

SUFFICIENCY OF NOTICE CONCERNING ORDER OF AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 1119, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

Mr. STUMP. Mr. Speaker, I ask unanimous consent that the notice I gave in order of amendments notice be considered sufficient in terms of compliance with requirements of section 5 of House Resolution 169.

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

Mr. DELLUMS. Reserving the right to object, Mr. Speaker, I shall not object, but I simply reserve the right to object to yield to my distinguished colleague to explain the basis of his unanimous consent request so that Members can understand.

Mr. STUMP. Mr. Speaker, will the gentleman yield?

Mr. DELLUMS. I yield to the gentleman from Arizona.

Mr. STUMP. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, under the rules, we have to give an hour's notice. That was the reason for it.

Mr. DELLUMS. I thank the gentleman.

Mr. Speaker, is the next Member that will be offering an amendment prepared to offer an amendment?

Mr. STUMP. Yes, Mr. Speaker.

Mr. DELLUMS. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

The SPEAKER pro tempore. Pursuant to House Resolution 169 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. 1119.

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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. 1119) to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999, and for other purposes, with Mr. YOUNG of Florida in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose earlier today, Amendment No. 15 printed in Part 2 of House Report 105-137, as modified by section 8(b) of House Resolution 169, by the gentleman from Massachusetts [Mr. FRANK].

Pursuant to the order of the House earlier today, it is now in order to con-

sider amendment No. 1 in part 2 of House Report 105-137.

AMENDMENT NO. 1 OFFERED BY MR. BACHUS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 2 Amendment No. 1 offered by Mr. BACHUS:

At the end of title X (page 360, after line 8), insert the following new section:

SEC. . PROHIBITION OF PERFORMANCE OF MILITARY HONORS UPON DEATH OF PERSONS CONVICTED OF CAPITAL CRIMES.

(a) MILITARY FUNERALS.—The Secretary of Defense and the Secretary of Transportation, with respect to the Coast Guard when it is not operating as a service in the Navy, may not provide military honors at the funeral of a person who has been convicted of a crime under State or Federal law for which death is a possible punishment and for which the person was sentenced to death or life imprisonment without parole.

(b) APPLICABILITY OF SECTION.—This section applies without regard to any other provision of law relating to funeral or burial benefits.

The CHAIRMAN. Pursuant to the rule, the gentleman from Alabama [Mr. BACHUS] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama [Mr. BACHUS].

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

Mr. Chairman, this amendment is a simple amendment. It simply states that someone convicted of a crime and sentenced to death or life imprisonment shall not be entitled to a full honors funeral in one of our national cemeteries.

In considering this amendment, I think we all need to do some serious soul searching. Who is in entitled to a hero's funeral? I think when we ask ourselves, who are our heroes, in this country, who do we honor? I think we can go back to the summer of 1994 to tell us that we may be doing the wrong thing, we may have confused celebrities with heroes, we may have confused notoriety with character.

In 1994, on a Sunday afternoon, we will recall that there was a famous chase on an L.A. freeway and, in that chase, fully three-quarters of the news media in the country was focused on it. As almost what appeared to be half of the L.A. police force chased someone down that highway, America was transformed on to that event.

At the same time, on our other shore, here in Washington, there was another ceremony going on at the very same time. At the White House, two young Army Rangers were being awarded the Medal of Honor. It was a posthumous ceremony. They had given their lives in Somalia. When they left the protection of their unit and tried to save some of their fellow soldiers, they were killed. And they and their families were at the White House receiving the Medal of Honor. There was no live TV coverage. There was no mention of it in

my hometown paper, which was full of talk about what happened on that L.A. freeway.

We really have to ask ourselves, who in our country are our heroes? Some people are saying that the fact that Timothy McVeigh did what he did in Oklahoma City, that he is still a military hero. I would remind my colleagues that our country's oldest military force is our National Guard; and when it was formed, the word was said that to be a good soldier, one had to be a good citizen, too; to fight for the country, you had to do it both at home and abroad.

This amendment is not offered out of disrespect for any one person. It is offered out of respect, respect for the victims of those that we would honor in our cemeteries with a 21- or 12-gun salute, a chaplain, requiring military honor guard to be present. This amendment, the catalyst, is not Oklahoma City. The catalyst was Mobile, AL, where last week a man named Henry Francis Hayes was given a full military honor funeral and laid to rest at the Mobile National Cemetery, over the protest of several of the people serving in the unit who attended.

Henry Francis Hayes was not a hero. He was electrocuted in Alabama on June 7 for the murder of a young black man, 19 years old, in Mobile, AL, who Henry Francis Hayes and other Ku Klux Klanners pulled from the safety of his family, took him to another county, beat him half to death with sticks, slit his throat, brought him back to Mobile County, put a hangman's noose around his neck, and hung him.

A jury in the State of Alabama said that he was not a hero. But last week, in a military ceremony, we said to our children and grandchildren, we are overlooking this. This is a good soldier. This is a hero. And he got a hero's funeral, and he is buried in the Mobile cemetery.

I will simply say, who is entitled to a hero's funeral? Who are our heroes?

Mr. LUCAS of Oklahoma. Mr. Chairman, I rise as a cosponsor of Mr. BACHUS' timely amendment that would not allow individuals who commit capital crimes where the death penalty is an option to be eligible for a full military burial.

Regardless of whether you support or oppose the death penalty, it is an affront that an individual who, in the case of Timothy McVeigh, has been convicted of murdering fellow Americans, to receive the same honors to which our veterans are entitled. Active members of the military and veterans embody the very virtues we as Americans cherish. They are the guardians of liberty and the caretakers of the freedoms we all hold dear. Convicted murderers do not represent these ideals and should not be honored for their service to our Nation.

Currently, there are restrictions regarding what veterans are eligible for military burials. Anybody convicted of treason, espionage, mutiny, or assisting an enemy of the United States cannot request a military burial. It is morally right to add to this list those who have wantonly disregarded the sanctity of human