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House of Representatives

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1966—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 104-149)

The SPEAKER. The unfinished business is the further consideration of the veto of the President on the bill (H.R. 2076) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

The Clerk read the title of the bill.

MOTION OFFERED BY MR. ROGERS

Mr. ROGERS. Mr. Speaker, I offer a preferential motion and I ask for its immediate consideration.

The SPEAKER pro tempore (Mr. UPTON). The Clerk will report the motion.

The Clerk read as follows:

Mr. ROGERS moves that the message, together with the accompanying bill, be referred to the Committee on Appropriations.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. ROGERS] is recognized for 1 hour.

GENERAL LEAVE

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and that I be allowed to include tabular and extraneous material on H.R. 2076.

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

There was no objection.

Mr. ROGERS. Mr. Speaker, I yield 15 minutes to the gentleman from West Virginia [Mr. MOLLOHAN] for the purposes of debate only, and I yield back 30 minutes.

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

Mr. Speaker, it is a sad day today, after the President has vetoed the larg-

est crime fighting budget in the Nation's history, just one day after the FBI announced that crime rates are finally starting to drop. It is a sad day today, when all of the Federal employees in the Departments of Justice, State, and Commerce, the Federal Courts, and 20 related agencies, more than 200,000 of them, have their jobs left in doubt because the President refused to sign the full year appropriation for them.

Two-thirds of the funding in this bill, Mr. Speaker, nearly \$18 billion, would have gone to putting criminals behind bars.

Think about the programs that will not go into effect because of this veto: \$14.6 billion for law enforcement, a 19 percent increase, including \$3.6 billion for state and local law enforcement to give them the resources to fight crime where it counts, on our streets. That is a 57-percent increase over last year.

An \$895 million increase to combat illegal immigration and secure the Nation's borders; \$146 million more than the President requested, including 3,000 more INS personnel and 1,000 more border patrols on the border. We need to get these people hired and trained. Otherwise the money will be wasted.

The bill includes \$500 million for California, Texas, Florida, New York, and other States most impacted by criminal aliens, and the President is telling those states, "tough luck."

In the bill vetoed is also \$175 million for violence against women programs, 7 times more than we provided this year, the full amount of the President's request. Now he is vetoing the money for violence against women.

On October 15, the President accused the Congress of reducing domestic violence programs by \$50 million, hampering "our efforts to protect battered women and their children, to preserve families, and to punish those crimes."

□ 1230

Well, Mr. Speaker, that \$50 million is included in this conference report, plus

\$125 million more. We fully fund the program. And what does the President do? He says "no."

Why is he vetoing the bill? He says we do not spend enough money on some programs. Even while he is meeting now to reduce spending, he wants us to include and increase spending for things like the Ounce of Prevention Council, \$2 million; the Globe Program, \$7 million. Great international organizations he wants money spent for, and among the reasons he vetoed the bill, are things like the Bureau of International Expositions; and, get this one, the International Office of Epizootics.

That is why he says he is vetoing the bill, and for corporate welfare programs he says we did not fund, like the Advanced Technology Program. That is corporate welfare. I think we were all determined to cut it and we did in this bill. And he is vetoing the bill, he says, because of his pique over the COPS program. As we have said so many times, this is not a debate over putting more police on the streets. The conference report fully funds the request of \$1.9 billion, giving our local communities the resources to hire every single policeman on the beat that the President proposed, and then some, as the President says. The difference is over who controls the program. Is it a Washington-based, one-size-fits-all program, that the President wants; or do we empower local communities to decide what they need most to fight crime?

We have heard the problems with the President's COPS program. According to the General Accounting Office, 50 percent of the communities do not participate because they cannot afford to participate. It costs them 25 percent of the total cost the first year; more in the second; and after that, they are entirely on their own. They simply cannot afford it.

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

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



What we do in our program is make them put up 10 percent, and they can use the money for cops, if they want, or for cop cars, if they need that, or for other things.

COPS is a discretionary grant program, so communities cannot predict whether they will receive funds or not. And the COPS program that the President wants, and here is the rub, requires a whole brand new Washington bureaucracy. In fiscal 1996, 236 positions; \$26 million. They have rented a 10-floor, 51,000 square foot building where the rent alone costs \$1.5 million.

The block grant program, which we put in the bill, corrects all of those problems, but the President objects because Washington knows best.

So for those reasons, not spending enough on lower priority programs, a dispute over who gets credit for putting more police on the streets, the President has vetoed the bill, the biggest crime fighting appropriation in the Nation's history, putting at risk the jobs of some 200,000 Federal employees.

I wish the President would get over this pique, this political pique. We are not asking him to vacate Air Force one by the rear door. All we are saying is sign this bill; we sent you a good one.

Every day these crime fighting funds are delayed because of the President's veto is a day wasted in the fight against violent crime, drugs, illegal immigration and violence against women.

I regret the President's veto. I regret the fact that the White House never saw fit to sit down with us to try to work out an acceptable bill. I regret the fact that 200,000 Federal employees continue to be at risk of furloughs because the President puts his priorities ahead of theirs.

But the bill has been vetoed. The only alternative we have, Mr. Speaker, is to send the bill back to the committee and start the process over. Congress did its job on this bill. It passed the appropriations for Commerce, Justice, State, the Federal Judiciary, and others for fiscal 1996.

There is no bill in place now, not because the Congress did not act, it is purely because the President acted to kill a bill that would have funded the greatest crime fighting era ever in the Nation's history.

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

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

Mr. Speaker, the President has vetoed the fiscal year 1996 Commerce, Justice, State and Judiciary and related agencies appropriations bill. As everyone knows, this is the third appropriations bill the President has vetoed this week, and his action on this bill is not unexpected. As a matter of fact, Mr. Speaker, it is anything but unexpected.

When the Commerce, Justice, State and Judiciary conference report was on

the floor 2 weeks ago, it was clear that the President was going to veto it. In fact, when this bill passed the House in July, the President clearly indicated that he would veto any version of the bill that did not fund the Cops on the Beat Program in its already-authorized last-year form.

The President has, from the beginning of this process this year, indicated his priorities for the bill, and the bill Congress sent to him does not fund those priorities.

Now, Mr. Speaker, this is a perfunctory motion we debate this afternoon. It is absolutely perfunctory. We should not even be here debating this motion to send this bill back to the committee. We ought to be debating a continuing resolution so that we can get the Government up and operating, so that we can get these agencies funded, so that we can get this COPS program funded.

Mr. Speaker, there are 8,000 additional community policemen, on top of the 26,000 that the President has already gotten out during the last year. There are 8,000 new cops that have been appointed, but they cannot be funded because this bill has not passed, or because we have not passed a continuing resolution while we debate the policy priorities that are contained in this bill.

Mr. Speaker, there is no reason, there is no reason that these Justice Department programs, that these crime-fighting initiatives that were started under President Clinton's program 2 years ago cannot now be funded. We could be operating under a continuing resolution. No reason why we could not be operating under a continuing resolution if we were not trying to use the appropriations process as leverage to bring the President to tow.

Now, that is what the majority is doing. They are saying, oh, we are not funding all of these crime-fighting program because the President has vetoed this bill. This bill was supposed to be passed the 1st of October. This bill, and six other appropriations bills that are not passed, were supposed to be passed 3 months ago. They are not passed, and now we are sending it back to committee to try to rework the bill to accommodate the President's concerns. In the meantime, unless we pass a continuing resolution, which is what we ought to be debating here, unless we pass that continuing resolution, Mr. Speaker, these agencies are going to be continued to be shut down.

The point is, we could be funding these programs right now if we were debating passing a CR and going forward, funding them while we debate these policy priorities and while we consider the reconciliation bill.

Mr. Speaker, let us move forward with the CR. The President was granted applications for 8,000 additional policemen to go into every community, every State, every congressional district across this Nation. Last year we appointed 26,000. We have 8,000 more

ready to go as soon as this money is released. It can be released with a continuing resolution.

If the majority wants to debate the priorities, if it wants to debate block grants, fine, let us debate block grants. Let us debate priorities before this bill passes. Let us allow these policemen to get on the street by debating a CR, getting a CR out and passed so we can implement some of these crime-fighting programs that the majority alludes to.

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

Mr. ROGERS. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana [Mr. LIVINGSTON], the great chairman of the Committee on Appropriations.

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

Mr. LIVINGSTON. Mr. Speaker, I thank my great chairman of the Subcommittee on Commerce, Justice, State and Judiciary for yielding time to me.

Mr. Speaker, the President vetoed this bill, but it was no surprise to the President what was in this bill. He has known about this bill for 3 months, because it passed the House in July. The President has known the numbers that were in this bill since then.

He has known that this is a real crime bill; that this bill provides \$14.6 billion to fight crime, which is 20 percent more than last year's level. He has known that it provides 25 percent more for immigration initiatives than last year's level, and 57 percent more for State and local law enforcement than last year's level, plus it gives State and local law enforcement officials more opportunity to determine where the money goes, and it requires less money up front from them than that COPS Program that we have heard so much about.

This bill gives States 285 percent more for State criminal alien assistance, and it includes 573 percent more for violence against women's programs. We have heard that there is a great need for violence against women's programs because of what battered women around this country are telling us. This bill answers their pleas. It answers their call. And the President crassly vetoed this bill yesterday, a few days before Christmas, right on the heels of his veto of the VA-HUD and Interior bills.

If he had not vetoed those 3 bills, 620,000 Federal employees would be employed today without worry about whether or not they are going to get their paycheck at Christmas.

Mr. Speaker, this bill is a good bill, and it should have been signed, but the President could remedy this. He could come back with an overall comprehensive package that puts us on a balanced budget by the year 2002, that includes whatever extra funding that he may want, as long as he can find it in some other area in the entitlement programs. He can present to the American

people the proposal that he can govern, that he can work with this Congress, if only he will sit down to the table with our negotiators. He has promised he would, he has promised he is for a 7-year balanced budget, as scored by CBO, but all we have heard is rhetoric.

When the President decides to get serious, this bill or some variation will be signed into law.

Mr. MOLLOHAN. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. CONYERS], the ranking member.

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

Mr. CONYERS. Mr. Speaker, I thank the ranking member of the subcommittee for yielding time to me.

Mr. Speaker, we are back to the bill that has come from the nicest subcommittee chairman in the Congress with the lousiest bill. Here we are again.

I guess the Republicans have to say I believe the President now. He told them in the summer; he told them in the fall; he told them when the bill was being debated, I will veto this bill. And the Republicans gave him their advice, which is their responsibility, and now he has vetoed the bill. They believe him now.

Now, where is the continuing resolution? I think the gentleman from West Virginia is absolutely correct. Look at what we are doing here, gentlemen. Over and above the COPS Program, we are eliminating the Drug Initiative Program. I am glad the chairman of the subcommittee saw fit not to mention it. It is on the first page of the veto, if he will take a look at it.

We are getting rid of or crippling the Legal Services Corporation, the program that would represent people who are indigent and cannot otherwise afford these services.

We have a rider in the bill that the gentleman did not mention, a moratorium on the Endangered Species Act, which has nothing whatsoever to do with the bill. I guess the gentleman does not know where that one came from.

□ 1245

So, I would suggest to my colleagues that this is a very serious veto, well-anticipated. We knew it was coming. Why they would want to take away the Death Penalty Resource Center out of the legal services programs, I do not know.

Mr. Speaker, when race relationships are at an all-time high in terms of misunderstanding, what do they do with the Community Relations Service in the Department of Justice? Wipe it out.

Now, we come to the floor belaboring the fact that the President did precisely what he said he was going to do. Do not be ashamed. Look, my colleagues have been there before. They have done it all summer. I still say that the chairman of the appropriations subcommittee here is still one of

the nicest guys in the Congress, with the lousiest bills that ever come to the floor.

Mr. ROGERS. Mr. Speaker, I am not sure whether I should thank the gentleman or not; at least a half a thank you.

Mr. Speaker, I yield 1 minute to the gentleman from Maryland [Mrs. MORELLA].

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

Mrs. MORELLA. Mr. Speaker, today the lives of women and children are in great danger. I must remind my colleagues that the Commerce, Justice, State Appropriations Act contains critical funding for the Violence Against Women Act, legislation that has had the overwhelming support of the Congress and the President.

Without these monies, we will not have desperately needed training programs for those who are on the frontlines—our police and judges—in fighting domestic violence, rape, and other crimes against women.

We will not have the funds to strengthen efforts in our local communities by our local law enforcement agencies and by our prosecutors to combat violent crimes against women. States and local government cannot do this work without the funds in VAWA.

We will not have the funds to pay for victims services for women and children who are in danger and in desperate circumstances.

In short, the progress we have made in the struggle to end domestic violence and violent crimes against women is in jeopardy. Our States are depending on these funds to proceed with much needed programs in our communities all across our country.

Mr. Speaker, we cannot allow the women and children of this country to be caught up in the crossfire of the budget battles.

We cannot leave this House without ensuring that we stand firm on our commitment to the women and families of this Nation. We must reach agreement on this vital spending bill. The women and children of this country are depending on us.

Mr. MOLLOHAN. Mr. Speaker, I yield 1 minute to myself, and I would like to ask the gentleman from Maryland [Mrs. MORELLA] if she would engage me in a colloquy.

Mr. Speaker, I would like to ask the gentleman, she was not intending to imply that because the President vetoed this bill that was sent to him almost 2 months after the time it was supposed to be sent to him, that, for example, they money that is in here, the \$175 million for the violence against women will not be funded. The gentleman is not suggesting that, is she?

Mrs. MORELLA. Mr. Speaker, if the gentleman would yield, we just cannot tell. Right now, it is in total jeopardy.

Mr. MOLLOHAN. Mr. Speaker, reclaiming my time, how is it in jeopardy? This bill is going to come back to

committee. No matter what happens to this bill, for my part and the majority's part, no matter what happens to this bill, that money is going to be there.

The President was very supportive of this. That was in his request. The violence against women money will be in there. We should not be scaring people out there and suggesting that that money is not going to be there because the President vetoed the bill. The President vetoed the bill for a lot of policy reasons. That money will be there, and we ought not attempt to scare people.

Mrs. MORELLA. Mr. Speaker, if the gentleman would continue to yield, there are a lot of promises and assumptions that we feel in this legislative arena and we find out that may not happen. We want to be assured that it is signed so that we do have the money.

Mr. MOLLOHAN. Mr. Speaker, again reclaiming my time, I hope I have given the gentleman a little assurance.

Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Colorado [Mr. SKAGGS], a distinguished member of our committee.

Mr. SKAGGS. Mr. Speaker, why in the world are we here in the middle of December without this bill passed, with the Government shut down? All of this was supposed to have been out of the way by the first of October. And through no fault of the minority party, here we are.

Mr. Speaker, the majority simply does not know how to run the Congress on time, on schedule, to get our basic work done, our basic responsibilities taken care of.

In this instance, as in the case of so many of the appropriations bills, we are 2½ months late because the majority insisted on jamming a bunch of controversial policy matters into bills to deal with appropriations matters, where they have absolutely no business, and then getting hung up with the Senate when they could not get any agreement on how to do this.

Mr. Speaker, we wasted months on the contract. We are late in getting the appropriations bills done here. We are 2½ months into fiscal 1996, with the Government shut down, going through this drill.

We should be ashamed of ourselves. Any majority party that took seriously its basic responsibilities to run this place, to get our work done, would not be bringing a bill like this up now with the Government in chaos. We would be getting a continuing resolution done that at least acknowledged the failure of the majority party to be able to get its basic work accomplished on time.

Mr. Speaker, we stand ready to see a continuing resolution, to get this Government back on its feet promptly this week before Christmas. It is a shame that we are here in this kind of dysfunctional state of mind and state of inaction while the good men and

women of this country, who have a right to expect more of their Government than this kind of behavior, sit out there looking at us aghast at our inability to get our basic responsibilities accomplished.

Mr. Speaker, let us dismiss this particular distraction; get back to appropriation bills that are true to the traditions of this place; get a continuing resolution through; and, get this Government on its feet.

Mr. ROGERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Staten Island, NY [Ms. MOLINARI].

Ms. MOLINARI. Mr. Speaker, I rise today to express my strong disappointment with President Clinton's veto of this bill. This bill included full funding for the Violence Against Women Act; \$175 million to protect women and children from abuse. That is an increase of 573 percent from last year.

Mr. Speaker, regardless of why the President vetoed this bill, when he did, he canceled the implementation of this funding. In the next 5 minutes, 1 woman will be raped in America and 14 more will be beaten by their husbands and boyfriends. We need to start as soon as possible to get money and programs to our State and local governments for things such as law enforcement and prosecution grants; court appointed special advocate programs for victims of child abuse; training for judicial personnel and practitioners; \$28 million to go for arrest policies to encourage local governments to deal with domestic violence as a serious criminal offense; \$1.5 million for a national stalkers and domestic violence reduction program; \$7 million for rural domestic and child abuse enforcement.

Mr. Speaker, these are terrible tragedies that are existing every minute throughout this country in every corner of this country. We can go a long way toward stopping this as soon as the President will not hold this funding program hostage to the veto of the Commerce bill. I hope that he sees the error of his ways and implements his cooperation to get this money to the States.

Mr. MOLLOHAN. Mr. Speaker, I yield myself 1 minute to engage the gentlewoman from New York [Ms. MOLINARI].

Mr. Speaker, the gentlewoman again suggests that money in here has been canceled for this program for the year. Is that what the gentlewoman is implying?

Ms. MOLINARI. Mr. Speaker, if the gentleman would yield, I am sure I was clear to say that when the President vetoed this bill, he canceled the expenditure of these funds until he finds a bill that he wants to sign.

Mr. MOLLOHAN. Mr. Speaker, reclaiming my time, but the gentlewoman is not suggesting that money will not be in this program one this bill is processed and signed by the President?

Ms. MOLINARI. Mr. Speaker, if the gentleman will yield further, with all

due respect, if the gentleman knows what the President has in his mind these days, he is smarter than the rest of America.

Mr. MOLLOHAN. Reclaiming my time, will the gentlewoman acknowledge that she was engaged in a bipartisan effort to get this money in the bill, and it was supported by the President?

Ms. MOLINARI. Mr. Speaker, if the gentleman would continue to yield, I appreciate the cooperation given from the Democratic side of the aisle in this funding. I am only sorry that the President did not enter into that spirit of cooperation.

Mr. MOLLOHAN. Mr. Speaker, will the gentlewoman acknowledge that if we pass a continuing resolution here on this bill, that we would be able to immediately fund this program while we go forward and debate these other issues, and we could immediately fund it, get everybody back to work and get back them back to work now and pass the rest of the programs and the violence against women programs? Does the gentleman agree with that?

Ms. MOLINARI. No, absolutely not.

Mr. MOLLOHAN. The gentlewoman does not agree that if we get a continuing resolution passed, we would be able to do that?

Ms. MOLINARI. At last year's level, which is a significant diminution of what we are appropriating in this Congress at 573 percent more this year. That is a tremendous difference.

Mr. MOLLOHAN. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, the issue today is not this motion that is before us which is being debated, but rather that we ought to be debating a continuing resolution so that we can keep this Government open and we can talk about the Commerce, State, and Justice bill, and the Cops on the Beat Program.

Mr. Speaker, let me make just one point in that the President in my view was correct to veto the Commerce, State and Justice bill for, particularly in my view, for the Cops on the Beat Program and dismantling it.

But the gentlewoman from New York [Ms. MOLINARI] and the gentlewoman from Maryland [Mrs. MORELLA] both know about the President's commitment to the Violence Against Women's Act, and that if we got this Government open and running, that that money would flow and the commitment is absolutely there.

Mr. Speaker, they were part of a bipartisan effort to put it together, and anything that they get up to say about it was a partisan on their part today.

Mr. Speaker, let me say that I strongly support what the President did on Commerce, State and Justice, specifically because I oppose dismantling the community policing initiative. It is a crime fighting program that has worked and one that we ought to continue, and it has lowered the

crime rate in this Nation tremendously.

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

Mr. MOLLOHAN. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Wisconsin [Mr. OBEY], the ranking minority member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, as previous speakers have already indicated, the President indicated a long time ago that he was going to veto this bill, and he indicated that repeatedly because of his concern that this bill rips up his Cops on the Beat Program and a number of other concerns listed in the veto message. That is not the issue here today.

The program with what is happening here today is that we are debating a perfunctory motion to which absolutely no one is opposed. This motion is simply to send the bill to committee. Everybody is going to support that.

Mr. Speaker, instead of wasting time on this meaningless motion, what we ought to be doing, as the gentleman from West Virginia [Mr. MOLLOHAN] has indicated, is bringing a clean continuing resolution to this floor to keep the Government open so that all programs, including these programs, can continue to function.

What is rally at stake here is exactly what the gentleman from West Virginia has indicated. What is happening is that the Republican leadership of this House is trying to gain leverage on their discussions with the President on the 7-year budget by shutting down Government and holding hostage all of these programs and all of the people running them until the President caves in to the demands of the gentleman from Georgia [Mr. GINGRICH].

Mr. Speaker, what is at stake here was summed up by the chairman of the Committee on Appropriations in a press conference he held after President Clinton signed the defense bill. When the President signed the defense bill, my good friend, the gentleman from Louisiana [Mr. LIVINGSTON], then said as follows: "The President is at our mercy. If the Government shuts down on December 15 and 300,000 people are again out of work, most of the people going out will be his people. I think he's going to care more about that than we do."

Mr. Speaker, that is apparent today. It is very apparent that there is very little concern on the part of the majority party leadership for the individual workers in this country who are being crunched because of a power game between the White House and the Speaker of the House.

Mr. Speaker, the leverage games ought to stop. I know full well that if those leverage games were not going on, the subcommittee chairman of this subcommittee and the ranking Democrat could work out these differences in half an hour, because they are both good men. I know that would happen.

The fact is, this debate is a waste of time. For any of our citizens who happen to be watching it today, it is a sad day in my view because it once again demonstrates that we are mistaking motion for movement.

□ 1300

We should not be wasting our time on a meaningless motion like this.

I would urge the Speaker of the House to immediately bring a continuing resolution to the floor so that this charade can stop, so that Government can stay open, so that Government agencies can provide the services to which the taxpayers are entitled, and stop the political game.

Mr. ROGERS. Mr. Speaker, I yield the balance of my time to the gentleman from Florida [Mr. MCCOLLUM], the chairman of the Subcommittee on Crime of the Committee on the Judiciary.

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

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

I want to say that I truly believe that there is probably no other illustration better than this bill today of the differences between Republicans and Democrats, fundamentally about our approach to government and fundamentally about the revolution that is taking place with the new majority. We are not doing business as usual, and some, I can understand it, on the other side of the aisle would like to see us do it the traditional way.

Yes, there is authorizing legislation that normally would come through the authorizing committee to the floor in this bill, and, yes, we are doing some major changes, different from what the President wants, and, yes, we know that we cannot succeed in some of these votes up and down with a straight ability to override a Presidential veto because we do not have the votes to do that.

But we are determined in our revolution this year in making the change to the new majority to do what the public wants us to do, and that is to make a difference, to really change the way we fight crime, among other things, and the way our Government responds to things.

What this bill does and what this legislation on crime fighting does is to do that. It, first of all, takes a program or two passed by the Democrats in the last Congress that provided Washington business-as-usual grants out there for more police officers and for all kinds of so-called prevention programs that governments would have to apply for and do it the way Washington said, takes all of those programs and rolls them into one single \$10-billion grant program, block-grant program, for which local cities and counties would get the money to fight crime as they see fit. If they wanted to hire new policemen, they could. If they wanted to

do a drug treatment program, they could. If they wanted to use that money for a new piece of equipment, they could do that. Whatever they wanted to do; what is good for Portland, OR, is not good for Charleston. One size does not fit all. That is a very big difference between Republicans and Democrats.

We do not believe Washington should be dictating how to fight crime or many other things to local governments. They ought to be making those decisions, and the President's veto is an indication he does not agree with us. He agrees with the typical business-as-usual liberal Democrats who like big government in Washington.

The second thing in this bill about fighting crime we seem to overlook that is very important, maybe more important in some ways than getting 100,000 cops and changing the way we do business around here and so on, is the fact that we have in this bill a change in the way we go about the incentive program for building new prisons to try to encourage States, if they meet the goal of requiring violent repeat offenders to serve at least 85 percent of their sentences, then they can get prison grant money. Many States are changing their laws to build these prisons. We have prisoners today getting out, serving only a third of their sentences and committing violent crimes over and over again.

We ought to take away the key and throw it away and do away with it.

The last piece in this bill is prison litigation reform. The President vetoed that, too. This bill should not have been vetoed.

The SPEAKER pro tempore (Mr. UPTON). Without objection, the previous question is ordered on the motion.

There was no objection.

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

The motion was agreed to.

A motion to reconsider was laid on the table.

REQUEST FOR COMMITTEE ON APPROPRIATIONS BE DISCHARGED FROM FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION 131, FURTHER CONTINUING APPROPRIATION, FISCAL YEAR 1996

Mr. OBEY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of House Joint Resolution 131, which is a clean continuing resolution to extend the Government through January 26, authorize 2.4 percent military pay raise, effective January 1, eliminate 6-month disparity between COLA payment dates for military and civilian retirees in fiscal 1996, and ask for its immediate consideration in the House.

Mr. ROGERS. Mr. Speaker, regular order.

The SPEAKER pro tempore. Under the guidelines consistently issued by successive Speakers as recorded on page 534 of the House rules manual, the Chair is constrained not to entertain the gentleman's request until it has been cleared by the bipartisan floor and committee leaderships, and, therefore, it is not in order at this time.

Mr. OBEY. I hope it will soon be cleared.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2539, THE ICC TERMINATION ACT OF 1995

Mr. QUILLEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 312 and ask for the immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 312

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2539) to abolish the Interstate Commerce Commission, to amend subtitle IV of title 49, United States Code, to reform economic regulation of transportation, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. QUILLEN] is recognized for 1 hour.

Mr. QUILLEN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 312 allows for the consideration of the conference report to accompany H.R. 2539, the Interstate, Commerce Commission Termination Act of 1995. Under the rule, all points of order against the conference report and against its consideration are waived, and the conference report shall be considered as read.

Mr. Speaker, although I do not generally favor granting blanket waivers, the Rules Committee was provided with a list of specific waivers required for consideration of this bill, and this rule was adopted by voice vote in the Rules Committee.

Also, there was discussion yesterday that the Senate might consider a concurrent resolution which would effectively amend this conference report to include the Whitfield amendment as passed by the House. I supported the Whitfield amendment when it was adopted by the House because it provided important protections for small and medium size railroad employees who lose their jobs because of a merger or acquisition. I think this language should have been retained without change in this conference report.