Budget estimates of new (obligational) authority, fiscal year 1998	23,047,903,000
House bill, fiscal year 1998	20,416,989,000
Senate bill, fiscal year 1998	21,209,623,000
Conference agreement, fiscal year 1998	21,152,202,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1997	+162,175,000
Budget estimates of new (obligational) authority, fiscal year 1998	−1,895,701,000
House bill, fiscal year 1998	+735,213,000
Senate bill, fiscal year 1998	−57,421,000

JOSEPH MCDADE,
HAROLD ROGERS,
JOE KNOLLENBERG,
R. P. FRELINGHUYSEN,
MIKE PARKER,
SONNY CALLAHAN,
JAY DICKEY,
BOB LIVINGSTON,
VIC FAZIO,
PETER J. VISCLOSKY,
CHET EDWARDS,
ED PASTOR,
DAVID R. OBEY,
Managers on the Part of the House.
PETE V. DOMENICI,
THAD COCHRAN,
SLADE GORTON,
MITCH MCCONNELL,
ROBERT E. BENNETT,
CONRAD BURNS,
LARRY CRAIG,
TED STEVENS,
HARRY REID,
ROBERT C. BYRD,
FRITZ HOLLINGS,
PATTY MURRAY,
HERB KOHL,
BYRON L. DORGAN,
DANIEL K. INOUYE,
Managers on the Part of the Senate.

REQUEST FOR CONSIDERATION OF H.R. 2183, BIPARTISAN CAMPAIGN FINANCE REFORM

Mr. DOGGETT. Mr. Speaker, in this spirit here this morning of bipartisan cooperation, I ask unanimous consent to take up and consider H.R. 2183, the bipartisan campaign finance bill that the gentleman from Maine [Mr. ALLEN] and the gentleman from Arkansas [Mr. HUTCHINSON] and all of our freshmen have joined in.

The SPEAKER. Under the Speaker's announced guidelines, it requires the leaders of both parties and the chairman and ranking member of the committee of jurisdiction to approve that request. The gentleman is not recognized, but the Chair appreciates his bipartisan-spirited tone.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER. Pursuant to House Resolution 239 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. 2267.

□ 0920

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 further consideration of the bill (H.R. 2267) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, with Mr. NUSSLE, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole House rose on Thursday, September 25, 1997, the bill was open for amendment from page 90, line 15, through page 90, line 23.

Are there any amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $35,500,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $65,000,000: *Provided,* That reimbursements may be made to this appropriation from receipts to the ''Federal Ship Financing Fund'' for administrative expenses in support of that program in addition to any amount heretofore appropriated.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by the Merchant Marine Act, 1936, $35,000,000, to remain available until expended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $1,000,000,000.

In addition, for administrative expenses to carry out the guaranteed loan program, not to exceed $3,450,000, which shall be transferred to and merged with the appropriation for Operations and Training.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefor shall be credited to the appropriation charged with the cost thereof: *Provided,* That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriation Act, and all receipts which otherwise would be deposited to the credit of said fund shall be covered into the Treasury as miscellaneous receipts.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, $250,000, as authorized by Public Law 99–83, section 1303.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $8,740,000: *Provided,* That not to exceed $50,000 may be used to employ consultants: *Provided further,* That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further,* That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the Chairperson who is permitted 125 billable days.

COMMISSION ON IMMIGRATION REFORM

SALARIES AND EXPENSES

For necessary expenses of the Commission on Immigration Reform pursuant to section 141(f) of the Immigration Act of 1990, $496,000, to remain available until expended.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $1,090,000, to remain available until expended as authorized by section 3 of Public Law 99–7.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621–634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed $27,500,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991; $239,740,000: *Provided,* That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–02; not to exceed $600,000 for land and structure; not to exceed $500,000 for improvement and care of grounds and repair to buildings; not to exceed $4,000 for official reception and representation expenses; purchase (not to exceed 16) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109; $187,079,000, of which not to exceed $300,000 shall remain available until September 30, 1999, for research and policy studies: *Provided,* That $152,523,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the

Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further,* That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1998 so as to result in a final fiscal year 1998 appropriation estimated at $34,556,000: *Provided further,* That any offsetting collections received in excess of $152,523,000 in fiscal year 1998 shall remain available until expended, but shall not be available for obligation until October 1, 1998.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act of 1936, as amended (46 App. U.S.C. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–02; $13,500,000: *Provided,* That not to exceed $2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses; $95,000,000: *Provided,* That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718, as amended: *Provided further,* That notwithstanding any other provision of law, not to exceed $70,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino 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 1998, so as to result in a final fiscal year 1998 appropriation from the General Fund estimated at not more than $25,000,000, to remain available until expended: *Provided further,* That any fees received in excess of $70,000,000 in fiscal year 1998 shall remain available until expended, but shall not be available for obligation until October 1, 1998: *Provided further,* That none of the funds made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102–242, 105 Stat. 2282–2285).

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, $141,000,000, of which $134,575,000 is for basic field programs and required independent audits; $1,125,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; and $5,300,000 is for management and administration.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

SEC. 501. (a) CONTINUATION OF COMPETITIVE SELECTION PROCESS.—None of the funds appropriated in this Act to the Legal Services Corporation may be used to provide financial assistance to any person or entity except through a competitive selection process conducted in accordance with regulations promulgated by the Corporation in accordance with the criteria set forth in subsections (c), (d), and (e) of section 503 of Public Law 104–134 (110 Stat. 1321–52 et seq.).

(b) INAPPLICABILITY OF CERTAIN PROCEDURES.—Sections 1007(a)(9) and 1011 of the Legal Services Corporation Act (42 U.S.C. 2996f(a)(9) and 2996j) shall not apply to the provision, denial, suspension, or termination of any financial assistance using funds appropriated in this Act.

(c) ADDITIONAL PROCEDURES.—If, during any term of a grant or contract awarded to a recipient by the Legal Services Corporation under the competitive selection process referred to in subsection (a) and applicable Corporation regulations, the Corporation finds, after notice and opportunity for the recipient to be heard, that the recipient has failed to comply with any requirement of the Legal Services Corporation Act (42 U.S.C. 2996 et seq.), this Act, or any other applicable law relating to funding for the Corporation, the Corporation may terminate the grant or contract and institute a new competitive selection process for the area served by the recipient, notwithstanding the terms of the recipient's grant or contract.

SEC. 502. (a) CONTINUATION OF REQUIREMENTS AND RESTRICTIONS.—None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of—

(1) sections 501, 502, 505, 506, and 507 of Public Law 104–134 (110 Stat. 1321–51 et seq.), and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions as set forth in such sections, except that all references in such sections to 1995 and 1996 shall be deemed to refer instead to 1997 and 1998, respectively; and

(2) section 504 of Public Law 104–134 (110 Stat. 1321–53 et seq.), and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such section, except that—

(A) subsection (c) of such section 504 shall not apply;

(B) paragraph (3) of section 508(b) of Public Law 104–134 (110 Stat. 1321–58) shall apply with respect to the requirements of subsection (a)(13) of such section 504, except that all references in such section 508(b) to the date of enactment shall be deemed to refer to April 26, 1996; and

(C) subsection (a)(11) of such section 504 shall not be construed to prohibit a recipient from using funds derived from a source other than the Corporation to provide related legal assistance to—

(i) an alien who has been battered or subjected to extreme cruelty in the United States by a spouse or a parent, or by a member of the spouse's or parent's family residing in the same household as the alien and the spouse or parent consented or acquiesced to such battery or cruelty; or

(ii) an alien whose child has been battered or subjected to extreme cruelty in the United States by a spouse or parent of the alien (without the active participation of the alien in the battery or extreme cruelty), or by a member of the spouse's or parent's family residing in the same household as the alien and the spouse or parent consented or acquiesced to such battery or cruelty, and the alien did no actively participate in such battery or cruelty.

(b) DEFINITIONS.—For purposes of subsection (a)(2)(C):

(1) The term ''battered or subjected to extreme cruelty'' has the meaning given such term under regulations issued pursuant to subtitle G of the Violence Against Women Act of 1994 (Pub. L. 103–322; 108 Stat. 1953).

(2) The term ''related legal assistance'' means legal assistance directly related to the prevention of, or obtaining of relief from, the battery or cruelty described in such subsection.

SEC. 503. (a) CONTINUATION OF AUDIT REQUIREMENTS.—The requirements of section 509 of Public Law 104–134 (110 Stat. 1321–58 et seq.), other than subsection (l) of such section, shall apply during fiscal year 1998.

(b) REQUIREMENT OF ANNUAL AUDIT.—An annual audit of each person or entity receiving financial assistance from the Legal Services Corporation under this Act shall be conducted during fiscal year 1998 in accordance with the requirements referred to in subsection (a).

SEC. 504. (a) DEBARMENT.—The Legal Services Corporation may debar a recipient, on a showing of good cause, from receiving an additional award of financial assistance from the Corporation. Any such action to debar a recipient shall be instituted after the Corporation provides notice and an opportunity for a hearing to the recipient.

(b) REGULATIONS.—The Legal Services Corporation shall promulgate regulations to implement this section.

(c) GOOD CAUSE.—In this section, the term ''good cause'', used with respect to debarment, includes—

(1) prior termination of the financial assistance of the recipient, under part 1640 of title 45, Code of Federal Regulations (or any similar corresponding regulation or ruling);

(2) prior termination in whole, under part 1606 of title 45, Code of Federal Regulations (or any similar corresponding regulation or ruling), of the most recent financial assistance received by the recipient, prior to date of the debarment decision;

(3) substantial violation by the recipient of the statutory or regulatory restrictions that prohibit recipients from using financial assistance made available by the Legal Services Corporation or other financial assistance for purposes prohibited under the Legal Services Corporation Act (42 U.S.C. 2996 et seq.) or for involvement in any activity prohibited by, or inconsistent with, section 504 of Public Law 104–134 (110 Stat. 1321–53 et seq.), section 502(a)(2) of Public Law 104–208 (110 Stat. 3009–59 et seq.), or section 502(a)(2) of this Act;

(4) knowing entry by the recipient into a subgrant, subcontract, or other agreement with an entity that had been debarred by the Corporation; or

(5) the filing of a lawsuit by the recipient, on behalf of the recipient, as part of any program receiving any Federal funds, naming the Corporation, or any agency or employee of a Federal, State, or local government, as a defendant.

Mr. ROGERS (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 104, line 2, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

On page 104, after line 2, insert the following new section:

SEC. 505. (a) Not later than January 1, 1998, the Legal Services Corporation shall implement a system of case information disclosure which shall apply to all basic field programs which receive funds from the Legal Services Corporation from funds appropriated in this Act.

(b) Any basic field program which receives Federal funds from the Legal Services Corporation from funds appropriated in this Act must disclose to the public in written form, upon request, and to the Legal Services Corporation in semiannual reports, the following information about each case filed by its attorneys in any court:

(1) The name and full address of each party to the legal action unless such information is protected by an order or rule of a court or by State or Federal law or revealing such information would put the client of the recipient of such Federal funds at risk of physical harm.

(2) The cause of action in the case.

(3) The name and address of the court in which the case was filed and the case number assigned to the legal action.

(c) The case information disclosed in semiannual reports to the Legal Services Corporation shall be subject to disclosure under section 552 of title 5, United States Code.

The CHAIRMAN. Pursuant to House Resolution 239, the gentleman from Indiana [Mr. BURTON], and a Member opposed, each will control 15 minutes.

The Chair recognizes the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the purpose of my amendment is to require programs funded by the Legal Services Corporation to disclose to the public and the LSC the most basic information about litigation in which LSC grantees are involved. I thought we had agreement on this. The gentleman from Pennsylvania [Mr. FOX], who is one of the proponents of the Legal Services Corporations, and I had some lengthy discussions about this, and I thought the amendment had been agreed to, but the gentleman from West Virginia [Mr. MOLLOHAN], I understand, has some opposition, so we will probably have to get into a somewhat lengthy debate.

The information that would be disclosed would be the name and the address of each party, the legal action, the cause of action, the name and address of the court in which the case is filed, and the case number assigned to the legal action. In those instances where an address and name are not disclosed for reasons of security, such as in the case of a battered wife or where children are abused, that information would not be disclosed because it is not currently disclosed, even though it is in the records in the courts.

This basic information is not privileged, and as I said before, such information is on file currently in court records. Nothing disclosed would be in violation of the attorney-client privilege, and it is important to note that my amendment does not disclose any information that is not already public information. My amendment simply makes accessible what is highly unaccessible right now.

Case disclosure will not be burdensome. According to the LSC budget request for fiscal year 1998, only 8 percent of the Legal Services caseload is litigated, requiring public disclosure. Basic information about the case being litigated would not constitute a burden on the resources of local programs.

Now, here is why the amendment is needed, and I hope all of my colleagues are paying attention. Public disclosure of Government-funded activities is essential for honest, open Government. Other Government programs are subject to a variety of public disclosure requirements; for example, the Federal Election Commission. While the LSC is subject to the Freedom of Information Act and other disclosure requirements, it is approximately 280 grantees that expend 97 percent of the LSC budget are not subject to the Freedom of Information Act. Given the large number of controversial and abusive cases that have been associated with the LSC over the past several years, in violation of congressional mandates, disclosure of cases would let the sun shine on the everyday work of the LSC.

The LSC was funded at $283 million in 1997 over the objections of many of us. What kind of assurances does Congress get that the LSC is following guidelines and restrictions?

□ 0930

The answer is clearly none. The American people want to know what their taxpayers' dollars are being spent on. As I said before, we are going to protect those who would be in jeopardy, such as battered children or wives.

The LSC has not reformed itself and continues to disregard congressional intent. So I think this is a good amendment. I thought we had bipartisan support for it. Evidently we do have some objections.

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

The CHAIRMAN. Is the gentleman from West Virginia [Mr. MOLLOHAN] opposed to the amendment?

Mr. MOLLOHAN. Yes, Mr. Chairman. I am opposed to the amendment.

The CHAIRMAN. The gentleman from West Virginia [Mr. MOLLOHAN] is recognized for 15 minutes.

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

Mr. Chairman, at best this amendment is unnecessary. I am advised by the Legal Services Corporation that it is extremely burdensome and costly. Some of the privacy concerns that many had with regard to this amendment originally, some had been addressed by the gentleman, and I would be pleased to look at those as the process moves forward, and particularly in conference.

But at this point, Mr. Chairman, the changes in the reporting system would be costly. The amendment does not address any identified problem, really, nor does it serve any specific purpose. It costs a considerable amount. We appreciate his addressing some of the other concerns, but just because of the unnecessariness, we have a tight budget, and this has put additional administrative burdens, something that the gentleman has fought against for many years, putting paperwork burdens, administrative burdens on people. That is what this really does, representing a considerable additional cost. On that basis, Mr. Chairman, I have to at this point oppose the amendment.

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

Mr. BURTON of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, I appreciate the gentleman yielding time to me.

Mr. Chairman, I have no objection to the gentleman's amendment. It is my understanding that the amendment requires disclosure only of information that is already a matter of public record under court rules or applicable Federal or State law. I believe the amendment will merely facilitate appropriate oversight of federally funded LSC grantees. In fact, I appreciate the gentleman bringing this matter to our attention, and I am glad to support the amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 3 minutes to my distinguished colleague, the gentleman from Colorado [Mr. SKAGGS], a member of the committee.

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

Mr. Chairman, I am still just confounded by what practical difference the gentleman believes his amendment will make.

If we are talking about oversight, we already have a requirement and generally administrative practice on the part of Legal Services Corp. grantees to track the kinds of cases that they are involved in. The gentleman's amendment takes that a step further. That gives names and addresses of plaintiffs and defendants, as well as other case file information which is public information, if we want to go to the court and dig it out, as the gentleman knows.

But to require the expenditure of additional time and resources to an already strapped program in order to pull this information together, which will add nothing to our oversight capabilities, but will make susceptible to invasions of privacy inappropriate efforts by any number of likely people who want to exploit this kind of address list, I really do not understand what the gentleman believes he is going to accomplish by this, other than further burdening the people that are trying to provide legal services.

The gentleman signed, along with several of his colleagues, a ''Dear Colleague'' a few days ago laying out three

particularly, by his lights, I gather, egregious cases. The facts in all of those cases I think have been substantially rebutted by the realities that were involved and that necessitated Legal Services' intervention.

I would ask the gentleman from Indiana [Mr. BURTON], what will we learn from this that we do not already know that will make a difference in appropriate oversight?

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I did not hear the gentleman, and would ask him to repeat his question, if he would.

Mr. MOLLOHAN. Mr. Chairman, the question is, What will we learn if this amendment becomes law that we do not already know, that will make a real difference in our ability to do oversight of the Legal Services Corp.?

Mr. BURTON of Indiana. The situation right now is if we want information, we have two choices. We can go through all the court records, as the gentleman just mentioned, which is a very cumbersome task, or we can go to the Federal LSC offices. Only 8 percent of the cases are really divulged by the LSC. That means 92 percent are not. They already have those records at the local LSC office. We put protections in there for the battered wives and so forth.

Mr. SKAGGS. Reclaiming my time, the gentleman has not responded to my inquiry. We already have information at each LSC grantee of the types of cases they have done. The gentleman's amendment adds names, addresses, case numbers to that.

What additional value is there in this information that is not already available to either Members of Congress or our staff or LSC corporate auditors, that justifies the additional significant expense and computer programming and administrative costs that will be imposed?

Mr. BURTON of Indiana. First of all, I do not think there will be any additional expenses. The records are already there.

Mr. SKAGGS. Reclaiming my time——

Mr. BURTON of Indiana. I will answer the gentleman's question, but he obviously does not want to hear.

Mr. SKAGGS. I do want to hear.

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

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

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

Mr. Chairman, the thrust of this amendment is to bring more accountability, and I stress that word, accountability, to the Members of Congress, and therefore to the American people, of the workings of the Legal Services entities in the various communities across the Nation.

In the last 20 years we have heard anecdote after anecdote about the kinds of abuses that have been foisted upon the American public by the Legal Services Corp. and entities in the local communities.

Now, the proponents always say, they are just anecdotes. If we pile up the anecdotes we have an entire encyclopedia. Therefore, they become worrisome and repetitive across the Nation.

One egregious example that should have the American people sit up and take notice is the following. If legal services was set up to help low-income poor people, as it was, I support that, and I favor that. Every move that I have made in Congress as chairman of the subcommittee in charge of this has been to preserve legal services for the poor.

If that be the case, then understand this example. We have housing authorities across the Nation who are aided and abetted in their work for their tenants by tenants' associations, tenants' groups. Those are tenants' groups made up of low-income resident people of the low-income housing areas.

When they get together and complain that legal services is thwarting their tenants' objectives in trying to evict drug dealers, these are low-income people who are victims of the legal services intervention to try to protect a drug dealer tenant against a majority of tenants who are low-income poor people, who dread the presence of a drug dealer.

That means to me that that kind of anecdote, which cannot be dismissed because it is happening across the Nation, is the kind of case that can be prevented if we have full accountability. If we would know, as Members of Congress, at the outset that a legal services entity is committing itself to the representation of a drug dealer tenant against low-income people, against poor people, against low-income tenants who need legal services to preserve their housing area free from drug dealers, then how can anyone doubt that we need more accountability?

The gentleman from West Virginia [Mr. MOLLOHAN] just a while ago said it is unnecessary to have this, meaning that he favors accountability, and he believes that accountability in its present status is enough.

I say that if we pass the gentleman's amendment as it stands now on the floor, all we do is crystalize what the gentleman from West Virginia says already exists, and furthermore, allows reporting to the Members of Congress of what goes on on a daily basis in the legal services community.

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

Mr. GEKAS. I yield to the gentleman from Colorado.

Mr. SKAGGS. Mr. Chairman, whatever the merits of the argument the gentleman has just made, the Burton amendment will not address them. It has nothing to do with the points the gentleman made.

Mr. GEKAS. Yes, it does. It brings the Congress into full acknowledgment of what is happening in the local communities. If there is additional reporting required by the Burton amendment, which in fact there is additional reporting, then we are all the better for it, and the abuses that have been piling up for 20 years could begin to dwindle, at least if the present status of legal services is to be continued.

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

Mr. Chairman, in response to the gentleman from Pennsylvania's representations about my position here, this may be a bit of role reversal, but we are arguing for less paperwork and less administrative responsibility here because this information is already available, virtually. So the gentleman is correct, except we are opposing the amendment simply on the basis that it is unnecessary. It does not do anything, so why do this?

Mr. Chairman, I yield 6 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, if I could continue the conversation with the sponsor of the amendment, I was not trying to be difficult. I just ran out of time before.

Mr. Chairman, as I understand it, the gentleman's amendment, in addition to records that are already required to be kept by a legal services grantee, the gentleman's amendment would require disclosure of the name and address of each party to a legal action. Is that correct?

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, those are already records kept by the local LSC, but not disclosed unless you go through the national LSC.

Mr. SKAGGS. Then the cause of action, that is information collected as a matter of course by legal services grantees now, is that not correct?

Mr. BURTON of Indiana. Yes.

Mr. SKAGGS. The name and address of the court in which the case is filed, is that part of the gentleman's amendment?

Mr. BURTON of Indiana. But it is all kept now by the local LSC. We are not contesting what the gentleman is saying.

Mr. SKAGGS. What more will we be able to do, having all of this additional information collated with new computer programs and so forth, that we cannot now do?

Mr. BURTON of Indiana. The bottom line is this. Many of us feel like we are spending $283 million and that is excessive. We want to help the indigent, everybody does, but we believe there should be more accountability. Even though Congress passed, a couple of

years ago, some rules regarding LSC, in the last 2 years there have been violations of those rules. All we want to do is make sure there is accountability.

The bottom line is this, that those records are there. If we could get them from the local LSC instead of going through the paperwork at the national level, we think it would be easier to make sure there is accountability and there are no abuses. We are not asking for anything but more accountability. It is just that simple. The records are there. I do not think it is going to cost anymore than it does already.

Mr. SKAGGS. Reclaiming my time, Mr. Chairman, at least the legal services grantee in metropolitan Denver, realizing that they have not had a whole lot of time to figure out what this would cost, estimates it is probably a $20,000 a year proposition to deal with all of the additional data management and computer changes that are involved.

Given, as the gentleman's comments have indicated, this information is already available, not necessarily pulled together in just the fashion that his amendment would require, it is somewhat bewildering to figure out why we should be spending this additional money.

Mr. Chairman, I assume the real concern that we are trying to address here is that legal services are getting into kinds of cases that are proscribed under the restrictions that are now in law.

Mr. BURTON of Indiana. Yes.

Mr. SKAGGS. That information is now readily available. It does not require names and addresses. That does not add anything to understanding the kinds of cases of either plaintiffs or defendants. It does not require names of courts attached to those kinds of cases. We already know that. It can be gotten at without the additional burdens that gentleman's amendment would impose on these strapped operations.

Mr. BURTON of Indiana. Mr. Chairman, I do not want to prolong the discussion.

Mr. SKAGGS. I do want to prolong it, because we are getting somewhere.

Mr. BURTON of Indiana. This information, if you really want to get it, you can go to the court records, a cumbersome thing, and it takes a lot of time to dig through records that you do not want to go through, or you can go to the national LSC and get it. What I am saying is they can get it from the local LSC.

Mr. SKAGGS. Reclaiming my time, the local operation already keeps records by the kinds of cases they are litigating. If that is the gentleman's concern, that they are getting into kinds of cases that they should not, that information exists.

What additional benefit is it in the gentleman's mind to note names and addresses of plaintiffs and defendants and the address of the court? How can that make any difference in our understanding of the kinds of cases that are being litigated?

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Mr. BURTON of Indiana. Mr. Chairman, the bottom line is that more detailed information gives us more of an oversight of the actual operation of the local LSC that may be in violation of the current statutes that we pass here in the Congress, and we know those exist.

Mr. SKAGGS. Reclaiming my time, Mr. Chairman, if we have a class action being brought and that record exists at the local office, what difference does it make to our oversight needs in knowing the names of all the defendants and plaintiffs collected in a different manner than is now the case or where the court happens to be? We have what we need if we know they are doing a kind of case that is not permitted, do we not?

Mr. BURTON of Indiana. The only way we can get the information is to dig through court records or go to the national LSC, and we say we want to go to the local LSC.

Now, actually, we are asking for more information than what the gentleman wants us to have, but we think that is part of the policing effort that is necessary to make sure they are accountable.

Mr. SKAGGS. Reclaiming my time, I am not complaining about the information we need to do oversight. That already exists at the local level.

Mr. BURTON of Indiana. We cannot get it at the local level unless we go through the local LSC.

Mr. SKAGGS. If all the gentleman is concerned about is that they are getting into the kinds of cases the gentleman does not like and that are proscribed, why do we not limit the gentleman's amendment to making sure they have available at the local level an accounting for the kinds of lawsuits being brought, to see whether any of those violate the restrictions?

Why does the gentleman need this other information that will be costly and burdensome for the local legal services operations to put together?

Mr. BURTON of Indiana. We want to make sure. We want to make sure we are covering the waterfront so that there is no problem and they are not covering up something.

Mr. SKAGGS. Reclaiming my time, I think it is transparent. The only reason to go through these extra steps is to be a gratuitous burden on the operation that the gentleman thinks we should not be doing at all.

I think his position is self-evident, although we are trying to dance around other rationales for putting this costly additional burden on these operations, which I think is very regrettable. I hope my colleagues will vote ''no.''

Mr. BURTON of Indiana. Mr. Chairman, I yield myself 30 seconds.

Let me just say they are not going to be overburdened. The information is already in their files. This makes it easier to police it, though, because the people who want to police LSC do not have to go through the machinations of going to Washington, DC to get the information. They can get it through the local LSC office.

The fact of the matter is the local LSC offices do not really want to give that information out. They have it. It will not be an additional burden. I do not understand the argument.

Mr. Chairman, I yield 3½ minutes to the gentleman from New Jersey [Mr. LOBIONDO].

Mr. LOBIONDO. Mr. Chairman, I thank the gentleman from Indiana for yielding me this time, and I rise in strong support of the amendment by my colleague from Indiana; [Mr. BURTON].

I believe everyone should have access to legal services, but in the case of Legal Services Corp., it is no longer just defending individuals, it is bullying employers, specifically farmers. The Legal Services Corp. is not just representing but it is, instead, prosecuting and twisting the laws originally intended to shield those who need protection, to badger legitimate and honest small business people.

In southern New Jersey we have a thriving agricultural industry, and it is common between employers and employees at times in any arena. And occasionally there is litigation between the farmers and workers over various employment issues. The Legal Services Corp. is there to provide representation for the workers who are often unable financially to secure legal representation on their own.

However, the complaint I frequently hear from the farmers in my district and from my State is that the Legal Services Corp. attorneys pursue such litigation recklessly, with questionable tactics and motives; again, with questionable tactics and motives.

Let me share two examples that occurred in my district. A farmer from Salem County, NJ, settled a multiple plaintiff claim for $500 per worker, the total amount to be put in escrow and distributed by the Legal Services Corp. in Puerto Rico where the plaintiffs lived.

LSC first reported to the farmer there was a $500 surplus which he would get back. Just earlier this year, however, LSC wrote informing him that a man had walked in claiming to have worked for the farmer and was entitled to the $500, just upon that claim of walking in. LSC let the farmer know that he could respond via his attorney within 20 days or the $500 would be given to the plaintiff.

This is insanity. Despite this, the farmer had no record of the claimant ever working for him. It would have cost him more than $500 just to respond through his attorney, so he was forced to allow the distribution and forego the surplus.

Another farmer from Atlanta County, NJ, called the local police to escort a disruptive worker with a weapon off

his property. LSC got involved and 2 years later their lawyers filed a claim against the farmer for eviction. This farmer took it to the U.S. Department of Labor arbitration and won. Legal Services Corp. refused to appear at the arbitration. They refused to appear at the arbitration but, instead, pursued a case in court against the farmer and the city.

The case against the farmer is still going on and LSC refuses to settle for less than $11,000. Think about that. After the police escort someone from his home who has threatened him with an ice pick he got sued for eviction.

Unfortunately, Mr. Chairman, these are the kinds of abuses that continuously take place. I strongly support the gentleman's amendment because we have to start to rectify these many problems that are going after by legal services who are targeting farmers of moderate means, farmers of moderate means who are forced into settlements that do not make any sense. This is wrong. It needs to be corrected.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I cannot help but observing in response to the prior gentleman's points that they had nothing to do with the substance of the amendment before the House.

Mr. BURTON of Indiana. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana [Mr. HOSTETTLER].

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

Mr. HOSTETTLER. Mr. Chairman, I rise in support of the amendment by my colleague from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Chairman, I rise to speak on behalf of the Burton amendment, which I believe would create an additional level of assurance that legal services programs are working effectively and responsively.

I want to thank the gentleman from Indiana [Mr. BURTON] for his willingness to work with me to address some of my concerns regarding the language of his original amendment. While we may differ in our views on the need to continue funding for legal services programs, I know we share the same interest in seeing that any federally funded program is efficient, effective, and operates in the sunshine of public scrutiny.

Earlier, during the consideration of this bill, we debated on the adequate funding level for low income legal services. I was pleased the House exercised its will to support by a broad margin a higher funding level than was included in the committee mark. During debate, many Members expressed concerns about the activities of several legal aid agencies around the country. I do not take these concerns lightly, however the charges levied I believe in most, if not all cases, are exaggerated beyond the issue of whether or not they are appropriate in the new environment of the reformed Legal Services Corp.

We must be certain the information provided from this legislation is used responsibly and not to harass the agencies or the clients. I appeal to those who are pressing this amendment and ask that this information not be used to further inflame the rhetoric fostered by outside groups, but that it be used within the proper congressional oversight that should be conducted over every taxpayer's dollar.

I do believe that public exposure can be positive, and I will support the amendment. I continue to have minor concerns about the details and process included in the amendment, however I am hopeful the gentleman from Indiana will give further consideration to these concerns and that we can work them out in conference committee.

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

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

The CHAIRMAN pro tempore [Mr. NUSSLE]. The question is on the amendment offered by the gentleman from Indiana [Mr. BURTON].

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there further amendments at this point in the bill?

If not, the Clerk will read.

The Clerk read as follows:

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, as amended, $1,000,000.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,000 for official reception and representation expenses, $283,000,000, of which not to exceed $10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions, and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including (1) such incidental expenses as meals taken in the course of such attendance, (2) any travel and transportation to or from such meetings, and (3) any other related lodging or subsistance: *Provided,* That fees and charges authorized by sections 6(b)(4) of the Securities Act of 1933 (15 U.S.C. 77f(b)(4)) and 31(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(d)) shall be credited to this account as offsetting collections: *Provided further,* That not to exceed $249,523,000 of such offsetting collections shall be available until expended for necessary expenses of this account: *Provided further,* That the total amount appropriated for fiscal year 1998 under this heading shall be reduced as all such offsetting fees are deposited to this appropriation so as to result in a final total fiscal year 1998 appropriation from the General Fund estimated at not more than $33,477,000: *Provided further,* That any such fees collected in excess of $249,523,000 shall remain available until expended but shall not be available for obligation until October 1, 1998.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 103–403, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $235,047,000: *Provided,* That the Administrator is authorized to charge fees to cover the cost of publications developed by the Administration, and certain loan servicing activities: *Provided further,* That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations: *Provided further,* That $75,500,000 shall be available to fund grants for performance in fiscal year 1998 or fiscal year 1999 as authorized by section 21 of the Small Business Act, as amended.

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 (5 U.S.C. App. 1–11, as amended by Public Law 100–504), $9,490,000.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of guaranteed loans, $187,100,000, as authorized by 15 U.S.C. 631 note, of which $45,000,000 shall remain available until September 30, 1999: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That during fiscal year 1998, commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, as amended, shall not exceed the amount of financings authorized under section 20(n)(2)(B) of the Small Business Act, as amended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $94,000,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For the cost of disaster loans and associated administrative expenses, $199,100,000, to remain available until expended: *Provided,* That such costs for direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That of the amounts available under this heading, $500,000 shall be transferred to and merged with appropriations for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program.

SURETY BOND GUARANTEES REVOLVING FUND

For additional capital for the ''Surety Bond Guarantees Revolving Fund'', authorized by the Small Business Investment Act,

as amended, $3,500,000, to remain available without fiscal year limitation as authorized by 15 U.S.C. 631 note.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds 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.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102–572 (106 Stat. 4515–4516)), $3,000,000, to remain available until expended: *Provided*, That not to exceed $2,500 shall be available for official reception and representation expenses.

TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1998, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1998, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 609. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay for any cost incurred for (1) opening or operating any United States diplomatic or consular post in the Socialist Republic of Vietnam that was not operating on July 11, 1995; (2) expanding any United States diplomatic or consular post in the Socialist Republic of Vietnam that was operating on July 11, 1995; or (3) increasing the total number of personnel assigned to United States diplomatic or consular posts in the Socialist Republic of Vietnam above the levels existing on July 11, 1995, unless the President certifies within 60 days, based upon all information available to the United States Government that the Government of the Socialist Republic of Vietnam is cooperating in full faith with the United States in the following four areas:

(1) Resolving discrepancy cases, live sightings and field activities.

(2) Recovering and repatriating American remains.

(3) Accelerating efforts to provide documents that will help lead to fullest possible accounting of POW/MIA's.

(4) Providing further assistance in implementing trilateral investigations with Laos.

AMENDMENT NO. 4 OFFERED BY MR. DOGGETT

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. DOGGETT:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of such products.

AMENDMENT OFFERED BY MR. MOLLOHAN AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. DOGGETT

Mr. MOLLOHAN. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. MOLLOHAN as a substitute for the amendment offered by Mr. DOGGETT:

In lieu of the matter proposed to be inserted, insert the following:

SEC. . None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Thursday, September 25, 1997, the gentleman from Texas [Mr. DOGGETT] and a Member opposed each will control 15 minutes on both amendments.

Mr. DOGGETT. Mr. Chairman, the substitute amendment is acceptable.

The CHAIRMAN pro tempore. Without objection, the gentleman from West Virginia [Mr. MOLLOHAN] may control the 15 minutes in opposition.

There was no objection.

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PARLIAMENTARY INQUIRY

Mr. DOGGETT. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore (Mr. NUSSLE). The gentleman will state it.

Mr. DOGGETT. The substitute amendment is before us as having been adopted.

The CHAIRMAN pro tempore. That is correct.

Mr. DOGGETT. And, Mr. Chairman, I will have 15 minutes in support of the substitute amendment. And who will have 15 minutes in opposition to that amendment?

The CHAIRMAN pro tempore. Is there a Member opposed to that amendment?

Without objection, the gentleman from Texas [Mr. DOGGETT] will control the 15 minutes in opposition.

There was no objection.

Mr. DOGGETT. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment concerns the health of our children, the

children of the entire world. The dangers of nicotine addiction to our children are now increasingly known. Three thousand young Americans each day become caught up in the nicotine habit, our leading cause of preventable death in America.

But these dangers do not stop at our country's shores. With increasing pressure to stop hooking kids here at home on nicotine, the big tobacco companies are spreading out around the globe to hook other people's kids. To make matters worse, American tax dollars, our tax dollars, have been used to promote addicting our people's children to the nicotine drug. This amendment would put a stop to that.

Since 1990, while Phillip Morris sales have grown by only 4.7 percent here in the United States, they have grown by 80 percent abroad. Smoking causes about 3 million deaths each year around the world. And it is estimated that in another couple of decades, the number will rise to 10 million, with 70 percent of all deaths from smoking coming into developing countries that are the newest targets of big tobacco.

Unfortunately, the U.S. Government and the U.S. taxpayer has been complicit in this export of death. Government employees in the Office of the U.S. Trade Representative and the Commerce and State Departments, economic and commercial counselors around the globe have assisted American tobacco companies overseas to break down barriers, and the result has been more kids around the globe are smoking.

One of the examples comes from our Embassy in Thailand, where instead of promoting health, our taxpayer dollars were used to try to discourage health restrictions. This amendment would put a stop to that and would ensure that America provides leadership in protecting children around the world instead of exposing them to disease.

Mr. Chairman, I yield 1½ minutes to the gentlewoman from Colorado [Ms. DEGETTE], one of the coauthors of this amendment.

Ms. DEGETTE. Mr. Chairman, tobacco does not discriminate. Tobacco kills people, young and old, black and white, American and Thai alike. Yet it seems that our Government discriminates when it comes to tobacco.

At home, the U.S. Government spends millions of dollars every year on tobacco prevention programs and is currently engaged in the most aggressive effort to date to curb youth smoking in America. But abroad in Asia, Eastern Europe and the former Soviet Union, the U.S. Government works hand in hand with tobacco companies to promote its product and increase its use in the overseas marketplace. What does this say about how our Government values human life? Is a life in downtown Washington more precious than a life in Bangkok? Tobacco does not discriminate, and neither should we.

There is a real difference between a company voicing legitimate international trade concerns and the tobacco industry's use of the Federal Government as a school yard bully to force foreign governments to subject their young to a barrage of cigarette marketing. It is a black eye for American diplomacy.

There is no doubt the entry of American tobacco overseas has dramatically increased consumption worldwide. In Taiwan, smoking rates of high school students jumped from 22 to 32 percent in the 2 years after American cigarettes were introduced. In Korea, the rate for male teens grew from 18 to 30 percent in just 1 year. In Japan, 26 percent of high school senior girls were smoking in 1990 after U.S. cigarettes were introduced.

Let us face it, tobacco companies do not need an extra boost from our Government to thrive overseas. That is why since 1993 we have banned such activity by the Agriculture Department by prohibiting the agency from promoting tobacco through the market access program.

As Congress embarks on the historic negotiations to reduce smoking at home, it would be inhumane for us to continue supporting this smoking abroad.

Mr. DOGGETT. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO], who has been one of the leaders in trying to protect other children from tobacco.

Ms. DELAURO. Mr. Chairman, I rise today in strong support of this amendment. This is just common sense. Tobacco kills. U.S. taxpayer dollars should not be used to help the tobacco industry market this deadly product.

This is not a car. It is not a computer. It is not some piece of technology which is going to help to improve the quality of life. It is a product that, in fact, kills people. We have seen the dangers of smoking right here at home. We have spent billions of dollars on health care for people with tobacco-related diseases.

We should not be in the business to allow the tobacco industry to turn its gaze outward to the untapped markets across the world. Now that their market shares are beginning to decline in the United States, our Government has no business using taxpayer dollars to help the tobacco industry export this deadly product.

The Department of Agriculture is already barred from promoting tobacco through the market access program. This amendment would simply make Federal policy consistent across the Departments.

I urge my colleagues to support this amendment.

Mr. DOGGETT. Mr. Chairman, I yield 1¼ minutes to the gentleman from Texas [Mr. LAMPSON].

Mr. LAMPSON. Mr. Chairman, if we respect the way tobacco products are marketed in this Nation because we are concerned about the documented health risks, how can we in good conscience use taxpayer funds to help tobacco companies market their products overseas in nations where no restrictions are placed on their tactics which overwhelmingly target children? It is indefensible.

As this Nation works to finalize a settlement that will force tobacco companies to reimburse States and individuals for the illnesses caused by many of their products, we must not be aiding the efforts to export those illnesses overseas. In fact, a New York Times editorial recently pointed out American tobacco companies have agreed to proposed domestic settlement in part because it does not touch them overseas where profits are soaring and they can boldly target teenagers without fear of lawsuit or powerful critics.

In this Nation nearly 30 years of antismoking efforts, because of it and despite it, American children still recognize Joe Camel as much as they recognize Mickey Mouse. In Hong Kong, empty packs of American cigarettes can be redeemed for tickets to movies and discos and concerts. In the mid-1980's our own U.S. Trade Representative demanded and won the right for American tobacco companies to advertise in Korea and Taiwan. No wonder tobacco consumption is growing at the fastest rate in the world in Asia.

I believe this Nation should be exporting antismoking efforts, but at the very least, we should stop aiding the efforts of the tobacco companies overseas. I urge my colleagues to support this amendment.

Mr. DOGGETT. Mr. Chairman, are there no speakers in opposition? I have some other speakers. I wanted to be sure I was not going to be faced with other speakers at the end.

Mr. MOLLOHAN. Mr. Chairman, no, the gentleman from Texas [Mr. DOGGETT] is going to have a clear field here.

Mr. DOGGETT. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. MEEHAN], who has done as much as anyone in this Congress to deal with the plague of this preventable disease caused by tobacco.

Mr. MEEHAN. Mr. Chairman, I rise in strong support of the Doggett-Meehan-Hansen-DeGette amendment.

Simply put, we can no longer continue to promote and facilitate the overseas sale of preventable death. In 1995 alone, Mr. Chairman, tobacco products killed 3 million people worldwide. According to the World Health Organization, 500 million people alive today will die due to smoking-related illness. It is hypocritical at best and immoral at worst for us to continue on our present course.

At a time when we are working to improve the health of our citizens, it should not be the policy of the U.S. Government to promote the sale and marketing of death and disease abroad. This amendment, Mr. Chairman, is about our Government's complicity in big tobacco's export on an epidemic scale.

Here in the United States, smoking rates among adults have finally begun to decline. In response to a shrinking domestic market, the American tobacco companies have turned their attention to the independent national market, particularly developing nations in Asia, Latin America and Eastern Europe. Indeed, Mr. Chairman, international sales of Philip Morris and R.J. Reynolds have already quadrupled in the last 10 years.

Mr. Chairman, opponents of this amendment do not mention the fact that American tobacco companies are unleashing an unprecedented advertising and marketing campaign on unsophisticated and vulnerable consumers all across the world. Further, they conveniently forget to mention that American tobacco companies have targeted women, the vast majority of whom had not previously smoked, by linking the women's movement with the smoking of cigarettes.

It is abundantly clear that the American tobacco companies are looking overseas for future profits. With this amendment, we must decide whether or not we, as a nation, will facilitate big tobacco's overseas campaign. Currently we are willing accomplices to the worldwide addition of children to tobacco products. Thus, we had have contributed to these untimely deaths.

How can we on the one hand seek to protect our children from the ravages of nicotine addiction while promoting the activities of tobacco companies abroad? This is a good amendment.

Mr. DOGGETT. Mr. Chairman, I yield 1½ minutes to the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Chairman, I rise in support of the Doggett amendment. We should not use any Federal funds to support the promotion and export of tobacco overseas. Tobacco kills. It is a known killer. It is toxic and addictive. Tobacco kills more than 1,000 Americans every day.

Most people begin smoking when they are teenagers. Every day 3,000 young people begin smoking. We must put an end to this effort. This is an effort we support worldwide. We must send that same message around the world that tobacco kills. We should not, we must not, we cannot support smoking in other countries around the world.

We must not allow public funds to promote smoking in other countries. Why should we export our poison? Why should we send our poison to poorer, sicker, less developed countries? We all live on this planet together, Mr. Chairman. We must be concerned not just about our children becoming addicted, we must also be concerned about children around the world, rich or poor, black, white, yellow, or brown. They all are our children.

We are talking about the lives of innocent children. Mr. Chairman, we have people that are trying to sell poison to our neighbors' children. They are using their money and their ads and their glamour to poison our Nation's and neighbors' children. We have a moral responsibility not to support this effort. We have a moral duty to protect our neighbors' children just as we protect our own children. We must say no to tobacco both here in our country and around the world.

Mr. DOGGETT. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. LUTHER], one of the leaders in the effort to deal with the young people and not having them become addicted to nicotine.

Mr. LUTHER. Mr. Chairman, I rise in strong support of this amendment because America's tobacco companies are continuing to profit from addicting the world's children to tobacco.

This amendment will force the U.S. Government to cease the unconscionable practice of assisting these companies in promoting tobacco use abroad. We now have extensive research showing that billboards and advertisements in magazines increase smoking among youth.

The fact that children are being used as advertising targets severely detracts from their ability to make sound judgments about the devastating health consequences of smoking. Let us put emotion aside and simply consider the facts.

In foreign country after foreign country, smoking rates among young people have skyrocketed after American cigarettes were introduced. This is atrocious, and the U.S. Government is in part responsible. We must no longer be part of this tragedy.

I urge my fellow House Members to support this amendment, discourage tobacco use around the world, and send the message that America will not tolerate this kind of assault on the world's children.

Mr. DOGGETT. Mr. Chairman, this has been a bipartisan effort. The gentleman from Utah [Mr. HANSEN], one of the coauthors, is not here today to speak.

Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland [Mrs. MORELLA], my distinguished Republican colleague and another leader in this effort.

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

Mrs. MORELLA. Mr. Chairman, I thank the gentleman from Texas [Mr. DOGGETT] for yielding me the time.

Mr. Chairman, I want to try to really condense and simply say that I think it is a very important amendment, and I hope that my colleagues will all support it. Tobacco use continues to be a major health problem in our country. We all know that. It is responsible for one out of five illnesses, according to the Centers for Disease Control. We know that those illnesses coming from tobacco cost Medicare more than $10 billion a year, Medicaid more than $5 billion.

□ 1015

Mr. Chairman, I do not understand why we are subsidizing the promotion of tobacco products in the first place. The tobacco industry makes large profits on their products, and in fact 68 cents of every dollar that is spent by consumers on tobacco products goes to manufacturers and distributors. Price-Waterhouse conducted a study that concluded that the tobacco industry generates about 800,000 jobs. However, more than 3 million people worldwide die each year from diseases related to tobacco use. That means that four people must die each year to create one job.

The amendment before us is merely an extension of legislative actions taken by past Congresses. In every agriculture appropriations bill since 1993, Congress has approved provisions to prohibit the Agriculture Department from promoting the sale or export of tobacco products overseas. This amendment extends the prohibition to the Departments of Commerce, State, and the U.S. Trade Representative.

We should not be using taxpayer funds to promote the sale or export of cigarettes. This is a product that addicts children and kills one-half of its long-term users. The American Heart Association emphasizes that ''more people die each year in the United States from smoking than from AIDS, alcohol, drug use, homicide, car accidents, and fires combined. Tobacco use accounts for more than $68 billion in health care costs and lost productivity each year.

I think it is time for the Federal Government to get out of the tobacco business. I urge my colleagues to seize this opportunity to move one step more towards accomplishing that goal.

Mr. DOGGETT. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Texas is recognized for 3–¾ minutes.

Mr. DOGGETT. Mr. Chairman, my thanks to all of my colleagues who have joined on what I believe is an important amendment. This will be the first time that this Congress, particularly in view of all of the discussion of the tobacco settlement, recognizes and goes on record that our responsibilities as a world leader and as a moral leader in this world do not stop at the shores of this Nation.

Yes, we are concerned that 3,000 young Americans become addicts to tobacco each day; yes, we are concerned that this is the leading cause of preventable death in this country; yes, we are concerned when tobacco companies come through this Congress and sneak in a $50 billion tax credit for themselves. But our concern does not go just to our children; it goes to the children of the world. And we know that if a tobacco settlement is funded by simply addicting other children we have forfeited our claim to responsibility in this world and our claim to any moral leadership in this world.

And so today, Mr. Chairman, I believe this House will go on record as saying no longer will we use the tax dollars of American taxpayers to promote the sale of tobacco abroad, and no longer will we ask the U.S. Trade Representative, as happened in Korea, to go in and knock down restrictions on

advertising directed at young Koreans, directed at the children of Korea so that they can become addicted to nicotine, and say that we did it because it was a trade regulation that was limiting new entrants, American tobacco companies, into this foreign market. We go on record against that.

There is an amendment that has been added by my colleague from West Virginia, and it is a narrow amendment indeed. It says essentially that if some country were to say we do not want West Virginia tobacco but we will take the tobacco from the rest of the world, that that would be a very narrow limited basis for the Trade Representative to go in and see that that kind of arbitrary discrimination did not occur. But not with reference to health and safety regulations, not with regard to the ingredients in tobacco, as our embassy in Thailand sought to do to limit the health efforts of the Thai Government; no, what we will be doing today is responding to the tobacco control advocates from 19 countries around the world who wrote this Congress this very summer and asked us specifically to provide for an explicit statement that our Trade Representative and our State Department would not be out trying to interfere with the health regulations of other countries around this world who are trying to protect their children from the problem of tobacco just as we are trying to protect ours.

As the New York Times wrote recently, Washington can surely remove tobacco from the category of products that get aggressive support for opening foreign markets. American companies and the American Government unleash sophisticated marketing campaigns that increase smoking and, of course, thereby increase preventable death in many countries where people do not fully understand its danger. That gives Washington a responsibility to undo the damage, and that is precisely what this House would be doing this morning in adopting this amendment.

This amendment has been endorsed by all of the leading public health organizations that have been struggling with the menace of tobacco in this country. The American Lung Association, Dr. C. Everett Koop, President Reagan's Surgeon General, has spoken out with reference to this matter, and I believe we will constructively move forward this morning to adopt an amendment that really for the first time in this Congress goes on record concerning our feelings about the problems of tobacco.

And I hope that we will see this incorporated into the instructions that go to every one of our commercial and economic counselors around the globe, so that they will understand full well that anything they might do on behalf of an American tobacco company has been seriously and narrowly limited to those most arbitrary regulations that have nothing to do with public health and safety. Their job should be, as emissaries for our country, to encourage other countries to promote health and safety and well-being for their children, and not to promote the sale of a product that is the leading cause of preventable death in this world.

Mr. Chairman, I ask for approval of the amendment, as amended.

Mr. McDERMOTT. Mr. Chairman, I rise in support of the Doggett-Meehan amendment because our Government should do everything it can to prevent the use of tobacco products—regardless if that use occurs in the United States or abroad. The amendment before us is simple—it merely prohibits the use of taxpayer dollars to help tobacco companies market their products overseas.

Overseas communities clearly represent the future market for America's tobacco products. Since 1990, the sale of Philip Morris tobacco products have increased in this country by about 5 percent. However, during the same time period, Philip Morris' overseas sales skyrocketed by 80 percent.

Worse still, the new smokers who are attracted to these U.S. tobacco products are children. For example just 2 years after American cigarettes were introduced to Taiwan, smoking rates among Taiwanese teenagers jumped from 22 to 32 percent. In Korea, the number of male teens who smoked almost doubled to 30 percent just 1 year after United States tobacco products entered the market.

Mr. Speaker, in my view, each of us should do everything we can to reduce smoking worldwide—not just in the United States. This is especially true when you consider that it's the kids of the world who are most susceptible to the marketing of this lethal product.

I urge my colleagues to take this small, but worthy step to reduce the world's addiction to tobacco by limiting our country's ability to push tobacco use abroad. I urge you to support the Doggett amendment—let's not spend anymore taxpayer dollars to boost these lethal tobacco products overseas.

Mrs. LOWEY. Mr. Chairman, I rise in strong support of this amendment, which will take us one more step toward a consistent Federal tobacco policy.

Tobacco products kill over 3 million people every year, including 400,000 Americans. Every day, thousands of young people start smoking. One in three will die from cancer, heart disease, and other illnesses caused by smoking. American taxpayers should not be subsidizing this deadly product.

We in the United States are facing a public health crisis over the effects of tobacco use. In fact, we spend almost $200 million each year to warn Americans about the dangers of tobacco and prevent its use.

But it is irresponsible fiscal and health policy for the Federal Government to then turn around and promote the sale of tobacco products overseas. What kind of an example are we setting for the rest of the world? What kind of an example are we setting for our own kids here in the United States who are being told not to smoke?

It's time for this hypocrisy to end. We must make our Federal tobacco policy consistent with our public health policy.

Today, we have an opportunity to move another step down the road to dissolving the Federal Government's partnership with the tobacco industry. We must stop using taxpayer dollars to subsidize a product that kills millions of adults, addicts our kids, and costs billions a year in health care.

I urge my colleagues to support this important amendment.

Mr. ETHERIDGE. Mr. Chairman, I rise in opposition to this attack on farmers. Singling out one legal product is wrong. It this amendment passes, the U.S. Trade Representative will be prevented from using America's influence with foreign countries to eliminate unfair foreign trade barriers imposed on a legal, American product grown by family farmers. One third of the tobacco grown in this country is exported. Foreign markets for American tobacco are vital to small tobacco farmers and their communities. This legislation represents an assault on America's family farmers.

If USTR is no longer allowed to take action against trade barriers imposed on these American products, foreign governments will impose such barriers at will. We would never do this to other legal, products such as American automobiles, American computers, American seafood, American beef, or American airplanes. We're fighting to gain access to foreign markets for these products. Not doing so for tobacco is unfair and is bad policy. Congress would not dare do this to any other group of American Producers.

USTR's hands would be tied in negotiating trade deals with countries where tobacco is but one of a host of items considered. A country could ban all American tobacco, a violation of the General Agreements on Tariffs and Trade. Yet, USTR would be prevented from taking action, even if a clear violation has occurred.

There is nothing to be gained by tying the hands of USTR. This will not prevent people from smoking. Those who choose to smoke will simply buy cigarettes made in countries where tobacco production is not regulated as it is here. Countries where children are paid poverty wages to make cigarettes in horrible working conditions. Countries that do not regulate the use of pesticides. Countries that do not inspect manufacturers for sanitary procedures. This amendment won't reduce smoking. It will only benefit foreign tobacco companies and farmers at the expense of 124,000 American family farmers.

This is the crop insurance vote all over again. This body agreed that singling out one commodity that receives crop insurance would be discriminatory, and defeated an attempt earlier this year to eliminate it for tobacco farmers. This amendment is another unfair attack on hard-working, god-fearing farmers playing by the rules. I urge you to support America's right and responsibility to enforce international agreements and to support American farmers. Vote ''no'' on this amendment.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in strong support of the Doggett-Meehan-Hansen-DeGette amendment because the Federal Government should not be in the business of assisting the tobacco industry in promoting its deadly and addictive products either in the United States or in other countries.

The U.S. tobacco industry exploits the domestic market by flooding our communities with billboard, magazine and newspaper advertisements and sponsoring concerts and sporting events. They have launched their campaigns with the knowledge of the addictive and deadly effects of tobacco and for years, kept this information from the public. Worse yet, while they knew that tobacco kills, the industry targeted our children and communities

of color by promoting the ubiquitous Joe Camel and exploiting cultural events such as Juneteenth and Cinco de Mayo festivals.

With U.S. sales lagging in the United States, the tobacco industry has turned to foreign markets to launch their high-profile ads where once again, they are targeting teens and women of color in Asia, Africa, Central, South America, the Caribbean, and Eastern Europe. As a result, worldwide use of American tobacco has skyrocketed over the past 10 years. Foreign sales now account for more than half of all sales for Philip Morris and RJ Reynolds.

Due to the thousands of tobacco-related illnesses and deaths that have resulted from the use of tobacco, we are now in the midst of an unprecedented so-called settlement with the tobacco industry. We are finally discussing substantial curtailment of the promotion, advertising, and distribution of tobacco products in the United States. How then can we turn a blind eye and allow the tobacco industry to addict thousands of people in developing nations? How can we in good consciousness allow the U.S. Government to undermine health warning labels, ingredient disclosure laws and tobacco advertising restrictions in developing countries while we simultaneously bolster these provisions in the United States? With the full knowledge of the lethal effects of tobacco use, the Federal Government is no better than the tobacco industry if it encourages and enables tobacco promotion in other countries.

Referring to the present deal with the tobacco company as a global tobacco settlement is cruel and hypocritical if we are going to assist the industry in addicting people in foreign countries. Enabling the tobacco industry to promote tobacco addiction while we curtail its use in the United States is an unconscionable and unacceptable double standard.

I urge my colleagues to vote for this important amendment which will send a clear message to the tobacco industry that the U.S. Government will not be an accomplice in promoting tobacco-related illnesses and death overseas.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN] as a substitute for the amendment offered by the gentleman from Texas [Mr. DOGGETT].

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 Texas [Mr. DOGGETT], as amended.

The amendment, as amended, was agreed to.

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

If not, the Clerk will read.

The Clerk read as follows:

SEC. 610. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds (1) that the United Nations undertaking is a peacekeeping mission, (2) that such undertaking will involve United States Armed Forces under the command or operational control of a foreign national, and (3) that the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 611. None of the funds made available in this Act shall be used to provide the following amenities or personal comforts in the Federal prison system—

(1) in-cell television viewing except for prisoners who are segregated from the general prison population for their own safety;

(2) the viewing of R, X, and NC–17 rated movies, through whatever medium presented;

(3) any instruction (live or through broadcasts) or training equipment for boxing, wrestling, judo, karate, or other martial art, or any bodybuilding or weightlifting equipment of any sort;

(4) possession of in-cell coffee pots, hot plates or heating elements; or

(5) the use or possession of any electric or electronic musical instrument.

SEC. 612. None of the funds made available in title II for the National Oceanic and Atmospheric Administration (NOAA) under the heading ''Fleet Modernization, Shipbuilding and Conversion'' may be used to implement sections 603, 604, and 605 of Public Law 102–567.

SEC. 613. Any costs incurred by a Department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such Department or agency: *Provided,* That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further,* That use of funds to carry out this section shall be treated as a reprogramming of funds 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.

SEC. 614. None of the funds made available in this Act to the Federal Bureau of Prisons may be used to distribute or make available any commercially published information or material to a prisoner when it is made known to the Federal official having authority to obligate or expend such funds that such information or material is sexually explicit or features nudity.

SEC. 615. Of the funds appropriated in this Act under the heading ''OFFICE OF JUSTICE PROGRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE'', not more than ninety percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as the direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits that are paid by the entity at the time of retirement or separation.

SEC. 616. EXPENSE REIMBURSEMENT.—Any Member of Congress and any individual who is paid by the Clerk of the House of Representatives or the Secretary of the Senate shall be entitled to receive a reimbursement for any legal expenses and other legitimate expenses incurred by such Member or individual in connection with a Department of Justice prosecution arising from or in connection with the performance of official duties and brought against such Member or individual if such Member or individual is acquitted of the charges brought, the charges are dismissed by a court, or the conviction is reversed on appeal.

The CHAIRMAN. Are there amendments at this point in the bill?

AMENDMENT OFFERED BY MR. HOEKSTRA

Mr. HOEKSTRA. 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. HOEKSTRA: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 617. None of the funds made available in this Act may be used to pay the expenses of an election officer appointed by a court to oversee an election of any officer or trustee for the International Brotherhood of Teamsters.

The CHAIRMAN. The gentleman from Michigan [Mr. HOEKSTRA] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan [Mr. HOEKSTRA].

Mr. HOEKSTRA. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, what this amendment does is it accomplishes an objective that we outlined last week on an earlier appropriations bill. What it does is it prohibits the spending of any additional dollars on the actual paying for the administration of a rerun election by the Teamsters Union. As my colleagues are aware, the Federal Government spent roughly $20 million in 1995 through 1997 to pay for a Teamsters' election. The efforts of these taxpayer dollars were subverted by individuals within the Teamsters, resulting in the election being thrown out because of illegalities and corruption in that election.

This paid, these dollars paid for the actual printing of ballots, the counting of ballots, the payment of phones, the internal operations of a private organization. It is not the taxpayers' responsibility to incur these costs. It is the Federal Government's responsibility to oversee and ensure that no Federal election laws are violated, that there are no violations. This amendment says we will supervise but we will not pay for the day-to-day operations of a private organization.

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

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from West Virginia [Mr. MOLLOHAN] is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield myself such time as I may consume. This amendment would attempt to validate an agreement entered into by the Justice Department under the Bush administration. We think that the gentleman's approach is

ill considered, that the Bush administration in the 1988 consent decrees require that the Teamsters pay for court supervision of the 1991 election, which cost about $19 million. We oppose the amendment because we feel that we should have the flexibility to participate and to ensure that the elections are conducted fairly. Granted, that is an imperfect process, but nevertheless, because of the history of these elections and the seriousness of the charges, and they are being repeated here, certainly the Government should have a role in this and through the process of oversight. Obviously if this is knocked out we would not be able to participate in that.

So, Mr. Chairman, we oppose the amendment.

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

Mr. HOEKSTRA. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, this is not, this amendment does not remove the Federal Government from its proper role of oversight for the activities of private organizations. What this amendment does is it says we will not pay for the transactions that a private organization has to incur on a day-to-day business to fulfill its proper role to run its business.

This is corporate welfare, corporate welfare at its worst, because when the Federal Government in 1996 did reach out and say, ''We are going to help you and we're going to pay for your day-to-day operations,'' people within the Teamsters said, ''Thank you very much,'' and they took this $20 million and they used it for illegal purposes, not to build their union, not to strengthen their organization, but to begin to destroy it and destroy the confidence at all levels and destroy the public perception of this organization.

Mr. Chairman, this organization has the funds to run its day-to-day operations. The taxpayers should not once again be asked to foot the bill and to run the day-to-day operations. The Federal Government, the Labor Department and the Justice Department have a role and have a responsibility to monitor and supervise those elections, not to pay for the counting of the ballots and the printing of the ballots.

□ 1030

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

Mr. HOEKSTRA. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, we have no objection to the amendment, and in fact support its adoption. I thank the gentleman for offering the amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOEKSTRA].

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

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

The CHAIRMAN. Pursuant to House Resolution 239, further proceedings on the amendment offered by the gentleman from Michigan [Mr. HOEKSTRA] will be postponed.

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

AMENDMENT NO. 57 OFFERED BY MR. FOX OF PENNSYLVANIA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 57 offered by Mr. FOX of Pennsylvania:

Page 117, after line 2, insert the following new section:

SEC. 617. None of the funds appropriated or otherwise made available by this Act may be obligated or expended, directly or indirectly, to make any payment to, provide any financial assistance to, or enter into any contract with, the Palestine Broadcasting Corporation, any affiliate or successor agency of such corporation, or any journalist employed by or representing such corporation.

Mr. MOLLOHAN. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. Would the gentleman like to speak on his reservation?

Mr. MOLLOHAN. Mr. Chairman, I make a point of order against this amendment because it proposes changing existing law, constitutes legislation on an appropriation bill, and, therefore, violates clause 2 of rule XXI.

The CHAIRMAN. Does the gentleman wish to make a point of order, or reserve a point of order at this point?

Mr. MOLLOHAN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman reserves a point of order.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to speak on behalf of amendment 57. From a merits point of view, the Palestinian Broadcast Corporation, which receives some funds from the United States, speaks out against the United States. But the important point I would like to make is I would like to, in the interest of bipartisanship, be able to delete language from the amendment. The words ''any affiliate or successor agency of such corporation or any journalist employed by or representing such corporation,'' I would like to delete that language by unanimous consent.

If those in charge of both sides of the aisle would agree to that change, I would be very grateful, so the point of order which could be made would be cured. I would be very grateful if that could be agreed to.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania [Mr. FOX]?

Mr. MOLLOHAN. Mr. Chairman, I reluctantly object.

The CHAIRMAN. Objection is heard.

Mr. FOX of Pennsylvania. Mr. Chairman, I would submit that considering we are on the Justice-Commerce appropriation, the idea of having free speech move forward in this Chamber and not have a technicality rule over substance, I would appreciate it if both sides of the aisle would consider the possibility of the unanimous-consent request and deleting the language.

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

Mr. FOX of Pennsylvania. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, a couple of things for my good friend from Pennsylvania, who I was very pleased to work with on the Legal Services amendment this year and last year, and I did not do this lightly, and I would love to be able to accommodate the gentleman.

First of all, when we are talking about free speech, the underlying issue here really is associated with free speech in USIA funding, the ability of groups in the Middle East to market their views and opinions. The gentleman's amendment would cut that off. We can argue about the content of that speech, but I think the gentleman's amendment cuts it off regardless of the content.

Mr. FOX of Pennsylvania. Mr. Chairman, reclaiming my time, to make the clarification, the fact is this is not free speech, the United States is paying for it, and the Palestinian Broadcast Corporation is calling for the annihilation of the United States. I do not think we should fund agencies that call for the destruction of the United States and the destruction of other countries, including Israel. So it is not free speech, we are paying for it.

Mr. MOLLOHAN. Mr. Chairman, if the gentleman would yield further, without debating that issue further, we are also operating under a very constrained unanimous-consent agreement here, and I think that it would set a bad precedent with some of these amendments that are coming up if we were to allow for them to be amended.

Mr. FOX of Pennsylvania. Mr. Chairman, with all due respect, reclaiming my time, the fact is the momentary seconds in this Chamber to allow the curative deletion would allow the Members to vote on the motion, and then your persuasive, thoughtful arguments could win the day on the merits.

I believe it is not in the interests and the spirit of this body, nor this committee that has done such good work, to disallow this unanimous consent for the purpose of stifling debate and stifling the Members' ability to speak out for or against or vote for or against.

So I would ask the ranking member to reconsider his original consideration of my request in the hopes that with comity and cooperation, we could move on and go to the merits of the matter.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from West Virginia insist on his point of order?

Mr. MOLLOHAN. I insist on my point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MOLLOHAN. Mr. Chairman, I make a point of order against the amendment offered by the gentleman from Pennsylvania [Mr. FOX] because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part ''no amendment to a general appropriation bill shall be in order if changing existing'' law. This amendment gives affirmative direction in effect, imposes additional duties, and modifies existing powers and duties.

Mr. Chairman, I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. FOX] wish to be heard?

Mr. FOX of Pennsylvania. Mr. Chairman, I do not believe, with all due respect to my good friend from West Virginia [Mr. MOLLOHAN], with whom I have had an opportunity to work on Legal Services, and I am grateful, in this particular instance I do not believe this is legislating in an appropriation bill.

The fact of the matter is we are saying no funds can go to the Palestinian Broadcast Corporation. Whether or not it talks about a successor agency does not put new duties, in my opinion, on anyone. It is surplusage language. It does not actually give new duties, nor does it violate the spirit or intent of the purpose of such restrictions that are normally placed.

I do appreciate, Mr. Chairman, when there are new duties placed in legislation. I do not believe this is such a case. Therefore, I would respectfully request that the Chair find in favor of the amendment moving forward as is.

The CHAIRMAN. The Chair is prepared to rule.

The amendment offered by the gentleman from Pennsylvania [Mr. FOX] is in the form of a limitation. The amendment seeks to deny funds for payments to, financial assistance for, or the entering into contracts with, the Palestinian Broadcast Corporation, or any affiliate or successor agency to the Palestinian Broadcast Corporation, or any journalist employed by or representing such corporation.

As recorded in Deschler's Precedents, volume 8, chapter 26, section 52, even though amendment in the form of a negative restriction on funds in a bill might refrain from explicitly assigning new duties to officers of the government, if the putative limitation implicitly requires them to make investigations, compile evidence, or make judgments and determinations not otherwise required of them by law, then it assumes the character of legislation and is subject to a point of order under clause 2(c) of rule XXI.

The proponent of a limitation assumes the burden of proving that any duties imposed by the provision are merely ministerial or are already required by law.

The Chair in this instance must focus on the requirement in the amendment that the officials who administer the funds in question must determine what a ''successor agency'' to the Palestinian Broadcasting Corporation may be. Absent a showing that those officials are already charged with that responsibility or possessed of that information, the Chair must conclude that the amendment would impose a new duty on such officials.

Accordingly, the Chair rules that the amendment changes existing law, is not in the form of a proper limitation and the point of order is sustained.

Mr. ACKERMAN. Mr. Chairman, I appeal the decision of the Chair.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the Committee?

The decision of the Chair was sustained.

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

AMENDMENT NO. 61 OFFERED BY MS. VELÁZQUEZ

Ms. VELÁZQUEZ. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 61 offered by Ms. VELÁZQUEZ:

Page 117, after line 2, insert the following:

SEC. 627. (a) IN GENERAL.—None of the funds appropriated to carry out this Act shall be used to deport or remove from the United States any alien who was provided by the Immigration and Naturalization Service one of the following identification numbers:

A76553660.
A76553650.
A76553651.
A76553661.
A76553858.
A76553862.
A76553863.
A76553876.
A76553877.
A76553665.
A76553659.
A76553658.
A76553679.
A76553678.
A76553681.
A76553654.
A74553078.
A74553079.
A74553077.
A76553683.
A76553674.
A76553652.
A76553692.
A76553649.
A76553673.
A76183163.
A76183162.
A76553653.
A76553686.
A76553688.
A76553664.
A76553871.
A76553888.
A76553684.
A76553887.
A76553657.
A76553672.
A76553685.
A76553655.
A76553688.
A76553667.
A76553682.
A76553680.
A74553085.
A74553076.
A76553690.
A76553691.
A76553698

The CHAIRMAN. Pursuant to the order of the House of Thursday, September 25, 1997, the gentlewoman from New York [Ms. VELÁZQUEZ] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York [Ms. VELÁZQUEZ].

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

Mr. Chairman, right now there are people who are working 18 to 20 hours a day under threat of beatings and torture. One might think I am describing a Third World country, but I am not. Right now these crimes are repeated in virtually every major city in this country. Why? Because the victims of these crimes are undocumented immigrants and their tormentors are using fear to silence them.

Last July a group of disabled Mexican immigrants were discovered living in squalor in my district. They had been taken from their villages in Mexico, smuggled into this country, and forced to work to up to 18 hours a day. If they did not earn enough money, they were beaten.

In this case, the victims could not bear their terrible treatment any longer. Knowing that they might be separated from their children and that they might be put up in jail, they still went to the police. These are brave people who exposed a terrible crime. Yet how are they treated? For the past 2 months they have been held in a motel in Queens while immigration officials decide their fate.

I am offering an amendment today that will bar the Immigration and Naturalization Service from using its funds to deport the victims of these terrible crimes.

Let me be perfectly clear: These people were brought to this country, they were tortured and beaten, they were enslaved because their abusers thought their victims would keep silent out of fear of reprisals. My amendment will put this Nation on notice that we will no longer tolerate the abuse of the vulnerable.

If this amendment fails to pass, what message is this Congress sending to the country? That you can smuggle people into this country, enslave them, beat them, make a fortune with their labor, and you know if they turn you in, they will be deported?

What a great deal for the owners of sweatshops. What a terrible deal for

the victims. Is this how we should treat these people who lived through hell, and helped us uncover this awful crime? Shall we send them packing, or shall we show mercy?

My amendment is an act of compassion on behalf of a group of people who have been through hell.

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

The CHAIRMAN. Who rises in opposition?

Mr. ROGERS. Mr. Chairman, I rise in opposition.

The CHAIRMAN. The gentleman from Kentucky is recognized for 5 minutes.

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

Mr. Chairman, I state that I am in opposition only in a very technical sense in order to be able to speak to the gentlewoman's concerns.

Let me say first off that the gentlewoman has raised a very troublesome matter to all of us. I think every person in this country, especially in this Congress, sympathizes with the plight of the people that the gentlewoman has mentioned, and want to be of help. We are trying to be of help.

I have discussed the matter with the gentlewoman before the amendment was offered and have pledged to her my assistance in every aspect that we can think of, and that of my colleagues, in helping her and the others, to help these people.

Under the present law, the Attorney General of the United States has certain prerogatives to intervene in this case and to prevent deportation and to help in any number of ways.

The current law provides the Attorney General with authority to withhold deportation for humanitarian purposes and other circumstances.

□ 1045

There are other remedies under current law that can be exercised for granting visas for witnesses, for example, who have information of critical value to the U.S. law enforcement officials, and this matter is under investigation, obviously, for perhaps criminal activity, among other things.

So I pledge to the gentlewoman that we will all assist her in the effort to relieve the plight of these people.

However, the gentlewoman's amendment on an appropriations bill would be unprecedented. We have never done what the gentlewoman is asking the Congress to do here, and I think it would set a terrible precedent for us to intervene in a particular individual's problem with the bureaucracy, before the bureaucracy has a chance to deal with it.

So I would hope at the conclusion of our discussion, the gentlewoman might withdraw the amendment so that we can then proceed to help her administratively in the matter.

We will ask the Department of Justice and the INS, about the custody and care of these people, any plans that are being discussed that may involve deportation, any options that they are talking about to provide relief from deportation based on the authorities already available to the Attorney General, and I pledge that we will work with the gentlewoman in a vigorous way.

Ms. VELÁZQUEZ. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, I really appreciate the gentleman's help. I would share with the gentleman that these people live right now in total limbo, that they have exhausted every mechanism. I have called on the Attorney General, and she has yet to act on this case. So I would appreciate that the chairman and the ranking member from our side will work with us, with me, to make sure that a positive and constructive resolution is granted based on a humanitarian act. We have to show compassion, and I know that it will set a precedent, but this is the only mechanism that right now I have before me before the end of this session.

Mr. ROGERS. Mr. Chairman, reclaiming my time, I want to congratulate the gentlewoman for bringing the matter to the attention of the Congress and the country. She is to be highly commended for that, and it is too bad that the gentlewoman has had to resort to an extraordinary procedure here in order to gain the attention, I hope, of the Attorney General and the staff of the Justice Department and INS on trying to gain some relief for these people, and I pledge to the gentlewoman that we will help you in that regard.

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

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

Mr. MOLLOHAN. Mr. Chairman, I would just like to associate myself with the gentleman's sentiments. This is an extraordinary situation, and I commend the gentlewoman and her colleague from New York for bringing this issue to the Congress. We do understand how hard the gentlewoman has worked to bring it to the attention of the administration, and we are a bit chagrined to see that there has not been the kind of responsiveness that would be merited in the circumstances. I think the proposal that the gentlewoman has worked out with the Chairman is one that will get attention, and at the same time not create the kind of unsatisfactory precedent that the chairman is concerned with.

I join the chairman in assuring the gentlewoman that we will do everything necessary and everything in our power to make sure that the gentlewoman does get responsiveness from the appropriate authorities.

Mr. ROGERS. Mr. Chairman, reclaiming my time, there is one other option that the gentlewoman and I have discussed. If the Attorney General and the administration does not take appropriate action in the immediate future before we go to conference with the Senate on this bill, there is always the option of the conferees on this bill with the House and Senate, taking further action in respect to the matter.

Ms. VELÁZQUEZ. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. MANTON], my colleague in whose district some of the victims live.

Mr. MANTON. Mr. Chairman, I thank the gentlewoman for yielding me this time. I rise in strong support of the amendment offered by the gentlewoman from New York [Ms. VELÁZQUEZ], the gentleman from New York [Mr. SCHUMER], and the gentleman from New York [Mr. KING], my friends and colleagues.

Most of my colleagues probably are already aware of the tragic case of some 57 hearing-impaired Mexican immigrants smuggled into this country illegally and held in involuntary servitude, if you will. This was brought to light through the national media on July 20 of this year.

Mr. Chairman, these unfortunate individuals had been put up in two apartment buildings in Queens, New York, one located in my congressional district and one in Representative VELÁZQUEZ's district. They were forced to live in inadequate housing and to panhandle by selling trinkets on the streets and subways of New York.

In addition to being hearing-impaired, they knew only the Spanish language and had no means to readily communicate with anyone to tell them of their plight. They were simply at the mercy of their so-called employers.

Thanks to the good efforts of the New York City Police Department, in particular Officers Phil Rogan and Billy Milan of the 115th Precinct, these individuals were freed from the control of their unscrupulous masters. Sadly, their ordeal did not end there as they face potential deportation in the near future if the Velázquez-Schumer-King amendment is not passed.

Mr. Chairman, it has been over 2 months since this situation came to light, yet the status of these immigrants remains in limbo as they await a decision by the Federal Government while being held in a local motel.

I would like to commend the gentleman from Kentucky and the gentleman from West Virginia for their compassion, and we look forward to working with them to resolve this matter.

Ms. VELÁZQUEZ. Mr. Chairman, I will now withdraw my amendment, and I want to thank the chairman and the ranking member, and I look forward to working together to bring some peace to these victims.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 239, proceedings will now resume on those amendments on which

further proceedings were postponed in the following order:

Amendment No. 33 offered by the gentleman from New York [Mr. GILMAN];

Amendment Nos. 2 and 3 en bloc offered by the gentleman from Maryland [Mr. BARTLETT]; Amendment No. 36 offered by the gentleman from Michigan [Mr. HOEKSTRA].

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

AMENDMENT OFFERED BY MR. GILMAN

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York [Mr. GILMAN] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GILMAN:

Page 67, line 19, insert before the period the following: *Provided*, That, of such amount, not more than $356,242,740 shall be available for obligation until the Secretary of State has made one or more designations of organizations as foreign terrorist organizations pursuant to section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)), as added by section 302 of Public Law 104–132 (110 Stat. 1214, 1248).

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 396, noes 6, answered ''present'' 5, not voting 26, as follows:

[Roll No. 457]

AYES—396

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McIntosh
McIntyre
McKeon
McNulty
Meehan
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Mink
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Radanovich
Ramstad
Rangel
Redmond
Regula
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson
Thornberry
Thune
Thurman
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOES—6

Dellums
McKinney
Miller (CA)
Minge
Paul
Rahall

ANSWERED ''PRESENT''—5

Bonior
Johnson, E. B.
Kucinich
Moran (VA)
Waters

NOT VOTING—26

Bentsen
Berman
Bonilla
Buyer
Collins
Conyers
Dicks
Gibbons
Gonzalez
Hansen
Harman
Hastings (FL)
Jackson-Lee (TX)
Kennedy (RI)
Lazio
McInnis
Meek
Owens
Quinn
Reyes
Schiff
Schumer
Spratt
Taylor (NC)
Tiahrt
Weygand

□ 1111

Mr. MILLER of California and Mr. DELLUMS changed their vote from ''aye'' to ''no''.

Mrs. CHENOWETH and Mr. WATT of North Carolina changed their vote from ''no'' to ''aye.''

Mr. KUCINICH changed his vote from ''aye'' to ''present.''

Mr. PAUL changed his vote from ''present'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 239, the Chair announces that he will reduce to a minimum of 5 minutes the period of time in which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENTS OFFERED BY MR. BARTLETT OF MARYLAND

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendments offered by the gentleman from Maryland [Mr. BARTLETT] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendments.

The text of the amendments is as follows:

Amendments offered by Mr. BARTLETT of Maryland:

Amendment No. 2: In title IV relating to ''DEPARTMENT OF STATE AND RELATED AGENCIES'', in the item relating to ''International Organizations and Conferences—contributions to international organizations'' strike ''of which not to exceed $54,000,000 shall remain available until expended for payment of arrearages'' and all that follows through the second proviso.

Amendment No. 3: In title IV relating to ''DEPARTMENT OF STATE AND RELATED AGENCIES'', in the item relating to ''International Organizations and Conferences—contributions to international peacekeeping activities'' strike ''of which not to exceed $46,000,000 shall remain available until expended for payment of arrearages'' and all that follows through the first proviso.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 165, noes 242, not voting 26, as follows:

[Roll No. 458]

AYES—165

Aderholt
Archer
Armey
Bachus
Baker
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bilbray
Bilirakis
Blunt
Boehner
Bono
Brady
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Danner
Deal
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Foley
Fowler
Gillmor
Goode
Goodlatte
Goodling
Goss
Granger
Gutknecht
Hall (TX)
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kim
Kingston
Klug
Largent
Lewis (KY)
Linder
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Pappas
Paul
Paxon
Pease
Peterson (PA)
Pickering
Pitts
Pombo
Portman
Radanovich
Redmond
Riggs
Riley
Rogan
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Thornberry
Thune
Traficant
Upton
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NOES—242

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Ballenger
Barrett (WI)
Bass
Bateman
Becerra
Bereuter
Berry
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gordon
Graham
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Hyde
Jackson (IL)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McHugh
McKinney
McNulty
Meehan
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Oxley
Packard
Pallone
Parker
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Pickett
Pomeroy
Porter
Poshard
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Rivers
Rodriguez
Roemer
Rogers
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scott
Serrano
Shays
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith (NJ)
Smith, Adam
Snyder
Stabenow
Stark
Stokes
Strickland
Stupak
Tanner
Tauscher
Thomas
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Wise
Woolsey
Wynn
Yates
Young (AK)

NOT VOTING—26

Bentsen
Berman
Bonilla
Buyer
Collins
Dicks
Gibbons
Gonzalez
Hansen
Harman
Hastings (FL)
Hostettler
Jackson-Lee (TX)
Kennedy (RI)
Lazio
McInnis
Meek
Owens
Quinn
Reyes
Schiff
Schumer
Spratt
Taylor (NC)
Tiahrt
Weygand

□ 1121

The Clerk announced the following pairs:

On this vote:

Mr. Collins for, with Mr. Quinn against.

Mr. Gibbons for, with Ms. Harman against.

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

So the amendments were rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HOEKSTRA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan [Mr. HOEKSTRA] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 213, noes 189, not voting 31, as follows:

[Roll No. 459]

AYES—213

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bono
Boyd
Brady
Bryant
Bunning
Burr
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Dickey
Doggett
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Foley
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
Kingston
Klug
Knollenberg
Kolbe
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
McCollum
McCrery
McIntosh
McIntyre
McKeon
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Thomas
Thornberry
Thune
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
White
Whitfield
Wicker
Wolf
Young (FL)

NOES—189

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dingell
Dixon
Dooley
Doyle
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Forbes
Ford
Fox
Frank (MA)
Furse
Gejdenson
Gephardt
Gilman
Green
Gutierrez
Hall (OH)
Hamilton
Hefner

Hilliard
Hinchey
Hinojosa
Holden
Hooley
Houghton
Hoyer
Jackson (IL)
Jefferson
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
LaHood
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDade
McDermott
McGovern
McHale
McHugh
McKinney
McNulty
Meehan
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Poshard
Price (NC)
Rahall
Rangel
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scott
Serrano
Sherman
Sisisky
Skaggs
Slaughter
Smith, Adam
Snyder
Stabenow
Stark
Stokes
Stupak
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weldon (PA)
Weller
Wexler
Wise
Woolsey
Wynn
Yates

NOT VOTING—31

Bentsen
Berman
Bonilla
Burton
Buyer
Capps
Collins
Dicks
Gibbons
Gonzalez
Hansen
Harman
Hastings (FL)
Jackson-Lee (TX)
Kennedy (RI)
Lazio
Manzullo
McInnis
Meek
Owens
Quinn
Reyes
Schiff
Schumer
Solomon
Spratt
Strickland
Taylor (NC)
Tiahrt
Weygand
Young (AK)

□ 1130

The Clerk announced the following pair:

On this vote:

Mr. Collins for, with Ms. Jackson-Lee of Texas against.

□ 1130

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MANZULLO. Mr. Chairman, on rollcall No. 459 I inserted my card in a voting station and voted ''aye''. A green light appeared next to my name. However, I am officially listed as not having voted. I want to indicate for the RECORD that I supported the Hoekstra amendment.

Mr. BEREUTER. Mr. Chairman, I move to strike the requisite number of words as the designee of the manager.

Mr. Chairman, I would like to engage a four-way colloquy with the chairman and two colleagues from adjacent districts, the gentleman from Iowa [Mr. LATHAM] and the gentleman from Nebraska [Mr. BARRETT], regarding problems with the smuggling of illegal aliens in Nebraska and Iowa.

Mr. Chairman, Nebraska and Iowa are major destinations for illegal aliens and alien smugglers due to extremely low unemployment rates, the number of meat-packing plants, and other labor-intensive industries, and due to the fact that two major interstate highways which cross the States, I–80 and I–29, are serving as what seems to be considered a low-risk corridor for smuggling aliens to other parts of our Nation.

The Omaha INS office, which serves both States, could not respond to approximately 55 possible instances of alien smuggling, including 382 suspected illegal aliens in Nebraska and Iowa, because the INS did not allocate additional resources to respond.

The INS Omaha District Office has a small staff when compared with nearby district offices. Additionally, it does not have a much needed antismuggling unit, in contrast to other interior INS districts in the United States.

Mr. Chairman, do you agree that INS should allocate additional agents as part of an antismuggling unit to the Omaha District Office to fight the smuggling of illegal aliens into and through Nebraska and Omaha?

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

Mr. BEREUTER. I yield to the gentleman from Kentucky.

Mr. ROGERS. I am aware of the problems with alien smuggling in Nebraska and Iowa that the gentleman from Nebraska [Mr. BEREUTER] has raised. It is for that very reason that the House report includes language directing INS to review the requirements of State and localities in the central and western region of the country when allocating additional personnel to apprehend, detain, and remove illegal aliens.

I will continue to work with my colleague to find a solution to the problem during our consultations with INS on personnel deployment.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman from Kentucky [Mr. ROGERS].

Mr. BARRETT of Nebraska. Will the gentleman yield?

Mr. BEREUTER. I yield to the gentleman from Nebraska.

Mr. BARRETT of Nebraska. Mr. Chairman, I thank the gentleman from Nebraska [Mr. BEREUTER] for yielding.

I would like to also, Mr. Chairman, take this opportunity to express my continued concern about the rather regular occurrence of alien smuggling in and through Nebraska, particularly along I–80, and I concur with the request of my colleague for an antismuggling unit in the Omaha INS District Office.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman from Nebraska [Mr. BARRETT] so much. It has happened in his own district.

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

Mr. BEREUTER. I yield to the gentleman from Iowa.

Mr. LATHAM. Mr. Chairman, I thank the gentleman from Nebraska [Mr. BEREUTER] for yielding.

I have followed with great interest the concerns of my colleagues from Nebraska because my home State of Iowa shares many of the same problems.

As a member of the appropriations subcommittee which funds INS and other Department of Justice agencies, I recognize the budgetary constraints and limitations that face our law enforcement agencies. During the debate on the immigration reform bill last year, I successfully offered an amendment mandating the INS coordinate its activities with local and State agencies. This cooperation of local, State, and Federal agents will bring efficient and thorough protection to our urban and rural areas, especially in States with few INS officers.

I want to highlight also the work of the Tri-State Drug Task Force, headquartered in Sioux City, IA, as an example of effective coordination. The task force has worked tirelessly to stem the flow of illegal drugs to Iowa, Nebraska, and South Dakota by coordinating local police, sheriffs' offices, and Federal agents from the INS, the Drug Enforcement Agency, and the Marshal's Service.

Mr. BEREUTER. Mr. Chairman, reclaiming my time, this Member thanks his distinguished colleagues and especially the distinguished gentleman from Kentucky [Mr. ROGERS], the chairman, for this colloquy with my two colleagues and I. I thank him for participating in the colloquy.

AMENDMENT NO. 54 OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 54 offered by Mr. SMITH of New Jersey:

Page 117, after line 2, insert the following new section:

SEC. 617. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay the salary or expenses of any official or employee of the Department of State to make or carry out any contract authorizing any private entity to assess a charge or fee upon United States citizens for information about United States passports.

The CHAIRMAN. Pursuant to the order of the House of Thursday, September 25, 1997, the gentleman from New Jersey [Mr. SMITH] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume. This amendment is very simple. It is intended to stop the State Department from charging Americans twice for the same service.

The State Department has begun charging, as I think many of my colleagues know now, U.S. citizens $1.05 per minute for information about their U.S. passports. In order to get this information, they must call a 900 number that is run by a for-profit corporation. Americans who have already paid a $65 passport fee are now required to pay

for information that used to be available for free.

Something, it seems to me, is very wrong with this picture, especially because passport applicants are already paying for more passport services than they are receiving. Let us face it, whether we think it is deserved or not, 900 telephone numbers carry certain connotations with the American public, from the racy to the ridiculous. That forum should not be used to sell information that should already belong to the American people.

Mr. Chairman, the idea behind a user fee such as the passport fee is that we are paying for what it actually costs the Government to provide us that service. The user fees should not be used for a profit engine, and passport applicants are supposed to get what they pay for. But the $65 fee that U.S. citizens pay up front for passport processing already more than covers the cost of passport services that they receive from the State Department.

A while back, the Department conducted a fee study to justify the latest increase in the passport fee to $65. But the study, in fact, did not justify that amount. The Department did its best to attribute every possible cost to passport users. It even went so far to factor in the proportional cost of U.S. overseas consular services which might be used by American travelers. But even then, the total was nothing close to $65. The Department has been at a loss to know what to do in response to that finding, so they have not released it to the public.

Let me say again, this is a kind of double taxation. We have had numerous complaints in my State, particularly in my counties of Monmouth, Ocean, Mercer, and Burlington. As a matter of fact, the county clerk in Ocean County was the one who brought this to my attention some time ago. So this is in response to that criticism of the people from those counties.

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

Mr. SMITH of New Jersey. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, this is an amendment that is under consideration in the conference on the State Department authorization bill that has migrated onto this bill.

I understand that the gentleman from New Jersey [Mr. SMITH] is opposed to the notion that people should have to pay for a telephone call to obtain information on passport applications. The problem was that the State Department did not have the personnel to be able to provide information, and that this was a way to try to improve service in exchange for a small charge.

While I am willing to accept the Smith amendment, I believe there are many unanswered questions about the amendment. If the 1–900 number is banned on October 1, as the amendment would require, things will revert to the way they were before, where the service level was unsatisfactory. There is a contractor providing the 1–900 service, and if the contract is cut off, these people will be laid off, and there could be termination costs.

The State Department indicates that if they have to switch to a different manner of providing service, such as a 1–800 number, assuming money is available to pay for that service, a contract would have to be recompeted, and it could take months before a contract could be awarded and a new service instituted.

So in the short term, this amendment has the possibility of decreasing the availability of information to people trying to track their passport applications. So I am not convinced that the amendment is the final answer on the issue.

But we are willing to work with the gentleman from New Jersey [Mr. SMITH] and take the issue into conference and see if we can work out a solution that will adequately address the situation.

Mr. SMITH of New Jersey. Reclaiming my time, I thank the chairman for accepting the amendment.

Let me say clearly, the effective date is open to movement, and the date of enactment does not have to be necessarily the effective date, so that there is a transition.

Mr. Chairman, I yield to the gentleman from New York [Mr. ACKERMAN].

Mr. ACKERMAN. Mr. Chairman, I thank the gentleman from New Jersey [Mr. SMITH] for yielding, and I thank the gentleman from Kentucky [Mr. ROGERS] for his understanding and cooperation on this issue and the leadership of the gentleman from New Jersey [Mr. SMITH], as well as the gentleman from West Virginia [Mr. MOLLOHAN], the ranking member.

The American people and, I think, the Members of the House should just roughly understand what is happening here. The State Department decided that they were upset because we did not fully fund everything that they were asking for. So they decided to come up with their own tax on the American people and say, well, we do not have enough money to answer the phones, so we will just contract and let somebody else perform that duty.

It is almost as if we decided that we were upset that we did not get enough money for our legislative offices and said, ''Let us not answer the phones. Let us get a company to answer the phones for us, and it is a 900 number, and they will tell what we are in favor of or not in favor of and free up our staff to do something else.'' It is kind of outrageous.

I just want to raise the ante from what the gentleman from New Jersey [Mr. SMITH] said. It is not double, it is triple taxation. They pay taxes on the 15th of April.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. SMITH] has expired.

Mr. ACKERMAN. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed.

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

There was no objection.

□ 1145

Mr. ACKERMAN. Mr. Chairman, it is basically a triple taxation. We pay taxes on the 15th of April; then there is a user fee which is a tax of $65 on the American people in order to get the passport, so that will tax twice. Then they decide that that is not good enough, we are going to tax people for the information, like going to the grocery store and ask the grocer where the milk is, and he says, ''Ask that guy, but he's going to charge you to tell you where the milk is.'' I mean it is an absolute absurdity.

There is a solution, and I appreciate the suggestion, and it is certainly a good one. An additional suggestion would be to dedicate the $65 fee to the State Department to allow them to use that money rather than putting that money back into the general fund. But triple taxing the American people for basic government information, basic service to which they are entitled, is an absolute absurdity, and I salute the gentleman from New Jersey.

Mr. SMITH of Jersey. Mr. Chairman, will the gentleman yield?

Mr. ACKERMAN. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, the complaints that we have been getting are very much like what the gentleman is talking about. If people called my office and the gentleman's office and other Members' offices seeking basic information about that case that we have under consideration with the IRS or any other Federal bureaucracy, it would be absurd to charge them for that phone call, and that is what this is all about. And let me reiterate again to the Members that the $65 for the passport more than covers. There is a profit there for the State Department, regrettably; it ought to be lower, it should accommodate what does the service cost, and then that is what the cost should be.

So this amendment seeks to do what the IRS and nobody else could even think of doing; that is, having a 900 number to give basic information. We are in the service business. We ought to enhance that service, and an 800 number would do that job, and that is what we are hoping will come out of this.

Mr. ACKERMAN. Mr. Chairman, the gentleman is absolutely correct.

We have a case of a nun who lived in my district. She had been adopted, had a different name in her adulthood, was selected by her order to represent them overseas and had to get a passport. She had to call this 900 number. She got trapped in this system. They did not know how to fix this thing. She was spending $60 calling 900 numbers. Everybody was looking at her kind of crookedly in her convent, as my colleagues know, why is she on this 900

number all night, and the deal was she was the nun who could not fly. They could not fix this for her.

Mr. Chairman, certainly she is entitled to basic government services as every other U.S. citizen is without being taxed three times, and I appreciate the cooperation of gentleman from New Jersey and the chairman and ranking member on this.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The amendment was agreed to.

AMENDMENT NO. 58 OFFERED BY MR. KLECZKA

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

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 58 offered by Mr. KLECZKA:

Page 117, after line 2, insert the following:

SEC. 617. None of the funds appropriated to carry out this Act may be used to purchase or install live fingerprint scanners in Immigration and Naturalization Service field offices or card scanners at Immigration and Naturalization Service centers unless the Immigration and Naturalization Service refunds, not later than 6 months after the date of the enactment of this Act, all fees paid to the Immigration and Naturalization Service for designated fingerprinting service certification under 8 C.F.R. §103.2(e).

The CHAIRMAN. Pursuant to the order of the House of Thursday, September 25, 1997, the gentleman from Wisconsin [Mr. KLECZKA] and a Member opposed will each control 5 minutes.

Mr. ROGERS. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] reserves a point of order, and the gentleman from Wisconsin [Mr. KLECZKA] is recognized for 5 minutes.

Mr. KLECZKA. Mr. Chairman, I am aware of the point of order that has been raised. I will not pursue the amendment, I will withdraw it at a later time, but I would like to establish for the record the situation that the amendment seeks to address.

Mr. Chairman, last summer the INS instituted a designated fingerprinting service to ask local firms to enter into contracts with the INS to help them out in this fingerprinting operation. The Senate bill and the bill before us today does away with outside interests, outside firms, nonprofit organizations from doing the fingerprinting for the Immigration Service. The immigration Service under both products will do this function themselves, and that is fine, and I do not take issue with that because of some of the past problems.

However, the situation that we are looking at today is that the INS is not positive, they are not sure that they are going to refund the fees collected from these organizations who, in good faith, paid the money to do the service for a period of 3 years. I have been contacted in my district by two organizations who sent them their application fee of $370. Now they are being told by the Congress, We don't need you any more. Their inquiry is whether or not they are going to get their money back, or a prorated portion of that. I called the INS, and they indicated that they are not sure whether or not they are going to refund the dollars. The amendment's purpose is to mandate that the INS give the money back.

We have just seen hearings in both Houses of Congress this week about a Federal agency which treated our constituents in a shoddy manner, and these tax filers are angry over that. Some time ago we heard about a situation where an elderly individual in error sent a $50,000 check to the IRS. He subsequently passed away, his heirs found the error, and now they want the money back. The IRS says they are not going to give it back. This is a type of situation that we get ourselves into when the Federal agency does something goofy, similar to what the previous amendment or the speakers on the previous amendment had to relate to us, that now they are charging to talk to them through a 900 number.

Before this thing gets out of hand, know full well, Members, that there are 3,700 organizations who in good faith sent the application through to the INS, sent their $370. Now we are yanking the task away from them, and I think it is wise that we mandate that the INS give the money back. If we do not need them any more, give the money back.

And let me ask the chairman of the committee to indicate to at least this Member what his knowledge of the situation is and how he could possibly help out in this situation.

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

Mr. KLECZKA. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I appreciate the gentleman bringing the matter to our attention. Although the gentleman's amendment I think is out of order and he says he is going to withdraw the amendment, nevertheless, in spite of his withdrawing it and in response to his concern, I will be looking into the status of that issue with the INS and the Justice Department to see if there is some way we can resolve the matter, and I appreciate the gentleman's interest.

Mr. KLECZKA. Mr. Chairman, I thank the gentleman from Kentucky very much.

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

Mr. KLECZKA. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I just want to compliment the gentleman from Wisconsin. He has raised a real fairness issue here. The INS has gone out, trying to address the tremendous numbers of fingerprints they have to process, and contracted with the private entities to do this, and now the Congress is looking at all that, and I am satisfied with that policy; we are pulling that back in. And it is only fair, and I appreciate the gentleman bringing that to the committee, and I know that his constituents and all those private sector entities across the country are performing this service and will appreciate his bringing this to our attention too.

Mr. KLECZKA. Mr. Chairman, I ask unanimous consent to withdraw the amendment, but know full well that I and others in this body who have organizations involved in this will be watching the activity of the INS to make sure that they just give the money back.

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

There was no objection.

The CHAIRMAN. The amendment offered by the gentleman from Wisconsin is withdrawn.

Are there further amendments?

AMENDMENT NO. 16 OFFERED BY MR. BARR OF GEORGIA

Mr. BARR of Georgia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mr. BARR of Georgia:

Page 117, after line 2, insert the following new section:

SEC. 617. None of the funds made available in this Act may be used to conduct any study of the medicinal use or legalization of marijuana or any other drug or substance in schedule I under part B of the Controlled Substances Act.

The CHAIRMAN. Pursuant to the order of the House of Thursday, September 25, 1997, the gentleman from Georgia [Mr. BARR] and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Georgia [Mr. BARR].

Mr. BARR of Georgia. Mr. Chairman, this is a very simple, straightforward amendment. It simply reaffirms what I believe to be current policy of this body and current policy of the administration, and that is to not use taxpayer funds for the study of legalization of drugs. And the amendment simply directs that no funds made available under this act for these departments or agencies of the Federal Government shall be used for the study of legalization or medicinal uses of marijuana or any other schedule I controlled substance.

Mr. Chairman, I would like to read into the record exactly what a schedule I controlled substance is, and that includes marijuana through its primary ingredient THC. Under title 21, section 812 of the United States Code, a schedule I substance is a, quote, drug or other substance that has a high potential for abuse, close quote. It is further, quote, a drug or other substance that has no currently acceptable and no currently accepted medical use in treatment in the United States, close quote. Further, quote, there is a lack of accepted safety for use of the drug or other substance under medical supervision, close quote.

That being the case, Mr. Chairman, I think it is entirely appropriate that we make absolutely clear to the American people that our Government is not going to be funding studies that go contrary to well-established existing law based on scientific fact and study over many years.

This amendment, Mr. Chairman, is entirely consistent with the explicit stated policy of this administration. As evidence of that I quote from a hearing on May 1, 1997, before the Subcommittee on National Security, International Affairs, and Criminal Justice of the Committee on Government Reform and Oversight, of which I was present and engaged in questioning with General McCaffrey, head of the Office of National Drug Control Policy, and I quote General McCaffrey's response.

It's unequivocally clear in writing, that the Attorney General, the Secretary of Health and Human Services, the Secretary of Education and I and others supported, obviously approved by the President, are unalterably opposed to the legalization of drugs for the surreptitious legalization of drugs under the guise of medical uses.

Mr. Chairman, if any department of our Government ought to be using taxpayer funds to study the legalization or so-called medicinal uses of drugs, it ought not to be the Department of Justice. The Department of Justice is tasked under our Constitution and our laws with enforcing our criminal laws, some of which I have just read, the Controlled Substances Act. It would be foolhardy to allow the Department of Justice to talk out of both sides of its mouth, on the one hand enforcing those drug laws which contain as a controlled mind-altering substance marijuana, and yet at the same time talk out of the other side of its mouth in saying, ''But we're going to study whether or not it ought to be legalized,'' which is an implicit message that maybe it ought not to be a controlled substance.

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

Mr. BARR of Georgia. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I am not aware that the Justice Department is studying the medicinal uses of marijuana. If the gentleman knows about that, I will be very interested to know about it.

But, Mr. Chairman, I have no objection to the amendment, and in fact support its adoption.

Mr. BARR of Georgia. Mr. Chairman, I would cite to the distinguished gentleman from Kentucky the fact that the administration is proposing to spend $1 million of taxpayer funds for the so-called medicinal use study of marijuana.

Mr. ROGERS. If the gentleman would yield, that is not the Justice Department. I am told that is the office of the drug czar in the White House.

Mr. BARR of Georgia. That is correct, that is the ONDCP.

Mr. ROGERS. And, of course, we do not appropriate for the office of the drug czar in the White House. We appropriate for the Justice Department. Now if the gentleman has information that the Justice Department is studying the legalization or medicinal uses of marijuana, give that to me forthwith.

Mr. BARR of Georgia. Reclaiming my time, the gentleman is absolutely correct. At this time we do not. My problem is, and the reason that I think this amendment is necessary, is that even though the director of ONDCP states on record that he is not in favor of studying legalization of drugs, at the same time through his office they are seeking to spend $1 million. If they can do it in ONDCP, talk out of both sides of their mouth, my fear is other departments, including the Department of Justice, may do the same thing; and I think this is an important guarantee for the people of this country to know that at least these departments, including most importantly the Department of Justice, tasked with enforcing our drug laws, is not and will not be utilizing taxpayer moneys for such foolhardy studies.

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

Just very briefly, I appreciate the gentleman's affirming that the administration has no intention to undertake such studies or to institute such a policy. To my knowledge, I agree with the gentleman, there is nothing in this bill that relates to the gentleman's amendment, and in that sense the gentleman's amendment really has no effect on our bill. And in that sense it is kind of a progravity amendment and if the gentleman from Kentucky wants to accept it, I certainly do not have opposition to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. BARR].

The amendment was agreed to.

□ 1200

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

Mr. ROGERS. Mr. Chairman, I move that the Committee do now rise.

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

Mr. MOLLOHAN. Mr. Chairman, we have one more colloquy.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent to withdraw my motion.

The CHAIRMAN. Without objection, the motion is withdrawn.

There was no objection.

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

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, I rise today to enter into a colloquy. I am joined in this colloquy by the gentleman from California [Mr. RIGGS], and I do not see him on the floor right now, so, if I may, I will just do my part of this.

I am joining the gentleman from California [Mr. RIGGS] to support continued funding for the Northwest Emergency Assistance Program. The Hire the Fishers Program has been successful in providing jobs for over 300 displaced fisher families in the Pacific Northwest, while working to recover the region's economically vital salmon runs.

The program includes a sea data collection program in order to better manage our salmon fisheries, and a habitat restoration program designed to give fishers an active role in returning the Pacific salmon runs to a harvestable level.

The Hire the Fisher Program, Mr. Chairman, is an excellent model of a Federal-State partnership that works both for the environment and the economy. It is a win-win for the States, the fishers, and the fish. In short, it is a program that continues to deserve our support.

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

Ms. FURSE. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I appreciate my colleague's interest, and also the work of our colleague, the gentleman from California [Mr. RIGGS], who has been tireless in his pursuit of this issue, as has the gentlewoman. Both have contacted me about this already, and other programs related to the problems of the Pacific Northwest fisheries. In fact, the bill already provides significant resources to address these problems.

However, the NEAP Program is not a program which has ever been funded out of this bill, and no funds have been requested by the White House in their budget request. However, knowing of the gentlewoman's interests, that of the gentleman from California [Mr. RIGGS] and others, I will be happy to look further at the program as we proceed along.

Ms. FURSE. Mr. Chairman, reclaiming my time, I thank the gentleman for his gracious attention.

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. HOBSON] having assumed the chair, Mr. HASTINGS of Washington, 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. 2267), making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

CAMPAIGN FINANCE REFORM HEARINGS NEEDED IN HOUSE NOW

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

Mr. DOGGETT. Mr. Speaker, today, for the first time in this Congress, Democratic determination has produced some results on reducing the influence of special interest campaign money.

A debate is under way at this very moment in this very building on specific bipartisan campaign finance reform, the McCain-Feingold proposal. But it is not enough that reform pass the Senate. In my civics class we learned it has to pass the House of Representatives also. And what is the news on that subject? Today's banner headlines, ''GINGRICH Asserts Campaign Bill, Alive in Senate, Is Dead in House.''

The American people do not want this proposal stillborn in the House. We are pleased that there is a debate finally after so many Democratic demands underway, but it must occur in both parts of this Capitol Building, not just in one.

As we read on through the story, we learn we have the same problem with the Republican leadership. They say they want more money in campaigns, not less. We need reform now.

NO FEDERAL FUNDING OF STUDIES OF USE OF MIND-ALTERING DRUGS

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

Mr. BARR of Georgia. Mr. Speaker, we just adopted an amendment to the appropriations bill currently before this body that would prohibit, at least for those agencies and departments of this Government covered by that bill, H.R. 2267, that none of them can use any funds so appropriated for the study of legalization or so-called medicinal use of marijuana or other schedule I controlled substances.

Mr. Speaker, I wish it were not necessary to offer such amendments, but it is. The fact of the matter is that even though our Office of National Drug Control Policy asserts under oath and in writing that it is neither the intent nor the purpose of this administration to expend taxpayer moneys for such purposes, such as the medicinal use of marijuana or other drugs or the legalization thereof, they are in fact doing so.

Therefore, these amendments become necessary to stop this administration from talking out of both sides of its mouth on drug policy. This amendment and others I intend to offer on spending bills will send a very clear message to the taxpayers of this country that they are not going to have to continue to fund the study of legalization of mind-altering drugs.

DEBATE NEEDED IN HOUSE ON CAMPAIGN FINANCE REFORM

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

Mr. MILLER of California. Mr. Speaker, this is the people's House. This is where the debate of our constituents is supposed to take place by those who have been elected by them.

But we cannot have a debate, apparently, in the people's House on campaign finance reform, and yet it is campaign contributions and soft money contributions to campaigns that is distorting the decisions that are being made in this House. It is campaign contributions that allow a $50 billion tax break to be given to the tobacco companies in the middle of the night, with no vote, no discussion, and no debate.

In the other body, in the U.S. Senate, they are starting the debate on campaign finance reform. But here, because of Speaker GINGRICH, Majority Leader ARMEY, we are told we cannot debate that in the people's House.

We need to have that debate. We need to free the people's House from the influence of soft money and special interest contributions that are corrupting the legislative process and are corrupting the democratic process in this country. No longer can we have the decisions being made based upon who gave you a contribution.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

ADJOURNMENT TO MONDAY, SEPTEMBER 29, 1997

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 a.m. on Monday next for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. SHIMKUS] is recognized for 5 minutes.

[Mr. SHIMKUS addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DOGGETT] is recognized for 5 minutes.

Mr. DOGGETT. Mr. Speaker, it is really now or never. Either this Congress acts now to remedy at least some of the shortcomings of the 1996 campaigns and the way that they are financed, or we can kiss good-bye to any hope of reform in time to affect the 1998 elections.

Many Americans have been concerned about practices and events that occurred in both of the political parties during the 1996 elections. But the time is today to decide, are we going to do anything about it, or just talk about it a little bit more?

Fortunately, the determination of Democrats in the U.S. Senate is leading to action today. As I speak here, in the Senate a specific proposal to change the way campaigns operate is being debated fully, and I am sure it will be discussed over the next several days there. After considerable obstruction by Republicans and the leadership and probably more obstruction to come, there is at least a debate going on there, according to agreed terms.

But here in the House of Representatives, where this proposal must also be approved, we read in this morning's paper, ''Gingrich asserts campaign bill, alive in Senate, is dead in house.''

Indeed, we find ourselves in a situation where, back in 1995, that same Speaker GINGRICH shook hands with President Clinton and said he wanted to achieve bipartisan campaign finance reform. That is essentially the last we heard of it. The smile had hardly faded before the interest in reforming campaigns, which could have been in place for the 1996 elections, was forgotten. Nothing happened until the eve of the elections, when a contrived proposal was brought here on a very short notice for 1 hour, and even many of our Republican colleagues rejected it, because it was not reform. Rather, it was the kind of proposal that was condemned by every good government group that had worked to reform our campaign and election laws in the past.

I prefer the kind of comprehensive reform that Mr. MCCAIN, a Republican, and Mr. FEINGOLD, a Democrat, are urging over in the Senate. But whatever the approach that we might take