legal Services Corporation attorneys are engaging in left-wing liberal advocacy and in many cases going exactly against the will of the people.

I guess a great example here is we voted 432 to 0 requiring that criminals give restitution to victims if they have the ability to do so, and, lo and behold, what happens immediately.

Now what we are doing, I say to my colleagues, in this body, the people in my district, the majority of the people in my district, have trouble making ends meet. At the end of the month, when they have paid the rent and they have paid the bill, they do not have much money left. They do not like the amount of money that is coming out of their paycheck with taxes. What we are doing is taking taxpayer dollars and applying it to this sort of thing, and I think it is wrong.

Oppose this amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. FLAKE].

(Mr. FLAKE asked and was given permission to revise and extend his remarks.)

Mr. FLAKE. Mr. Chairman, we need to focus this debate on the people who are involved. They include Zelma Brooks, A 65-year-old grandmother who was only able to overturn an unfair eviction after 6 months of diligent work by LSC. If this happened today Legal Services Corporation would only be able to listen and offer advice.

As much as critics try to make this about the liberal activists who support LSC, this is about Zelma Brooks and all of the people like her. This Congress has placed handcuffs on an organization that has been doing great work under already strained finances. Arguments about deficiencies in LSC are nothing more than rhetoric and exaggerations being used to mask the fact that we are trying to lock the doors of the civil courtrooms to a class of people.

Anyone who wishes to destroy any organization can hold it up to the microscope and exploit imperfections. However, no amount of partisan attacks and criticism can mask the fact that millions of people who would normally be without courtroom access have received legal representation in gaining benefits which they were denied, overturning illegal evictions, and separating from abusive spouses. Can we in good conscience allow the poorest and most defenseless of our communities to be left without any protection against civil injustice?

Emblazoned on the front of the Supreme Court are the words "Equal Justice Under Law." Nowhere does it say that Americans can only seek redress of grievances if they have the personal resources to do it by themselves. Let's not say that today.

Mr. Mollohan. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California [Mr. DIXON], a very effective member of the subcommittee.

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

I rise, too, in strong support of the Mollohan-Fox amendment. I do not know where the concept arises that, if we are to have equal justice under the law and access to the courts for people who cannot afford otherwise to hire an attorney, that we must agree on the legal theory on which they bring their lawsuit. That to me seems to be contrary to the theory of equal justice under the law.

The Legal Services Corporation has done so many things in a way that is reflective of the innovative ideas of the new majority. They have local control, they have volunteerism, they have public private partnerships, they have decentralization with low administrative cost, and they have limited budgets. It seems to me that after the cuts of last year and after the restrictions that we have placed on the Legal Services Corporation by some members who felt that some of their activities were objectionable, the least we can do for the poorest of our society is to give them an opportunity to have access.

I support and urge my colleagues to vote for the Mollohan-Fox amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. MOORHEAD], chairman of the Subcommittee on Courts and Intellectual Property.

Mr. MOORHEAD. Mr. Chairman, I am not going to talk today about the benefits or lack of them in the Legal Services Corporation. I support legal service agencies and was a leader for 16 years, so I believe that we have to help the poor. But I am going to talk about where the money is coming from.

The Committee on Appropriations of the House of Representatives in reporting H.R. 3814, the Departments of Commerce, Justice, State, and Judiciary and Related Agencies Appropriations Act of 1997, proposed to take $15 million from the fees which will be paid by

patent applicants in 1997 to fund other activities. This $15 million comes directly from the pockets of America's innovators and will directly reduce the services that they will receive from the Patent and Trademark Office. This is an unconscionable tax on innovation, a tax on American inventors for seeking to share with the American public the results of their creativity.

This amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN] proposes to take another $34 million from America's patent applicants to fund the Legal Services Corporation. If my colleagues believe in the Legal Services Corporation, take it from the taxpayers and not one specific group of people who pay entirely for the support of their own agency. This tax on innovation, this theft from American inventors, must be rejected.

While the Nation's inventive community may disagree on some aspects of patent legislation, there is no disagreement that this victimization of our inventors must stop. We should not force our inventors to pay more for a program out of their user fees than we refuse to fund with taxpayer dollars.

I urge my colleagues to vote against this amendment.

Mr. FOX of Pennsylvania. Mr. Chairman, I yield a minute and a half to the distinguished gentleman from Maine [Mr. LONGLEY].

(Mr. LONGLEY asked and was given permission to revise and extend his remarks.)

Mr. LONGLEY. Mr. Chairman, the debate this afternoon is not necessarily about the Legal Services Corporation. It is about the Federal obligation to provide legal assistance to those who need it. And, yes, that is a Federal responsibility.

I have no love necessarily for the corporation per se. I think we have made progress in the last year in terms of reforming it to get it out of the advocacy business and into the business of effectively representing the men and women of this country who cannot afford legal services who need help. I do not think it is fair to say that the private sector can pick up this burden. Lawyers in Maine are currently devoting tens of thousands of hours on a pro bono basis, but they cannot shoulder that burden by themselves.

I think it is a question of how we provide the resources. To the extent I have any disappointment about this debate this afternoon, it is that it obscures the central question. We cannot afford to stay in a situation where we are either supporting legal services or eliminating it. To me the question is how do we provide the resources. I question whether the Legal Services Corporation is the most effective way of doing it, but in the absence of any alternative such as block grants or other methods that would provide greater local control and State control to the provision of legal service on a more effective basis, then I must side with the sponsors of this amendment.

The question is resources and many of the details. Right now the question really is whether we are going to provide resources given the cuts that we have made in the last year, and I think that we need to provide flat funding for this important program.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. GEKAS].

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

When the task came to me to try to fashion an authorization bill on this very vital subject, I announced for the whole world to hear that I am in favor of legal services for the poor, in favor of the delivery system that works and in favor of a system that makes sure that the needs are met of the poor, not the abstract needs that the Legal Services Corporation itself had delved into over the years. And so we devised a block grant.

If indeed this amendment that we are considering right now was one in which we take $250 million and turn it over to the States in a block grant system that we had devised in my committee, I would vote for it. But what we are doing here is perpetuating the Legal Services Corporation, which in my judgment is the cause, the root cause, of all the anecdotes of abuse that we have heard on this floor here today. I might say that the anecdotes which are derived as being mere anecdotes are volumes now. Fifty witnesses had 50 anecdotes in 2 days of hearings in my committee.

Mr. MOLLOHAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. CUMMINGS].

(Mr. CUMMINGS asked and was given permission to revise and extend his remarks.)

Mr. CUMMINGS. Mr. Chairman, I rise today in strong support of this bipartisan amendment offered by my colleagues to increase funding for the Legal Services Corporation.

Prior to my election to Congress, I practiced law for almost 20 years. It is through my experiences with the American legal system that I feel confident and qualified to comment on this amendment.

As a lawyer, I represented all types of people in all kinds of situations.

And there is one hard fact that I have witnessed and learned throughout my years of practice—our system of justice belongs to the wealthy and privileged. Rare is the day when indigents or poor citizens receive equitable treatment in their representation.

I believe that ours is the best judicial process in the world. But everyday across this country, citizens with meager resources have little or no voice in the process.

Last year's bill quieted the voices of the needy, this year's bill silences those voices. As a result of the fiscal year 1996 cut, Maryland's Legal Aid Bureau lost $1.4 million this year. If the House adopts the fiscal year 1997 levels, Maryland will lose $1.5 million more, which leaves thousands of Maryland residents without adequate legal representation.

I urge my colleagues on both sides of the aisle to vote in favor of this amendment. The funding we will provide today ensures that our poorest citizens will have equal justice under law.

Mr. MOLLOHAN. Mr. Chairman, I yield 30 seconds to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Chairman, each morning Members of this House with hand over heart turn to this flag and give a pledge: One nation under God, indivisible, with liberty and justice for all.

In a few moments with our votes we will decide whether justice for all is simply words to be recited, an ideal worth defending. I believe in the Pledge of Allegiance, I believe it is worth reciting, and I believe it is worth defending.

Vote ''yes'' on this amendment.

□ 1645

Mr. FOX of Pennsylvania. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Chairman, I thank the gentleman for yielding time to me. I support the Fox-Mollohan amendment, this bipartisan amendment.

I voted for the Commerce-Justice-State bill last year, reducing support for the Legal Services Corporation from $400 million to $278 million. I never in my wildest imagination thought I would be voting to reduce it even further, yet even with this amendment we are seeking to restore funds to $250 million. I hope and pray that this Congress seeks to do that.

Mr. Chairman, I believe American citizens should have access to the courts, no matter how much money they make. I think a mother should be able to seek child support in the courts, if necessary, regardless of income. I think a tenant should be able to sue for decent housing, regardless of income. I know that we got rid of what all of us wanted to get rid of, or most of us, the class-action suits funded by the taxpayers against their own governments. I can understand that issue, but we dealt with that issue last year.

What I cannot understand is why we blame Legal Services for seeking to enforce the laws we pass and the Constitution of the United States we would die defending. If we do not like the end result of the court decisions, then maybe we have to look at the laws we pass.

What Legal Services attempts to do is make sure that all citizens, the poorest, in fact, have the same right to defend themselves in court. I hope and pray, I truly pray, that we have the good sense to pass this amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. BECERRA].

(Mr. BECERRA asked and was given permission to revise and extend his remarks.)

Mr. BECERRA. Mr. Chairman, I rise in support of the Mollohan-Fox amendment and in opposition to the bill's dramatic cuts to Legal Services.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Chairman, first, I think it is fair to say this fight is not about money. It is about implementing an effort by some Members of the other party to eliminate the Legal Services program.

My friend, the gentleman from Pennsylvania [Mr. GEKAS] says ''If there were $250 million in a block grant, I would support it.'' We have been waiting for a year and 3 months for the authorization bill which turned this program into a block grant program to come to the floor. It is not us, it is not the supporters of this amendment who have fought that. It is the leadership who has kept that from coming to the floor.

We talk about class warfare. Let me suggest, I understand why some apartment owners, some growers, some government officials do not want Legal Services programs, because they do not want to afford the rights that the law gives. The right move is not to eliminate the poor's access to lawyers. The right way to do it is to change the laws that we do not like that accords substantive rights to people. Surely once those rights are accorded, we would agree that everyone should have access to them.

Mr. FOX of Pennsylvania. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Florida [Mr. HASTINGS].

Mr. HASTINGS of Florida. I thank the gentleman for yielding time to me.

Mr. Chairman, I rise today in support of the Mollohan-Fox amendment, and to express my dismay with the fax that I received from the Christian Coalition urging that I oppose this amendment.

Mr. Chairman, I am a Christian and I support this amendment, because following the Christian teachings that I was taught, I believe that helping the poor is a Christian thing to do. Helping the poor access the same legal system to which people with money can access at will is, I believe, a very Christian thing to do.

I am dismayed that the Christian Coalition intimates that they speak for Christians. Clearly they do not speak for the poor or the charitable, for if they did, they would not urge us to kill this amendment.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Chairman, I rise in support of the Mollohan-Fox amendment. I know that Legal Services work. My office and I work with people every day in helping poor people, especially women and children.

I ask my colleagues, if you cut Legal Services funding again, where will a poor woman in my district and in many of your districts go for help when her husband is abusing her? Where will a poor family go when they are illegally tossed out of their home? Where will the disabled people go when their Social Security or SSI benefits are improperly denied?

The answer is nowhere. You are cutting one more strand out from under the safety net for the people of this Nation. This is not the time to cut legal aid for the most vulnerable people in America.

I urge my colleagues to support the amendment and restore funding to this very important program.

Mr. MOLLOHAN. Mr. Chairman, I yield such time as he may consume to the gentleman from South Carolina [Mr. SPRATT].

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Chairman, I rise in support of the Mollohan amendment to restore funding for the Legal Services Corporation.

I helped found the Piedmont Legal Services office in my home County of York in South Carolina. I did so because I discovered early in my private practice that pro bono work wasn't enough to meet the needs of the poor. I tried to do a lot of this work myself, but I quickly reached my limit. Legal services are necessary for any but the smallest fraction of poor people to have access to legal help.

The cut to legal services proposed in the bill before us is designed to destroy LSC. Last year, Congress cut the program by over 30 percent and this bill calls for another 50 percent cut this year. These cuts clearly are on a path to zero, and no one should kid themselves that today's vote is about anything other than survival of the program. With the meager funding allowed in this bill, only about 10 percent of the eligible poor in South Carolina will be able to obtain legal services.

The bar in South Carolina has a successful pro bono program which last year drew over 3,000 volunteers who closed almost 1,000 cases. But the 44 Legal Services attorneys in South Carolina closed over 16,000 cases. And LSC funding of other programs helped close another 2,000 cases for a total of 18,000. Undoubtedly a lot of pro bono work goes unreported, but it is clear that the private bar cannot make up for LSC.

If we lose this fight today, and let Legal Services be reduced to irrelevance, the need will not go away. Within several years, I am convinced we will see our mistake, but it will take another generation to re-establish 343 local legal aid programs; to restaff their offices; to rebuild the resource centers; and to do something right for poor people and our legal system that we should never have quit doing in the first place.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Massachusetts [Mr. OLVER].

(Mr. OLVER asked and was given permission to revise and extend his remarks.)

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

Mr. Chairman, I rise in support of the Mollohan-Fox amendment. Mr. Chairman, every day we do indeed pledge allegiance to the flag, which ends ''with liberty and justice for all.'' Every American should have access to our judicial system, and none can have justice without that access. For millions of low-income Americans, the only chance for access to justice is through the Legal Services Corporation. Many Americans already assume and believe that only the rich benefit from our legal system.

Mr. Chairman, this cut makes that assumption and that belief a reality. I urge a ''yes'' vote on the amendment.

Mr. FOX of Pennsylvania. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Delaware [Mr. CASTLE].

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

I rise in support of the Mollohan-Fox amendment. The numbers are pretty simple. In fiscal year 1995 there was $400 for the Legal Services Corporation. In fiscal year 1996 we properly, I think, cut it to $278 million, and we added restrictions on what they could do. If the bill passes as it is today, it would be $141 million, a 65-percent reduction from fiscal year 1995. With the amendment, it is still a reduction to $250 million or a 37½-percent reduction from fiscal year 1995.

We should support this amendment. We do need Legal Services for the poor. They simply cannot afford it otherwise. I urge everyone to support the amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. DORNAN].

(Mr. DORNAN asked and was given permission to revise and extend his remarks.)

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

Mr. Chairman, I would agree with my distinguished colleague and friend, the gentleman from California, it is not about money. I also do not think it is about that beautiful last line in the Pledge of Allegiance, liberty and justice for all.

There are some of us that can make a compelling case that not only has Legal Services been arrogant and corrupt and done things to exacerbate illegal immigration and has actually hurt the poor by not letting people evict drug dealers from public housing, but past administrations have attempted without success to place any restrictions on LSC.

Their current President, Alexander Forger, has been particularly arrogant about his intention to resist any future congressional limitations. At a board meeting on April 11, 1995, he says this proudly; he said, ''There is a legal case, if we choose to assert it, that the committee,'' in this case a House and Senate committee, ''does not have any authority to make the decision over what cases we take.''

Mr. Chairman, under the pretense of providing the impoverished with access to the legal system, the Legal Services Corporation

has cost American taxpayers untold billions of dollars in politically motivated litigation costs—some say nearly $2 trillion! Many of these lawsuits are legal sleights of hand designed to undermine existing laws that limit welfare and other entitlements as well as prevent restrictions on LSC activities.

I will not go into the long list of cases that demonstrate the flagrant abuses of this agency. But I will tell you that in way too many cases, the LSC has an appalling and inexcusable record of all too often taking money from law-abiding, hard-working taxpayers and then giving it to the likes of convicted felons, delinquent fathers, illegal aliens, and even to drug dealers. And they do this without any accountability to the taxpayers who subsidize their outrageous behavior.

Here are just a few examples:

First, the LSC engages in litigation that actually harms the poor—such as preventing the eviction of drug dealers from public housing!

Second, the LSC promotes illegal immigration by suing for public benefits to illegal aliens and litigating on behalf of criminal aliens the Federal Government wants to deport.

Third, the LSC is too often anti-family. The program's hostility toward even the most basic family values is most evident in grantees' aggressive advocacy of abortion, support for homosexual rights, opposition to parental authority and a general disdain for the traditional family unit.

Fourth, LSC grantees spend significant resources on behalf of criminals in prison. In addition to suing prisons for disciplining criminals guilty of planning riots, escapes and other offenses, legal services lawyers have also engaged in extensive litigation demanding special and unreasonable privileges for convicts such as a constitutional right to, of all things, hot pots.

Mr. Chairman, Congress and past administrations have already attempted without success to place restrictions on LSC activities and behavior. Because money is fungible in the hands of private groups that have more than one funding source, LSC and its grantees have cleverly avoided these restrictions or any other attempt to make them accountable to the taxpayers that finance their activities. The LSC's current president, Alexander Forger, is particularly arrogant about his intention to resist future congressional limitations. At a LSC board meeting on April 11, 1995, in response to questions about the ability of House and Senate conferees to impose certain limitations on allocations of LSC funds, Forger said, ''There is a legal case—if we chose to assert it—that the Committee does not have the authority to make that decision.''

Mr. Chairman, I agree with those of my colleagues who want to ensure that the impoverished have access to the legal system. You will be hard-pressed to find a member of this Congress who feels otherwise. But while supporters of the LSC contend that the agency is the only source of legal services for the indigent, many people are not aware that sufficient private alternatives already exist to provide more effective legal assistance to the poor, such as pro bono work and non-LSC service providers. In fact, lawyers have a long and distinguished history of providing free legal services to the poor. The American Bar Association's 1993–94 directory of pro bono legal services listed over 900 programs! Of course, this does not include the hundreds of thousands of lawyers who prefer to do pro bono work on an individual basis. The ABA should recognize and encourage more of this type of charity work.

But that's not all. Since 1984, the ABA has issued a directory of literally hundreds upon hundreds of private bar involvement programs, including all legal service programs involving private attorneys, reduced-fee programs, judicare programs—in which private attorneys who take cases for the poor are reimbursed by the Government according to a set schedule of fees—private attorney referral programs, and programs in which attorneys do a specified amount of legal work for the poor under Government contract. LSC grantees did not create and do not direct the majority of these programs.

Although a complete inventory of all legal resources available to the needy does not exist, available information shows that ample resources are indeed available for the poor to turn to for legal help. Here are some specific examples:

First, Chicago Volunteer Legal Services provides legal aid to the poor without LSC funding by using seven staff attorneys and 1,500 pro bono lawyers.

Second, the Indianapolis Legal Aid Society last year received all of its $458,000 budget from private sources, primarily the United Way.

Third, in Tampa, FL, the courthouse assistance project, which receives no Government support, assists 300 low-income individuals a month right in the county courthouse. Similar programs are being set up in 14 other cities.

Fourth, in New York State, every county has set up a community dispute resolution center to handle legal disputes through mediation and arbitration. Each center receives half of its budget from the State and half from local governments and private groups. In 1994, the center handled 25,000 cases at a cost of $68 per case.

Fifth, the United Charities Legal Aid Bureau of Chicago handled 25,000 inquiries last year with a staff of only nine attorneys and a budget of less than $2 million. Its cost-per-case ratio is $80, compared to $250 for the 79-staff Legal Assistance Foundation of Chicago, which receives over 60 percent of its $10 million budget from the LSC.

Mr. Chairman, the Federal Government can no longer afford to maintain this agency, especially when so many resources already exist for the poor to turn to for legal aid when they need it. It's time to defund the left, to defund the failed Legal Services Corporation. In the words of a former hero President, ''If not us, who? If not now, when?''

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. DORNAN. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I thank the gentleman from California for yielding to me.

Mr. Chairman, I take that quote at face value, but as a matter of fact, would the gentleman agree that those restrictions are in place and that they have been followed? I have not heard anybody say those restrictions to be put on Legal Services have in any way been violated. Would the gentleman agree with that?

Mr. DORNAN. I would say when they are getting the cuts we are giving them, they would be smart to live up to them.

Mr. MOLLOHAN. They have.

Mr. DORNAN. Mr. Chairman, I think we have to reinvent the wheel here. I think we have to have a whole new structure to help the poor so those without the benefit of good legal counsel can get it. But I think Legal Services Corporation is part of defunding the left that has almost bankrupted this country.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Maine [Mr. BALDACCI].

(Mr. BALDACCI asked and was given permission to revise and extend his remarks.)

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

Mr. Chairman, I am deeply opposed to the enormous funding cut this bill contains for the Legal Services Corporation, and I rise in strong support of this amendment to restore funding to Legal Services.

In 1989, the late Senator Ed Muskie chaired the Maine Commission on Legal Needs. In his preface to the Commission's report Senator Muskie wrote, ''Assurances of equal justice, appear to the poor, to be meant for others. Their experience in the pursuit of justice has been frustration, loss of dignity, and all too often denial. Understandably, their faith in our legal system has been shaken. The problem carries implications for all in our society. It concerns the most basic principles of our social and legal order.''

Mr. Chairman, this effort to eviscerate the Legal Services Corporation takes us a giant leap backward in our efforts to make ''equal justice under the law'' a reality for all Americans. Federal funds are needed to ensure that at least a minimum level of legal assistance is available to every American, regardless of their income.

In my State, Pine Tree Legal Service is the only Legal Services Corporation grantee. Pine Tree Legal provides outstanding legal support to Maine's poorest citizens. More than 230,000 Mainers—roughly 20 percent of the State's population—have incomes close to the Federal poverty guidelines. They cannot afford to retain a lawyer when they have a civil legal problem. They rely on Pine Tree Legal for help.

In 1994, Pine Tree helped more than 15,000 individuals in more than 380 Maine communities to address their civil legal problems. Because of Pine Tree's effective advocacy, families were reunited or able to remain together; women obtained protection from abuse on behalf of their children and themselves, and individuals with disabilities were given dignity and respect. Children were able to stay in school, and wage earners who lost their jobs were able to continue to support their families while they looked for new work.

The people who are represented by Pine Tree Legal generally have no

where else to turn. Although the vast majority of the private bar in Maine does pro bono work, they simply cannot meet the entire demand. Pine Tree Legal complements the efforts of the private bar.

Unfortunately, due to the extraordinary cuts to the Legal Services Corporation previously adopted by this Congress, Pine Tree Legal's staffing currently stands at its lowest level since 1969. The need for services has not declined, however, and evidence indicates that for every person Pine Tree is able to help, five are not served.

The need for public funding of basic legal services was identified by the Nixon administration when it established the Legal Services Corporation. In the past 20 years, nothing has intervened to make that need less compelling. We must ask ourselves the fundamental question: ''Can there be justice for any of us if there is not justice for all?'' I believe the answer is no, and I urge my colleagues to support this effort to restore critical funds to the Legal Services Corporation.

Mr. MOLLOHAN. Mr. Chairman, I ask unanimous consent that I be given 1 additional minute in this debate, and that the gentleman from North Carolina [Mr. TAYLOR] be likewise given 1 additional minute. The reason I want it is I have a colloquy that I would like to enter into which will take about 1 minute.

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

There was no objection.

Ms. LOFGREN. Mr. Chairman, I have heard a lot of very excited comments today about misbehavior and horrible things that are happening with the representation of bad people across the country by legal aid societies. However, I think it is important to note that there are restrictions on the use of Federal funds that are made available. This amendment has no effect on them.

Legal aid societies who take Federal funds cannot accept juvenile or criminal law cases. They cannot do legislative or political advocacy. They cannot do lobbying. They cannot do class actions. There is no evidence that I have seen as a member of the Committee on the Judiciary, and we held hearings, that indicates that any of that is happening.

The gentleman from Indiana said earlier there are shell organizations that have been created, and that there is something illegal or wrong about this. I am sure he spoke sincerely, but I am from Santa Clara County. He did mention the Santa Clara County situation, and I am personally familiar with it. His comments were not accurate.

He mentioned a comment from a man who said, ''That is why we are lawyers, not social workers.'' That person is not a he, it is a she. Her name is Liz Shivell, and she practices law in San José. I also have copies here, and I would be happy to share them with Members, of the articles of incorporation of the Legal Aid Society of Santa Clara County and the Community Legal Services Corp. They are two separate corporations. I have copies of the boards of directors of the Community Legal Services, which is the Legal Services Corp. grantee, and the Legal Aid Society, which is a private corporation that receives not one penny of Legal Services Corp. funding.

Mr. Chairman, I also have a copy of the brochure from the LSC-funded organization that says they cannot accept the following cases, and it lists all the prohibitions that this Congress has placed on legal aid societies.

□ 1700

There was some controversy in Santa Clara County when the restrictions came down because many lawyers felt that they could not ethically practice under the restrictions that Congress had imposed. So leaders in the local legal community formed a separate corporation that does the work allowed under the Federal rules, and the Legal Aid Society now does whatever it wants to do as lawyers, as separately funded lawyers.

I helped raise money for the Legal Aid Society which receives no Legal Services money, along with our district attorney who is a tough prosecutor and, I would add, also a Republican. However, he believes, our prosecutor does, as do I, that we need to be able to do such things as provide restraining orders to victims of domestic violence without asking for their financial statements. That is one of the many reasons why I support the Mollohan amendment, and I am glad to be able to offer facts in support of it.

Mr. FOX of Pennsylvania. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 30 seconds.

Mr. FOX of Pennsylvania. Mr. Chairman, I think it has been very clear from the discussion this afternoon that Legal Services Corporation deserves the increase that is in the Mollohan-Fox amendment. We have seen the appropriate restrictions on the use of funds by LSC to only those legal cases for the poor. We also know that it is revenue neutral. There is no further tax increase here. There is an offset, which is appropriate.

Finally we have already seen the last 2 years such a downsizing cut that we cannot survive any further cut and still represent those in our society who need the assistance the most legally. I would ask my colleagues to please support this amendment and do right by all Americans.

Mr. MOLLOHAN. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from West Virginia is recognized for 1 minute.

Mr. MOLLOHAN. Mr. Chairman, I yield to the gentlewoman from California [Ms. ESHOO].

Ms. ESHOO. Mr. Chairman, I thank the gentleman from West Virginia [Mr. MOLLOHAN] for the work that he has done, as well as the gentleman from Pennsylvania [Mr. FOX], on this amendment. I share my colleagues' desire to adequately fund the Legal Services Corp.

However, as a member of the Committee on Commerce that has jurisdiction over the Securities and Exchange Commission and our Nation's securities markets, I believe it is also essential to maintain adequate oversight over the life savings of millions of Americans. I see that the amendment will reallocate funds from a variety of agencies, including the SEC which performs that oversight function and I believe does it very well.

Is it the gentleman's intention that carryover funds received by the SEC be available to it to compensate for the reduction in its budget called for in your amendment?

Mr. MOLLOHAN. I am pleased to assure the gentlewoman that the answer is yes.

Ms. ESHOO. I am pleased about the assurance. I support the amendment, and I thank the gentleman from West Virginia. I think this is an important issue to have a part of the record.

The CHAIRMAN. The gentleman from North Carolina [Mr. TAYLOR] has 2 minutes remaining and the right to close.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I would just like to make the point that the authorizing committee authorized $250 million for this program.

Mr. TAYLOR of North Carolina. Reclaiming my time, Mr. Chairman, a former chairman of the Legal Services Corporation several years ago, seeing the multitude of abuses in the big government Legal Services Corporation, tried to reform it. He was sued with taxpayers' money by the Legal Services Corporation and never got through any of those reforms. Today he stands as a strong opponent to the big government Legal Services Corporation that the gentleman wants funded for $250 million.

I would say most of the people on this side of the aisle who have spoken to increase the funding amount to $250 million voted for the budget amendment that actually would hold it at $95 million, while we are talking about $141 million today. I would say also to the question, they will go where they go now, which is the great majority of legal services in this country is provided by non-Federal Government programs, the over 900 programs that are out there that are private programs, the millions of dollars that fund other non-Federal funded programs and pro bono programs.

The myth is these folks think legal services will come to a halt if we do not keep the Federal Government, that is, the big government that is hurting the poor more than it is helping, involved. That just is not true. We will continue to have legal services programs. In fact, the 82 percent increase that we have shown in nonlegal service funds, Federal big government funds, and the 21 percent in IOLTA funds will continue to increase, so we shall continue to have good programs for the poor, but without the big government national meddling that has embarrassed and in fact turned much of this Nation against Legal Services because of hat mismanagement.

The gentleman also suggests taking $57 million from our Federal Prison Program and our courts. That will keep more violent criminals on the street. So while he is working for a national program, a big government program, we in fact will be hurting the justice system of this country. I urge Members to vote ''no'' on the Mollohan amendment.

Ms. MILLENDER-McDONALD. Mr. Chairman, I am in support of the Mollohan amendment to increase funding for the Legal Services Corporation. We live in a litigious society, and all people may need legal counsel. Legal counsel is not a luxury to be available to only a portion of society, it is a necessity for all.

My colleagues on the other side of the aisle have not provided adequate funding to the Legal Services Corporation, and I applaud Mr. MOLLOHAN for bringing this amendment forward to protect the least fortunate among us.

This amendment addresses an issue of fairness. It is not fair to allow people of means to have counsel and not provide it to the poor, simply because they lack the means.

We have experienced other instances of unfair treatment of people in the history of our Nation and it would be wrong to go down that path again here.

I urge my colleagues to support the Mollohan amendment to increase funding for the Legal Services Corporation by $109 million.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in support of the amendment to restore funding for the Legal Services Corporation [LSC] under these Commerce, Justice, State fiscal year 1997 appropriations, H.R. 3814.

The Dole-Gingrich Republicans' proposed funding to the LSC, which provides legal services to low-income families and individuals, is yet another demonstration that they are out of touch with the American people. If they think by some wildly distorted imagination that they are, they are dreaming; but their dream is a nightmare to many Americans. Dole-Gingrich Republicans and their fat-cat supporters don't benefit from the Legal Services Corporation, so it's not surprising that they have targeted the LSC as a prime agency to starve to death by severely cutting off its funding. Since their fat-cat supporters have incomes that make them ineligible for the free or reduced-fee legal services, that could be one explanation for why this bill guts the LSC funding.

The original bill proposes funding which is $137 million—49 percent—less than the current appropriation for LSC and $199 million less than the President's request. Such drastically reduced funding as well as Republican mandated policy restrictions on the use of LSC funds, tie the hands of this valuable public service program. For example, under the Republican plan, slum landlords will have fewer effective opponents to object to being victimized; worse still, victims of domestic violence—usually women—will be denied their best and often only resource to escape an abusing partner. Family law, which includes the representation of victims of domestic violence, is the single largest category of cases handled by the 278 local legal services programs across the Nation. We need to be reminded that 1 out of every 3 of the 1.7 million cases that legal services programs handle each year concerns family law.

In 1995, legal services programs handled over 59,000 cases in which clients sought legal protection from abusive spouses, representation in their child custody proceedings to assure fairness in all matters including child support and enforcement provisions, assistance in locating services and funding for emergency and permanent housing or other benefits enabling them and their children to escape violent situations. Over 9,300 cases involved neglected, abused and dependent juveniles.

I am especially pleased that in Chicago an innovative program targeted at domestic violence has been developed by local legal services programs as part of the National Legal Services Corps, one of the first national initiatives funded through the AmericCorps national service effort.

Since its creation in 1974, the Legal Services Corporation has come to represent a chance, not a guarantee, but just a chance to receive fairness in our society and from our judicial system. Unfortunately, that change is not even a dream without adequate funding. In creating the LSC, the Congress determined that the Federal Government had an important interest in ensuring all persons have access to their system of justice in America. The concept of equal justice is fundamental to our system of government, economy, personal relations and just plain personal security and peace of mind. Without sufficient funding, legal equality will be a dream of the past. Once again, only the rich and the powerful will have access to the legal system and the poor, weak, vulnerable, and disenfranchised will slip down another rung on the cultural, economic, and justice ladder of individual liberties.

Many of my constituents rely on the LSC for a chance at fair treatment in the judicial system, and the high-priced private lawyers support the LSC because it means that they don't have to feel as guilty about charging their high hourly rates. While many lawyers in private practice do provide their legal services on a pro bono basis, but not nearly enough to provide the amount of services that are needed.

In many LSC programs, the core Federal funding provides the structure for client intake and screening referral of cases, handling emergency matters, training of pro bono lawyers, and handling of cases when no private lawyers can do so. LSC leverages and facilitates the utilization and maximization of private resources, both in-kind, pro bono services and private funding. With only 3 percent of its budget spent on administration, and with its unique ability to leverage private resources, the LSC deserves more, not fewer, resources. It is a well-run corporation that is cost effective and programmatically extraordinarily successful.

Increased funding for LSC is supported by many notable organizations. Two stellar examples are the American Bar Association [ABA] and the American Civil Liberties Union [ACLU]. The ABA has said that without the core Federal resources to train lawyers and put them in touch with needy clients, the members of the ABA couldn't continue to provide the level or quality of pro bono services that they do. The ABA credits those among the reasons for the ABA supporting the creation of the LSC over three decades ago. The ACLU has long maintained that the promise of equal protection under the law cannot be fully realized without a federally funded legal services program, and strenuously oppose the legislative restrictions sought under this appropriations bill, which would create categories of speech and litigation that unfairly discriminate against LSC employees as well as their clients.

For these reasons and more, I urge my colleagues to support this amendment to adequately fund the Legal Services Corporation.

I yield back the balance of my time.

Ms. PELOSI. Mr. Chairman, I rise to support the Mollohan amendment to restore funding to the Legal Services Corporation.

Among its services, the LSC provides crucial legal assistance for victims of domestic violence. Over 1 million women a year are victims of violence by husbands or boyfriends. Domestic violence is a problem at all income levels, and legal services clinics are often the only means by which low-income women can legally protect themselves from their batteries.

Legal Services assist victims of domestic violence in a variety of ways, including obtaining protection orders, child support, child custody, divorces from abusive spouses, and emergency housing.

San Fernando Valley Legal Services estimates that, as a result of reduction in staff because of these cuts, at least 1,000 victims of domestic violence in that area alone will be denied assistance in obtaining emergency temporary restraining orders.

This Congress has shown a strong bipartisan commitment to important implications for the future. I urge you to support the Mollohan-Fox amendment to restore funding to the Legal Services Corporation.

Mr. PAYNE of New Jersey. Mr. Chairman, as chairman of the Congressional Black Caucus, I rise to express my strong support for restoration of funding for the Legal Services Program.

As Americans, we should strive to make the words ''equal justice under the law'' not just a concept, but a reality.

Unfortunately, Americans who lack financial resources do not have equal footing in our system of justice. All over the country, thousands of people seeking legal help are being turned away because legal service programs have been forced to cut staff and to reduce the services they are able to offer.

Many of those served are abused women and their children who turn to the courts for protection. As we continue the national dialog on family values, shouldn't we be helping these families who have no where else to turn?

Legal services programs are prohibited from engaging in legislative or administrative advocacy, thus addressing concerns raised by some Members of Congress.

We are all aware of the fiscal constraints under which Congress is operating, but should

we put a price on the American principle of equal justice? Let me point out that in this comprehensive Commerce, State, Justice appropriations bill, funding for legal services represents less than one-half of 1 percent of the $29.5 billion in the Commerce, State, Justice.

I urge my colleagues to join me in restoring funds for the Legal Services Corporation.

Mr. COSTELLO. Mr. Chairman, today this House will consider legislation that represents another attack on services that directly affect the poor and vulnerable members of our society. The Committee-Justice-State appropriations bill for fiscal year 1997 cuts funding for the Legal Services, Corporation by nearly 50 percent. This is the lowest funding level in the history of the program—a program that works to protect the legal rights of citizens who otherwise could not afford legal assistance. The drastic cut in the Legal Services Corporation included in this appropriations bill curtails a much-needed program and threatens the legal rights of every poor or near-poor person in this country. I urge my colleagues not to abandon critical legal recourse for the poor and to support the Mollohan-Fox amendment which will restore $109 million to the LSC to ensure that legal help is available to those who need it the most.

The Legal Services Corporation is a good example of a Federal program that is effectively being administered at the local level. The leadership of this House claims to want to expand the role of State and local authority while shrinking the size of the Federal Government. The Legal Services Corporation is a prime example of how local control of a federal program is working. The creators of the LSC recognized that decisions about how legal services should be allocated are best made not by officials in Washington, but at a local level, by the people who understand the problems that face their communities.

The Legal Services Corporation, begun in 1974 and supported by President Nixon, has had bi-partisan support and has served millions of people since its inception. Today, the LSC provides funds to operate programs in approximately 1,100 communities nationwide. Together, these offices provide services to every county in the Nation. LSC programs provide services to more than a million clients per year, benefitting approximately 5 million individuals, the majority of them children living in poverty. Family law makes up one-third of all of the cases handled by LSC programs each year. In 1995, legal services programs handled over 9,300 cases involving abused and neglected children.

Today the Legal Services Corporation also plays an important role in providing legal representation for victims of domestic violence. Legal service programs have been successful in helping victims of domestic violence protect themselves by obtaining orders of protection and granting divorces. Legal service attorneys also work to retain child support from absent parents. By providing quality legal services to the poor, the Legal Services Corporation assures that no woman is condemned to a violent and dangerous marriage because she cannot afford a lawyer. I cannot stand by quietly and watch this body endanger women and children by limiting their access to our legal system.

Studies have shown that most poor people do not currently receive proper legal advice when confronted with legal problems. The Legal Services Corporation helps remedy this shameful inequity. Clearly, the Legal Services Corporation needs to be expanded, not scaled down on a path toward elimination as under this bill. Again, I urge my colleagues to oppose cuts in legal services and to support the Mollohan-Fox amendment.

Mrs. MALONEY. Mr. Chairman, I rise to speak to the proposed irresponsible cuts to the Legal Services Corporation.

The Legal Services Corporation acts as a founding principle of this country—equal justice under law—by supplying legal representation to those who would not otherwise be able to afford it.

Those affected by the loss of legal services are the same people the Contract With America has made a career of attacking: seniors, women, children, and low-income Americans.

This bill renders the Legal Services Corporation ineffective because it so strictly limits what they can do.

It cuts their funding and prohibits their ability to bring class action suits.

This is just another way for the Republican majority to systematically disinvest in the poor.

Mr. Chairman, we should fully fund the Legal Services Corporation.

If we don't make equal justice under the law a reality for all Americans, who will?

Mr. DIXON. Mr. Chairman, I rise in strong support of the amendment offered by Representatives MOLLOHAN and FOX. The reduction in funding for the Legal Services Corporation [LSC] included in H.R. 3814 is an affront to one of this Nation's most sacred promises to its people—the promise of equal justice under law.

It is also a very unfortunate continuation of the assault on the Nation's have nots that we have witnessed over the past 2 years. It is essential that the 50-percent cut in funding to the LSC be restored to ensure that poor Americans have some reasonable chance of access to the legal system enjoyed by the majority of Americans.

LSC has done an exemplary job for over 30 years of providing access to the legal system for lower income Americans. It has done so in a manner which reflects many of the guiding principles of Government reinvention to which the majority adheres: local control, volunteerism, public-private partnerships, and decentralization with low administrative costs and limited bureaucracy.

Yet, once again, we are forced to acquiesce to opponents of LSC who use isolated and anecdotal claims to insist that the Corporation's main activity has been to pursue a political and social agenda. It was not enough to implement broad restrictions on grantee activities, and reduce funding for LSC programs by over 30 percent, as we did the last appropriations bill. Today, the legislation before us includes a draconian 50-percent reduction in LSC funding from fiscal year 1996 which will devastate the access of poor Americans to adequate legal representation.

In the face of new political realities, legal services advocates have been willing to bend over backwards to accept far reaching restrictions on attorney activities to ensure the continued existence of a viable core program. Efforts to comply with restrictions and cope with funding reductions have apparently done little to appease the agency's critics. It appears that it was never the Corporation's involvement in specific kinds of cases that so infuriated opponents—it was just the mere existence of any Federal effort to facilitate access to legal services for the poor.

Make no mistake—the $141 million funding level provided in this bill will have severe consequences for access to the legal system for lower income Americans. Neither State and local governments nor the private bar can be expected to pick up the caseload of the LSC Program. It is completely unrealistic to assume that already hard pressed State and local governments will shift funds to legal aid programs, particularly as we in Washington continue to shift other competing responsibilities back to the States.

Likewise, it is estimated that even if the present level of pro bono services were doubled or tripled, only a fraction of the services now provided by legal services attorneys would be retained. Indeed, the LSC now leverages greater utilization of private resources, in addition to providing critical training and support for pro bono programs.

We all support increased activity on the part of the private bar to meet the legal needs of the poor. But saying it should be so, does not make it so.

In my own State of California, the impacts of further cuts in the LSC budget will devastate LSC-funded programs which account for approximately 45 percent of the funds available for civil legal services to the poor. In all parts of the State, the Corporation's programs provide the majority of legal services to low-income Californians.

In 1995, 14 California pro bono programs were LSC subgrantees in 1995. If grants are cut by the amount proposed in this legislation, almost $2 million in funds which support private attorney involvement will be lost in California alone.

I urge my colleagues to take a careful look at what we have already done to the Legal Services Corporation. We have already cut funding to the LSC by over 30 percent. We have already enacted restrictions to forbid LSC involvement in class action suits, welfare reform, prisoner representation, and a host of other activities which some Members found objectionable.

If we now accept the $141 million funding level in this bill, we drastically erode the core mission of the LSC which I believe the majority of House Members support: providing access to legal assistance for low-income Americans who may be the victims of domestic violence; who face landlord-tenant disputes; who are wrongfully denied certain benefits; or who are the victims of consumer fraud without the means to seek legal recourse that most of us take for granted. These are the core activities of the Legal Services Corporation that demand our continued support.

I urge my colleagues to support the Mollohan-Fox amendment. Funding the Legal Services Corporation at $250 million is the very least we can do to ensure some continued access to legal representation for the poor.

Mr. TORKILDSEN. Mr. Chairman, I rise in strong support of this amendment and in support of legal services for all Americans.

Regardless of party or ideology, we can all agree that legal services are beyond the grasp of many hardworking Americans, particularly those struggling to provide their families with the very basic necessities of life. Without the Legal Services Corporation, the very poor in this Nation will have nowhere to go when that

eviction notice arrives, or an abusive husband threatens a wife's life.

This bill represents a 33-percent reduction, which is above and beyond the 50-percent reduction the LSC absorbed last year.

We need to think of legal services in terms of the people who benefit. In my district, 1,800 people were served by community legal service groups last year. Most cases dealt with domestic abuse, evictions, other housing issues, and assistance for those with disabilities.

These are bread-and-butter services—not high-profile class-action suits. In fact, last year's bill fully addressed the criticisms of the Legal Services Corporation, focusing the program on what matters most—basic legal protection for the poor.

Let's not punish people twice; I urge my colleagues to support legal services and support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN].

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

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 247, noes 179, not voting 7, as follows:

[Roll No. 341]

AYES—247

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bilbray
Bishop
Blumenauer
Blute
Boehlert
Bonilla
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Camp
Canady
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Foley
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Goodlatte
Gordon
Green (TX)
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hoke
Holden
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Klug
LaFalce
LaHood
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
McCarthy
McCollum
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Morella
Murtha
Nadler
Neal
Nethercutt
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Pickett
Pomeroy
Porter
Poshard
Pryce
Quinn
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Rivers
Roemer
Ros-Lehtinen
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Saxton
Schiff
Schroeder
Schumer
Scott
Serrano
Shays
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Walsh
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
Williams
Wilson
Wise
Woolsey
Wynn
Yates
Zimmer

NOES—179

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilirakis
Bliley
Boehner
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Deal
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehrlich
English
Ensign
Everett
Ewing
Fields (TX)
Forbes
Funderburk
Gallegly
Ganske
Gekas
Gillmor
Goodling
Goss
Graham
Greene (UT)
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Knollenberg
Kolbe
Largent
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Lucas
Manzullo
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Myers
Myrick
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Portman
Quillen
Radanovich
Riggs
Roberts
Rogers
Rohrabacher
Roth
Royce
Salmon
Sanford
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Vucanovich
Walker
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Zeliff

NOT VOTING—7

Collins (IL)
Fazio
Lincoln
Matsui
McDade
Peterson (FL)
Young (FL)

☐ 1724

Mr. MCINTOSH and Mr. CALLAHAN changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses in accordance with the Radiation Exposure Compensation Act, $2,000,000.

PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND

For payments to the Radiation Exposure Compensation Trust Fund, $13,736,000, not to be available for obligation until September 30, 1997.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $372,017,000, of which $50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: *Provided further*, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, including purchase for police-type use of not to exceed 2,706 passenger motor vehicles, of which 1,945 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles, acquisition, lease, maintenance, and operation of aircraft; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; $2,528,706,000, of which not to exceed $50,000,000 for automated data processing and telecommunications and technical investigative equipment and $1,000,000 for undercover operations shall remain available until September 30, 1998; of which not less than $117,081,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security; of which not to exceed $98,400,000 shall remain available until expended; of which not to exceed $10,000,000 is authorized to be made available for making payments or advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations; and of which $1,500,000 shall be available to maintain an independent program office dedicated solely to the relocation of the Criminal Justice Information Services Division and the automation of fingerprint identification services: *Provided*, That not to exceed $45,000 shall be

available for official reception and representation expenses.

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) as amended (''the 1994 Act''), and the Antiterrorism and Effective Death Penalty Act of 1996 (''the Antiterrorism Act''), $153,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which $56,077,000 shall be for activities authorized by section 190001(c) of the 1994 Act and section 811 of the Antiterrorism Act; $76,423,000 shall be for activities authorized by section 190001(b) of the 1994 Act, of which $20,240,000 shall be for activities authorized by section 103 of the Brady Handgun Violence Prevention Act (Public Law 103–159), as amended; $4,000,000 shall be for training and investigative assistance authorized by section 210501 of the 1994 Act; $9,500,000 shall be for grants to States, as authorized by section 811(b) of the Antiterrorism Act; $5,500,000 shall be for establishing DNA quality-assurance and proficiency-testing standards, establishing an index to facilitate law enforcement exchange of DNA identification information, and related activities authorized by section 210501 of the 1994 Act; and $1,500,000 shall be for investigative support for Senior Citizens Against Marketing Scams, as authorized by section 250005 of the 1994 Act.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; $55,676,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; purchase of not to exceed 1,158 passenger motor vehicles, of which 1,032 will be for replacement only, for police-type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft; $733,038,000, of which not to exceed $1,800,000 for research and $15,000,000 for transfer to the Drug Diversion Control Fee Account for operating expenses shall remain available until expended, and of which not to exceed $4,000,000 for purchase of evidence and payments for information, not to exceed $4,000,000 for contracting for automated data processing and telecommunications equipment, and not to exceed $2,000,000 for laboratory equipment, $4,000,000 for technical equipment, and $2,000,000 for aircraft replacement retrofit and parts, shall remain available until September 30, 1998; and of which not to exceed $50,000 shall be available for official reception and representation expenses.

□ 1730

AMENDMENT OFFERED BY MR. RADANOVICH

Mr. RADANOVICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RADANOVICH: Page 17, line 8, after the dollar amount, insert the following: ''(increased by $109,000,000)''.

Page 99, line 14, after the dollar amount, insert the following: ''(reduced by $109,000,000)''.

Page 99, line 15, after the dollar amount, insert the following: ''(reduced by $109,000,000)''.

Mr. RADANOVICH (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from California [Mr. RADANOVICH] will be recognized for 5 minutes in support of this amendment.

Who seeks time in opposition?

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition.

The CHAIRMAN. The gentleman from West Virginia [Mr. MOLLOHAN] will be recognized for 5 minutes in opposition.

The Chair recognizes the gentleman from California [Mr. RADANOVICH].

Mr. RADANOVICH. Mr. Chairman, just earlier today the House voted to increase funding for the Legal Services Corporation by $109 million. My amendment would take this $109 million increase from the LSC and transfer it to salaries and expenditures for the Drug Enforcement Administration.

Mr. Chairman, the question this amendment poses is simple. Would Members rather further line the pockets of lawyers with $109 million of taxpayers' dollars or would they rather see this $109 million spent fighting drugs? In my mind the answer is simple. These taxpayers' dollars would be much better spent fighting the war on drugs.

Today's proponents of increasing funding for the Legal Services Corporation have spoken about restrictions placed upon the LSC in last year's appropriations bill. They claim that these restrictions have placed new limits upon the LSC and have forced it to act more responsibly. But these proponents have failed to note that the LSC is not a Federal agency of the Federal Government, so Congress has no way of enforcing these restrictions. So in effect, Congress is providing funding for the LSC, but we have no real control over this organization.

The Legal Services Corporation is a portrait of Government mismanagement. It has wreaked havoc in rural communities by bringing numerous frivolous lawsuits against America's farmers. The Federal Government can no longer afford to maintain a reckless and irresponsible agency that engages in politically motivated litigation at the expense of all the poor and all the taxpayers.

The LSC has hampered the country's fight against illegal drug use. It has worked to prevent the eviction of drug dealers from public housing. In contrast, the DEA has worked on behalf of the public, not against it, to get drug dealers out of the public household and off the streets.

Recent polls have shown an increase in illicit drug use by Americans during the past several years. I am certain that the American people would prefer to see their taxpayer dollars spent fighting the threat that illegal drugs pose to their children. They do not want to see even more of their tax dollars go toward public funding of lawyers.

Mr. Chairman, I urge my colleagues to vote sensibly, vote to take the funds away from the irresponsible Legal Services Corporation and use these funds to fight drug abuse.

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. RADANOVICH. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I do not recall the gentleman participating in the debate on the previous amendment. Did the gentleman?

Mr. RADANOVICH. Mr. Chairman, reclaiming my time, I would respond to the gentleman that I did not.

Mr. MOLLOHAN. Mr. Chairman, if the gentleman would continue to yield, I think those arguments which were made during the last debate would probably be better focused at that because that is where the issue was formed about whether the body wanted to increase funding for Legal Services up, incidentally, to the $250 million mark that is contained in the authorization, which is not law but it is contained in the authorization.

Mr. Chairman, I just would like to point out that that is where that debate occurred, and I am wondering why is the gentleman now participating in the same debate?

Mr. RADANOVICH. Mr. Chairman, what we have a responsibility to do is represent the interests in our district, and the LSC is not well thought of, and when they begin penalizing farmers for providing housing and bringing up frivolous lawsuits that are politically motivated, then I do not think any increase in that order is in good order and I think the money is better spent in drug enforcement.

Mr. MOLLOHAN. Mr. Chairman, if the gentleman will continue yielding, getting back into the substance of the debate, I just wonder if the gentleman is aware that last year it was actually this subcommittee, under the leadership of the gentleman from Kentucky, Chairman ROGERS, that placed in the Commerce-Justice-State appropriations bill restrictions upon the Legal Services Corporation that the Legal Services Corporation is living under.

Again, we have already had that debate, and the body just voted to take from the offsets that we have.

Mr. RADANOVICH. Mr. Chairman, reclaiming my time, the gentleman has his time and he is welcome to respond to this.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. RADANOVICH. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, during the debate to which the gentleman from West Virginia [Mr. MOLLOHAN] refers, it was made very clear that many legal services corporations that did not want to abide by the new rules were forming shell corporations to get around that, so they could still involve themselves in social issues rather than really dealing with the problems of the poor.

That is a fact, and I wanted to clarify that point. I think the gentleman for yielding.

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

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

Mr. Chairman, in the debate, which was really on the Legal Services Corporation amendment, I actually tried to get the gentleman from Indiana [Mr. BURTON] to yield. If he is available I would be pleased to engage him in the discussion. I would be pleased to engage the gentleman from California likewise during my time on this issue.

I want to thank the gentleman from California for yielding. I know some of the folks came around and told him not to yield, but I think it is really in the best interest of debate in order for him to do so.

Why now is the gentleman offering this amendment and making these points when the debate occurred here just a while ago on this issue?

Mr. RADANOVICH. Mr. Chairman, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentleman from California.

Mr. RADANOVICH. Mr. Chairman, I would respond to the gentleman, because that amendment passed.

I guess the bottom line is that we have a disagreement on whether or not a corporation such as LSC, that has recklessly spent that money, should be further funded beyond this point.

Mr. MOLLOHAN. Mr. Chairman, reclaiming my time, there were some legitimate concerns raised about the activities that the Legal Services Corporation was engaged in in the past.

I would suggest to the gentleman the clear victory last year. The gentleman from Kentucky [Mr. ROGERS] put real restrictions in the bill. Is the gentleman familiar with the restrictions put in the bill last year?

And I yield to the gentleman to answer that question.

Mr. RADANOVICH. Mr. Chairman, I thank the gentleman for continuing to yield, and, yes, I would rather see fruit come from that bill rather than further fund them in areas where we have no proof that they backed off some of the politically motivated stuff they are doing right now.

Mr. MOLLOHAN. Does the gentleman acknowledge, or is the gentleman aware of the restrictions put in last year that address some of the concerns he mentioned when he spoke in favor of his amendment?

Mr. RADANOVICH. Mr. Chairman, I am not aware of any of the benefits experienced yet of those restrictions. Until I see benefits resulting from those changes in the law, then I do not support an increase in funding for LSC.

Mr. MOLLOHAN. Is the gentleman familiar with the restrictions put there?

Mr. RADANOVICH. That is my response, Mr. Chairman. Until we see some benefit from the changes in this thing, I think it is totally ridiculous to be funding LSC.

Mr. MOLLOHAN. Mr. Chairman, reclaiming my time, I would suggest to the gentleman that the legal services corporations are abiding by these restrictions.

Now, Mr. Chairman, the gentleman from Indiana, in his debate on the floor, when he would not yield to me on his time——

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I did not yield to the gentleman only because I did not have the time, or I would have been happy to do so.

Mr. MOLLOHAN. Mr. Chairman, reclaiming my time, I appreciate that.

The gentleman from Indiana indicated that legal services corporations would set up separate entities. My response to the gentleman from Indiana is that this is America. Anybody can set up corporations anywhere for a legal purpose, which may or may not have been done. But let us focus here. This is funding for the Legal Services Corporation, created, I believe, in 1974 for this purpose. This is funding to them.

They are not, at least based upon what I heard in the gentleman's debate, they are not engaged in activities that would violate these restrictions. We are talking about funding entities, the Legal Services Corporation, that are abiding by these restrictions.

Mr. BURTON of Indiana. Mr. Chairman, if the gentleman will continue to yield, I can give the gentleman at least two examples where they were deliberately setting up shell organizations to circumvent the intent of the rules passed by the gentleman from Kentucky.

May I give the gentleman examples?

Mr. MOLLOHAN. Mr. Chairman, the gentleman gave them in debate.

Mr. BURTON of Indiana. Well, I want to give them in a little more detail, if the gentleman wants that.

Mr. MOLLOHAN. Mr. Chairman, let me reclaim my time and let me stipulate that some entities are set up. That gets back to this point. Any group, which for a lawful purpose sets up activities outside of these corporations, can do that. We cannot stop them from doing that here.

But let me ask the gentleman, is there a commingling of funds?

Mr. BURTON of Indiana. Mr. Chairman, if the gentleman will continue to yield, they are doing it deliberately to circumvent the law and the rules passed by the gentleman from Kentucky. That is the problem.

□ 1745

Mr. MOLLOHAN. Mr. Chairman, we have had this debate.

Now let me get back to the gentleman from California. He is taking the $109 million that we took in offsets. Had he intended to offer this amendment prior to the legal services amendment?

Mr. RADANOVICH. Mr. Chairman, if the gentleman will continue to yield, it was not my intention to try to do that because this legislation passed.

The CHAIRMAN. The time of the gentleman from West Virginia [Mr. MOLLOHAN] has expired.

The question is on the amendment offered by the gentleman from California [Mr. RADANOVICH].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. RADANOVICH. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 169, noes 254, not voting 10, as follows:

[Roll No. 342]

AYES—169

Allard	Cooley	Hilleary
Archer	Cox	Hobson
Armey	Crane	Hoekstra
Bachus	Crapo	Hostettler
Baker (CA)	Cremeans	Hunter
Baker (LA)	Cubin	Hutchinson
Ballenger	Cunningham	Inglis
Barr	Deal	Istook
Barrett (NE)	Dickey	Johnson, Sam
Bartlett	Doolittle	Jones
Barton	Dornan	Kasich
Bass	Dreier	Kim
Bateman	Duncan	Kingston
Bereuter	Ehrlich	Knollenberg
Bilirakis	English	Kolbe
Bliley	Ensign	Largent
Boehner	Everett	Laughlin
Bonilla	Ewing	Lewis (KY)
Bono	Fields (TX)	Lightfoot
Brownback	Funderburk	Linder
Bryant (TN)	Gallegly	Livingston
Bunn	Ganske	Lucas
Bunning	Gilchrest	Manzullo
Burr	Gillmor	Martini
Burton	Goodling	McCrery
Buyer	Goss	McHugh
Callahan	Graham	McInnis
Calvert	Greene (UT)	McIntosh
Campbell	Gutknecht	McKeon
Chabot	Hall (TX)	Metcalf
Chambliss	Hancock	Mica
Chenoweth	Hansen	Miller (FL)
Christensen	Hastert	Molinari
Chrysler	Hastings (WA)	Montgomery
Clinger	Hayes	Moorhead
Coble	Hayworth	Myers
Coburn	Hefley	Neumann
Collins (GA)	Heineman	Ney
Combest	Herger	Norwood

Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Portman
Quillen
Radanovich
Riggs
Roberts
Rohrabacher
Royce
Salmon
Sanford
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Vucanovich
Walker
Wamp
Weldon (FL)
Weller
White
Wicker
Wolf
Zeliff

NOES—254

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bilbray
Bishop
Blumenauer
Blute
Boehlert
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Camp
Canady
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Durbin
Edwards
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilman
Gonzalez
Goodlatte
Gordon
Green (TX)
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hoke
Holden
Horn
Houghton
Hoyer
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King
Kleczka
Klink
Klug
LaFalce
LaHood
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
McCarthy
McCollum
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Morella
Murtha
Nadler
Neal
Nethercutt
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Porter
Poshard
Pryce
Quinn
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Rivers
Roemer
Rogers
Ros-Lehtinen
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Saxton
Schiff
Schroeder
Schumer
Scott
Serrano
Shays
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Walsh
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Whitfield
Williams
Wilson
Wise
Woolsey
Wynn
Yates
Young (AK)
Zimmer

NOT VOTING—10

Collins (IL)
DeLay
Fazio
Gekas
Lincoln
Matsui
McDade
Myrick
Roth
Young (FL)

□ 1803

Messrs. DINGELL, SAXTON, and LOBIONDO changed their vote from ''aye'' to ''no.''

Mr. ALLARD, Mr. BARTON of Texas, Ms. GREENE of Utah, Mr. SMITH of Texas, and Mr. SPENCE changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WATTS of Oklahoma. Mr. Chairman, on rollcall No. 342, I inadvertently pushed the ''nay'' button. I meant to vote ''yes'' and I would like the RECORD to reflect this statement.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

VIOLENT CRIME REDUCTION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by sections 180104 and 190001(b) of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, and section 814 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132), and for the purchase of passenger motor vehicles for police-type use, as otherwise authorized in this title, $243,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund: *Provided,* That $71,000,000 shall be derived by transfer from Community Oriented Policing Services, Violent Crime Reduction Programs, for the purpose of providing State and local police officers with equipment, conveyances, overtime and other expenses associated with their participation on drug task forces.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, including not to exceed $50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; purchase for police-type use (not to exceed 2,691, of which 1,711 are for replacement only), without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; and research related to immigration enforcement; $1,667,614,000, of which not to exceed $400,000 for research shall remain available until expended; and of which not to exceed $10,000,000 shall be available for costs associated with the training program for basic officer training, and $5,000,000 is for payments or advances arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to immigration; *Provided,* That none of the funds available to the Immigration and Naturalization Service shall be available to pay any employee overtime pay in an amount in excess of $30,000 during the calendar year beginning January 1, 1997: *Provided further,* That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year; *Provided further,* That not to exceed $5,000 shall be available for official reception and representation expenses: *Provided further,* That none of the funds provided in this or any other Act shall be used for the continued operation of the San Clemente and Temecula checkpoints unless the checkpoints are open and traffic is being checked on a continuous 24-hour basis: *Provided further,* That the Land Border Fee Pilot Project scheduled to end September 30, 1996, is extended to September 30, 1999 for projects on both the northern and southern borders of the United States, except that no pilot program may implement a universal land border crossing toll.

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by sections 130002, 130005, 130006, 130007, and 190001(b) of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, and section 813 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132), $500,168,000, to remain available until expended, which will be derived from the Violent Crime Reduction Trust Fund, of which $95,784,000 shall be for expeditious deportation of denied asylum applicants, $287,857,000 shall be for improving border controls, and $116,527,000 shall be for detention and deportation proceedings: *Provided,* That amounts not required for asylum processing provided under the expeditious deportation of denied asylum applicants shall also be available for other deportation program activities.

CONSTRUCTION

For planning, construction, renovation, equipping and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, $9,841,000, to remain available until expended.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 836, of which 572 are for replacement only), and hire of law enforcement and passenger motor vehicles; and for the provision of technical assistance and advice on corrections related issues to foreign governments; $2,817,816,000: *Provided,* That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: *Provided further,* That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the FPS, furnish health services to individuals committed to the custody of the FPS: *Provided further,* That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further,* That not to exceed $6,000 shall be available for official reception and representation expenses: *Provided further,* That not to exceed $50,000,000 for the activation of new facilities shall remain available until September 30, 1998: *Provided further,* That of the amounts provided for Contract Confinement, not to exceed $20,000,000 shall remain available until expended to

make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980, as amended, for the care and security in the United States of Cuban and Haitian entrants: *Provided further,* That notwithstanding section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d)), FPS may enter into contracts and other agreements with private entities for periods of not to exceed 3 years and 7 additional option years for the confinement of Federal prisoners: *Provided further,* That the National Institute of Corrections hereafter shall be included in the FPS Salaries and Expenses budget, in the Contract Confinement program and shall continue to perform its current functions under 18 U.S.C. 4351, et seq., with the exception of its grant program and shall collect reimbursement for services whenever possible: *Provided further,* That any unexpended balances available to the ''National Institute of Corrections'' account shall be credited to and merged with this appropriation, to remain available until expended.

AMENDMENT OFFERED BY MRS. SCHROEDER

Mrs. SCHROEDER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. SCHROEDER: Page 21, line 9, after the dollar amount, insert the following: ''(reduced by $14,000,000)''.

Page 95, line 25, after the dollar amount, insert the following: ''(increased by $13,000,000)''.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentlewoman from Colorado [Mrs. SCHROEDER] will be recognized for 10 minutes in support of her amendment, and a Member in opposition will be recognized for 10 minutes.

The Chair recognizes the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, this amendment, I think, is absolutely essential if we are serious about justice. I truly believe that this body has been guilty of giving people rights but not giving them a remedy, and if we do not give them a remedy, we really have not given them a right.

Now, what am I talking about?

This amendment very simply adds enough money to the Equal Employment Opportunity Commission that they at least will not have to furlough anybody. It does not bring it anywhere near what the President requested, it just brings it up from the slashing that was done by the committee by adding $13 million so we will not have to furlough anybody.

Now, why is that important?

Mr. Chairman, in 1990 the Equal Employment Commission had an average of 51 cases per person. In 1995 that was up to 122.7 cases per person. So we have loaded and loaded and loaded cases on.

Second, we have added all sorts of things to their work load. Since 1990 we have passed the Americans With Disabilities Act that the EEOC is to enforce, the Civil Rights Act of 1991, and many other things that we have deferred to them. At the end of 1995 this agency had a backlog of 96,000 cases. These are people waiting to be treated equally. This goes to the core of what we are talking about.

If we do not pass my amendment, what we will be doing is forcing that agency to cut the personnel that is needed to tend these cases. If we do not pass this amendment, my colleagues are going to be going along with the management of Mitsubishi. Remember Mitsubishi who said, ''In your face,'' put the people in the bus, they paid them to go, they paid them to go to the EEOC, and they paid them to be out there and just defy people to really enforce the law. That is shocking in Amercia.

But if this Congress allows this cut, we are going to be saying that is OK, that we are going to yield to that kind of corporate pressure.

So I end as I begin. We will have given people rights, but they do not mean anything because there would not be anybody there to get them a remedy.

So I really hope Members think about this and add this $13 million to this so we at least hold it equally.

The Equal Employment Opportunity Commission is basically all salaries, it is all personnel, and we need these people to be able to work off this backlog. I bet there is not a Member in this room who has not had people complain about the slow attendance to attention to sexual harassment cases, to equal opportunity cases, to disability cases because of this huge, huge backlog.

So, Mr. Chairman, I know it is late and people want to be done with this, but if we do not at least hold it equal, and again I remind my colleagues this does not even bring it up to what the administration asked for, I think it will be shameful.

The CHAIRMAN. The time of the gentlewoman from Colorado [Mrs. SCHROEDER] has expired.

Who seeks time in opposition?

Mr. ROGERS. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] is recognized for 10 minutes in opposition to the amendment.

Mr. ROGERS. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, I rise in opposition to the gentlewoman's amendment.

Mr. Chairman, the amendment would take $14 million out of vitally needed resources to open new prisons. The bill already reduces the amount requested for prisons by $70 million because we take into account slippages of activation of new prisons and carryover that the Bureau of Prisons has estimated.

In addition, the Mollohan amendment that just passed reduced the Bureau of Prisons by another $45 million. There is simply no more there.

The Bureau of Prisons will open five new prisons this coming year. We built five new prisons. They are waiting to be opened. Unless we approve the salaries and expenses portion out of which my colleague is taking this money, we cannot open those prisons. They will sit there empty.

Is that what the gentlewoman wants? I submit that she should not.

These five new prisons, for example, a high security; that is, maximum security facility in Beaumont, TX; a medical center in Butner, NC; medium and minimum security prisons in Edgefield, SC; detention facility in Seattle, WA; and a minimum and low security prison in Elkton, OH. Those new prisons will provide over 6,000 new prison beds that are vital to relieve the terrible overcrowding that exists in the present prisons, not to mention the heavy influx of new prisoners that are expected in 1997.

□ 1815

The activations of some or all of these prisons would be jeopardized by the gentlewoman's amendment.

Furthermore, the funding level of the EEOC is maintained at 1996 levels, like all other regulatory agencies in this bill. It is not treated differently. There are all sorts of regulatory agencies in this bill that decide people's rights and obligations. We could start with the SEC, the FCC, all of the Justice regulatory agencies. And portions of the Federal courts that are also in this bill.

Yes, we do not have enough money to finance a good portion or all of these agencies, including the EEOC. But I say to the Members, we treated them fairly. We kept them at level funding in 1996, like all other regulatory agencies in the bill. Other agencies have been reduced below 1996 in order to provide increases for fighting crime and illegal aliens on our borders, and drugs. But we held EEOC harmless from those reductions.

For that reason, Mr. Chairman, I urge a ''no'' vote on this amendment.

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. First of all, Mr. Chairman, let me thank the chairman for his comments, but let me also point out two things. My understanding is this can come easily out of that category because some of the prisons are not finished yet, so they do not need all the personnel that they thought they would when the budget was set up.

Mr. ROGERS. Reclaiming my time, that is just not correct. We already have reduced the amount they requested by $70 million, as I said, for that very reason. Some of the prisons were slipping on the opening time. We are accounting for that. We reduced

their budget by $70 million below what they wanted. We cannot take any more. The Mollohan amendment already takes $45 million. The gentlewoman would take another $14 million. We simply cannot accept that. We do not have the money.

Mrs. SCHROEDER. Mr. Chairman, if the gentleman will continue to yield, I would disagree with the gentleman, but let me go one step further. The reason I feel the EEOC is very different from other regulatory agencies is we have piled a bigger and bigger workload on them. If we are going to pile a bigger workload on a regulatory agency but treat it the same as SEC when it has a 96,000 case backlog, that is wrong. This goes right to the core of citizenship.

Mr. ROGERS. Reclaiming my time, Mr. Chairman, they have made tremendous progress in their backlog reduction. I commend them for that. They are working hard. I think if we keep things as they are, that backlog is going to continue to decrease.

One, we kept EEOC at level funding, and held them harmless from cuts; two, the money would come from the Bureau of Prisons, and we would not be able to open the five new prisons that we have built, perhaps, next year.

Mr. Chairman, I urge a ''no'' vote, and I reserve the balance of my time.

Mrs. SCHROEDER. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Chairman, I thank the gentlewoman from Colorado for yielding to me.

Mr. Chairman, this amendment is about putting the money where our mouths have been. If we ask any Member of Congress whether or not they are opposed to sexism, racism, ageism, and discrimination against the disabled, they will all say yes. But rhetoric is one thing. If in fact Members are against all of these things, they must ensure that we have the kind of agency that can investigate the complaint, that can take this cases.

We have heard the gentlewoman from Colorado say as of 1995 there are 96,000 cases backlogged. The only way we are going to reduce that caseload is by providing the necessary resources to do the work.

The offset makes good sense. The prisons are opening later than anticipated, so they will not need as much money to staff the new prisons as quickly as was believed in the past. So if the money is not needed, why put money over there when it will not be utilized, it will not be used? Put the money into EEOC. Make sure that we address the problems of racism, sexism, ageism, and take care of the disabled.

Mrs. SCHROEDER. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina [Mrs. CLAYTON].

(Mrs. CLAYTON asked and was given permission to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Chairman, this amendment makes abundantly good sense for very good and practical reasons. If indeed we believe in our laws, we must have a structure for the enforcement. The EEOC is the structure that we have committed ourselves to for the enforcement of all the rights now that we have put on the books.

To put laws to protect workers in the workplace, to put laws to protect against discrimination, to put laws against age discrimination and not have any mechanism for enforcement is to say to the American people, ''We really were not serious when we put those laws on,'' or to take the structure away from them. So this amendment allows for us to keep our commitment, making sure it is, indeed, enforced.

Beyond that, it is also a fiscally responsible way of enforcing our laws. What rights do we have? We have the rights to go into courts. We can ameliorate these, or we can fine-tune these for dispute resolutions. It is the EEOC that does that.

So not only for good constitutional reasons, but also for very practical reasons, I ask Members to support this amendment.

Mrs. SCHROEDER. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas, Ms. SHEILA JACKSON-LEE.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, the good news is, and I thank the gentlewoman from Colorado for yielding time to me, the good news is there is a crack in the logjam. The bad news is that without this amendment offered by the gentlewoman from Colorado, we will have a reversing of the progress that has been made by the EEOC by furloughing employees when they are most needed.

They are most needed for cases involving discrimination against those who are physically challenged. They are most needed for age discrimination cases. They are most needed for race discrimination cases. They are most needed for sexual harassment cases, and in particular, let us not try to hide behind confusion.

We know that one of the major cases in this Nation has just gotten before the EEOC. In fact, they have been forceful and effective. That is the Mitsubishi case. We should not be afraid of this case, there are such cases in this Nation, businesses that have not remedied voluntarily charges of sexual harassment against women in the workplace.

Why are we not undermining the EEOC when we most need them? It is clearly important that people in America find that their Government is concerned about equal opportunity, and that the Government has the real resources to fight discrimination.

Mr. Chairman, I would simply say this is a good amendment. It does not make us soft on crime, it makes the workplaces of America free of discrimination the way it should be!

Mrs. SCHROEDER. Mr. Chairman, I yield the balance of my time to the distinguished gentlewoman from the District of Columbia, Ms. ELEANOR HOLMES NORTON, who at one time headed the EEOC.

The CHAIRMAN. The gentlewoman from the District of Columbia [Ms. NORTON] is recognized for 4 minutes.

Ms. NORTON. Mr. Chairman, I thank the gentlewoman for yielding time to me, and for cosponsoring this amendment with me.

What we are trying to do here is very straightforward. The President sees an emergency at the EEOC. The backlog is out of control. He asked for $35 million. We have asked for only $13 million.

The chairman of the subcommittee says that EEOC was left at level funding. The problem is they were left at level funding in 1996, they were left at level funding in 1995, and they are being left at level funding now. The law does not give them the right to leave complaints level, however.

Mr. Chairman, we learned of the emergency conditions at the EEOC as a result of the investigation by some women Members on both sides of the aisle of the Mitsubishi case, which broke into the open when the company, for the first time that I know, in history, led a retaliation against its own employees by paying for people to protest the mere filing of complaints.

Mr. Chairman, what we learned was that the number of employees had actually decreased since I left the commission, or to quote Chairman Casellas, ''The EEOC has not received any significant increase in funding since the late 1970's when it was chaired by Delegate Norton.''

When I left the EEOC there were 3,390 employees. Now there are 2,813 employees. They will have a furlough, the Chairman says, that is what is left of them. Now they will be cutting staff, closing offices, and turning down cases. We are talking about everybody's district, because these complaints come from everybody's district. We are talking about setting back the Chairman's—Gilbert Casellas, EEOC Chair—very commendable effort to put alternative dispute resolution into place.

When I was at the EEOC we used that, and that is how I got rid of the backlog. This new Chair has come forward and is making great strides, and we are tying his hands behind him. When I was at the EEOC I had many more employees, and yet I did not have the large number of sexual harassment complaints, thousands and thousands of such complaints; I did not have the Americans With Disabilities Act. That act has almost nothing in common with other EEOC complaints, and EEOC must develop a brand new methodology. I did not have the Civil Rights Act of 1991, which essentially was a rewrite of the statute.

Mr. Chairman, we may disagree on civil rights matters. Some of us are for affirmative action, some of us oppose it. Some of us are for goals and timetables, others oppose it. But everyone

in this body believes in the right to file a complaint when there has been sexual discrimination, race discrimination, discrimination based on religion.

To vote against this increase is to vote for sexual harassment, to vote for Mitsubishi. The fastest growing complaints at EEOC are, first, sex discrimination complaints, and then retaliation complaints. The EEOC is 100,000 cases down. In a bipartisan way they now have an approach. The chairman of the subcommittee himself admits they are moving forward. The amount in this appropriation will move them backward. They are helping themselves. We must not leave them alone.

What we have done for the last several years is to defund EEOC at a time when women, very frankly, are pressing the agency beyond its capability. Do not kill the EEOC. This is the time for Members who may be voting against us on civil rights measure after civil rights measure to stand up and say, When it comes to whether or not people in my district can go down and file a complaint of age discrimination at a time of downsizing of the Government, I'll be darned, I'm going to give these folks enough money to process those complaints.

This $13 million will not hurt the Bureau of Prisons one jot or tittle. We can count on them to be behind in construction. Please help the EEOC. Vote for this small increase.

Mr. ROGERS. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] is recognized for 5 minutes.

Mr. ROGERS. Mr. Chairman, we would think that, from the debate from the other side, that we were shutting down the Equal Employment Opportunity Commission. As I have said before, we give the EEOC the same amount of money in this bill as they have this year. They are making great progress on working off their backlog. I see no reason why that will not continue with the funding that is provided in this bill.

So they have adequate funding, while we cut practically every other agency in this bill. Ask the State Department, ask the Commerce Department, ask every agency, practically, within both of those organizations, that have been cut. They did not get requested funding, they were slashed in order for us to find money to keep agencies like the EEOC operating at uncut levels. So the EEOC has adequate funding. We made sure of that in this bill.

No, they did not get an increase, but hardly anyone else did. But we think the money is adequate to satisfy the demand placed upon the EEOC so people will get reasonably adequate coverage.

Mr. Chairman, where does the money come from if the amendment passes? Again, let me emphasize, they would take money from the Bureau of Prisons salaries and expenses account. That would keep us from possibly opening the five brand new prisons that are ready to open in 1997. They would sit there empty, gleaming behemoths, empty of the prisoners that are crowded in other prisons in this country.

□ 1830

We would be in violation perhaps of the Constitution and the Supreme Court's edicts on overcrowding if we did not occupy these prisons that we have spent hundreds of millions of dollars to build. Please do not take that money. There is hardly anything more important than relieving the overcrowded Federal prisons we have and not being able to house the new prisoners that will be entering prison this year. These are convicted murderers and drug dealers and all sorts of heinous crimes that we need space for in these prisons. I urge the Committee and all the Members to reject this amendment.

Mrs. MORELLA. Mr. Chairman, I rise to urge my colleagues to support the Schroeder amendment to increase the budget for the Equal Employment Opportunity Commission [EEOC] by $13 million.

Under this appropriations bill, the EEOC would get approximately the same amount of money that it received in the fiscal year 1996 appropriations bill. While that may seem adequate, it is not enough to allow the EEOC to continue its operations without making serious cutbacks that will hamper the effectiveness of the agency.

Each year, the Commission receives an unprecedented number of complaints from the private sector. When the present Commissioner, Gilbert Casellas, took over in 1994, there was a backlog of more than 100,000 cases. There still is a backlog, because EEOC is understaffed and underfunded. Keeping the agency's funding at the same level as last year will force an agencywide furlough and may necessitate the closing of some field offices, increasing the already overwhelming backlog of cases.

From October 1994 through the first half of this year, the EEOC resolved 518 lawsuits and achieved a number of highly visible successes. The agency was responsible for the largest sexual harassment settlement—$18.25 million—against Del Laboratories of Long Island, NY. In 1995, the EEOC prevailed in its first trial involving a male being subjected to harassment by a female. The court ordered Domino's to pay damages of $237,000 to a male worker who had been harassed by his immediate supervisor.

Recently, the EEOC has authorized participation in a class action sexual harassment lawsuit against Mitsubishi Motors Manufacturing of America which has the potential to be the largest sexual harassment litigation case in U.S. history. However, if EEOC is inadequately funded, the agency will be unable to pursue the case against Mitsubishi, and thousands of other cases will fall by the wayside, unresolved.

I urge my colleagues to support the Schroeder amendment which will allow the EEOC to continue to address the problems of discrimination and sexual harassment that still exist in the American marketplace.

The CHAIRMAN pro tempore (Mr. LAHOOD). The question is on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER].

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

Mr. ROGERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 479, further proceedings on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER] will be postponed.

Are there further amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

VIOLENT CRIME REDUCTION PROGRAMS

For substance abuse treatment in Federal prisons as authorized by section 32001(e) of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, $25,224,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities, leasing the Oklahoma City Airport Trust Facility; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account; $395,700,000, to remain available until expended, of which not to exceed $14,074,000 shall be available to construct areas for inmate work programs: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation: *Provided further*, That not to exceed 10 percent of the funds appropriated to ''Buildings and Facilities'' in this Act or any other Act may be transferred to ''Salaries and Expenses'', Federal Prison System, upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in compliance with provisions set forth in section 605 of this Act: *Provided further*, That of the total amount appropriated, not to exceed $36,570,000 shall be available for the renovation and construction of United States Marshals Service prisoner-holding facilities.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase of (not to exceed five for replacement only), and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $3,042,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be

capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Missing Children's Assistance Act, as amended, including salaries and expenses in connection therewith, and with the Victims of Crime Act of 1984, as amended, $100,000,000, to remain available until expended, as authorized by section 1001 of title I of the Omnibus Crime Control and Safe Streets Act, as amended by Public Law 102–534 (106 Stat. 3524).

AMENDMENT OFFERED BY MR. SCHUMER

Mr. SCHUMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHUMER:

Page 25, line 17, after the dollar amount, insert the following: ''(increased by $20,000,000)''.

Page 84, line 21, after the dollar amount, insert the following: ''(reduced by $20,000,000)''.

Mr. SCHUMER. Mr. Chairman, before I proceed, we may have a substitute within a few minutes coming from the gentleman from Kentucky, which has been agreed to; but awaiting that substitute, I will explain what this amendment does and then it will be obvious what the substitute does.

This amendment is a very straightforward one, Mr. Chairman. When we passed the terrorism bill into law 3 months ago, we authorized $20 million in funds for research and development of new technology that would help us in our fight against terrorism. The amendment which I am offering with my friend, the gentleman from New Mexico [Mr. SCHIFF], simply implements that plan in this appropriations measure.

When I first planned this amendment, Mr. Chairman, I had no idea we would be debating in the shadow of a tragedy like the crash of TWA Flight 800. We still do not know for sure what caused that disaster but the speculation about possible terrorism only strengthens the principal reason to support this amendment. Simply put, America faces an increasing threat from terrorism within our borders and we are not as well prepared as we should be.

The World Trade Center bombing showed us how easy it is to launch a terrorist attack in our country and the tragedy in Oklahoma City reminded us that a terrorist can strike in any city on any day. The recent attack in Saudi Arabia proved that even when you are anticipating an attack, terrorists can still strike.

Whatever the cause of last week's crash off Long Island, the speculation underscores once more how vulnerable we are. Whether this was a bombing or an accident, we cannot shut our eyes and hope this threat will go away. There will be a next time, and we must be ready.

In everything that we do to fight terrorism, technology is a crucial tool. The current investigation of Flight 800's crash involves sonar, chemical testing of residue, and computer simulations programmed to match the patterns of debris on the ocean floor.

We can be using that same sophisticated technology to stop terrorism before it happens. We simply must decide to make funding for research and development a priority and then stick to that promise.

Here are just a few examples of technology we could help develop with this money:

New bomb detection systems that could be deployed in airports, government buildings and other high threat facilities.

Specially strengthened cargo holds on airplanes that could partially or even completely contain the percussive impact of an explosion. Imagine, having an airplane be safe from any explosion that might go off in its cargo bay.

More sensitive sensors and registers to measure and specifically identify chemical or biological agents that could be used by terrorists.

It is not that far away. We can, if we put a little money and a little effort in, actually come up with detection systems that would stop the worst tools that terrorists use against us, and technology to enter buildings silently so that SWAT teams can quickly and silently deal with hostage situations.

Any one of these advances would give us fantastic new tools to fight terrorism. Experts believe all of them might be feasible if we are willing to devote some resources to them.

Mr. Chairman, I suspect someone might say that $20 million is too much money to spend on this research, but let us get a little perspective on this. Every year the Pentagon spends about $35 billion, that is billion with a B, to fund R&D technology to fight enemies in other countries. Under this amendment we still will not even spend $25 million on technology to protect us from terrorists.

Someone else might say that the bill before us already provides $50 million for research and that is true, but none of that money is specifically dedicated to antiterrorism. About 40 percent is earmarked for some other purpose. And much of it will go to policy studies that, while valuable, have nothing to do with technology or terrorism.

In short, Mr. Chairman, we need a concerted national effort to develop antiterrorism technology, not a token effort. We need a Manhattan project, not Mr. Wizard's junior high school fair.

The new terrorism law was only the first step in our efforts to make Americans safer. We should make sure that we do something with that proposal. The terrorism bill set aside $20 million and this bill should set aside $20 million. That would be my ideal.

For that reason I would urge my colleagues to support the Schumer-Schiff amendment and keep our promises on the terrorism bill.

AMENDMENT OFFERED BY MR. ROGERS AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. SCHUMER

Mr. ROGERS. Mr. Chairman, I rise in opposition to the gentleman's amendment, I offer an amendment as a substitute for the amendment, and I ask unanimous consent that the amendment offered as a substitute for the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The text of the amendment offered as a substitute for the amendment is as follows:

Amendment offered by Mr. ROGERS as a substitute for the amendment offered by Mr. SCHUMER:

On page 25, line 20, at the end of the paragraph and before the period, insert the following: '': Provided, That of the amount made available from the local law enforcement block grant for technology programs, $10,000,000 shall be available for programs under section 820 and section 821 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132).''

Mr. ROGERS. Mr. Chairman, what the substitute does and it has been discussed with the gentleman from New York [Mr. SCHUMER] and the gentleman from New Mexico [Mr. SCHIFF], is provide $10 million rather than $20 million for counterterrorism technology and take it out of the $20 million that is already available for technology programs under the local law enforcement block grant that is already in the bill. This is a sensible way to do it.

Obviously there is a recognized need for this money. Both the fiscal year 1996 bill and this bill already include, as I said, a $20 million increase for National Institute of Justice programs from the local law enforcement block grant program. That is a 67-percent increase, by the way, for NIJ technology programs.

As the gentleman is aware, this $20 million was an unexpected windfall for the NIJ as a result of the manner in which the law enforcement block grant formula was drafted. This money is available for a variety of technology initiatives, including terrorism-related technology. We ensure in this substitute by providing language, that $10 million of these funds will be used for terrorism. We will ensure that the money is available.

Mr. Chairman, this substitute would provide that $10 million out of the $20 million that is available for technology programs from the local law enforcement block grant program will be available for counterterrorism. We agree to it and think it is a good idea.

Mr. SCHUMER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from New York.

Mr. SCHUMER. Mr. Chairman, as I understand the gentleman's amendment, there is $50 million for this OJP block grant account, some of it is earmarked, but out of $20 million that is not earmarked, statutorily we require that $10 million go to this antiterrorism effort; is that correct?

Mr. ROGERS. The gentleman is correct.

Mr. SCHUMER. If the gentleman will continue to yield, that would mean that nothing could get in the way of this $10 million, I presume?

Mr. ROGERS. I think it is pretty plain.

Mr. SCHUMER. I thank the gentleman.

One other thing I would ask the gentleman, just given his knowledge, given the fact that the Senate will allocate a larger amount of money, it is pretty certain that in the conference we would get at least this $10 million if the Senate on this specific account allocates a larger amount of money for this; is that a good guess? I am not asking the gentleman for a commitment.

Mr. ROGERS. Let me get this straight. Is the gentleman asking me to guess what the Senate is going to do on this?

Mr. SCHUMER. No. I am asking what the gentleman is going to do in conference if the Senate puts a higher amount in there.

Mr. ROGERS. We will do the right thing.

Mr. SCHUMER. I trust the gentleman will do the right thing, and I appreciate that.

Mr. Chairman, I would just like to say that this is an amendment that the gentleman from New Mexico and I worked on and the fact that we can come to an amiable agreement. I want to thank the gentleman from Kentucky and the gentleman from West Virginia for helping facilitate that.

Mr. SCHIFF. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from New Mexico.

Mr. SCHIFF. I thank the gentleman for yielding. I want to say I have worked with the gentleman from new York and with the chairman too. He has been very gracious in this matter and I appreciate it.

I wonder if the chairman would just say again, the $10 million the chairman is proposing for antiterrorism research and development, that is going to come out of the $30 million that is not earmarked in the NIJ budget?

Mr. ROGERS. The gentleman is correct.

Mr. SCHIFF. But that means that some other programs that NIJ had funded might not be funded, then? Because $30 million was their last year's budget.

Mr. ROGERS. They have a huge increase. This will not be a problem. There is $20 million in the bill for technology programs and $10 million related to anti-terrorism. This amendment would simply ensure that $10 million of that must go for this purpose.

Ms. HARMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to join this very polite and bipartisan debate in favor of more technology spent on law enforcement, in this case specifically to fight terrorism. I would commend the bill's sponsor for the plus-up in NIJ technology programs. I think that moves us in the right direction. I would point out to my colleagues that the NIJ now commits substantial funding to something that is very important: making defense technology available for law enforcement purposes.

It has probably occurred to the sponsors of this bipartisan compromise amendment that there is much to learn from the defense sector that might impact positively on our fight against urban terrorism. That is why numbers of us on the Committee on National Security joined together to introduce legislation that is partially addressed by an amendment earlier today offered by the gentleman from New York [Mr. SCHUMER] and partially addressed by this amendment.

Let me say that the gentleman from New York just talked about the disparity between funds spent on defense R&D, approximately $35 billion, with a B, versus funds spent on efforts for R&D in the law enforcement sector, which he pointed out are in the millions of dollars. I hope that we will share more of that $35 billion in defense R&D money, which I fully support, with the law enforcement effort and would point out that many of the things that the gentleman from New York [Mr. SCHUMER] listed as possible derivatives of the expenditure of law enforcement R&D moneys, may be effectively provided for by technologies developed in the defense sector.

Mr. SCHUMER. Mr. Chairman, will the gentlewoman yield?

Ms. HARMAN. I yield to the gentleman from New York.

Mr. SCHUMER. Mr. Chairman, I think the gentlewoman is exactly right. Some of this money would well be used to take all the research, the formidable research that is done under the Defense Department and translate it into civilian uses which could make us all safer.

Ms. HARMAN. Hear, hear. Reclaiming my time, I would say that I applaud what he said and point out to my colleagues that we have established over the past few years law technology centers around the country. There are five of them. One of them is in New York. Another of them is in southern California located in El Segundo, CA, in my district. What these centers do is to canvas what defense technologies are available and then figure out whether there are law enforcement applications that would be useful and help generate a market for the development of those technologies for law enforcement.

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I have been calling this a win-win-win. It is a win for the defense sector, which has new markets to sell into. It is a win for law enforcement, which has much better tools. And it is a win for the public, which is much safer.

So I think this compromise, bipartisan amendment puts us $10 million closer to better solutions. Maybe it is also a small gesture to the families of those who tragically lost their lives on the TWA plane to Paris, those lives may not have been lost in vain. This Congress appreciates the magnitude of the loss, and we are working as hard as we can to prevent another one.

Mr. SCHIFF. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise for two reasons. First of all, I did not get a chance earlier and I wanted to say now that I express my commendation to the gentleman from Kentucky, Chairman ROGERS, to the gentleman from West Virginia, Mr. MOLLOHAN, to all the members of the appropriations subcommittee for the fine job they did with respect to this appropriations bill. Although I do not think it has been discussed at length, there is significant funding for agencies like the FBI, the DEA and for the U.S. attorneys who prosecute criminal offenses.

As a former career prosecutor, I have to say I had an enduring frustration with legislative bodies that would pass new law after new law against crime and tougher penalties and all that but would not provide the resources to enforce those laws. So it would sound like great rhetoric and you could go back to your constituents and say: Look what I have done to fight crime. And it had little meaning if there was not enough money put behind the system to bring an effect to those few criminal statutes and higher penalties.

The subcommittee of the gentleman from Kentucky, Chairman ROGERS, I think, has very strenuously labored to recognize that problem to meet the goals of adequate funding for law enforcement. With that having been said generally, I want to say on the specifics, I think that we are now of one mind to try to direct $10 million toward specifically antiterrorism research. Of all the law enforcement duties of the Federal Government, it seems to me that antiterrorism is among the highest because clearly that is an area that needs Federal intervention and cannot simply be done city by city and State by State.

I want to say to Chairman ROGERS that I personally will support the amendment that he has offered.

Mr. SCHUMER. Mr. Chairman, will the gentleman yield?

Mr. SCHIFF. I yield to the gentleman from New York.

Mr. SCHUMER. Mr. Chairman, I want to commend the gentleman for his leadership on the issue. He worked hard on this in the antiterrorism proposal, the authorization, and the compromise that we have reached here is

not as much money as we would want but it is real money and it is there. It will give us a good start. I want to thank the gentleman for his leadership on it.

Mrs. MALONEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, tragedy hit close to home last week for my family when one of our neighbors on our block fell victim to the crash of TWA flight 800. Let us be clear, we do not know whether or not terrorism was the cause, but, either way, the crash is one more wake-up call that terrorism can happen in America. We must all take care not to politicize this tragedy, but we must also not forget that we made a promise to the American people when we enacted the antiterrorism bill to develop more advanced bomb detection systems, stronger cargo holds on airplanes, more sensitive sensors to identify biological and chemical agents, and new technology that will allow our swat teams to enter buildings silently and deal with hostage situations more quickly.

The Schumer-Schiff amendment makes sure we have some of the funding that is necessary to fulfill this promise. If we can afford the space station or star wars, I know we can afford $10 million more to protect ourselves against a real danger within our shores, terrorism.

This amendment alone is not the answer to terrorism. We need to do much more. My colleagues from New York and New Mexico have been fighting for more money and for this cause all year, but this amendment is one large step in the right direction. Let us not wait for the next wake-up call, the next tragedy without enacting it. I strongly support the Schumer-Schiff amendment and I commend both of the gentleman for their hard work on this amendment.

Mr. KASICH. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, I just wanted to take a moment to compliment the Members that are on the floor here today because I think it is becoming painfully obvious in 1996, something that has been obvious to a number of us for many, many years, that unfortunately we are engaged in a war against people around this globe who are simply interested in targeting Americans, who are simply interested in spreading terror to make political statements, trying to break down society frankly as we understand it, know it, and love it in the United States of America.

I think, frankly, the frightening message to Americans is that we in fact, innocent men, women, and children in this country, are targets of some of these terrorists. I think that what is critically important for those who have looked at these issues, and I do not know that we have many Members that we would describe as experts, but when we talk to the experts, obviously the key to stopping terrorism is to get it right at its root, where it exists.

I think that being aware of the fact that we are in this war and in this battle can remove some of the fear and replace the fear with a steely resolve that America will not tolerate this kind of brutal violence against its citizens and that the citizens of the civilized world, the leaders of the civilized world are going to have to band together, take very tough action to let the terrorist outlaws around the world know that they are not safe. They are not safe anywhere because civilized people on this globe cannot tolerate this kind of wanton violence.

This is just one small step. I think we have taken a number of steps over the last several years to fund the kind of programs we need to fund in order to have the kind of surveillance and intelligence that we need.

I want to compliment the gentleman from New York [Mr. SCHUMER], my friend. I want to compliment the gentleman from New Mexico [Mr. SCHIFF] and also the gentleman from Kentucky [Mr. ROGERS] for their interest in this. Frankly, I think this Congress needs to do its own assessment of all the various agencies involved in counterterrorism. Are we in fact doing as well as we can be doing?

I have questions in my mind and I am sure many Members have questions in their minds about this, but I do not think there is anything that is a higher priority for our country than to win the war or to wage the war, maybe we can never win the war, but to wage the war against terrorism for all the innocent people that frankly need to be stood up for.

Mrs. SCHROEDER. Mr. Chairman, I rise in support of the Schiff-Schumer amendment.

Good technology is an important key to a successful counterterrorism policy.

Look at how the Wall Street Journal characterized our antiterrorism effort in their headlines yesterday:

> Despite Tough Words, Antiterrorism Effort in U.S. is Still Flawed—Political, Legal Constraints, Old Technology Hinder FBI as Threat Grows.

This amendment today is about correcting one of those flaws—old technology.

The money in the Schiff amendment is crucial to the United States effort to research and develop explosive detection and weapons detection devices that can be applied to prevent terrorism from occuring.

We have to be smarter than the terrorists. We have the technological capability to outsmart them. There are several technologies in the pipeline on explosive detection and weapons detection that are more than promising—they are probable.

But we need to get money to NIJ to speed up the process of getting them to a point where law enforcement officers can use them.

The Schiff-Schroeder amendment puts money that the Congress has already authorized for counter-terrorism research into the hands of our law enforcement technology experts. This amendment would tell them to accelerate the good work they are doing on explosive detection and weapons detection. This is a race for a vaccine—a vaccine against terrorism.

This Congress has done a remarkable job of beefing up law enforcement technology. It has been one area where partisanship has not infiltrated. I'm proud to have worked with Mr. SCHIFF, Mr. MCCOLLUM, and Mr. BOEHLERT, and Mr. SCHUMER to craft this bipartisan initiative to update law enforcement with the best technology available. This amendment is part of that effort. It's good for America's safety. Please support it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is bipartisanship at its best. We have had a very somber week, and it would be certainly inappropriate for any of us to come to this House and this time to seek opportunity. This legislation and amendment proposed by the gentleman from New York [Mr. SCHUMER] and the gentleman from New Mexico [Mr. SCHIFF] answers and begins to answer an effort to make our country safe and our citizens safer.

I rise in support of this amendment in order to ensure that we begin what has to be a long progress or a long journey, and that journey includes securing large and open areas where citizens find themselves open and unprotected. The monies that will be allowed will help us have new bomb detection systems that can be used in high-threat facilities. That includes airports and Federal buildings, especially strengthening cargo holds on airplanes.

It makes more sensitive sensors to measure and identify chemical or biological agents that could be used by terrorists. It also provides in the technology to interbuild them silently so that SWAT teams can deal with hostage situations quietly and silently. It is appropriate as we look at appropriating for the Department of Justice that we also ensure that it has the highest level of technology, as we have begun to recognize that the important role of this government is to provide for the safety of its citizens, wherever they might be.

Mr. Chairman, I thank the gentleman from Kentucky [Mr. ROGERS] for his efforts on behalf of this amendment. I would hope that we would find this amendment again being the first step to what has to be a very, very long journey, more technology and more dollars to wage the fight against terrorism, both in this Nation but as well around the world.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. ROGERS] as a substitute for the amendment offered

by the gentleman from New York [Mr. SCHUMER].

The amendment offered as a substitute for the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SCHUMER] as amended.

The amendment, as amended, was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, for State and Local Narcotics Control and Justice Assistance Improvements, notwithstanding the provisions of section 511 of said Act, $315,000,000, to remain available until expended, as authorized by section 1001 of title I of said Act, as amended by Public Law 102–534 (106 Stat. 3524), of which $60,000,000 shall be available to carry out the provisions of chapter A of subpart 2 of part E of title I of said Act, for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs.

VIOLENT CRIME REDUCTION PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance (including amounts for administrative costs for management and administration, which amounts shall be transferred to and merged with the ''Justice Assistance'' account) authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968, as amended (''the 1968 Act''); and the Victims of Child Abuse Act of 1990, as amended (''the 1990 Act''); $2,119,900,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which $571,000,000 shall be for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995, except that for purposes of this Act, the Commonwealth of Puerto Rico shall be considered a ''unit of local government'' as well as a ''State'', for the purposes set forth in paragraphs (A), (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728 and for establishing crime prevention programs involving cooperation between community residents and law enforcement personnel in order to control, detect, or investigate crime or the prosecution of criminals: *Provided,* That no funds provided under this heading may be used as matching funds for any other Federal grant program: *Provided further,* That notwithstanding any other provision of this title, the Attorney General may transfer up to $18,000,000 of this amount for drug courts pursuant to title V of the 1994 Act, consistent with the reprogramming procedures outlined in section 605 of this Act: *Provided further,* That funds may also be used to defray the costs of indemnification insurance for law enforcement officers; of which $50,000,000 shall be for grants to upgrade criminal records, as authorized by section 106(b) of the Brady Handgun Violence Prevention Act of 1993, as amended, and section 4(b) of the National Child Protection Act of 1993; of which $245,000,000 shall be available as authorized by section 1001 of title I of the 1968 Act, to carry out the provisions of subpart 1, part E of title I of the 1968 Act, notwithstanding section 511 of said Act, for the Edward Byrne Memorial State and Local Law Enforcement Assistant Programs; of which $330,000,000 shall be for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act, as amended; of which $680,000,000 shall be for Violent Offender Incarceration and Truth in Sentencing Incentive Grants pursuant to subtitle A of title II of the 1994 Act, of which $170,000,000 shall be available for payments to States for incarceration of criminal aliens, and of which $12,500,000 shall be available for the Cooperative Agreement Program; of which $6,000,000 shall be for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1990 Act; of which $1,000,000 shall be for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1990 Act; of which $145,000,000 shall be for Grants to Combat Violence Against Women to States, units of local government and Indian tribal governments, as authorized by section 1001(a)(18) of the 1968 Act; of which $33,000,000 shall be for Grants to Encourage Arrest Policies to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(19) of the 1968 Act; of which $8,000,000 shall be for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants as authorized by section 40295 of the 1994 Act; of which $1,000,000 shall be for training programs to assist probation and parole officers who work with released sex offenders, as authorized by section 40152(c) of the 1994 Act; of which $550,000 shall be for grants for televised testimony, as authorized by section 1001(a)(7) of the 1968 Act; of which $1,750,000 shall be for national stalker and domestic violence reduction, as authorized by section 40603 of the 1994 Act; of which $35,000,000 shall be for grants for residential substance abuse treatment for State prisoners as authorized by section 1001(a)(17) of the 1968 Act; of which $3,000,000 shall be for grants to States and units of local government for projects to improve DNA analysis, as authorized by section 1001(a)(22) of the 1968 Act; of which $1,000,000 shall be for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act; of which $900,000 shall be for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(c) of the 1994 Act; of which $500,000 shall be for Motor Vehicle Theft Prevention Programs, as authorized by section 220002(h) of the 1994 Act; of which $5,000,000 shall be for State Courts Assistance Grants, as authorized by section 210602 of the 1994 Act; of which $200,000 shall be for a National Baseline Study on Campus Sexual Assault, as authorized by section 40506(e) of the 1994 Act; and of which $2,000,000 shall be for public awareness programs addressing marketing seams aimed at senior citizens, as authorized by section 250005(3) of the 1994 Act: *Provided further,* That funds made available in fiscal year 1997 under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions and for drug testing initiatives: *Provided further,* That any 1996 balances for these programs shall be transferred to and merged with this appropriation: *Provided further,* That if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service.

AMENDMENT OFFERED BY MR. SCOTT

Mr. SCOTT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCOTT: Page 26, line 20, after the dollar amount, insert ''(reduced by $497,500,000)''.

Page 28, line 6, after the dollar amount, insert the following: ''(reduced by $497,500,000)''.

Page 33, line 10, after the dollar amount, insert the following: ''(increased by $497,500,000)''.

Page 33, line 22, after the dollar amount, insert the following: ''(increased by $497,500,000)''.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes and the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from Virginia [Mr. SCOTT] and a Member opposed, each will control 10 minutes.

The Chair recognizes the gentleman from Virginia [Mr. SCOTT].

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

Mr. Chairman, this amendment transfers $497,500,000 from the Prison Grant Program under this bill to the Incentive Grants for local delinquency prevention programs, also funded under the bill. It is drawn so that it will not affect money for State criminal alien incarceration or money for the cooperative agreement program funded under this section.

Mr. Chairman, this Nation spends tens of billions of dollars every year addressing crime after it has already been committed. In the last 15 years, the number of inmates in State and Federal prisons more than tripled, from 319,000 in 1980 to over one million in 1994. During the same period, the population in local jails increased 165 percent, while the United States population increased just 15 percent.

As a result of these sharp increases in incarceration, the United States has become the most prolific incarcerator in the world. The average incarceration rate, internationally, is about 100 percent 100,000 population. The United States already locks up over 500 per 100,000 population, and in inner cities, the rate goes over 3,000 per 100,000. Yet, the crime rate has not abated and crime remains one of the top concerns of the American public.

□ 1900

We now have experience as well as research that shows that increasing incarceration after a point has no effect on reducing crime. We have long passed that point. At the same time we have simple evidence from research and experience showing that prevention programs aimed at at-risk youth and children significantly reduces crime. Yet, compared to the tens of billions we spend on crime after the fact, we spend very little focused on preventing young people from becoming criminals in the first place.

Recently, the Subcommittee on Crime of the Committee on the Judiciary went around the country holding hearings on how to reduce juvenile crime. The Congressional Black Caucus crime and youth braintrusts held a whole day of hearings on the subject. I attended all of those hearings. During those hearings, witness after witness, including law enforcement officials, talked about an impending crime wave over the next decade due to the expected increases in the number of teenagers, and many indicated that our best hope for reducing the crime was to focus on at-risk youth and children while they are young and before they become serious criminals.

Mr. Chairman, I am not saying that we ought to incarcerate any less than we do today. Based on our current policies, if we do nothing to our incarceration levels, we will continue to lock up more people per every 100,000 population than any other country on Earth. I am saying that, having more than tripled the incarceration in this country in the last 15 years, at great expense to the taxpayer and with little effect on crime, that we are already incarcerating high enough levels to get all of the crime reduction benefits we can hope to get from incarceration and, in spite of the emotional sound bite appeal of more and more incarceration, more and more incarceration just will not reduce crime.

The amount of money in this amendment will be a drop in the bucket in terms of financing incarceration. It amounts to about $1 million per congressional district if divided equally around the country. Now, the State of Virginia has already committed itself to spend $11 billion, about $1 billion per congressional district, over the next 10 years as a result of new policies. This amendment, therefore, would be less than 1 percent of what Virginia will be spending.

As we have already shown, that incarceration will not reduce crime, but that money would have a great effect if it is spent on prevention programs. Dropout prevention, afterschool programs, summer recreation, drug abuse programs, even the much vilified midnight basketball program all have been shown to save much more money than they cost in later prison and welfare expenditures. Those, by the way, who trash midnight basketball fail to point out that it is a program which uses participation in an organized basketball league as a hook to get young people into education courses, drug avoidance counseling and job training, and they also fail to point out, as a recent Rand Corp. study confirmed, that when midnight basketball programs are established, the crime rate goes down dramatically in that neighborhood.

With an average of about $1 million per congressional district targeted toward at-risk youth, each congressional district could provide about 1,500 latchkey children with afterschool care for a year, or 2,000 children with a summer camp program, or 600 drug addicted youth with drug treatment, or fund five $200,000 juvenile mentoring programs, which is what many of the at-risk funds are used for now, or any combination of these programs which have been proven to reduce crime.

We can do all of these things, which will reduce crime, or we can waste the money by throwing it into the bottomless pit of prison construction, which will do nothing to reduce crime.

I ask, Mr. Chairman, for support for this amendment and put the interest of crime victims and taxpayers ahead of political expediency.

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

The CHAIRMAN. Does the gentleman from Kentucky [Mr. ROGERS] seek time in opposition?

Mr. ROGERS. Yes, Mr. Chairman, I do.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. ROGERS] for 10 minutes.

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

Mr. Chairman, I rise in opposition to the gentleman's amendment, which would eliminate $497.5 million from the State prison grant program to increase funding for juvenile justice programs.

I would point out to the Members that the State prison grant program is a formula program. Every State would receive moneys under the prison grant program. This is a half a billion dollars that States will not get if this amendment is successful.

While the gentleman's intent to increase funds to address youth violence is a laudable one, the bill we have before us already provides a $30.5 million increase over what the administration requested to provide additional grants to States that are implementing get tough prosecution policies for juveniles who commit violent crimes. The bill already is a ''macho man'' on violent crime, I would say to the gentleman from Virginia.

The Scott amendment would increase that amount $497.5 million at the expense of the State prison grant program, which would be eliminated and which would have provided funds to States to ensure that violent offenders, including violent juvenile offenders, are locked up.

Last year this Congress passed a significant reform to the State prison grant program, which the gentleman from Florida [Mr. MCCOLLUM] pursued, which would ensure that funds would be available to States that are getting tough on crime and keeping violent criminals locked up. This program was designed to address the frightening fact that violent criminals in State prisons serve an average of only 38 percent of their actual sentence. Convicted murderers are given an average prison sentence of 20 years in length, but they serve only 8½ years. And for rape the sentence is 13 years, but the time served is only 5 years on average.

States are enacting laws that require violent criminals to serve longer sentences and in some cases at least 85 percent of their sentences. They deserve the support of this Congress to ensure that adequate bed space is available to maintain those policies. The State prison grant program provides that support, and the gentleman's amendment would take it away completely.

The prison grant program is one of the most effective deterrents to crime. It provides the assurance that if an individual commits a crime they will serve time. Without the prison grant program, the result of increased law enforcement and prosecution will not be real.

Mr. Chairman, I urge a ''no'' vote on the Scott amendment.

Mr. MCCOLLUM. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I would be happy to yield to the gentleman from Florida [Mr. MCCOLLUM], the chairman of the Subcommittee on Crime and also the author of this law that we passed last year.

Mr. MCCOLLUM. Chairman, I thank the gentleman for yielding, and I want to concur in everything that he said.

As much as I respect the gentleman from Virginia [Mr. SCOTT], who is a member of my subcommittee, and he and I talk a lot about these issues, I do not agree with this amendment at all. He is robbing Peter to pay Paul.

The prison grant program we passed, and that the gentleman is funding, I think very adequately with some $680 million in this bill, is absolutely essential to stop that revolving door the gentleman just described, where all too often we get criminals into the system who commit these violent crimes and they serve only a fraction of their sentence, then go back out again and commit more violent crimes.

Half of this grant money goes to an incentive program that says, State, if you pass a law that requires the repeat violent offender to serve at least 85 percent of his or her sentence, then you will be eligible to get the prison grant money, this extra incentive grant money, from the Federal Government to help you build and have the space to house them, because we want States to move in that direction. And many are doing that, thank goodness.

I say to my colleagues, when that happens, when they start serving 85 percent of their sentences and we take these violent repeat offenders and lock them up and throw away the keys, the murder rate and the violent crime rate in this country is going to go down far more than it is today because it is these people committing these violent crimes.

The latest statistics show there are an average of 700 violent crimes per 100,000 in our population every year. Even though we have marginally seen the violent crime rate go down over the last 3 or 4 years, only marginally, that 700 per 100,000 per year is way too high. It is far greater than it was 30 years

ago when it was 200 violent crimes per every 100,000 of our population. The primary reason it is so is because of this violent repeat offender that the special provisions of the prison grant program are designed to correct.

States should move to require the abolition of parole and to make those who commit these violent crimes serve most of their sentences, lock them up, get them off the streets, and crime would inevitably be less.

With all due respect, I cannot support the analysis that Mr. SCOTT has made in support of his amendment. He wants to gut the truth in sentencing grant program that is in the chairman's bill. I am all for helping the juvenile justice system along. In fact, I am working on an authorization bill now to complement the chairman's bill here today, but, by golly, we cannot do it if we are robbing Peter to pay Paul.

We have to do both things. We cannot do just one. What Mr. SCOTT would do would be to eliminate the incarceration of these violent repeat offenders, or the money for that, and that is just not right, and I join the chairman in opposing this amendment, and I thank him for yielding.

Mr. ROGERS. Mr. Chairman, reclaiming my time, I thank the gentleman for his leadership in this area. He is the author of the Truth in Sentencing Act, which we passed in this bill last year and which is the parent of the State prison grant program. It is perfect because it takes Federal dollars and says to each State if they will jail their violent criminals up to 85 percent of the sentence they get, we will give them money with which to build prisons and buy the beds to keep them in jail. We will pay the bill.

That is an effective way to get at violent crime, and I think it is going to have tremendous payoff down the way.

Mr. MCCOLLUM. Mr. Chairman, if the gentleman will continue to yield, it is indeed happening that way. My State of Florida has recently changed their laws, and States all over the country are doing this. This would be absolutely the wrong time to cut the legs out from under this program. States are making that move.

Mr. ROGERS. Mr. Chairman, I would also point out that the Scott amendment, taking a half billion dollars out of this program, is money all of our States would no longer have available to them. We could not fund the Truth in Sentencing Act that the Congress passed last year if this amendment passes.

No. 2, we have already got $180 million plus in our bill for juvenile justice programs. That is $30.5 million more than President Clinton requested. And so there is plenty of money in this bill available for juvenile justice programs that the gentleman from Virginia wants and that we all want.

I just do not want the gentleman to gut a very effective violent crime fighting program that we fund in this bill, that will get the violent criminals, adults as well as juveniles, around the country, off the streets. I urge the defeat of the amendment.

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

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

Mr. Chairman, I would just like to make a couple of comments. The gentleman from Kentucky has indicated the States will not get the money. The money will go back to the States. The money will be spent. Instead of prisons, it will be spent on juvenile justice prevention.

The gentleman from Florida [Mr. MCCOLLUM], the chair of the Subcommittee on Crime, has done an outstanding job in having hearings across the country, and I want to congratulate him for the unique hearings that he has had. He has had several attorneys general, heads of crime agencies within the States come to testify about what needs to be done, and I want to congratulate him for having those open hearings.

The gentleman is exactly right, the purpose of the amendment is to gut the truth in sentencing provision. I like to call it not the truth in sentencing but the half truth in sentencing provision, because when we have truth in sentencing, the half truth is we cannot let people out early, but the whole truth is we cannot hold people longer either.

The most heinous violent criminals are held by denying parole time after time after time. When everybody gets the average sentence, they are all let out at the same time: the heinous criminals, those that we know are going to be recidivist and those that are low risk all get out at the same time.

I would say that the gentleman from Kentucky said that there is plenty of ''macho man'' in this bill, and that is the point. It is all ''macho'' but no effect. This amendment will not delete the prison construction. If they are serving 38 percent of the time now, if this amendment passes or fails, they will serve 38 percent later. There is just not enough money in this amendment to make any difference in State prison construction.

We talk about the revolving door and people unaccountable. The fact is that 10 percent of young African-American males are in jail today, more in jail than in college. We need to do something about crime. Waiting for incarceration to make a difference means we have to wait for the crime to be committed, wait for people to get caught, prosecuted, convicted, sentenced, serve the time they are to serve and then add some more time.

□ 1915

This amendment would deal with them before they commit the crime in the first place. All of the studies show that it is a much more effective way of dealing with crime than waiting for it to occur. I hope that we will adopt the amendment.

Ms. MILLENDER-McDONALD. Mr. Chairman, I am today in support of the Scott Amendment. There is an old adage—an ounce of prevention is worth a pound of cure.

Statistics indicate its costs around $30,000 a year to house an inmate in a correctional facility. Those same statistics show that it costs $3,000 a year to educate a child. We need to invest in our children before they become adversely involved in our criminal justice system rather than after.

The very fact that a legislative body, such as this one, would cut funding for education, and then block grant funds to the States to build more prisons flies in the face of good, moral, judgment and sound fiscal management.

The at-risk youth programs of the Department of Justice, provide communities with the means to involve those at-risk youth in tutoring and mentoring programs for schools in high crime communities and summer recreational programs for at-risk youth before they have the misfortune of stumbling into a criminal justice system that is incapable of rehabilitating them.

The Scott amendment takes a commonsense, front-end-solution approach to providing programs for our Nation's youth. I urge my colleagues to support the Scott amendment.

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

Mr. ROGERS. Mr. Chairman, I urge a ''no'' vote, and I yield back the balance of my time.

The CHAIRMAN. The questions is on the amendment offered by the gentleman from Virginia [Mr. SCOTT].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SCOTT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 479, further proceedings on the amendment offered by the gentleman from Virginia [Mr. SCOTT] will be postponed.

The Clerk will read.

The Clerk read as follows:

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement ''Weed and Seed'' program activities, $28,500,000 which shall be derived from discretionary grants provided under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, to remain available until expended for intergovernmental agreement, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies engaged in the investigation and prosecution of violent crimes and drug offenses in ''Weed and Seed'' designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the ''Weed and Seed'' program strategy: *Provided,* That funds designated by Congress through language for other Department of Justice appropriation accounts for ''Weed and Seed'' program activities shall be mandated and executed by the Attorney General through the Executive Office for Weed and Seed: *Provided further,* That the Attorney General may direct the use of other Department of Justice funds and personnel in support of ''Weed and Seed'' program activities only after the Attorney General notifies the Communities on

Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

COMMUNITY ORIENTED POLICING SERVICES

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322 (''the 1994 Act'') (including administrative costs), $14,400,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, for Public Safety and Community Policing Grants pursuant to title I of the 1994 Act: *Provided,* That of this amount, $10,000,000 shall be available for programs of Police Corps education, training and service as set forth in sections 200101–200113 of the 1994 Act: *Provided further,* That of this amount, $71,000,000 shall be transferred to the Drug Enforcement Administration for the purpose of providing State and local police officers with equipment, conveyances, overtime and other expenses associated with their participation on drug task forces: *Provided further,* That of this amount, $30,500,000 shall be for additional grants authorized by part B of title II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, to remain available until expended, for the purpose of providing additional formula grants under part B, for innovative local law enforcement and community policing programs to States that provide assurances to the Administrator that the State has in effect (or will have in effect not later than 1 year after date of application) policies and programs, that ensure that juveniles who commit an act after attaining 14 years of age, that would be a serious violent crime if committed by an adult, are treated as adults for purpose of prosecution: *Provided further,* That not to exceed 130 permanent positions and 130 full-time equivalent workyears and $14,602,000 shall be expended for program management and administration.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, $145,000,000, to remain available until expended, as authorized by section 299 of part I of title II and section 506 of title V of the Act, as amended by Public Law 102–586, of which (1) $100,000,000 shall be available for expenses authorized by parts A, B, and C of title II of the Act; (2) $11,000,000 shall be available for expenses authorized by sections 281 and 282 of part D of title II of the Act for prevention and treatment programs relating to juvenile gangs; (3) $10,000,000 shall be available for expenses authorized by section 285 of part E of title II of the Act; (4) $4,000,000 shall be available for expenses authorized by part G of title II of the Act for juvenile mentoring programs; and (5) $20,000,000 shall be available for expenses authorized by title V of the Act for incentive grants for local delinquency prevention programs: *Provided,* That upon the enactment of reauthorization legislation for Juvenile Justice Programs under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, funding provided in this Act shall from that date be subject to the provisions of that legislation and any provisions in this Act that are inconsistent with that legislation shall no longer have effect.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended, $4,500,000, to remain available until expended, as authorized by sections 214B of the Act.

PUBLIC SAFETY OFFICERS BENEFITS

For payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, to remain available until expended, as authorized by section 6093 of Public Law 100–690 (102 Stat. 4339–4340), and, in addition, $2,200,000, to remain available until expended, for payments as authorized by section 1201(b) of said Act.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $45,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses in accordance with distributions, procedures, and regulations established by the Attorney General.

SEC. 102. Authorities contained in the Department of Justice Appropriation authorization Act, Fiscal Year 1980 (Pub. L. 96–132, 93 Stat. 1040 (1979)), as amended, shall remain in effect until the termination date of this Act or until the effective date of a Department of Justice Appropriation Authorization Act, whichever is earlier.

SEC. 103. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided,* That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 104. None of the funds appropriated under this title shall be used to require any persons to perform, or facilitate in any way the performance of, any abortion.

SEC. 105. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided,* That nothing in this section in any way diminishes the effect of section 104 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 106. Notwithstanding any other provision of law, not to exceed $10,000,000 of the funds made available in this Act may be used to establish and publicize a program under which publicly-advertised, extraordinary rewards may be paid, which shall not be subject to spending limitations contained in sections 3059 and 3072 of title 18, United States Code: *Provided,* That any reward of $100,000 or more, up to a maximum of $2,000,000, may not be made without the personal approval of the President or the Attorney General and such approval may not be delegated.

SEC. 107. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act, including those derived from the Violent Crime Reduction Trust Fund, may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided,* That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 108. Section 524(c)(8)(E) of title 28, United States Code, is amended by striking the year in the date therein contained and replacing the same with ''1996''.

Mr. ROGERS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have Members who have amendments that have been filed in this portion of the bill that are not the floor at the moment, having been called to other duties. I hope that they would be allowed to offer their amendments at the appropriate time.

The CHAIRMAN. This may be the appropriate time.

Mr. ROGERS. Mr. Chairman, I know that. I am trying to do a little song and dance while we wait for them to get to the floor.

Mr. Chairman, I wonder if the Chair could inform the Members what the procedure is for the evening. The Chair has been rolling votes. I would assume that at some point in time we will be resuming the votes and taking those rollcalls that have been reserved; is that correct?

The CHAIRMAN. At some point the Committee will resume those proceeding as unfinished business

PARLIAMENTARY INQUIRY

Mr. ROGERS. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROGERS. Can the Chair inform the Members how late the session will be going this evening?

The CHAIRMAN. No, the Chair cannot.

The Clerk will read.

The Clerk read as follows:

SEC. 109. (a) Section 1930(a) of title 28, United States Code, is amended in paragraph (6), by striking everything after ''total less than $15,000;'' and inserting in lieu thereof: ''$500 for each quarter in which disbursements total $15,000 or more but less than $75,000; $750 for each quarter in which disbursements total $75,000 or more but less than $150,000; $1,250 for each quarter in which disbursements total $150,000 or more but less than $225,000; $1,500 for each quarter in which disbursements total $225,000 or more but less than $300,000; $3,750 for each quarter in which disbursements total $300,000 or more but less than $1,000,000; $5,000 for each quarter in which disbursements total $1,000,000 or more but less than $2,000,000; $7,500 for each quarter in which disbursements total $2,000,000 or more but less than $3,000,000; $8,000 for each quarter in which disbursements total $3,000,000 or more but less than $5,000,000; $10,000 for each quarter in which disbursements total $5,000,000 or more. The fee shall be payable on the last day of the calendar month following the calendar quarter for which the fee is owed.''.

(b) Section 589a of title 28, United States Code, is amended to read as follows:

''§ 589a. United States Trustee System Fund

''(a) There is hereby established in the Treasury of the United States a special fund to be known as the 'United States Trustee System Fund' (hereinafter in this section referred to as the 'Fund'). Monies in the Fund shall be available to the Attorney General without fiscal year limitation in such amounts as may be specified in appropriations Acts for the following purposes in connection with the operations of United States trustees—

''(1) salaries and related employee benefits;

''(2) travel and transportation;

''(3) rental of space;

''(4) communication, utilities, and miscellaneous computer charges;

''(5) security investigations and audits;

''(6) supplies, books, and other materials for legal research;

''(7) furniture and equipment;

''(8) miscellaneous services, including those obtained by contract; and

''(9) printing.

''(b) For the purpose of recovering the cost of services of the United States Trustee System, there shall be deposited as offsetting collections to the appropriation 'United States Trustee System Fund', to remain available until expended, the following—

''(1) 23.08 percent of the fees collected under section 1930(a)(1) of this title;

''(2) one-half of the fees collected under section 1930(a)(3) of this title;

''(3) one-half of the fees collected under section 1930(a)(4) of this title;

''(4) one-half of the fees collected under section 1930(a)(5) of this title;

''(5) 100 percent of the fees collected under section 1930(a)(6) of this title;

''(6) three-fourths of the fees collected under the last sentence of section 1930(a) of this title;

''(7) the compensation of trustees received under section 330(d) of title 11 by the clerks of the bankruptcy courts; and

''(8) excess fees collected under section 586(e)(2) of this title.

''(c) Amounts in the Fund which are not currently needed for the purposes specified in subsection (a) shall be kept on deposit or invested in obligations of, or guaranteed by, the United States.

''(d) The Attorney General shall transmit to the Congress, not later than 120 days after the end of each fiscal year, a detailed report on the amounts deposited in the Fund and a description of expenditures made under this section.

''(e) There are authorized to be appropriated to the Fund for any fiscal year such sums as may be necessary to supplement amounts deposited under subsection (b) for the purposes specified in subsection (a).''.

(c) Notwithstanding any other provision of law or of this Act, the amendments to 28 U.S.C. 589a made by subsection (b) of this section shall take effect upon enactment of this Act.

SEC. 110. Public Law 103–414 (108 Stat. 4279) is amended by inserting at its conclusion a new title IV, as follows:

''TITLE IV—TELECOMMUNICATIONS CARRIER COMPLIANCE PAYMENTS

''SEC. 401. DEPARTMENT OF JUSTICE TELECOMMUNICATIONS CARRIER COMPLIANCE FUND.

''(a) ESTABLISHMENT OF FUND.—There is hereby established in the United States Treasury a fund to be known as the Department of Justice Telecommunications Carrier Compliance Fund (hereafter referred to as 'the Fund'), which shall be available without fiscal year limitation to the Attorney General for making payments to telecommunications carriers, equipment manufacturers, and providers of telecommunications support services pursuant to section 109 of this Act.

''(b) DEPOSITS TO THE FUND.—Notwithstanding any other provision of law, any agency of the United States with law enforcement or intelligence responsibilities may deposit as offsetting collections to the Fund any unobligated balances that are available until expended, upon compliance with any Congressional notification requirements for reprogrammings of funds applicable to the appropriation from which the deposit is to be made.

''(c) TERMINATION.—

''(1) The Attorney General may terminate the Fund at such time as the Attorney General determines that the Fund is no longer necessary.

''(2) Any balance in the Fund at the time of its termination shall be deposited in the General Fund of the Treasury.

''(3) A decision of the Attorney General to terminate the Fund shall not be subject to judicial review.

''(d) AVAILABILITY OF FUNDS FOR EXPENDITURE.—Funds shall only be available for obligation after submission of an implementation plan as set forth in subsection (e), to the Committees on the Judiciary and Appropriations of both the House of Representatives and the Senate and shall be treated as a reprogramming of funds under section 605 of the Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1997, and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

''(e) IMPLEMENTATION PLAN.—The implementation plan shall include:

''(1) law enforcement assistance capability features including an explanation of how proposed interface and assistance capability requirements exceed or differ from the law enforcement assistance currently provided by carriers;

''(2) the actual and maximum number of simultaneous surveillances/intercepts that law enforcement agencies expect to perform (capacity requirements), as well as the ''historical baseline electronic surveillance activity'' on which the proposed capacity requirements are based;

''(3) a detailed county by county listing of proposed actual and maximum capacity requirements;

''(4) the proposed network switch and other assistance capability features requested by law enforcement that would be required to be installed by telecommunications carriers;

''(5) a complete estimate of the full costs of development and deployment of the assistance capability features, the full costs of the proposed actual and maximum capacities requested by law enforcement, the full cost of training telecommunications carrier personnel in the use of such capabilities and capacities, and to what extent funding of $500,000,000 will be sufficient to fully reimburse telecommunications carriers for the reasonable cost of compliance with this Act; and

''(6) a complete estimate of the full and reasonable costs associated with the modification to be performed by telecommunications carriers of their network equipment and facilities installed or deployed after January 1, 1995, which are not proposed for reimbursement.

''(f) ANNUAL REPORT TO THE CONGRESS.—The Attorney General shall submit to the Congress each year a report specifically detailing all deposits and expenditures made pursuant to his Act in each fiscal year. This report shall be submitted to each member of the Committees on the Judiciary and Appropriations of both the House of Representatives and the Senate, and to the Speaker and minority leader of the House of Representatives and to the majority and minority leaders of the Senate, no later than 60 days after the end of each fiscal year.''

AMENDMENT OFFERED BY MR. BARR OF GEORGIA

Mr. BARR of Georgia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARR of Georgia: Page 41, beginning on line 24, strike ''Funds'' and everything that follows through ''to the Committees'' on page 42, line 1, and insert the following: ''Funds shall not be available for obligation unless an implementation plan as set forth in subsection (e) is submitted to each member of the Committees''.

Page 42, line 3 strike ''and shall'' and insert ''and the Congress does not, within the 60 days after the date of such submission, by law block or prevent the obligation of such funds. Such funds shall''.

Page 42, line 8, insert before the period the following: ''and this section''.

Mr. BARR of Georgia [during the reading]. Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BARR of Georgia. Mr. Chairman, I would like to first of all thank both the chairman and the ranking member and members on both sides of the aisle that have worked on this amendment, which I believe is acceptable to both sides and which simply is really, Mr. Chairman, more in the nature of a perfecting amendment than anything else.

It simply addresses, Mr. Chairman, language which would apply to title IV, the telecommunications carrier compliance payments, which has to do, Mr. Chairman, with CALEA, the Compliance with Law Enforcement Act, Communications Assistance Law Enforcement Act which was passed by this body in the last Congress.

The language, Mr. Chairman, that this amendment proposes, which we have worked out and which I again, Mr. Chairman, believe is acceptable to both sides, simply elaborates on language currently contained in subsection (d) of this provision of this section.

It simply makes very clear that the implementation plan for the fund that would be set up in order to fund the CALEA, C-A-L-E-A, Mr. Chairman, the fund shall not be made available until the implementation plan, Mr. Chairman, has been very clearly laid out to the Congress of the United States, not only generally speaking but to the appropriate committees and committee memberships so that these committees, namely the Committee on the Judiciary and the Committee on Appropriations, Mr. Chairman, will have a chance to review it and ensure that the provisions that the Department of Justice is seeking to fund, the funding mechanism that it is seeking to set up and the funds that would thereafter be used according to the terms of the language that is currently in this legislation, really set forth the parameters within which the companies, the telecommunications carriers and equipment manufacturers know that they must operate.

It lays out for the people of the United States through their representatives on the appropriate committees of the Congress the general scope of what the Government believes is necessary in order to effectuate the purposes already set forward in CALEA and which would be carried out pursuant to this fund.

The legislation simply provides a 60-day period within which the Congress shall be able to consider the implementation plan and after, therefore, if no

objections are raised, then it would go into effect and the Department of Justice would be able to move forward with the plan.

Mr. Chairman, I thank the distinguished chairman of this committee and the subcommittee.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. BARR of Georgia. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I thank the gentleman for yielding to me.

I compliment the gentleman for his perseverance on this issue. He knows this issue better than anyone else does. He has been very helpful in constructing the portions of the bill that relate to digital telephony. We have no objection to the amendment that he has offered. In fact, we commend him for it. We urge its adoption.

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. BARR of Georgia. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, we have just seen this language. Will the gentleman explain the purpose of this language? Why do you want to do this?

Mr. BARR of Georgia. Mr. Chairman, the purpose of the language is to clarify that the implementation plan which would set out the parameter within which the funds under CALEA would be used shall be made specifically available to the membership of the Committee on the Judiciary and the Committee on Appropriations, and that the Congress would have 60 days within which to raise any objection to it. If within those 60 days the Congress does not act, then the implementation plan, again as laid out already in the legislation, would go into effect and the funds would be available to implement the plan.

Mr. MOLLOHAN. Mr. Chairman, if the gentleman will continue to yield, what is the gentleman wanting to achieve by this?

Mr. BARR of Georgia. Mr. Chairman, really the only thing that this amendment provides over and above the existing language of the legislation is somewhat greater accountability and specificity in the plan that would be set forward, and to make sure that it is specifically available to Members of the Congress so that they have full opportunity to review it, raise any questions about it, consult with the FBI and the DOJ. If there are any questions that the Members of Congress, particularly on these two committees which have very clear interest, the Committee on the Judiciary, substantively, and the Committee on Appropriations, because of the large amount of funding that would go into this fund, that they have full and fair opportunity to review it.

Mr. MOLLOHAN. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. BARR of Georgia. Mr. Chairman, I urge my colleagues on both sides of the aisle to adopt this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. BARR].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This title may be cited as the ''Department of Justice Appropriations Act, 1997''.

AMENDMENT OFFERED BY MS. MOLINARI

Ms. MOLINARI. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. MOLINARI: In title I, at the end of the item relating to ''GENERAL PROVISIONS—DEPARTMENT OF JUSTICE'', insert the following new section:

SEC. . It is the sense of the Congress that the Drug Enforcement Administration, together with other appropriate Federal agencies, should take such actions as may be necessary to end the illegal importation into the United States of Rohypnol (flunitrazepam), a drug frequently distributed with the intent to facilitate sexual assault and rape.

Ms. MOLINARI. Mr. Chairman, this amendment is just a very straightforward sense-of-Congress resolution that the Drug Enforcement Agency and other Federal agencies should take whatever action necessary to end the illegal importation of a drug called Rohypnol.

Today Congress acknowledges a drug problem that strikes its victims twice, by rendering them unconscious—for as much as 24 hours—allowing their attacker to rape and brutalize them. Second, the victim is so impaired that they cannot even remember anything about the attack. They are defenseless during the attack and after the attack they are equally as helpless to prosecute their attacker.

The drug called Rohypnol, also known as roofies, roachies, or Mexican Valium, is not manufactured or sold in the United States, but is very available. So available that in a recent story by a national news program more than 30 women were raped in Ft. Lauderdale after this drug was slipped into their drink. Of course, this only accounts for reported rapes where a toxicology study was performed. There might be many others and we do not know. But what we do know is that this drug, which may not be sold or manufactured in the United States, is a serious threat to women.

The drug is tasteless, odorless, and colorless, so its victims never know what has happened until after it's too late. In addition, it is 10 times more powerful than Valium.

This sense-of-Congress resolution is a small, but first step toward combating the importation and dissemination of Rohypnol. It says to all Americans, including any potential users, the government treats this drug as a serious threat to the safety of women, and will take any necessary actions to prevent its use. We recognize that Rohypnol is more than just a strong sleeping pill—it's a weapon used to commit rape.

Rape is just one use of Rohypnol. On the street, it is combined with drugs such as cocaine and heroin which induce a quick high. The user then ingests Rohypnol to bring them down. Drug addicts do not need another drug to combat their addiction, they need treatment and where applicable, incarceration.

This appropriations bill directs $197.5 million for the Violence Against Women Act—a 12-percent increase from last year and nearly a 700-percent increase from the previous Congress. I am proud to be one of the original supporters of this initiative, and I am proud to say that this year's total funding far exceeds any prior appropriation—Chairmen LIVINGSTON, ROGERS, and PORTER are to be commended for their hard work. But a new problem is on the horizon and moving quickly toward us. We must stand up now, recognize the threat is real, and do all that we can do to keep it out and prosecute those who bring it into our country for criminal purposes.

Mr. Chairman, let me also conclude by commending the gentleman from New York, Chairman SOLOMON, who has taken the initiative to combat this drug by increasing the penalties for someone who uses this drug or any other controlled substance in the commission of a rape or sexual battery.

Again, in closing, I urge my colleagues to adopt this very important small step toward sending a sense of Congress to Federal agencies that something must be done and something must be done quickly.

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Mr. ROGERS. Mr. Chairman, will the gentlewoman yield?

Ms. MOLINARI. I yield to the gentleman from Kentucky.

Mr. ROGERS. Let me commend the gentlewoman for bringing this matter to the attention of the Congress, a matter of great importance to so many around our country, and the gentlewoman again, as she has in the past, has put her finger on a very severe problem in this country, and I hope that her efforts will be rewarded.

Ms. MOLINARI. Mr. Chairman, I thank the gentleman from Kentucky for using his leadership on this committee and his leadership in Congress to make sure that when areas of grave concern are brought to his attention that he acts immediately and swiftly, and without that immediate action none of these problems would be resolved, nevertheless brought to the public's attention.

Mr. SOLOMON. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from New York.

It is so terribly important.

My colleagues, there is something happening in this country for the first time. As my colleagues know, for years we have been haunted with this serious problem of drug abuse, illegal drug abuse in this country, but primarily in the past it has only affected those people that were bringing it on themselves, those people using the drugs.

Today an entire new generation of young women and children are being threatened now with a drug that is being used as a weapon against them. It is a terrible thing.

I have introduced legislation, and on Thursday at 1 o'clock we will be holding a press conference, the gentlewoman from New York [Ms. MOLINARI] and myself and a number of others who sponsor this legislation, concerning legislation we are introducing mandating severe penalties for anyone, anyone convicted of using controlled substances, not just this terrible drug Rohypnol, but any controlled substance, whether legal or illegal, for using that as weapon to commit rape or even for the intent of committing rape. And it includes, again, the drug rohypnol. For the first time, this drug is being used as a weapon against unsuspecting women and children.

Let me just tell my colleagues how bad this is. As my colleagues know, illegal drug use in this country is increasing. Fifty percent among young adults in the last 4 years. But let me tell my colleagues what is happening even worse. For 12- and 13-year-olds in this country, the increase in marijuana use alone has gone up 137 percent. Those are 12- and 13-year-olds. For the ages 14 and 15, it has increased 200 percent in marijuana use and other illegal drugs. That is how serious it is.

And, as my colleagues know, illegal drug use causes 75 percent of all of the violent crime against women and children in this country today, and that has been bad enough, but now these unsuspecting young children, young kids 12, 13, 14, 15 years old, along with young adult women are first plied with alcohol, and then marijuana, and then they have this drug like Rohypnol slipped into a drink. It renders them unconscious, but awake, and they have to lie there and helplessly watch what is happening to them. Last week I testified before Senator COVERDELL and his subcommittee on this issue, and I heard firsthand testimony about the terrible things that have happened to these young women. It was absolutely heartrending.

Mr. Chairman, to help put an end to these terrible atrocities we are introducing legislation requiring a 20-year mandatory minimum sentence for anyone who is convicted of committing rape while using these kinds of controlled substances as a weapon.

Mr. Chairman, that has got to stop and that is exactly what my legislation will do. For the first conviction, they get 20 years with no parole, 20 years mandatory sentence, and if they are convicted the second time, it is life imprisonment.

This amendment is supported by Senator COVERDELL and Senator BIDEN over in the other body, the ranking member of the Judiciary Committee. We need to pass this legislation, and we need to do it now to stop this new generation of victims from taking place.

So I thank the gentlewoman for her amendment. It is a great amendment, and we look forward to the press conference that we will hold on the revision of our legislation that is going to be introduced on Thursday.

Mr. HEINEMAN. Mr. Chairman, I move to strike the last word.

I rise in strong support of the Molinari-Solomon amendment.

We have heard in this Chamber tonight talk about terrorism. We have heard talk about crime prevention in the communities as opposed to other alternatives. Well, we have to talk about both of those issues when we refer to this legislation.

This is a form of domestic terrorism. It is terrorism when people are held at bay, held at bay as young females in middle school and high school and in college, held at bay because they go out on a date, and the first thing they know is they do not know what is going on. But the next morning they do know, but they cannot remember fully because of this powerful drug.

What is crime prevention? Sure, people say it is midnight basketball. I say it is strong law that is crime prevention. We have to make a strong statement on this. Those sanctions of 20 years, that is not excessive. We have to bring fear into the hearts of the criminals and fear in the hearts of the potential criminals.

Every day we are creating victims, and that is what we have to keep in mind. We have to be concerned about the victims in this country and those victims that are helpless, those victims that are vulnerable, those children, those teenagers, the elderly, we have to take care of that. We are the ones that make law across these States.

This drug Rohypnol is a powerful tranquilizer known as the ''date rape drug'' because it is used by rapists to incapacitate their victims. This drug is illegal in the United States, yet it comes to here in this country from Mexico and other Latin American States. It is 10 times more potent than Valium, and it is odorless, colorless and tasteless.

I commend the gentlewoman from New York [Ms. MOLINARI] and the gentleman from New York [Mr. SOLOMON] for their leadership in this important issue. I look forward to working together with them in this legislation.

Federal law enforcement agencies need to move quickly and take strong action to prevent the illegal importation of this drug. There is an ever increasing number of unsuspecting women being victimized by rape, by criminals who use this powerful sedative. The drug enforcement agency, the DEA, has reported that Rohypnol has become a problem in 26 Southeastern and Southwestern States. This drug has been growing in popularity among young people because of its low cost. There are growing numbers of middle school, high school, and college students abusing this drug for many reasons. If we fail to act now, I fear that this drug will continue to spread and place a larger number of women in danger.

Again I would like to commend the gentlewoman from New York [Ms. MOLINARI] and my colleague, the gentleman from New York [Mr. SOLOMON], for their efforts on this behalf, and I urge my colleagues to vote for this amendment.

Mr. SHAW. Mr. Chairman, I rise in support today of Ms. MOLINARI's amendment affirming the opposition of this Congress to the pernicious drug commonly known as roofies or the rape drug. In my district, Ft. Lauderdale, already more than 30 women have been raped after this drug was slipped into their drink. Ten times more powerful than Valium, this colorless, odorless, and tasteless depressant has the effect of rendering an unknowing victim susceptible to suggestion and thus vulnerable to sexual assault or rape. Because amnesia is one of roofies major side effects, victims may have the frightening experience of not being able to completely recall what happened to them.

Roofies are illegally trafficked in from Mexico and Colombia and are quickly becoming a critical problem in the Southern States, from California all the way to Florida. Particularly in my own State of Florida, high school students not realizing the addictive nature and adverse side effects of the drug are buying the widely available roofies on the streets for as little as $2.50.

Mr. Speaker, we must take a stand against the illegal importation of roofies. We must not continue to let our women and teenage children be so appallingly vulnerable to sexual assault. I urge you to please support Ms. MOLINARI's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York [Ms. MOLINARI].

The amendment was agreed to.

Ms. NORTON. Mr. Chairman, I ask unanimous consent to offer an amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from the District of Columbia?

Mr. SMITH of New Jersey. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The amendment is not timely. The Chair is assuming the gentlewoman from the District of Columbia [Ms. NORTON] is asking unanimous consent to return to a previous section.

Ms. NORTON. I am, Mr. Chairman.

May I move to strike the last word then, Mr. Chairman?

The CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Ms. NORTON. Mr. Chairman, I had published an amendment that would allow an exception to our policy of using Federal funds for abortion for women who are incarcerated. I ask for that exception because under no circumstances do these women have access to any personal funds or to any State and local funds. Even though they were not incarcerated, they might obtain an abortion through their own jurisdiction. I asked for this exception because the average annual growth in the Federal prisons has been significantly greater than in State prisons. Annually it has been almost 10 percent

a year, and it is amazing when the Federal sector now outpaces the State sector where, after all, most of the criminal law is, the increase in female inmates has significantly outpaced those of male inmates.

I am talking about voluntary abortions only. I myself am writing a bill that would make it easier for women in prison to have their children adopted. Now, with voluntary abortions before this was lifted during this Congress, there was counseling, there was the right of staff objections. These are the least responsible parents by the documented evidence that they are in prison. Theirs are the most vulnerable offspring, and the story of what happens to both women and children when the children are born in prison is one of the great horror stories of America.

Most of these women are in prison because of the use of drugs and alcohol. More than half committed an offense, the offense for which they are incarcerated, under the influence of drugs or alcohol, and almost 40 percent were using crack.

The problem was spiraling out of control because of the huge growth of numbers. The number of inmates in the Federal prison in the last decade grew by 75 percent. Women grew at twice that rate while only 10 percent of the prison population; their jump was 137 percent.

What I am asking is for an exception comparable to that we have made for rape or incest. Otherwise what we have here is forced childbirth.

The rate of infection, HIV infection for women in prison, actually exceeds the rate of infection for men in prison. This is truly an astonishing development. To be sure, women in prison forfeit their rights, they forfeit their rights to, every right to which they are entitled. But they also forfeit their rights to decent prenatal care, the right to a diet that would nourish the embryo.

Mr. Chairman, we have denied the right of choice to Federal workers who, after all, have other alternatives, to women in the military who have other alternatives, but when we deny it here, we act in a barbaric fashion. We force childbirth on a woman who is incarcerated.

Taxpayers should pay for these abortions for the same reason that taxpayers must pay for everything else these women get in prison. They pay for food, they pay for shelter, and we should not have to pay for that either, but since they are incarcerated we have no choice, and we should have no choice as well but not to compound the tragedy involved in their being in prison and pregnant by forcing childbirth on them in a democratic and humane society.

This is not only the bed they have made to lie in. Far more is at stake, given the rising number of women who are now in our Federal prisons. I ask for this exception in the name of humanity.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the last word.

Mr. Chairman, abortion on demand is child abuse and in no way can be construed as humane or compassionate. A child's worth is not determined by who his or her mother happens to be, and the value of a baby is not diminished one iota because mom happens to be an inmate.

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As a matter of fact, her God-given value is not diminished, either. The Norton amendment which would have been offered tonight and will not be offered because that point in the legislation has passed. This would have forced taxpayers to subsidize violence against children; in this case, the child of an inmate.

Mr. Chairman, many Americans are either uninformed or living in a state of denial on the general issue of abortion, especially as it relates to the gruesome reality of abortion. Abortion methods include dismembering innocent children with razor blade tip suction devices or injections of chemical poisons designed to kill the baby. If the abortion President, Bill Clinton, has his way, both partial birth abortions will remain legal and available for taxpayer subsidy as well as the newest form of baby poison, RU–486.

Mr. Chairman, abortion on demand treats pregnancy as a sexually transmitted disease. The growing child is viewed as a tumor, as a wart, a piece of trash to be destroyed. Earlier today my dad underwent some major surgery to remove cancer from his stomach. Every member of my family has been deep in prayer all day and over the last week, hoping that the surgeon removes every vestige of that horrible disease. My dad's courage—and I just say this parenthetically—his faith in God throughout all of this has been absolutely inspiring, and he is now in intensive care.

But the whole ordeal reminds me anew that the role of medicine is to heal. The role of medicine is to heal and to nurture, to cure a disease, to excise life-threatening tumors. It is not to destroy innocent unborn babies as if they were cancer.

Mr. Chairman, if you have ever watched an unborn child's image on an ultrasound or sonogram screen, you cannot help but be awed by the miracle of human life, by the preciousness of a child's being, and moved to pity by the helplessness and vulnerability of that child, by the fragility of those tiny fingers and toes. To see an unborn child turning, twisting, kicking and sucking his or her thumb while still in utero shatters the myth that abortion merely removes tissue or the products of conception.

Peel away the euphemisms that sanitize abortion and the cruelty to children, and yes, the cruelty to their mothers as well, becomes readily apparent to anyone with an open mind. The entire smoke screen of choice turns the baby into property, a thing, a commodity, and not a someone. The whole rhetoric of choice dehumanizes our brothers and sisters in the womb and puts them in the same category as cars, TV sets, stereos, and toasters. The whole rhetoric of choice reduces unborn babies to objects. The feminists had it right: Do not treat women as objects. The unborn are not objects, either, that can be killed by chemical injections or by dismemberment.

Finally, Mr. Chairman, Mother Teresa was right when she said the greatest destroyer of peace today is abortion because it is a war against the child, a direct killing of an innocent child. Any country that accepts abortion, as she goes on to say, is not teaching its people to love, but to use violence to get what they want. That is why the greatest destroyer of love and peace is abortion, and she pleads and says, ''Please don't kill the baby''.

Last year the Norton amendment was voted down by 281 members. It probably would have had the same fate tonight. It will not be considered by the House because of the lateness in arriving, but just let me say this amendment and others like that use taxpayer funds to subsidize the killing of unborn babies always ought to be defeated.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair wishes to point out to the membership that there is no amendment pending at this time.

Ms. WOOLSEY. Mr. Chairman, I ask unanimous consent that the gentlewoman from the District of Columbia [Ms. NORTON] be allowed to present her amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

Mr. SMITH of New Jersey. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

Ms. WOOLSEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am going to make a prediction. When historians write books on the Gingrich Congress, they are going to write chapter upon chapter about the new majority's assault on reproductive choice.

In the first session of the Gingrich Congress, the House of Representatives voted 21 times to compromise a woman's right to choose; 21 votes to undermine a constitutionally guaranteed right, in just 1 year.

This is a new appropriations season and the march continues. But this time the anti-choice forces are making sure that not only will they maintain what they gained last year, but they want to expand on every one of their gains, including prohibition of abortion services in Federal prisons.

There are really two main reasons why passage of the amendment of the gentlewoman from the District of Columbia [Ms. NORTON] was important. First, this is a pro-choice vote. If Members say they are pro-choice, how can they in good conscience not vote for the Norton amendment, an amendment which affirms reproductive choice for women in prison?

I know that speaking on behalf of women in prison may be unpopular. Obviously these are women who have committed crimes. They are serving their punishment. They are incarcerated. But the Norton amendment is not only about women in prison, it is about fundamental protection for Roe versus Wade. If Members are truly pro-choice, then they cannot support the language in this bill, language that will make the right to choose ring hollow for one more group of American women.

Second, Mr. Chairman, I want to talk about the women who need abortion services in prison. Many women prisoners are victims of physical and sexual abuse. In fact, many of them may have had that drug, that date rape drug that the gentleman was referring to in the last amendment. These women have almost no access to prenatal care. They are isolated from family and friends and they face almost certain loss of custody of their child once the child is born. To require that imprisoned women bring unwanted children into wretched circumstances is wrong because we are not considering who will support these children once they are born, wrong because women in prison are not able to care for these children, wrong because denying women in prison abortion services undermines the fundamental principle of reproductive choice.

I urge all of my colleagues to consider the Norton amendment, to pay attention to it, to accept the issue as an affirmation of the right to choose because, Mr. Chairman, it is the right thing to do.

Mrs. SCHROEDER. Mr. Chairman, I ask unanimous consent that the gentlewoman from the District of Columbia [Ms. NORTON] be allowed to offer her amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Colorado?

Mr. SMITH of New Jersey. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

PARLIAMENTARY INQUIRY

Mr. ROGERS. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. ROGERS. Mr. Chairman, what is pending before the body?

The CHAIRMAN. There is an amendment pending before the Committee at this point.

Mr. ROGERS. Mr. Chairman, may we be able to move on and do pending business?

The CHAIRMAN. The Chair suggested, a couple of speakers previous to this, that that would be a good idea. The Chair will recognize the gentlewoman from Colorado [Mrs. SCHROEDER], if recognition is sought. After that the Chair will intend to recognize the gentleman from Florida for the purposes of his colloquy.

Mrs. SCHROEDER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, how sad I am that now for the third time we have seen Members on this floor denying the gentlewoman from the District of Columbia the right to offer her amendment. I think this Gingrich Congress is going to go down as one of the most anti-women Congresses we have ever seen.

The gentlewoman was in the dining room trying to pay her bill before she ran up here. Is that a crime? My guess is if she were a guy, they would allow this to happen. But the gentlewoman sits down there trying to pay her bill and please, sometimes the service is not the fastest downstairs, because she is a very honorable woman, and she gets up here and everybody goes, ha, ha, ha, you are just 2 seconds too late. That is it. Have a nice day.

What is the consequence? The consequence is that women in prison will not be allowed to have abortions. Let me tell the Members, women in prison very often have been the subject of abuse. They could be drug victims, they could be HIV-positive, they could have the same kind of physical problems that women outside of prison have.

I do not know how to break it to you guys, but pregnancy is not necessarily a 9-month cruise. You do not just lay around the swimming pool eating bonbons. This could be a physically life-threatening situation. But to not even allow it in the cases of rape and incest, and to be so gleeful, and to have now denied for the third time the gentlewoman's right to come forward and offer this amendment in this chaotic situation where we are bundling things and moving things and all sorts of things, makes me really very sad.

I have to say, shame, shame on this body. This is unbelievable. I would never stand up and do this to another Member. We talk about how uncivilized this place is. This is the ultimate of how uncivilized we have become, that we think everybody has to sit here, and I sat here for 3 hours, for 3 hours, they kept saying, your amendment is up any minute, your amendment is up any minute. The gentlewoman sat here with me, because she was very active on our amendment, to try and make sure that the EEOC was at least staffed up to this year's level because they are so far behind.

What we continue to say around here is rights are okay for the men, but for women we say we are for rights but we are not interested in remedies. Women have to be here 24 hours a day because if they miss one glitch, we cannot wait to roll over them like a tank.

So I really want the record to show that three times tonight we have stood up for an issue that nobody wants to particularly stand up for: women in prison. But we have said, why are we going to federally mandate motherhood to women in prison no matter what the circumstances, no matter what her physical circumstance, no matter whether she was the subject of incest or drugs or rape; no matter what, we have now federally mandated motherhood for that women?

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

Mrs. SCHROEDER. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, I do want the RECORD to show that the gentlewoman from New York [Ms. MOLINARI] was on her feet and I was on my feet, and I believe the chairman believed that he could come back to me, because I motioned to the chairman that I was here as the last item, and I am talking about the Speaker now, as the last item in Justice, and the gentlewoman from New York [Ms. MOLINARI] was called on.

If I had been called on this, objection to my even offering my amendment could have been raised. I do not think it was my error, I think it was the error of the Speaker.

Mrs. SCHROEDER. I am so glad the gentlewoman said that, Mr. Chairman. I was with the gentlewoman having dinner downstairs. I heard her say, have the cloakroom call me. She had staff on alert. She had the phones going so she could be called up here the moment she was to be here. That is why I was stunned to walk on this floor and find out that this had happened.

I just want to say to people who continue to think it is real cute to object to her being able to bring this up: This is wrong. This is how women in this body are treated by the other Members. We are not equal. You would not do this to male colleagues, and you bloody well know it, and you would not do it to issues that dealt with male citizens, and you bloody well know it.

I think it is really very sad that you think it is so cute to continue to object when you have now done it three times, three times, to the gentlewoman, and she now has stated she was here, and you continue to roll over her. I do not know what else we can do. We wear bright colors. We hope you can see us. We know there are not many of us. But this is, indeed, a very sad night.

ANNOUNCEMENT BY THE CHAIRMAN

Mr. CHAIRMAN. The Chair would simply point out that throughout the process of this bill the bill has been read section by section. That process has not changed unless there has been an unanimous-consent request to go to a specific point in the bill, and that unanimous-consent request has been agreed to by both sides.

The Chair has attempted to be very fair to every Member of both sides, and will continue to do so.

The Chair recognizes the gentleman from Florida [Mr. DEUTSCH].

Mr. DEUTSCH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I had an amendment at the desk in title I. The reason that I was offering this amendment is to increase the funds available in the missing children's program account by $2.417 million, and reducing the State Department's internal organizations and conferences by the same amount.

I was seeking this shifting of funds to establish the Jimmy Ryce Law Enforcement Training Center, which will launch the most comprehensive intensive training program on missing and exploited children in American history, touching every State in 18 months.

This very targeted initiative is undertaken in the memory of Jimmy Ryce, a 9-year-old boy from my district who was abducted sodomized, and killed by a sexual predator last September. Jimmy's parents, Donna and Horton Ryce, poured their hearts and souls into their child's investigation. Some of the most frustrating, heartwrenching moments for the Ryces came from a lack of resources coordination between national and local law enforcement.

In a letter the Ryces wrote to every Member of Congress this winter, they explained it this way:

> During the 3 months we looked for Jimmy, we discovered that well-intentioned law enforcement officers spent a lot of the critical first days and weeks to figure out what would be done and what resources outside the local community were available to help.

In working with the Ryce family, the National Center for Missing and Exploited Children, the Justice Department, and members of the South Florida delegation, we developed a coordinated plan to provide hands-on training for State and local law enforcement on how best to use national resources.

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This money will be channeled to the National Center for Missing and Exploited Children, the FBI's National Crime Information Center and Child Abduction and Serial Killer Unit, the Morgan P. Hardiman Task Force on Missing and Exploited Children, and the Office on Juvenile Justice and Delinquency Prevention who will work in partnership to create a single, massive, targeted national training program in 1997 and 1998.

Over the last several decades, Congress has made it a national priority to help States in the safe recovery of endangered children. But until the Federal Government equips law enforcement with the tools necessary to understand and utilize these national resources, we will continue to undermine the Federal role in missing children investigations as well as our chance for the safe recovery of endangered children.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. DEUTSCH. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, the gentleman has gone a long way to bring to the attention of this body and the subcommittee the problem of missing and exploited children. As the gentleman has indicated, Congress has made it a national priority to help States in the safe recovery of endangered children, and in addition to the $6 million in funds already provided as an earmark under the justice assistance account for the missing children's program in this bill, the Office of Juvenile Justice and Delinquency Prevention has established a Federal agency task force for Missing and Exploited Children and provides research, training, and technical assistance to prosecutors, law enforcement, and child protective services personnel. In addition, the Criminal Division and the FBI also dedicate significant resources to this problem, including forensic expertise, violent crime analysis, behavioral science profiling, trial preparation, and prosecutorial strategies.

But as the gentleman points out, additional training is still necessary to ensure that State and local law enforcement authorities have the ability to respond to this problem using the Federal and national resources available to them. This can be done through a combination of additional funding earmarked directly for the Missing Children Program and increasing efforts within resources already available to the FBI and the Office of Juvenile Justice and Delinquency.

I will assure the gentleman that I will work during the conference on this bill to provide additional resources for this important program. I commend him for his work.

Mr. DEUTSCH. Mr. Chairman, I appreciate the pledge of the gentleman from Kentucky. I look forward to working through the conference.

The CHAIRMAN. The time of the gentleman from Florida [Mr. DEUTSCH] has expired.

(By unanimous consent, Mr. DEUTSCH was allowed to proceed for 5 additional minutes.)

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

Mr. DEUTSCH. I yield to the gentlewoman from California.

Ms. WOOLSEY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I want to express my strong support for increasing funds for the National Center for Missing and Exploited Children. Mr. Chairman, 3 years ago, 12-year-old Polly Klaas was kidnapped from her bedroom in Petaluma, CA. That is where I live, that is part of my district. She was later found brutally murdered.

While it is too late to help Polly, it is not too late to help others like her. Since Polly's death, thousands more children have been abducted and many are still missing. Today we have an opportunity to help these children by creating a National Training Center for the Recovery of Missing and Exploited Children, and by improving reporting procedures that the Deutsch amendment has incorporated in the bill it will improve the likelihood that these children will be returned safely to their families.

For Polly, for 9-year-old Jimmy Ryce, it is too late. But for the thousands of children that are still missing, by our support of this important amendment we will have made a great difference.

Mr. RAMSTAD. Mr. Chairman, will the gentleman yield?

Mr. DEUTSCH. I yield to the gentleman from Minnesota.

(Mr. RAMSTAD asked and was given permission to revise and extend his remarks.)

Mr. RAMSTAD. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the Deutsch amendment to provide additional funding for a national training initiative to improve the law enforcement response in cases of missing and exploited children.

As the author of the Jacob Wetterling Crimes Against Children Act, which became law in 1994, I feel a special burden for children who are vulnerable to crime.

The Wetterling Act provides for the registration of convicted child sex offenders and violent sexual predators. The Wetterling Act is a critical resource for law enforcement for investigating child abduction and molestation cases. But more needs to be done.

The subject of this amendment, the Jimmy Ryce Law Enforcement Training Act, has three crucial components that will provide needed training to law enforcement in missing and exploited children cases.

Adequate funding is absolutely critical for each of these initiatives. I understand a promise has been made to fight for increased funding for this initiative in conference committee, and I am very grateful to Chairman Rogers for his commitment.

Mr. Chairman, I look forward to continued progress on making our communities a safer place for our kids to grow up.

Mr. BARCIA. Mr. Chairman, I move to strike the last word, and I would like to engage in a colloquy with the chairman regarding the Boys and Girls Clubs of America.

Mr. Chairman, in the fiscal 1996 appropriation bill, an $11 million earmark was provided for the Boys and Girls Clubs of America for the establishment of clubs in public housing facilities and other areas of need in cooperation with State and local law enforcement. This earmark was in addition to $4.35 million also included under Byrne discretionary grants.

The Boys and Girls Clubs of America have provided outstanding leadership in constructively providing and offering meaningful activities for our young people. If we are going to effectively deal with the challenges and temptations our young people face, we need to increasingly depend upon volunteer-based organizations like the Boys and Girls Clubs of America. Government cannot do it alone.

As I understand the history of this provision, Mr. Chairman, the intent was for that amount to be the first installment on a multiyear program.

I am great supporter of Boys and Girls Clubs generally and of this effort to bring constructive activity to additional young people in particular.

While the bill before us today includes $4.35 million for Boys and Girls Clubs under the Byrne discretionary grant program, it does not include the additional $11 million earmark under the local law enforcement block grant. Can the gentleman provide me with assurances that the conferees on this appropriations bill can provide similar positive consideration when the other body completes its action?

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. BARCIA. I yield to the gentleman from Kentucky.

Mr. ROGERS. I appreciate the gentleman's concerns and I assure him that we will provide similar favorable consideration when we conference this bill with the Senate, as we provided last year, for additional funding for the Boys and Girls Clubs of America.

Mr. BARCIA. I want to thank the chairman for his leadership on this issue and especially the Boys and Girls Clubs of America. I thank the chairman for this additional show of support from the Congress.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the committee be allowed to go back to section 103 to allow the gentlewoman from the District of Columbia [Ms. NORTON] to offer the amendment which she was prepared to offer, and that debate on the amendment be limited to 10 minutes, 5 minutes for each side.

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

There was no objection.

The CHAIRMAN. The Clerk will redesignate section 103.

The Clerk redesignated section 103.

AMENDMENT OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Ms. NORTON: In title I, under the heading ''GENERAL PROVISIONS—DEPARTMENT OF JUSTICE'', strike section 103.

The CHAIRMAN. The gentlewoman from the District of Columbia [Ms. NORTON] and a Member opposed will each control 5 minutes.

The Chair recognizes the gentlewoman from the District of Columbia [Ms. NORTON].

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

First, I want to thank the body for the courtesies that are being shown me on the issues I have raised. Above all, I want to indicate to the Chairman that I did not mean to impugn his fairness. He is a man whose reputation for fairness is unmarred in this body, and I think there was honest confusion. Moreover, I should have been here. Even though I was here before the end of the Justice section, I should have been here absolutely on time and I apologize to the body that I was not here. I would hope only that the issue that I raised would not be sacrificed because of my own tardiness.

I appreciate that my friends on the other side have given me the opportunity to offer the amendment. Unanimous consent is one of the few privileges that remains almost sacrosanct in this form in this body. It is an indication of the civility that remains in this body, although it is not always apparent. I had never intended to ask for a rollcall vote.

As has been indicated, I offered this amendment last year. For me it is a matter of principle just as those who do not support choice find it a matter of principle. For me it is deeply felt because my own district is one that is riddled with AIDS, crack, and alcohol, which is destroying parts not only of my own district but destroying parts of my own black community. It is devastating women of every race.

Mr. Chairman, I wished simply to offer the amendment in order to press upon us all that women now have a higher rate of incarceration, growth rate of incarceration, then men in Federal prisons for the first time in our history, that AIDS among them is significantly greater even than AIDS among men, an astonishing fact.

Mr. Chairman, I want to say to my friends on the other side of the aisle, I appreciate the opportunity to offer this amendment. I will look for opportunities to respond in kind.

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

The CHAIRMAN. Who seeks time in opposition?

Mr. SMITH of New Jersey. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from New Jersey [Mr. SMITH] is recognized for 5 minutes.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, just so the record clearly reflects what is happening here, there were some bogus assertions made earlier that somehow the pro-life side was trying to box the gentlewoman from the District of Columbia from offering her amendment. Yet the simple fact of the matter is that we all have to abide by the rules here. There was a clear window of time here. Mrs. NORTON's amendment was clearly in order but she physically was not here to offer.

Many Members have done that over the years. I've been here for 16 years there have been times that bills have moved so fast that members have missed their opportunity. When that happens they have sought unanimous consent to bring it up, sometimes consent is granted, sometimes not. They did not then claim foul, though. If one knows what the rules are then its incumbent on a member to get here on time, and many Members have found this to be the case. But, really, if you're late getting here, don't turn around and cry foul.

I want the record to show clearly that right now by bringing this amendment up out of order we are providing special treatment, to the gentlelady. Last year when the Norton amendment was offered it was defeated with 281 noes. I think the outcome was very predictable and would have been predictable if we had indeed had a rollcall vote.

Mr. Chairman, the issue is one of whether or not we will provide funding in prisons and also for women detained by the Marshals Service and the Immigration and Naturalization Service, the INS. This language that the chairman has wisely put into the bill provides for abortion funding only in cases of rape or endangerment to the life of the mother section 103. It is a carryover from last year. I believe it is very good legislation.

Finally, and I said this earlier in this debate, why do we seek to proscribe funding for abortion? It is very simple. Many of us have come to the inescapable conclusion based on all of the available documentation that is out there that abortion kills babies, plain and simple. It dismembers babies' bodies. It results in the injection of chemical poisoning. I hope that a comprehensive debate on abortion occurs in this country, that this sense of denial that so many Americans are living with regarding abortion gets stripped away. The partial-birth abortion ban and the fight that occurred on this floor regarding that hideous procedure where the so-called doctor stabs the child's head with a scissors then hooks up a suction device to suck the brains out of the baby.

Many people began to see abortion not as freedom but cruelty to children. The other methods are equally gruesome. It just happens in utero.

You do not see the baby get dismembered unless you do what Dr. Nathanson did and utilize a sonogram and watch, as he did in his movie ''The Silent Scream,'' a child actually getting picked apart by a loop-shaped knife which is as sharp as a razor blade.

Abortion kills babies. That is why we fight it. We also believe very strongly—and I know many women who have had abortions, many women—I believe that they are exploited, they are victims, they are covictims with the baby. Our real concern and love and compassion is for them. Reconciliation for those who have had abortions and efforts to try to prevent those who might be in a vulnerable situation from going forward with that irreversible decision to have her baby killed.

Mr. Chairman, I am glad we had this short debate and we are able to accommodate the gentlewoman from the District. Let me make it very clear however that had she been here at the right time when the reading of the appropriate paragraph occurred, she would have easily offered her amendment. Still, I am glad to be accommodative in providing this opportunity again for her to offer her amendment.

I urge Members to defeat it and yield back the balance of my time.

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

Mrs. MORELLA. Mr. Chairman, I rise in support of the Norton amendment which would remove the ban on access to abortion services for incarcerated women, except in cases of rape or life endangerment.

There are currently almost 6,000 women incarcerated in Federal Bureau of Prisons facilities, the majority—68 percent—of whom are serving sentences for drug offenses. Most of the women are young, have been frequently unemployed, and many have been victims of physical or sexual abuses. According to a recent survey, 6 percent of women in prisons and 4 percent of women in jail were pregnant when admitted. Limited prenatal care, isolation from family and friends, and the certain loss of custody of the infant upon birth present unusual circumstances that exacerbate an already difficult situation if the pregnancy is unintended.

Because Federal prisons are totally dependent on health care services provided by the Bureau of Prisons, this ban, in effect, prevents these women from exercising their constitutional right to abortion. Most women prisoners were poor when they entered prison, and they do not earn any meaningful compensation from prison jobs. This ban then closes off their only opportunity to receive such services, and thereby denies then their rights under the Constitution.

I urge my colleagues to support the Norton amendment.

Mrs. MALONEY. Mr. Chairman, I rise in support of the Norton amendment.

A member of the new majority says that they plan to outlaw abortion, ''procedure by procedure.'' Today's votes prove they are sticking by their word.

If the Radical right has its way, passage of the Commerce/State/Justice bill will include the 30th and 31st votes on choice in this Congress. The Norton amendment seeks to correct one of these attacks on American women.

Federal prisoners must rely on the Bureau of Prisons for all of their health care. So, if this ban passes, it would prevent these women from seeking needed reproductive health care.

In this bill, the new majority has attacked women who are often poor, uneducated, isolated, and beaten down. Most women prisoners are victims of physical or sexual abuse. Most women, if pregnant in prison, became pregnant from rape or abuse before they entered prison. Most women prisoners are poor and cannot rely on anyone for financial assistance.

These women already face limited prenatal care, isolation from family and friends, a bleak future, and the certain loss of custody of the infant.

The ban on reproductive health services for women in prison closes off their only opportunity to receive such care, it denies them their constitutional rights, but most importantly, it denies them their dignity.

Mr. Chairman, don't intensify an already difficult situation; support the Norton amendment.

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The CHAIRMAN. The question is on the amendment offered by the gentlewoman from the District of Columbia [Ms. NORTON].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $21,449,000, of which $2,500,000 shall remain available until expended: *Provided,* That not to exceed $98,000 shall be available for official reception and representation expenses.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $40,000,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $30,000 per vehicle; obtain insurance on official motor vehicles; and rent tie lines and teletype equipment; $272,000,000, to remain available until expended: *Provided,* That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law; $28,604,000, to remain available until expended: *Provided,* That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further,* That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, Public Law 91–304, and such laws that were in effect immediately before September 30, 1982, $328,500,000: *Provided,* That none of the funds appropriated or otherwise made available under this heading may be used directly or indirectly for attorneys' or consultants' fees in connection with securing grants and contracts made by the Economic Development Administration: *Provided further,* That, notwithstanding any other provision of law, the Secretary of Commerce may provide financial assistance for projects to be located on military installations closed or scheduled for closure or realignment to grantees eligible for assistance under the Public Works and Economic Development Act of 1995, as amended, without it being required that the grantee have title or ability to obtain a lease for the property, for the useful life of the project when in the opinion of the Secretary of Commerce, such financial assistance is necessary for the economic development of the area: *Provided further,* That the Secretary of Commerce may, as the Secretary considers appropriate, consult with the Secretary of Defense regarding the title to land on military installations closed or scheduled for closure or realignment.

AMENDMENT OFFERED BY MR. HOSTETTLER

Mr. HOSTETTLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HOSTETTLER: In title II, strike the item relating to ''DEPARTMENT OF COMMERCE—ECONOMIC DEVELOPMENT ADMINISTRATION—ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS''.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 20 minutes and that the time be equally divided on the issue.

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

There was no objection.

The CHAIRMAN. The gentleman from Indiana [Mr. HOSTETTLER] will be recognized for 10 minutes in support of his amendment. Who seeks time in opposition?

Mr. ROGERS. Mr. Chairman, I seek the time in opposition and I yield half of that time to the gentleman from West Virginia [Mr. MOLLOHAN] and I ask unanimous consent that he be permitted to control that time.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. HOSTETTLER].

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

Mr. Chairman, I rise today to offer an amendment to eliminate funding for the Economic Development Administration.

The Economic Development Administration, known as the EDA, which is a part of the Department of Commerce, was created in 1965 to assist in the development of depressed areas an encouraged increased employment through loans and grants to State and local communities.

Although the original intent sounds reasonable, it is not reality. EDA money has been used for many projects that have nothing to do with jobs or economic development for depressed areas.

As we struggle to balance the budget, it is critical that we terminate funding for EDA, an irreparable program that wastes millions of precious Federal dollars every year. We simply cannot afford to continue funding this program.

Throughout the history of the EDA, there can be found any number of examples of Federal spending for unreasonable projects. The Inspector General audited a number of EDA projects and found fault with almost every one.

Some examples of taxpayers dollars being wasted include: $800,000 for a golf course that washed away, $5,000,000 was awarded in 1976 to an economic development district that built a cash reserve of almost $2 million and wasted and misused over $1 million; and $850,000 was awarded in 1987 to help fund a $1 million 3-year industrial park expansion. Eight years later the project was barely started but $670,000 of the money had been spent.

The EDA has proven itself to be a failure at meeting its objective. This program has become a $348 million drain on scarce and valuable Federal resources. Reform of the program is not the answer. Eliminating funding is the answer.

If you support eliminating the Department of Commerce, you should support this amendment. The fact is when EDA was created, 12 percent of the Nation was eligible, today it is estimated 90 percent of the Nation is eligible.

There has been a tendency to base projects more on political influence rather than true need. The 17 States represented by the members of the relevant House and Senate subcommittees received $1.10 per capita in EDA grants in 1994, compared to 68 cents for the rest of the Nation.

EDA's programs are very costly and too slow. An analysis of The Emergency Jobs Act of 1983 revealed that only 84 previously unemployed people received jobs under the program at a cost of $307,000 per job—seven times the cost of a job created in the private sector.

A study conducted by the General Accounting Office failed to establish a strong link between a positive economic effect in a community and an agency's economic development assistance.

Even proponents of this program admit the problems I have mentioned exist. As a solution to the waste of Federal funds and other problems with the EDA, they have offered up reform efforts as the answer. However, a year later, we are still spending the same amount of money and no reform has taken place to address these concerns.

To quote the Commerce Department's Inspector General regarding reform legislation, ''H.R. 2145 simply reenacts substantial portions of the Public Works and Economic Development Act of 1965, and changes the program delivery mechanism by reverting to a regional commission structure similar to the one discontinued nearly 15 years ago with the repeal of the former Title V of the 1965 act. We are concerned that the bill does not directly address the types of deficiencies we have noted over the years with respect to EDA, particularly issues of overly broad eligibility criteria and problems stemming from inadequate programmatic oversight.''

It is obvious the EDA has failed at its intended mission. Due to the budgetary constraints and the lack of a justifiable Federal role in these programs, it makes good sense to zero out this agency within the Department of Commerce.

I ask for your vote to strike EDA funding in the fiscal year 1997 Commerce-State-Justice appropriations bill.

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

Mr. ROGERS. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment would eliminate the Economic Development Administration, and I urge a ''no'' vote.

We debated this issue on this bill last year and the year before and the year before that. Last year 310 members, representing a majority of both Republicans and Democrats, voted resoundingly to support the work of this agency.

I urge the House to turn back this effort to eliminate the EDA for the same reasons we have done for the last several years.

First, we have drastically cut this agency back and forced it to target its dollars on projects in truly distressed communities. Right now EDA funding is 21-percent below last year because of the work of this committee and this House. We proposed not one penny more in this bill, and in fact we provide less than the Administration requested. We also tell EDA it must continue targeting its money at the most distressed communities, in line with the reforms the House has already passed.

Second, if we do not vote this amendment down, we will deprive hard-hit communities in every State of the vital assistance these programs provide. EDA helps our poorest urban and rural communities to provide for themselves and to raise their standards of livings.

EDA also helps communities recover from sudden and severe jobs losses, like factory shutdowns or other disasters. And if your district has suffered from cutbacks in the defense industry, EDA is the major Federal program responsible for helping communities recover from those closed bases. EDA helps fund projects on military bases scheduled for closure so that communities and workers can reuse the base for another purpose.

We have cut EDA by almost $100 million from where it was in 1995. We have cut the bureaucracy by over 35 percent. The agency has been streamlined and downsized, and the development and selection of projects has been moved out of Washington, back towards the local and State levels.

We have worked closely with the authorizers to achieve those reforms, and they are working. The EDA is helping our truly needy areas to attract the private investments that lead to permanent jobs.

Mr. Chairman, I urge a ''no'' vote on the amendment.

Mr. HOSTETTLER. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, the Economic Development Administration was created in 1965 to promote the recovery of economically distressed areas. The EDA must not be doing its job very well because 31 years later, 90 percent of the country is eligible for EDA grants.

Does that mean that 90 percent of the country is seriously economically distressed, or does it mean that the EDA is no longer running according to its original noble goals? Regardless of the answer, something must be wrong with the EDA.

We are being asked today to spend over $300 million on projects that do not live up to the scrutiny placed on them by the Commerce Department Inspector General. We have reports of rampant fraud and abuse with EDA funds, and this is nothing new. This is something that has been going on for at least a decade. We keep getting the reports over and over again. We keep getting the reports of the misuse of funds on the part of the EDA.

Almost everyone that looks at the EDA except this body says that the EDA is a waste and is one of the chief means of funneling pork into Members' districts. I am not surprised that over 300 people voted against doing away with the EDA last year. I have been down here time and time again, trying to get rid of the EDA year after year, and the votes are strong anyway. Why not? It is pork for your districts, and that is why we support the EDA.

The EDA has shown that as long as we continue to fund them at these levels, they will continue to abuse taxpayer funds. Mr. Chairman, it is time we take away the EDA's gold card.

Mr. MOLLOHAN. Mr. Chairman, I rise in strong opposition to this amendment.

(Mr. MOLLOHAN asked and was given permission to revise and extend his remarks.)

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the very distinguished gentleman from Minnesota [Mr. OBERSTAR].

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

Mr. Chairman, several years ago a book was written entitled, ''We've Been Down So Long, It Looks Like Up.'' It described much of Appalachia during the 1970's and 1980's. It described much of rural America that is benefiting from the Economic Development Administration.

The previous speaker talked about 90 percent of the country being eligible for EDA. That is a figment. That is a fiction. The bill that we have repeatedly passed in this House from the Committee on Transportation and Infrastructure revamps the whole EDA program, but we have never been able to get it enacted into law. But the program is administered so that not 90 percent but a vastly smaller number of the country, only those most distressed areas are actually eligible and benefit from the program.

Several years ago when I chaired the Economic Development Subcommittee and Investigations and Oversight Subcommittee, we conducted hearings on the effectiveness of the EDA program. In the first 15 years of EDA, $4.7 billion was invested. That leveraged $9 billion in non-Federal funds, creating 1.5 million jobs, and from those jobs every year $6.5 billion in taxes are being paid to Federal, State and local governments.

Every year the taxes generated by EDA are greater than the total investment in this program in 31 years. Those jobs are still there, they are real, people are still working.

Take the Fort Holabird Industrial Park in Baltimore, abandoned by the military, re-created into an industrial park, $11 million from the city and a total investment of $42 million, an EDA grant of $11 million, 4,000 new jobs created, 1,000 jobs retained. Take the Mohawk Valley Economic Development District in New York, 1,600 jobs created at a cost per job of $1,500. Good jobs, real jobs.

Let us keep EDA. It is a locally controlled program.

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Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. GILCHREST].

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

I would like to ask the body this question: Are there any areas in their districts that are depressed? Is there any section of their district that they would consider in poverty; in need of jobs? If the answer is ''yes,'' then I would like them to find an answer to the following question: What is the Federal Government's role in economic development?

I want to give my colleagues three ideas about the Federal Government's role in economic development and include in that a vastly reformed Economic Development Administration where there is no pork.

No. 1, the Federal Government's role is to create an environment conducive for economic productivity in the private sector. We would agree with that.

No. 2, the Federal Government should enhance the competitive nature of the market economy. Nobody would deny that.

And No. 3, our role in that mix is to act as a team player with the community, with superintendents of schools, for example, to create a job base.

EDA ensures a market economy. Vote against the amendment.

Mr. HOSTETTLER. Mr. Chairman, may I ask how much time I have remaining?

The CHAIRMAN. The gentleman from Indiana [Mr. HOSTETTLER] has 4 minutes remaining, the gentleman from Kentucky [Mr. ROGERS] has 2 minutes remaining, and the gentleman from West Virginia [Mr. MOLLOHAN] has 3 minutes remaining.

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

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Florida [Mrs. MEEK].

Mrs. MEEK of Florida. Mr. Chairman, I rise in strong opposition to the gentleman's amendment to eliminate funding from the economic development assistance program.

I know of no other agency, no other program of the Federal Government more critical to the needs of communities around this Nation than the Economic Development Administration.

EDA programs target funds to areas in need of assistance and responds to the special needs of each individual town and city. EDA has programs which benefit communities in almost every stage of the development process.

For those communities experiencing structural economic changes, such as my community, EDA provides flexible assistance to help them design and implement their own local recovery strategies.

This is a local effort, Mr. Chairman. It is nothing that is going to hurt the Federal Government. They can keep up this initiative. We need to stop killing proven programs that have met a need. We need to keep the EDA going, and I ask this Congress to vote against this amendment.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi [Mr. WICKER].

(Mr. WICKER asked and was given permission to revise and extend his remarks.)

Mr. WICKER. Mr. Chairman, I rise in opposition to the amendment. My friend from Colorado said this program is pork for our districts. That is not accurate. This program is jobs and infrastructure and economic development for our districts.

Most of EDA's funds go toward important grants and low-cost loans. Let me give my colleagues one success story. When the Canadian-owned Norbord Company invested $88 million in a new Mississippi plant last year, it was an EDA grant for a water supply system that made that new plant possible.

Now that water system is helping to keep more than 250 workers employed in good jobs, generating tax revenues and contributing to the local and national economies.

EDA helps economically distressed communities build a solid base on which sustainable economic development can be established and maintained. I urge my colleagues to support this valuable government program and defeat the amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from West Virginia [Mr. WISE], my good friend and colleague, to close for our part.

Mr. WISE. Mr. Chairman, I thank the gentleman from West Virginia for yielding me this time.

EDA. We are talking water systems, we are talking sewer systems, we are talking industrial parks, we are talking of job creation, we are talking technical assistance; we are talking, if you have the misfortune of having a defense base close down, we are talking defense conversion assistance, something a lot of Members have had to draw upon here.

I am proud this is a bipartisan effort to fight for EDA because it is to let people know that EDA generates more than $3 in private sector dollars for every $1 of Federal money that goes into it.

I have heard the concern about EDA not applying to low-income areas. Ladies and gentlemen, in the public works part of EDA 100 percent of the money has gone to low-income, high-unemployment areas and 94 percent of the money has gone into areas as defined under our much tougher authorization bill that unfortunately has not passed the other body but has passed here a number of years.

In terms of audits, I am fascinated, since in the first half of 1996 the IG reviewed 292 independent audits of EDA projects and questioned only 10. I want to read to my colleagues, though. I asked a lot of constituents to tell me what they thought of EDA, and the chairman of the Eastern West Virginia Regional Airport Authority in Martinsburg wrote,

> Without the $2 million in Economic Development Administration funding, the creation of our airport industrial park would not have been possible. As it is, Phase I is now under construction, and we anticipate that in Phase I as many as 3,000 high-income jobs will be created. Phase II may see that number swell as high as 5,000 jobs in total.

The average public works expenditure per job created by EDA is $1,922, which compares very favorably with the private sector. In fact, it is better. So all this stuff about 300,000—and, incidentally, those projects the gentleman mentioned a while back, they were under previous administrations by Presidents who were not favorable, ironically, to the EDA. That has not been the case under the tighter standards of the past few years.

So I would urge Members on a bipartisan basis to reject this ill-timed amendment. We want economic growth in this country, not economic retreat. EDA is one of the few agencies providing that.

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] has the right to close; therefore, the gentleman from Indiana [Mr. HOSTETTLER] is recognized to utilize the remainder of his time.

Mr. HOSTETTLER. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. GOSS].

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Chairman, I rise in support of this amendment.

Mr. Chairman, the Hostettler amendment is simple—it seeks to eliminate all funding for the Economic Development Administration [EDA]. The EDA, an agency within the Department of Commerce, has long been a source of contention. In fact, the Nixon, Reagan, and Bush Administrations all attempted to abolish EDA on the grounds that the agency was limited in scope and its initiatives should be funded by State and local governments.

EDA's programs, while well-intentioned, are at best duplicative and at worst downright wasteful. Four separate Departments—along with the ARC, TVA, and SBA—fund similar development programs.

And there is no evidence to show that EDA's programs on the whole are a good investment. An April 1996 GAO report was unable to find any study that established a strong causal linkage between a positive economic effect in a community and Federal economic development assistance. In other words, GAO was unable to find any study to justify the core mission of EDA.

What we do know and what has been documented in the Inspector General's semiannual reports to Congress is the high volume of wasteful and misused funds in EDA projects. Some lowlights: A 1993 audit of a New York grant revealed over $12 million in questionable costs. In this case, $10.2 million was used to build a hockey rink for the U.S. Olympic hockey team that the team never used and city officials admitted created no new jobs. The audit is also replete with accounts of sweetheart deals and corrupt public officials.

A 1993 audit of an Oklahoma grant questioned the entire $2.4 million of Federal reimbursement. These funds were supposed to be used to provide water and sewer facilities so that a local company could construct a deboning plant. I quote from the report. "The EDA public improvements increasing water and sewer capacity had no impact in the creation of plant jobs * * * and all of the 300 jobs could have been created without the EDA-funded improvements."

Like most Government spending programs, EDA has its committed advocates in Congress. They will tell you that the Federal Government is better equipped to create jobs than the private sector. They will acknowledge the waste and abuse in EDA's programs, yet they will insist that EDA has been reformed. They will argue that EDA is needed to correct economic displacement caused by base closures even though less than a tenth of all EDA money goes to defense adjustment assistance, and a good deal of that money is wasted as well.

What the EDA proponents will not answer is this: As we struggle to balance the budget in a responsible manner, how can we continue to spend taxpayer money on an agency that has such a dubious track record? I encourage my colleagues to ignore the red herrings and stand up for the American taxpayer. Support the Hostettler amendment and fold the tent at the EDA.

Mr. HOSTETTLER. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SOLOMON].

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

Ladies and gentleman, it is kind of disheartening when we look at what has happened to the deficits in this country. We do have a $5 trillion deficit that has accumulated over the years. If we had let things continue the way they were, with President Clinton's projected 5-year budgets, we would have increased that to $1 trillion more. That would have raised the annual debt service from, say $250 billion up to almost $300. That is $50 billion less that we do not have to help truly needy people.

My district has benefited by the EDA over the years. We have fought hard to try to get money there. Got a village by the name of Ticondoroga, or rather the town of Moriah, that just got a $1 million grant, and that is going to help. But the truth of the matter is we have to tighten our belts somewhere.

We have to bring these programs together and to merge them. If we do not do that, that debt is going to continue to grow. We have the Farmers Home Administration, the Rural Development Agency, the Community Development Block Grants, and a number of other Federal programs that can do the same things as the EDA. In the States many of my colleagues come from, and New York State where I come from, there are a number of programs out there that are duplicative and do the same thing. Where are we going to cut?

Look at the vote on the Legal Services Corporation a little while ago. That was so disheartening. We added money back instead of cutting. Where are we going to balance the budget? Do may colleagues not worry about their children and their grandchildren? I worry about my four grandchildren. I do not know how in the world or what kind of country they are going to live in if we do not have the guts around here to tighten our belts a little bit like the American people are doing.

I support this amendment. It does not mean we are going to knock off all these programs. They are going to be there because we are merging and bringing these programs together in other forms. If we eliminate the Department of Commerce, that saves 36,000 jobs and pensions that go with them.

These are the things we have to do, ladies and gentleman. I urge my colleagues to support the amendment. As much as I understand there are some good programs in it, there is an awful lot of waste there, too. Like one program that costs $307,000 per newly created job. $307,000? That is a shame.

Mr. HOSTETTLER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in the beginning, I would just like to address a point that was made earlier with regard to base closure. In an August 2 update to the subcommittee earlier, the Office of the Inspector General stated that although EDA was complying with congressional mandates in administering a program with regard to base closures, they had two preliminary concerns that had been expressed to the agency.

First of all, the project's ability to mitigate the effect of military base closures or convert defense technology to civilian applications appeared limited.

Second, a disproportionate share of the projects were concentrated in a few States, which speaks to the point I made earlier with regard to the number of dollars that go to States that are represented on the relevant House and Senate subcommittees.

In closing, I would just like to say this. There has been a lot of touting with regard to economic development and these monies used for that, but the fact is, Mr. Chairman, where do these monies come from? They are tax dollars that have to be taken either from other companies who would like to create jobs in their particular district, or from individuals who are trying to raise a family on what is becoming a more and more limited income as a result of the size and intrusiveness of the Federal Government.

I guess the point is this. If Members think economic development should be done by the public sector, then they do

not want to support this amendment. But if they think real jobs are created in the private sector, long-lasting jobs, not, for example, 800,000 golf courses that get washed away, but if Members think real long-term job growth happens in the private sector, then we need to let businesses and individuals keep more of the money they earn that they use to create jobs and wealth in this country.

Mr. GILCHREST. Mr. Chairman, will the gentleman yield?

Mr. HOSTETTLER. I yield to the gentleman from Maryland.

Mr. GILCHREST. I thank the gentleman for yielding, Mr. Chairman.

One quick example. There was a defense contractor in my district that made harnesses for F–14 jets. They shut down, 200 jobs out. Leveraging EDA loans we created a high-technology center which now employs about 200 people that does the same kind of thing in the private sector.

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] is recognized for 1 minute for the purpose of closing.

Mr. ROGERS. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania [Mr. SHUSTER], the chairman of the Committee on Transportation and Infrastructure of the House, who has reformed EDA.

Mr. SHUSTER. Mr. Chairman, I rise in strong opposition to this amendment.

Now, the criticisms that we are hearing about EDA are accurate. They are accurate but they are in the past tense. We have reformed this agency. We heard tonight about 90 percent of the country being eligible. That is the way is was, but that is not the way it is based on the instructions given to EDA from both the authorizers and the appropriating committee. Only distressed communities are getting the money. It is not 90 percent. Only about 45 percent are even considered, and the actual money is flowing to only about 20 percent. The most needy. This is job creation.

With regard to the issue of local businesses and governments participating, we now have a 50 percent match requirement. So this is not the Federal Government handing out dollar bills, it is the Federal Government saying we will match you, but you put up your local money.

Defeat this amendment, Save the EDA.

Mr. OLVER. Mr. Chairman, I rise in opposition to the Hostettler amendment and in strong support of targeted economic development.

My largely rural district in central and western Massachusetts has endured some major economic shifts, including a significant portion of New England's losses in the paper industries.

My communities need new jobs, but they do not always have the resources to begin economic growth in a new direction.

That's where the EDA comes in.

Economic development seed money—often grants of relatively modest amounts—can make a world of difference to a sluggish local economy.

The EDA injects economic life into an area by: Creating industrial parks by funding utilities construction; or providing hard to come by capital for revolving small business loans; or by funding the regional economic planning necessary for small communities to coordinate their job-creating efforts.

And the EDA is the only Federal agency that helps implement strategies to adjust to defense downsizing, turning abandoned military bases into hubs for new businesses.

My district has benefited greatly from these types of critical investment.

The development of Summit Industrial Park in Gardner, MA, and economic dislocation lending to small businesses by the Franklin County Community Development Corporation are two examples of current EDA-funded projects in my area.

These projects are partnerships, with the State and local governments contributing their fair share.

Termination of the EDA would do little to balance the budget.

Three hundred and forty-nine million dollars in this bill is one-fiftieth of 1 percent of the total Federal budget for fiscal year 1997.

What terminating the EDA would do is kill a great catalyst for economic renewal, and the best hope many of my constituents have for a future paycheck.

I urge a no vote on the Hostettler amendment.

Mr. HINCHEY. Mr. Chairman, I rise in opposition to this amendment which would eliminate funding for the Economic Development Administration.

The EDA is a lean, efficient Government agency that promotes economic development in distressed communities throughout the Nation.

The agency helps communities improve their infrastructure, adjust to the impact of defense downsizing, and recover from natural disasters such as floods and earthquakes.

EDA is also an agency that has effectively reinvented itself during the last several years by streamlining its regulations, reducing staff levels and overhead expenses, and strengthening the public-private partnership to create jobs and promote local economic development.

In my district, the agency is a proven success in creating jobs and revitalizing an economy, which has been devastated by the impact of defense downsizing.

EDA has funded the Small Business Resource Center in Kingston, NY, for example, a program that assists small business start-ups and provides technical and market information to local businesses seeking to expand.

Since its opening just over a year ago, the resource center has helped many small businesses in the area improve their operations and their profitability.

The center has also facilitated the start up of 15 new businesses in just 12 months.

EDA's support for the resource center has helped Ulster County recover from the impact of defense downsizing, and in that regard the agency is somewhat unique at the Federal level.

It is the only agency that maintains a major program solely dedicated to assisting communities that have suffered due to defense cutbacks.

The Defense Adjustment Assistance Program assists economically-distressed communities build a solid base on which sustainable economic development can be established and maintained.

This helps explain how EDA has saved almost 10 thousand jobs in the State of New York in less than 4 years.

Is this really the best economic development strategy that the sponsors of this amendment can come up with?

I urge my colleagues to join me and Chairman ROGERS in opposing this unwise amendment.

Mr. PACKARD. Mr. Chairman, I rise in strong support of the bipartisan effort to retain the Economic Development Administration and in opposition to the amendment to eliminate funding for the EDA.

We certainly need to downsize government and focus our resources on the priorities which help our people and the communities in which they live. So while all agencies must help us tighten their belts and move toward a balanced budget, I would argue the EDA is more than worthy of our continued support at an appropriate level of funding.

I represent a coal mining district that has been severely impacted by the Federal Clean Air Act. We are desperately trying to diversify our economy, and in that effort the EDA has been extremely helpful by investing in basic infrastructure which brings in new industry and jobs.

The State of illinois has received funds through the EDA for nearly 150 projects since fiscal year 1992. It is the EDA that helps to provide essential services such as sewer lines and water towers to communities with substantial and persistent economic needs. In addition, these projects have helped to create thousands of greatly needed jobs in my State.

Last year 309 members of this body agreed that the EDA deserved appropriate funding, albeit at a 21 percent cut from the 1995 level. The EDA is scheduled to receive that same amount this year. I again purpose that we can, and should, continue to show support for the EDA by opposing any measure eliminating its funding.

Mr. CRAMER. Mr. Chairman, I rise in support of the Economic Development Administration [EDA]. The EDA has been continually active throughout the country, especially in my district. Through public works, technical assistance, planning, community investments, and revolving loan fund programs, EDA has established local partnerships that have provided critical infrastructure development and other economic incentives that have stimulated local growth, created jobs and generated revenues.

EDA's Trade Adjustment Assistance Program for Firms and Industries [TAA] has been an effective tool in helping U.S. firms and industries injured by international trade. By stemming firms' losses in sales and employment and by restoring growth, the program preserved and created a total of over 62,000 jobs in 500 companies studied.

Without EDA's National Technical Assistance program, many successful innovative economic development projects and activities would never be undertaken. This program stimulates technology development and transfer and helps U.S. manufacturers and industries develop new products and processes and utilize appropriate product and production technologies.

The Economic Development Administration's role in disaster recovery is to provide assistance to communities to achieve long-term economic recovery through the strategic investment of local resources. In the last 3 years, at least 13 States have been victims of natural disasters that EDA has assisted in rebuilding their communities and revitalizing their local economies.

EDA operates the largest Federal program for defense adjustment. The Department of Defense's Office of Economic Adjustment does an excellent job of supporting base reuse and community planning, only EDA can support the implementation of these plans. Over the next few years, communities affected by BRAC will be approaching EDA for critical base reuse funds.

Under EDA's Economic Adjustment Program, communities are provided with unique flexibility to design local strategies that achieve economic change and stability, and multicomponent projects to implement those strategies. This program serves a unique role in the nation's response to post-disaster economic recovery, base closure and defense industry downsizing as well as prolonged, persistent economic deterioration.

The administration's Infrastructure and Development Facilities Program aids economically distressed communities. It assists with construction of projects that improve opportunities for the establishment and expansion of commercial and industrial plants and facilities among other things. Since 1965 when EDA was created, this program has created more than 1.5 million jobs across the country.

I urge my colleagues opposition to amendments threatening EDA's funding.

Mr. RAHALL. Mr. Chairman, I rise in strong opposition to any amendment that would terminate and/or cut funding for the Economic Development Administration—the EDA.

Mr. Chairman, this year's recommended funding level for the EDA is but $328.5 million. This is identical to the funding for fiscal year 1996—reflecting a 20-percent cut in EDA funding since fiscal 1995.

This is surely representative of EDA's fair share of reduced Federal spending we are called upon to make.

One of the most important features of EDA funding is that it provides vital funding to communities that have had, and are still experiencing, base closures and defense downsizing.

If it were not for the EDA, defense conversion funds, set at $95 million in fiscal year 1997, where bases have been closed and Defense industry jobs lost—communities would not have the money to pick themselves up and dust themselves off—and get back on their feet again.

While West Virginia has had no base closures, and so Defense conversion funds do not assist my constituents, I know that many States depend upon the EDA's Defense conversions for economic development assistance, and I want them to have this $95 million set aside for that purpose.

EDA funds also go to local development districts and university centers, and to areas that have been devastated by spring floods, and winter blizzards, and earthquakes, and hurricanes and tornadoes.

But such funds are also spent on communities faced with both chronic and sudden economic downturns that result in massive job losses.

Over the past 30 years, EDA has created almost 40,000 economic development projects, generated more than $2 billion of private sector capital through revolving loan funds, supported more than 7,000 businesses, and leveraged $3 for every Federal dollar invested. That doesn't sound like golden fleece awards to me.

My colleagues, listen to what is being said around you by Members of this body about how much EDA means to their economically distressed areas, and defeat any amendment to kill or reduce the EDA program, just as you defeated their twins last year.

□ 2045

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. HOSTETTLER].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HOSTETTLER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 479, further proceedings on the amendment offered by the gentleman from Indiana [Mr. HOSTETTLER] will be postponed.

Mr. ROGERS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. GOSS) having assumed the chair, Mr. GUNDERSON, 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. 3814) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1997, and for other purposes, had come to no resolution thereon.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 3814, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that during the further consideration of H.R. 3814, in the Committee of the Whole, pursuant to House Resolution 479 and the order of the House of July 17, 1996: First, the remainder of the bill be considered as read; and second no amendment shall be in order except for the following amendments, which shall be considered as read, shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole, and shall be debatable for the time specified, and equally divided and controlled by the proponent and a Member opposed:

Amendment No. 10 by Mr. HOSTETTLER for 10 minutes;

An amendment by Mrs. JACKSON-LEE (regarding the National Telecommunications and Information Administration) for 15 minutes;

Amendment No. 11 by Mrs. MINK for 10 minutes;

An amendment by Mr. ROGERS (regarding NOAA) for 10 minutes;

An amendment by Mr. ENGEL (regarding public broadcasting grants) for 10 minutes;

Amendment No. 20 by Mr. BROWN of California for 20 minutes;

An amendment by Mr. ALLARD (regarding the Technology Administration) for 10 minutes;

An amendment by Mr. GOSS (regarding EDA) for 10 minutes;

An amendment by Mr. PORTER (regarding Asia Broadcasting) for 20 minutes;

An amendment by Mr. OBEY (regarding ABM Treaty) for 15 minutes;

Amendment No. 19 by Mr. TRAFICANT for 5 minutes;

Amendment No. 28 by Mr. GUTKNECHT for 20 minutes;

An amendment by Mr. DEUTSCH (regarding COPS) for 10 minutes;

An amendment by Mr. ENSIGN (regarding sexually explicit material in prisons) for 10 minutes;

Amendment No. 5 by Mr. FRANK of Massachusetts for 20 minutes;

Amendment No. 6 by Mr. FRANK of Massachusetts for 20 minutes;

Amendment No. 16 by Mr. GANSKE for 20 minutes;

Amendment No. 17 by Mr. GEKAS for 10 minutes;

Amendment No. 33 by Mrs. NORTON for 20 minutes;

An amendment by Mrs. FOWLER (regarding COPS) for 10 minutes;

An amendment by Mr. COLLINS of Georgia (regarding Federal Prison Industries) for 15 minutes;

An amendment by Mr. HUTCHINSON (regarding deaths in prisons) for 10 minutes; and

An amendment by Mr. MILLER of Florida for 10 minutes.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2391

Mr. SOLOMON. Mr. Speaker, my name was inadvertently placed on H.R. 2391 as a cosponsor. I ask unanimous consent to remove my name as a cosponsor of H.R. 2391.

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

There was no objection.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore. Pursuant to House Resolution 479 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3814.

□ 2049

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole