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House of Representatives

The House met at 9 a.m.

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

You have given us Your word, gracious God, that You are with us in all the moments of life. Those times when we are filled with exaltation and wonder and joy and those times when we feel the pressures of life that cause anxiety and worry.

We pray, O loving God, that we would be surrounded by Your gracious spirit and strengthened by Your mighty hand. Help us to turn away from only our private interests and see instead how we can help and support others through our friendship, our concerns and our love.

In Your name we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from New York (Mrs. MALONEY) come forward and lead the House in the Pledge of Allegiance.

Mrs. MALONEY of New York led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

S. Con. Res. 40. Concurrent resolution commending the President and the Armed Forces for the success of Operation Allied Force.

The message also announced that pursuant to Public Law 96–388, as amended by Public Law 97–84, the Chair, on behalf of the President pro tempore, appoints the following Senators to the United States Holocaust Memorial Council—

the Senator from Utah (Mr. HATCH);

the Senator from Alaska (Mr. MURKOWSKI); and

the Senator from Michigan (Mr. ABRAHAM).

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE RESOLUTION 853

Mr. HOBSON. Mr. Speaker, I ask unanimous consent to have my name removed as cosponsor of H.R. 853.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair today will entertain 1-minutes at the end of legislative business.

MANDATORY GUN SHOW BACKGROUND CHECK ACT

The SPEAKER. Pursuant to House Resolution 209 and rule XVIII, 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. 2122.

☐ 0903

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. 2122) to require background checks at gun shows, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on the legislative day of Thursday, June 17, 1999, a request for a recorded vote on amendment number 5 printed in Part B of House Report 106–186 by the gentleman from Florida (Mr. MCCOLLUM) had been postponed.

It is now in order to consider amendment number 6 printed in Part B of House report 106–186.

AMENDMENT NO. 6 OFFERED BY MR. DAVIS OF VIRGINIA

Mr. DAVIS of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 6 offered by Mr. DAVIS of Virginia:

At the end of the bill, insert the following:

TITLE ___—CHILD HANDGUN SAFETY

SEC. ___1. SHORT TITLE.

This title may be cited as the ''Safe Handgun Storage and Child Handgun Safety Act of 1999''.

SEC. ___2. PURPOSES.

The purposes of this title are as follows:

(1) To promote the safe storage and use of handguns by consumers.

(2) To prevent unauthorized persons from gaining access to or use of a handgun, including children who may not be in possession of a handgun, unless it is under one of the circumstances provided for in the Youth Handgun Safety Act.

(3) To avoid hindering industry from supplying law abiding citizens firearms for all lawful purposes, including hunting, self-defense, collecting and competitive or recreational shooting.

SEC. ___3. FIREARMS SAFETY.

(a) UNLAWFUL ACTS.—

(1) MANDATORY TRANSFER OF SECURE GUN STORAGE OR SAFETY DEVICE.—Section 922 of title 18, United States Code, is amended by inserting after subsection (y) the following:

''(z) SECURE GUN STORAGE OR SAFETY DEVICE.—

☐ 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.

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''(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for any licensed manufacturer, licensed importer, or licensed dealer to sell, deliver, or transfer any handgun to any person other than any person licensed under the provisions of this chapter, unless the transferee is provided with a secure gun storage or safety device, as described in section 921(a)(34), for that handgun.

''(2) EXCEPTIONS.—Paragraph (1) does not apply to the—

''(A)(i) manufacture for, transfer to, or possession by, the United States or a State or a department or agency of the United States, or a State or a department, agency, or political subdivision of a State, of a handgun; or

''(ii) transfer to, or possession by, a law enforcement officer employed by an entity referred to in clause (i) of a handgun for law enforcement purposes (whether on or off duty); or

''(B) transfer to, or possession by, a rail police officer employed by a rail carrier and certified or commissioned as a police officer under the laws of a State of a handgun for purposes of law enforcement (whether on or off duty);

''(C) transfer to any person of a handgun listed as a curio or relic by the Secretary pursuant to section 921(a)(13); or

''(D) transfer to any person of a handgun for which a secure gun storage or safety device is temporarily unavailable for the reasons described in the exceptions stated in section 923(e): *Provided*, That the licensed manufacturer, licensed importer, or licensed dealer delivers to the transferee within 10 calendar days from the date of the delivery of the handgun to the transferee a secure gun storage or safety device for the handgun.

''(3) LIABILITY FOR USE.—(A) Notwithstanding any other provision of law, a person who has lawful possession and control of a handgun, and who uses a secure gun storage or safety device with the handgun, shall be entitled to immunity from a civil liability action as described in this paragraph.

''(B) PROSPECTIVE ACTIONS.—A qualified civil liability action may not be brought in any Federal or State court. The term 'qualified civil liability action' means a civil action brought by any person against a person described in subparagraph (A) for damages resulting from the criminal or unlawful misuse of the handgun by a third party, where—

''(i) the handgun was accessed by another person who did not have the permission or authorization of the person having lawful possession and control of the handgun to have access to it; and

''(ii) at the time access was gained by the person not so authorized, the handgun had been made inoperable by use of a secure gun storage or safety device.

A 'qualified civil liability action' shall not include an action brought against the person having lawful possession and control of the handgun for negligent entrustment or negligence per se.''.

(b) CIVIL PENALTIES.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)(1), by striking ''or (f)'' and inserting ''(f), or (p)''; and

(2) by adding at the end the following:

''(p) PENALTIES RELATING TO SECURE GUN STORAGE OR SAFETY DEVICE.—

''(1) IN GENERAL.—

''(A) SUSPENSION OR REVOCATION OF LICENSE; CIVIL PENALTIES.—With respect to each violation of section 922(z)(1) by a licensed manufacturer, licensed importer, or licensed dealer, the Secretary may, after notice and opportunity for hearing—

''(i) suspend for up to six months, or revoke, the license issued to the licensee under this chapter that was used to conduct the firearms transfer; or

''(ii) subject the licensee to a civil penalty in an amount equal to not more than $2,500.

''(B) REVIEW.—An action of the Secretary under this paragraph may be reviewed only as provided in section 923(f).

''(2) ADMINISTRATIVE REMEDIES.—The suspension or revocation of a license or the imposition of a civil penalty under paragraph (1) does not preclude any administrative remedy that is otherwise available to the Secretary.''.

(c) MODIFICATION OF DEFINITION OF SECURE GUN STORAGE OR SAFETY DEVICE.—Section 921(a)(34) of title 18, United States Code, is amended—

(1) by striking ''or'' at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting ''; or''; and

(3) by adding at the end the following:

''(D) a device that is easily removable from a firearm and that, if removed from a firearm, is designed to prevent the discharge of the firearm by any person who does not have access to the device.''.

(d) LIABILITY; EVIDENCE.—

(1) LIABILITY.—Nothing in this title shall be construed to—

(A) create a cause of action against any Federal firearms licensee or any other person for any civil liability; or

(B) establish any standard of care.

(2) EVIDENCE.—Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with the amendments made by this title shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce paragraphs (1) and (2) of section 922(z), or to give effect to paragraph (3) of section 922(z).

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to bar a governmental action to impose a penalty under section 924(p) of title 18, United States Code, for a failure to comply with section 922(z) of that title.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from Virginia (Mr. DAVIS) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as we traverse this very controversial mine field of gun control legislation, I want to make sure we do not lose sight of who this bill is designed to protect. The simple and common-sense focus of my amendment is on preventing children from becoming the intentional or accidental victims of domestic handgun violence.

According to the National Center for Health Statistics, each year nearly 500 children are killed in gun-related accidents. I remember last year going to a joint Eagle Scout ceremony. One of the boys had died and was given posthumously his Eagle Scout award, and he had been killed by a handgun that had gone off while playing with a friend at a friend's house.

Approximately 1,500 children commit suicide with guns, 500 are killed in gun-related accidents and 5,000 are hospitalized with nonfatal gunshot wounds.

Additionally, some 7,000 juveniles use guns found in their homes to commit crimes each year. These crimes are unacceptably high and constitute a significant public health threat that has to be addressed.

The fact is that children are inquisitive and adept at finding those things in the house that are dangerous. These dangers can vary from household products to prescription medicines and even guns. Now, we have put child safety caps on medicine, we have encouraged parents to lock up household chemicals, but gun safety in the home has been lacking.

In a 1995 study, the Archives of Pediatric and Adolescent Medicine found that children as young as 3 are strong enough to fire most commercially available handguns. Having three children of my own, I can testify to the difficulty of telling a 3-year-old not to play with something.

This amendment addresses the issue of minimum handgun safety standards by requiring that every handgun sold has to include safe handgun storage or an individual safety device.

I have the enviable task today of offering an amendment that has received strong support from almost every group that has weighed in on this debate. In a few minutes, this House will be addressed by Republicans and Democrats, liberals and conservatives, and rural and urban Members who all will support this amendment. The mandatory transfer of safety devices has received equally strong support from groups outside the Congress as varied as Handgun Control and a coalition of 35 gun manufacturers. Even the National Rifle Association has said, ''We support and encourage the distribution, development and use of safety locks, gun safes or any voluntary means necessary and appropriate to keep firearms away from or inoperable by those who should not have them.''

This amendment does precisely that by mandating the transfer of a secure gun storage or safety device while not mandating their use.

It is estimated that today in the United States there are nearly 100 million privately owned firearms that are stored unlocked. Of those, approximately 22 million are handguns that are kept loaded and unlocked. Alarmingly, the Centers for Disease Control estimates that 24 percent of children ages 10 to 17 can find and gain access to a firearm in their home. And 1.2 million elementary age schoolchildren return to a home where no adult is present and there is at least one firearm.

I would like to address a concern that a number of gun owners have raised. Some have claimed that using one of these devices will defeat the purpose of keeping a handgun in the house for self-defense by hindering access to the firearm when it is most needed. It is important to keep in mind that this amendment does not mandate use; that is still the choice of the gun owner. Even if the safety device is used, most can be removed from the gun in a matter of seconds which, as Gun Test magazine explains, conveniently preserves access to guns for self-protection.

In addition, always keeping guns loaded for self-defense may be self-defeating. It is estimated that a gun in the home is 43 times more likely to kill a family member than to kill in self-defense.

And finally, Mr. Chairman, the amendment also establishes criteria for the liability of a gun owner should his or her handgun be used in an unlawful act. Over the past several days, my office has been deluged by calls from other Members' offices regarding this issue of liability. Immunity from liability is granted to any individual who lawfully owns a handgun and who uses a secured gun storage or safety device with the handgun. Additionally, the gun owner is not liable if the handgun was accessed by another person without the authorization of the lawful owner.

And finally immunity from liability is also extended if at the time that the gun was accessed it was rendered inoperable by the use of a secure gun storage or safety device.

My intent in this amendment is that the liability provisions are specifically targeted to gun owners who have a reasonable expectation of having a child in their home.

This amendment does not try to limit or address who can purchase a handgun. It does not try to dictate the type or use of a handgun, and it certainly does not try to limit the right of any legal adult from purchasing a handgun.

In 1968, the Federal Government mandated that every car sold in America had to be equipped with seat belts. Finally, in 1999, we can do the same for handguns. I urge every Member to support this very common-sense amendment.

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

Mrs. MALONEY of New York. Mr. Chairman, I ask unanimous consent to claim the time in opposition for debate purposes, although I support the amendment.

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

There was no objection.

The CHAIRMAN. The gentlewoman from New York (Mrs. MALONEY) is recognized for 15 minutes.

Mrs. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Virginia (Mr. DAVIS), my good friend and colleague. This amendment is a simple gun safety provision that will save the lives of numerous victims of gun violence each year.

Mr. Chairman, 13 children in this country die every day because of gun violence, far, far more than have died in Bosnia and Kosovo. We require childproof locks on aspirin bottles. It is absurd that we do not require child safety devices on handguns. I applaud my colleague for clarifying the definition of gun safety devices to ensure that it incorporates new devices such as the safety hammer, which is not a lock, but an integral part of a gun that can be removed to prevent unauthorized use.

Mr. Chairman, this amendment may not prevent every incident of gun violence, but it will save lives and it will make the children of America safer.

Child safety locks and other devices can reduce the unauthorized use of handguns by children at play or by teens looking to commit crimes. Many youth look no further than their own homes to get their hands on a gun. It is estimated that a third of all privately owned handguns are loaded and unlocked. Sixteen States have already passed child safety laws. Every year, many children are fatally injured when a child finds a loaded pistol, removes the ammunition magazine, and then mistakenly believing the gun to be empty, fires a bullet at his or her head or the head of a playmate. A magazine disconnect safety, a 50-cent device, could prevent such tragedies.

Just to give some examples: In Florida in 1999, an 11-year-old boy got angry with his 13-year-old sister. He went to a closet at home, took out a gun his parents kept there, and killed his sister. The gun was in an unlocked box and was next to the ammunition and had no trigger guard.

In Tennessee, in May of 1998, a 5-year-old boy found a loaded gun on his grandfather's dresser and carried it to school threatening to kill his teacher and classmates. In Cleveland in 1996, a 13-year-old boy took his father's unsecured handgun and killed himself while playing Russian roulette. The city prosecutor brought charges against the boy's father for violating the city ordinance that prohibits minors from having access to a gun.

The language that we have before us is similar to that that passed the Senate. It passed the Senate by an overwhelming vote of 78 to 20. This House should do the same thing. I urge a ''yes'' vote on this amendment.

Mr. Chairman, this amendment may not prevent every incident of gun violence, but it will save lives, and it will make our children safer.

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

Mr. DAVIS of Virginia. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. MCCOLLUM).

Mr. MCCOLLUM. Mr. Chairman, I thank the gentleman from Virginia for yielding me this time. I want to strongly support this amendment. I think all of us understand the dangers of a handgun in the hands of a child; and a child safety lock, which is essentially what this is, a safety lock actually for anybody, being mandated to be produced and sold and given away actually in this case with any gun that is sold by a gun dealer is a really good idea and, in this case, one that I think is extremely beneficial.

This amendment allows firearms owners to decide when it is best to use these devices in light of their own personal circumstances. But the amendment makes it convenient for owners to use the devices by ensuring that every firearm purchased will come with one of them. I note today that 90 percent of dealers voluntarily provide a safety device when a firearm is purchased, and I applaud this sense of responsibility on their part. And the amendment will take care of the remaining 10 percent who do not provide such a device.

Now, I would like to note that there has been some disagreement, argument or whatever, and I have a little disappointment over a misunderstanding regarding safety lock provisions that were in the bill I introduced, H.R. 2037. The bill that I introduced at that time, which is not here on the floor today and has nothing to do directly with the amendment offered by the gentleman from Virginia (Mr. DAVIS), expanded the definition of a gun safety device to include a removable hammer or striker or device which, if removed, would prevent a firearm from working.

I took this language from two Democratic Members of Congress, H.R. 1342 introduced by the gentlewoman from New York (Ms. MCCARTHY) and S. 716, a bill introduced by Senator KOHL in the other body.

Mr. Chairman, I want to make it clear it was never my intention that this provision be interpreted so that the hammer or some other part of an ordinary firearm would qualify as a gun safety device just because it could be removed if somebody worked at it. But the reality is, we now have firearms with devices that have been invented where one can literally remove a pin, for example, from that, carry it around on a key chain and put it back in when one wants.

The way the law reads now, the base law, not anything that the gentleman from Virginia (Mr. DAVIS) is doing, a safety device has to be attached. It is something that is added, because that is the definition in the law, rather than something that can be removed from the gun.

It strikes me that it is going to be an advance for the future and a convenience for everyone and a very safe thing to have guns that have these removable devices. Now, we may need to refine our definition more than some think this language did, that the two Democratic Members of Congress had proposed, that I had suggested earlier. But we do not want in the future to inhibit in any way the creativity of devices that would, indeed, be more convenient to use and, in fact, would be more likely to be used so that children are protected and others are protected from unintentional, dangerous uses of guns and firearms, because that is what we are all about here today.

So, I applaud the gentleman from Virginia for this amendment. I strongly support it. It is the same language that is in the provisions in the other body that he is offering today. But I

would hope that in the future we could look to ways that we could amend the current law definition of a safety device for a handgun or gun so that we could be certain that we have the most advanced technology available to protect our children.

Ms. LOFGREN. Mr. Chairman, I ask unanimous consent to manage the time controlled by the gentlewoman from New York (Mrs. MALONEY).

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. LOFGREN. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Chairman, I rise today in strong support of the Davis amendment.

The second amendment of the Constitution guarantees American citizens the right to keep and bear arms, and I believe we in Congress have a duty to protect that right. But I also believe that we have a duty to keep firearms out of the hands of children and dangerous criminals.

This is not an issue of gun control, it is an issue of gun safety. This amendment simply requires that a secure gun storage or safety device be included with the sale of a handgun. It in no way infringes upon the rights of law-abiding citizens to keep and bear arms. In fact, it does not even require gun owners to use a safety device. If they want to, people can buy a handgun, take it home, stick the trigger lock that came with it in a drawer, and allow it to gather dust.

But if a person wants to have a gun in their home to protect themselves, their families and their property, this simple trigger locking device will allow them to have a gun without fear that a child will find that gun and either accidentally or intentionally hurt themselves or others. This approach will provide parents with another way to keep their children safe, if they choose to use it. And I believe all of us are in favor of greater parental involvement in their children's lives.

This is not an attempt to whittle away at the rights of gun owners. This is an effort to protect gun owners from being blamed for the actions of others who can gain access to their firearms without their knowledge. We have child safety locks on cigarette lighters in this country, yet people still smoke. We have safety caps on aspirin bottles yet people can still take aspirin responsibly. I submit that we can have trigger locks on guns, yet people will still have their constitutional right to keep and bear arms.

Again, this is not gun control, it is gun safety.

Mr. DAVIS of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Long Beach, California (Mr. HORN).

Mr. HORN. Mr. Chairman, I commend the Davis amendment. It is an excellent suggestion. The Senate adopted it; we should too.

This amendment mandates the transfer of a safe gun storage or safety device with every sale or transfer of a handgun by a licensed dealer. It does not mandate this on private sales.

Thirty-five gun manufacturers have pledged to start packing child safety devices with every firearm they sell. There is no mandate, as I say, to have these done between private purchasers. There are some just abhorrent statistics as to a need for this.

The National Center for Health Statistics reports that each year approximately 1,500 children commit suicide with a firearm. Think of it. On average two children under the age of 17 are killed unintentionally by a handgun every day.

This amendment is not about gun control. What it does is address a very serious public health and public safety issue. It is estimated that 11 percent of the juveniles who commit violent crimes with a firearm used a gun found in their own home. Think of what the parents will do when that accident happens. They will never forget it from that day to their death. And we need to have these locks because we need to protect the children of America. At least 55 percent of the handguns are stored unlocked; 34 percent are left unlocked and loaded. That is, of course, a very stupid parent, to say the least.

Now, as I mentioned, the other body has adopted this language. We should adopt the Davis amendment. It is long overdue.

Ms. LOFGREN. Mr. Chairman, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a member of the committee.

Mr. DAVIS of Virginia. Mr. Chairman, I yield 10 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman from California (Ms. LOFGREN) for yielding me this time. Mr. Chairman, it looks like we just saw each other a few hours ago. But this is an important debate, and I have a great deal of respect for my friend, the gentleman from Virginia (Mr. DAVIS).

I know that we always say when it helps us, we will acknowledge that we went to the same law school, and when it does not, we will not. I thank him for his leadership on this legislation.

Mr. Chairman, I would like to explain how we got to where we are. The early morning news reports, as I came to the floor this morning, announced that the National Rifle Association won. And for me, that was a sad day and a sad commentary, for I know how many of us worked long and hard to be able to announce this morning that the children of America won, the mothers of murdered children won, the fathers of murdered children won, the future children of America won.

But tragically this morning we cannot say that. And in the darkness of night, last night, amendment No. 144 mysteriously slipped away from the floor of the House that prohibits a person who is less than 21 from purchasing a handgun. The proponent of that walked off the floor of the House and would not allow it even to be debated.

Last night I heard that we are preserving the gun shows. I am so glad to be reeducated that a national treasure is America's gun shows, when I thought that life and saving life was what we were here to do. It is very interesting, as I look at the Davis amendment that I will ultimately support, but it saddens me because what happened last night was to implode, to implode on any reasonable support for gun safety and children's safety.

The National Rifle Association and the gun owners of America knew what they were doing. They knew that they would be allowing 17,000 criminals to get guns in their hands. They knew they were arguing against 400,000 people who were criminally inclined, who did not get guns because of the Brady bill. And they knew that they were trampling on the Constitution and the second amendment, because as I heard my colleague say this morning, this is gun safety, this Davis amendment. This is not violating the second amendment; this is not gun control.

Those same arguments could have been used for the McCarthy amendment.

I went to the Committee on Rules and I had the same amendment that the gentleman from Virginia had. Almost the same amendment, as did others, along with the gentlewoman from Indiana (Ms. CARSON) and the gentlewoman from California (Ms. MILLENDER-MCDONALD). I asked if Democrats and Republicans had similar legislation and initiatives, could we be joined together in a bipartisan manner. Sadly, that was not the response.

So, Mr. Chairman, I come to support the Davis amendment. But, frankly, we will not have gun safety today and we will not have child safety. We will not save lives. We are not concerned about the 13 children that die every day. And we will not have a full debate addressing the type of the tragedies that have happened of the urban centers where children have died from gun violence, where I worked on antigang measures some 10 years ago, where the State of Texas, known for its love of guns, passed a gun safety and responsibility law that was based on my ordinance that I wrote, that saw a 50 percent decrease in things like suicides and unintentional shootings by children. But what we have today is a farce.

Mr. Chairman, I said last night and I will say it again, we have the acknowledgment of the gun lobby as an altar at which we worship. I, for one, Mr. Chairman, will not be part of this frivolity, this farce. And I agree with the President, they may have won last night or in the dark of night, in the early morning hours, but, Mr. Chairman, but I will not stand for this frivolity or this farce and will ultimately vote against this bill.

I have never voted against a gun law in my life that had meaning and sense.

And I hope that the National Rifle Association in my community hears that because they have already begun calling.

So for those who say they are under the gun, we all are. They are in every one of our districts. But let me give an open letter to them right now:

Dear National Rifle Association and national gun owners lobby, I respect your right to the second amendment. As we all do, we will fight to the death for your right to the freedom of your views. But I have mine and I would much rather stand alongside of that child who needs protection, and support strong gun safety, a real safety lock measure that was presented by myself, the gentlewoman from California (Ms. MILLENDER-MCDONALD), as well the gentlewoman from Indiana (Ms. CARSON), that provided standards.

This is not the way to go. We need more responsible handling of this matter. This is a farce. This is sad. It is a sad day for America.

Mr. DAVIS of Virginia. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I am disappointed to hear that a bill that could come through could have juvenile possession of an assault weapon, have limitations on that, have a juvenile Brady law, clip bans, trigger locks, close some of the loopholes on gun bills, that it is not good enough, so a Member ends up defeating it and ends up voting with the National Rifle Association who would like to see the bill defeated. That is disappointing to me.

If putting the gentlewoman's name on this amendment would get her vote, I would be honored to have my former law school classmate. She has been a champion on gun measures. But I would hope the gentlewoman would not put this in the partisan realm of stopping Congress from moving ahead, when we could pass this legislation which is better than what is on the books today and send it to a conference committee where maybe it could be improved.

Mr. Chairman, I would ask the gentlewoman to think about that in terms of moving this legislation on, so we could go on, protecting our youth in this country.

Defeating this bill does nothing. We walk away.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Virginia. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, as the gentleman from Virginia knows, we have already established our admiration for his work, and I appreciate the offer. That amendment is one that I am going to support, the gentleman's amendment. And I thank him for the offer of my name on it. I know, in spirit, we will work together.

Mr. Chairman, there is so much in this bill that argues against serious response to gun safety legislation that I would rather start all over again and begin this process, so that we can truly pass gun safety for our children. But I thank the gentleman very much.

□ 0930

Mr. DAVIS of Virginia. Mr. Chairman, I yield myself 20 seconds.

Mr. Chairman, the problem is you do not start the process over again. It has taken up the better part of a week here, and we have appropriations bills here. For Members who walk away from this at this point means walking away, not moving it to conference with the Senate and defeating every aspect of this, including trigger locks. I hope that my colleagues on the other side will reconsider.

Mr. Chairman, I yield one minute to the gentlewoman from Maryland (Mrs. MORELLA), who has been outspoken in her support of trigger locks and other child safety measures.

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

Mr. Chairman, I have very high regard for the work that my colleague from across the river in Virginia has offered, so I rise in strong support of the Davis amendment. Again, it is just common sense. It will protect children from causing unintended harm should they find a gun in their home.

In 1995, 440 children died in unintentional shootings. Every day in this country at least one child is killed accidentally, and the numbers are increasing. Firearms are the fourth leading cause of accidental deaths among children 5 to 14 years of age.

This Davis amendment will require that new handguns sold must also include a secure gun storage or safety device. That is common sense. Similar laws exist in 16 States, including my State of Maryland. We can put an end to heartrending stories of young children dying when they find an unsecured gun in the house.

Incidentally, this amendment is supported by people on all sides of the issue, the Children's Defense Fund, Handgun Control, even the Senate. We have safety devices on cigarette lighters, medicine and other products. We should do the same for guns.

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN) has 5 minutes remaining, the gentleman from Virginia (Mr. DAVIS) has 2½ minutes remaining, and the gentleman from Virginia has the right to close.

Ms. LOFGREN. Mr. Chairman, do we not have the right to close as defending the committee's position?

The CHAIRMAN. The gentleman from Virginia would have the right to close. The time in opposition was first claimed by the gentlewoman from New York (Mrs. MALONEY), who was not a member of the committee.

Ms. LOFGREN. Did I not then ask unanimous consent to control the time and was that not agreed to?

The CHAIRMAN. The unanimous consent request that the gentlewoman from California control the time of the gentlewoman from New York did not include the right to close as a member of the committee. Therefore, the gentleman from Virginia currently has the right to close.

Ms. LOFGREN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the gentlewoman for yielding me time.

Mr. Chairman, I would like to just refer the gentleman from Virginia to a few comments, if I may, and also say to him that I will be supporting this amendment because it is a modification of the Kohl amendment in the Senate and has a provision that adds a removable hammer safety device to it; and, obviously, having dealt with these issues for a number of years, realizing the tragedies that occur with children who have found guns unsecured, 4-year-olds, 6-year-olds, 15-year-olds, I realize the importance of a safety device.

At the same time, we offered an amendment, part of legislation that the gentlewoman from Indiana (Ms. CARSON) filed and the gentlewoman from California (Ms. MILLENDER-MCDONALD), that would in fact determine the standards of the various safety devices and provide an educational proponent that would allow the Attorney General to educate people about the problems lacking in gun storage and gun safety or gun safety locks.

Might I make of the gentleman from Virginia (Mr. DAVIS) an inquiry: Does this amendment, as I am looking through it, I do not see it, does this amendment provide standards for the device that we are suggesting that they utilize? Are there standards? For example, where the Secretary of the Treasury, similar to the Consumer Products Safety Commission, would develop regulations in the amendment that I offered in rules of child safety for firearms, that such regulations at a minimum set forth a minimum safety standard that such product meet in order to be manufactured, sold, transferred or delivered, consistent with the amendment?

This is similar to child car seats. It is similar to aspirin bottles. It is similar to many products that we have, playground equipment. Do we have some standards in this amendment? As I review it, I do not see any standards at all.

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Virginia.

Mr. DAVIS of Virginia. Mr. Chairman, we do have standards in the current law that make definition.

It was not exactly the standards that the gentlewoman and the gentlewoman from California (Ms. MILLENDER-MCDONALD) put together. We went with the current law standards.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I think the reason why the amendment, and if you can point me to the current law standard, they are obviously not sufficient inasmuch as we had an exhibition, if you will, of the various safety

locks that are now on the market, and the results of our exhibition was that a simple hammer that a child could access themselves to could easily split plastic safety locks.

This amendment, of course, is a minimal response to the safety lock issue, but it will not deal with the fact that the products on the market are, at best, unsatisfactory and can be easily broken by a child.

Mr. DAVIS of Virginia. Mr. Chairman, if the gentlewoman would yield further, title 18, section 921, section 34, defines the standards. Those are defined. This language parallels the Senate language. At this point we are trying to find some congruity with our colleagues in the Senate.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I will finish with this: That is the point, and that is the problem. Obviously, the Senate moved forward on a particular device. We offered that package here as a singular stand-alone amendment, but, at the same time, we recognize that the Senate went with the minimal provisions, that that provision does not, in fact, protect our children because those devices are without standards, and they are easily broken, accessed and rendered useless by any child who can get a hammer and break the plastic.

In essence, what we are presenting, we could have offered a more extensive amendment that would have given us standards similar to the Consumer Products Safety Commission and as well we could have provided language, if you will, to provide education to the American public about gun safety and responsibility.

I say that to the gentleman because he has questioned whether or not it would be more valuable to just stand and support gun safety that does not have any substance. I would argue and beg to differ with him.

Mr. DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I differ on this particular issue. I think a congruity between the Senate and House is very important, and I do not think we ought to let someone's definition of ''perfect'' be the enemy of the ''pretty good.'' This is a pretty good advancement from where we sit today.

Mr. Chairman, I yield 1½ minutes to the gentleman from Indiana (Mr. HOSTETTLER).

Mr. HOSTETTLER. Mr. Chairman, at this time I would like to engage in a colloquy on behalf of the gentleman from Arizona (Mr. SHADEGG) with the gentleman from Virginia (Mr. DAVIS).

Mr. Chairman, it is my understanding that the gentleman's amendment includes language to alter the current definition of safety device. Specifically, the amendment modifies the definition by adding a new subparagraph which states, ''A device that is easily removable from a firearm and that, if removed from a firearm, is designed to prevent the discharge of the firearm by any person who does not have access to the device.''

Saf-T-Hammer and other companies across the country are currently developing cutting-edge technology that provides gun owners added safety through a more easy-to-use device. This device renders the gun inoperable when the top of the hammer is removed.

Is it the gentleman's understanding that the changes to the definition of safety device included in this amendment will provide greater clarification to include devices such as Saf-T-Hammer as ''safety devices'' under Federal law?

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

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

Mr. DAVIS of Virginia. Mr. Chairman, I thank the gentleman for requesting this colloquy. I am happy to tell the gentleman that is exactly our intent, that safety devices such as the Saf-T-Hammer and other developing handgun safety technologies be included under the definition of a safety device in this amendment.

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

Mr. Chairman, the truth is this amendment is about public safety, not gun control. It is about protecting children, not about the second amendment. It is important to remember that nothing in this amendment changes the standards of who can own a gun or any type of gun they can own, it only limits the access that children have to their parents' guns.

Despite the divisiveness of this bill and H.R. 1501 yesterday, this amendment enjoys both strong bipartisan and leadership support on both sides. I urge all Members concerned about the safety and the well-being of America's youth to vote ''yes'' on this commonsense amendment.

Mr. MORAN of Virginia. Mr. Chairman, I rise today in strong support of the child safety lock amendment. This is truly a bipartisan amendment and as an original co-sponsor of child safety lock legislation in the 106th Congress, I would like to thank my friend and colleague from Virginia, TOM DAVIS, for introducing and supporting this amendment.

This amendment mirrors language already passed in the Senate.

The National Center for Health Statistics reports that each year more than 500 children under the age of 17 are killed unintentionally by a handgun.

This amendment would allow gun owners to choose whether they use safety locks; The amendment simply requires that they buy one. Many of these locks can be used on loaded guns and can be disengaged in a matter of seconds which as Gun Tests magazine explains ''conveniently preserv[es] access to guns used in self-protection.''

How can reasonable people be opposed to making these safety mechanisms available to gun owners when a gun in the home is 43 times more likely to kill a family member or friend than to kill in self-defense?

Many young violent criminals rely on guns found in their home to commit crimes. In fact, nearly 7,000 violent crimes each year are committed by juveniles with guns found in their home. The use of safety locks will restrict their access to these guns, and could also discourage the theft of guns that are locked up.

Nobody pretends that child safety locks are a cure-all to the violence that afflicts our kids. But this amendment is an excellent step in the right direction to increase safety significantly. Child safety locks could prevent more than one-third of the deaths from gun-related accidents, not to mention countless suicides and violent crimes.

Automobiles are required to have seat belts. Aspirin bottles are required to have child-resistant packaging. Lighters are required to have child safety devices. It is time for the guns in American children's homes to have child safety locks. I urge you to support this amendment that will literally save children's lives.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. DAVIS).

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

Mr. DAVIS of Virginia. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 209, further proceedings on the amendment offered by the gentleman from Virginia (Mr. DAVIS) will be postponed.

The point of no quorum is considered withdrawn.

It is now in order to consider Amendment No. 7 printed in part B of House Report 106–186.

AMENDMENT NO. 7 OFFERED BY MR. CUNNINGHAM

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 7 offered by Mr. CUNNINGHAM:

At the end of the bill, insert the following:

TITLE ___—COMMUNITY PROTECTION ACT

SEC. ___1. SHORT TITLE.

This title may be cited as the ''Community Protection Act of 1999''.

SEC. ___2. EXEMPTION OF QUALIFIED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926A the following:

''§ 926B. Carrying of concealed firearms by qualified law enforcement officers

''(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

''(b) This section shall not be construed to supersede or limit the laws of any State that—

''(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

''(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

''(c) As used in this section, the term 'qualified law enforcement officer' means an employee of a governmental agency who—

''(1) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest;

''(2) is authorized by the agency to carry a firearm;

''(3) is not the subject of any disciplinary action by the agency; and

''(4) meets standards, if any, established by the agency which require the employee to regularly qualify in the use of a firearm.

''(d) The identification required by this subsection is the official badge and photographic identification issued by the governmental agency for which the individual is, or was, employed as a law enforcement officer.''.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by inserting after the item relating to section 926A the following:

''926B. Carrying of concealed firearms by qualified law enforcement officers.''.

SEC. ___3. EXEMPTION OF QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is further amended by inserting after section 926B the following:

''§ 926C. Carrying of concealed firearms by qualified retired law enforcement officers

''(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified retired law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

''(b) This section shall not be construed to supersede or limit the laws of any State that—

''(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

''(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

''(c) As used in this section, the term 'qualified retired law enforcement officer' means an individual who—

''(1) retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;

''(2) before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

''(3)(A) before such retirement, was regularly employed as a law enforcement officer for an aggregate of 5 years or more; or

''(B) retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

''(4) has a nonforfeitable right to benefits under the retirement plan of the agency;

''(5) during the most recent 12-month period or, if the agency requires active duty officers to do so with lesser frequency than every 12 months, during such most recent period as the agency requires with respect to active duty officers, has completed, at the expense of the individual, a program approved by the State for training or qualification in the use of firearms; and

''(6) is not prohibited by Federal law from receiving a firearm.

''(d) The identification required by this subsection is photographic identification issued by the State in which the agency for which the individual was employed as a law enforcement officer is located.''.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is further amended by inserting after the item relating to section 926B the following:

''926C. Carrying of concealed firearms by qualified retired law enforcement officers.''.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from California (Mr. CUNNINGHAM) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I yield 2½ minutes to the gentleman from Ohio (Mr. TRAFICANT) and ask unanimous consent that he be allowed to control that time.

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

There was no objection.

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

Mr. Chairman, yesterday, I called the Fraternal Order of Police and the Capitol Hill Police, and they are excited about this amendment. This amendment is opposed by no police organization. As a matter of fact, it is strongly supported by most every police organization in the United States.

This amendment will allow thousands of equipped, trained and certified officers to continually serve and protect our communities, regardless of jurisdiction, at no cost to taxpayers.

This amendment is endorsed by more than 75 law enforcement organizations, including the Law Enforcement Alliance of America, Fraternal Order of Police, National Troopers Coalition, National Association of Police Organizations, Fraternal Brotherhood of Police Officers and our Capitol Hill Police.

This is an amendment where you can say, ''this is something I stand for.'' It allows policemen, once they retire, to protect themselves and their families. Too often our police have to arrest some of these people that we talk about that commit crimes with weapons. This amendment allows them to protect their family from those criminals.

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

Mr. SCOTT. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Virginia (Mr. SCOTT) will control 10 minutes.

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

Mr. Chairman, we had a bill very similar to this that went through committee that had these provisions. It also had other provisions that, frankly, we focused on and objected to. This bill does not contain the more objectionable provisions that, frankly, would have allowed mandatory reciprocity of concealed weapons laws, so if you have a concealed weapon in one State, you can take it to any other State, notwithstanding their laws.

We focused on that provision because it really blew a hole in the ability of States to maintain their own concealed weapons laws and did not focus as much on this provision that had not been as controversial.

I would have preferred that this bill had gone through the regular legislative process. It is probably okay. You will probably find that the police officers that would take advantage of this are not the ones committing crimes, and there would be no problem. But we have a situation here where we are essentially overriding State laws. The State will have to accept concealed weapons from out-of-State, and I am not sure that is a good idea, and we have not had an opportunity this year to focus on it.

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

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

Mr. Chairman, I voted for the Brady Bill. I voted for the ban on semiautomatic weapons. Like many Members, I have tried, and we tried, to do the right thing.

Quite frankly, enough is enough. Guns are a two-edged sword. Dangerous, indeed. But let me say to the House today, the number one preventer of crime in America is that gun. Educated, qualified, knowledgeable safety procedures. The gun, a foe, yes, but the gun, a great friend.

At 2 o'clock in the morning, with an intruder with a weapon holding it on your family, you can call 911, you can call every police department in the world, and you are at their mercy.

So, be careful, Congress. This amendment makes sense. Police officers are trained, they are qualified, they are schooled, and it does not cost America one penny to increase the ranks of this safety force.

Mr. SCOTT. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Chairman, I will vote to support this amendment. I think, as my colleague from Virginia has pointed out, this would have been better had we had an opportunity to go through the legislative process, to hear from the States, and to really thoroughly hash this out. However, I do think that this is worthy of bipartisan support and plan to vote for it.

However, I must observe that, as my colleague from Ohio mentioned 2

o'clock in the morning, intruders and the need for protection, I think back to 2 o'clock this morning, when, in the dark of night, this House really failed the mothers and fathers of America, in my judgment, failed to enact commonsense gun safety measures that the country demands.

While I support this measure, I must note that it is not the answer that America seeks to the tragedy of children and gun violence.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MCCOLLUM), the chairman of the Subcommittee on Crime.

Mr. MCCOLLUM. Mr. Chairman, I very strongly support this amendment. Law enforcement officers all over this country, active duty and retired, put their lives at risk every day defending us, corrections officers, police officers, sheriff's deputies everywhere. In doing so, they are obviously going to incur the wrath of a lot of folks. There are people who want to get them because they have done that, people who would harm them or their families, whether they are on active duty or have retired.

This measure allows a police officer on active duty, fully qualified, as long as he has no disciplinary action pending and meets the standards of qualification of his agency, to carry a concealed weapon into any other State, wherever he travels, to protect himself or his family.

It also allows the retired police officer, as long as that police officer is qualified, has served more than at least 5 years or more as an active police officer, and during the most recent 12-month period of time has gone through compliance with the firearms qualifications standard of the active officers of his agency of the government, it allows the retired officer under those circumstances in good standing to also carry concealed weapons across State lines to protect themselves and their family.

This is extremely important to the police. I can guarantee you every police organization I have talked to as chairman of this subcommittee for several years has advocated this, every corrections group, every Sheriff's group. The reason for it is very obvious, because of the need to protect themselves and their families after they have retired, as well as during active duty.

So I think we owe it to our Nation's law enforcement community to pass this provision. It is long overdue. We have struggled to get it out here on the floor.

The gentleman from California (Mr. CUNNINGHAM) is to be congratulated for all of his efforts, and so are the other Members who have sponsored this, as a number of us have worked for a long time to make this happen. Let us pass it today and do everything we can to make sure it goes to the President for his signature.

Mr. SCOTT. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the gentleman for yielding me time, and I thank the combined proponents of this legislation.

I would like to associate myself with the words of the gentleman from Virginia (Mr. SCOTT), that we had hearings on this and we would have, I think, preferred to have at least the responses from the 50 States on this issue.

But I do want to note that this does, in particular for those who may be concerned, serve to help public safety officers or security personnel, particularly those officers, of course, who do not have a history of criminal activity or suffer from a mental disability or are under a disciplinary action who will not qualify.

I think it is important to note that, although the example was used about what police officers may do in the dark of night, I think it is important that these officers are on call 24 hours a day, even though they are not at the time full-time duty or retired, and many times are called into service. So I think it is important that we allow this to occur.

I would also add tragically that we have compounded the lack of safety that they will be facing inasmuch as this House again passed a measure last evening that just opens the floodgates of guns into the streets of America by the Dingell amendment and by not voting for the McCarthy gun-show-closing loophole amendment.

So, hopefully, we will not have gun battles in the street, where people are having to draw at every moment because of the fact that officers would now be in more jeopardy because of the rampage of guns on the street.

Let me simply close with an example that evidences what I am speaking of.

First of all, the gun show loophole that we did not close will allow individuals in 24 hours to get guns, which will not allow law enforcement officers to be able to have a sufficient time to check their criminal records.

An ATF officer spent nearly 2 hours with me explaining about their undercover work. They indicated to me they were able to buy a gun on the street of a western State out of the back of a station wagon where the seller said, ''What are you going to do with this?'' The buyer said, ''I am going to the East Coast to an East Coast State and kill a law enforcement officer.'' The seller then said, ''Let me give you a silencer and, when you get caught, do not mention my name.''

That is the gun show that will not be protected by the Dingell amendment. So maybe we do need to pass this amendment without the fact of a full hearing and markup because our officers are going to be placed in more jeopardy wherever they go and will be called upon to provide security for their communities, whether they are full-time officers or retired.

It is a shame on America, it is a shame on us as we allow children to go into gun shows without supervision. It is a shame on us, it is a shame on this House. I would imagine that they are saying pox on all of us.

Mr. Chairman, I thank the gentlemen for their very good amendment.

Mr. CUNNINGHAM. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. GEKAS).

Mr. GEKAS. Mr. Chairman, our national security depends, as everyone knows, almost 100 percent on our Armed Forces. Our Armed Forces depend to a great measure on reserves. Everyone knows that in each conflict in which we were personally involved as Members of Congress, the reserve components of our armed services played a key role in the military action ordered by the President of the United States.

So it is with this piece of legislation. It creates a body of reserves in our domestic security apparatus with retired and off-duty policemen that augment the safety measures that the normal law enforcement agencies carry on every single day.

If we look upon it as that extra measure of citizenry involved in our public safety, then we should have no difficulty in receiving an overwhelming vote in favor of our reserve component in domestic security.

Mr. CUNNINGHAM. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. ROGAN).

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

Mr. Chairman, this amendment will increase public safety by adding qualified law enforcement personnel to our street and to our neighborhoods. It will also enhance the safety of law enforcement officers and their families while increasing the number of officers we stand ready to protect the public.

This amendment has broad support from the law enforcement community, including the National Association of Police Organizations. NAPO represents 22,000 sworn law enforcement officers and has been a long-time advocate of pursuing the ability for police to carry their guns across State lines.

Mr. Chairman, as we seek innovative ways to make our community safer, this amendment offers an added measure of protection for all of us, without spending tax dollars. I thank the gentleman from California for his leadership on this.

Mr. SCOTT. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. CONYERS), the ranking member of the full committee.

Mr. CONYERS. Mr. Chairman, I am appalled this morning that we would be making more guns available in the wake of Columbine which brought us here to restrict gun availability.

I think that this is a not-well-thought-out provision. I can see all kind of shootouts between officers who are from another State being shot by officers who have no idea who these people are that have tried to use a weapon. So for us to think that this

provides any added security to a policeman or to the community is, I think, shear nonsense. I am totally disappointed that this conversation could be moving in this kind of direction.

The fact of the matter is that this would create more problems, far more problems, than it would ever resolve. We have not had hearings on it. It overrides all the State laws. Besides, any officer from another State need only contact the police jurisdiction to get permission to bring his weapon into the State. That is not too hard for him to do.

So much for all of these imaginative hypotheticals about what happens at 2 a.m. and how much more secure you will be from some unknown person carrying a gun. Carrying a gun into a community from out of State I think really begs the question. I hope we will think carefully about the dangers that are being introduced as we violate the gun laws of every single State in the union by trying to bring this poorly-thought-out amendment to the floor at this time.

Mr. SCOTT. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, I disagree with the ranking member, and I have great respect for him. I think to mischaracterize my remarks about 2 o'clock in the morning is not appropriate with this bill and this amendment.

I have been targeted by the NRA. I am not here carrying any banner for anybody. But I am a former sheriff, and all the policemen in the world will not help you if they are not there and someone is there with a gun pointing it at you.

Now it is time to talk about some reality. I voted for the Dingell amendment for the following reason, and I want it stated across the record: With a longer waiting period covering a weekend, there would not be a sale at a gun show, and it would be an encouragement for unscrupulous gun dealers to illegally sell their guns to make a sale, yes, maybe to Charles Manson.

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The Dingell amendment, 24 hours, will force this technology age to give us an answer. And the sale by unscrupulous dealers will be limited.

Now, let us talk some reality. When someone is holding a gun on you, you could call 911 and you could have every police on their way, you are in trouble. The bottom line is you would be lucky to be armed. Armed. These retired officers, able to carry a gun, trained to carry a gun, schooled to handle guns, understanding violence, understanding our communities, without one dime, are additional fighters to prevent crime. The only crime acceptable to me, a former sheriff, is the crime that is not committed.

Congress has done a few things this past week.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Ohio has 1½ minutes remaining on his own time.

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

Mr. Chairman, Congress has made some preventive measures in order this past week. Not all the guns in the world, not all the policemen in the world are going to stop crime. The mentality of crime is much bigger than a gun bill. But I would submit to Congress that guns are more a symptom of this society than the root cause problems of this society, and be careful, Congress.

Having said that, I believe without one dime we will increase crime fighters on the street, schooled and trained. They understand the issue. But more importantly, the word will be out in the streets of America that Congress passed a law authorizing retired police officers and others trained to also have weapons to join in that fight.

Here is what I am saying. They are not only equipped, they are not only schooled, they are not only trained, this is a word you may not want to hear, they are armed, and they are prepared to support and protect us. This is the right thing to do. The distinguished ranking member has a valid point but the subcommittee ranking member, I think, understands the issue quite well. Ladies and gentlemen, it does not cost us a penny. It is not going to be the entire answer, but it is a step in the right direction. I compliment the gentleman from California (Mr. CUNNINGHAM) and the gentleman from Pennsylvania (Mr. GEKAS) for involving me in this issue, and I urge an ''aye'' vote.

Mr. CUNNINGHAM. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman, I rise in support of this amendment, and I do so because it is almost identical to my bill, H.R. 492, which would not only grant reciprocity for current retired law enforcement officers but also to law-abiding citizens who possess a valid right to carry a permit in their home State.

My home State of Florida recognized that fact and in fact in 1987 Florida reformed its gun laws to allow gun-abiding citizens familiar with firearms to carry a concealed weapon. The results as far as homicide rate dropped from 37 percent above the national average to 3 percent below. Florida is not alone. Other States with concealed carrying laws have also seen a dramatic decrease in crime.

I am a strong supporter of my colleague from California's and legislation, I am pleased to cosponsor this amendment. It has my full support. I hope my colleagues will pass this amendment.

Mr. Speaker, I rise in support of this amendment. I do so because it is almost identical to my bill H.R. 492 which would not only grant reciprocity for current and retired law enforcement officers, but also to law-abiding citizens who possess a valid ''right to carry'' permit in their home state.

The right of self defense should not be limited to state boundaries. America is blessed with a professional and committed law enforcement community, but the reality is that we are largely on our own in protecting ourselves and our families. I don't believe that Americans should forfeit their safety because they happen to be on vacation or on a business trip.

My home state of Florida recognized the fact that many citizens have no recourse but to deal immediately and directly with a criminal. In 1987, Florida reformed its gun laws to allow law-abiding citizens familiar with firearms to carry a concealed weapon. The results? Florida's homicide rate dropped from 37 percent above the national average to 3 percent below the national average. Florida is not alone; other states with concealed carry laws have also seen a dramatic decrease in crime.

The legislation before us today has the end goal of protecting American citizens, and this amendment contributes to that goal. I would have been pleased to cosponsor this amendment, but was unaware of its introduction until earlier today. Nonetheless, the gentleman from California has my full support and I urge adoption of this amendment.

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

Mr. CUNNINGHAM. Mr. Chairman, I would ask the gentleman to proceed since I have the right to close since there was not time received in opposition. I am the last speaker.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. SCOTT. Who has the right to close?

The CHAIRMAN. The gentleman from Virginia secured control of the time otherwise reserved for opposition by unanimous consent. Under those circumstances, the proponent is entitled to close.

Mr. SCOTT. Does the gentleman just have one speaker left?

Mr. CUNNINGHAM. I am going to close.

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

Mr. Chairman, we have had no deliberation on this. We have not had an opportunity to improve it or amend it. We have not had an opportunity to see what the States think about it. But that is how we have been legislating. We legislated on numerous issues where if we had had time to deliberate, we might have made different decisions, like last night.

We passed legislation that had been subject to 2 years of deliberation, the Individuals With Disabilities Act. We passed legislation which that deliberation would have led us to the conclusion that what we did yesterday would have increased crime, but because of good speeches and because it sounded like a good idea, we went along with it.

We ought to be more serious about legislation. This might be a good idea, it might not. We have not had an opportunity to seriously consider it. Here we have an amendment on the floor

and it is just not the way we ought to respond to the situation in Littleton, Colorado and Conyers, Georgia. We ought to be serious about reducing juvenile crime.

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

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

Mr. Chairman, we lost two police officers here on the Hill last year defending us. This amendment would not help those officers. This amendment will help other officers in the future. The same thing at Columbine. This amendment would not help those children.

We talk about law-abiding citizens' rights. The children at Columbine and other schools have rights. This amendment in the future will help those individuals. I did write this amendment with the help of the Law Enforcement Alliance of America, which represents millions of police officers. Governors support this. Mayors support this. For those that support the Brady bill, Sarah Brady and handgun control does not oppose this amendment. Why? Because it is good.

My colleague says, ''Well, it puts more guns.'' Who does this allow to have a weapon? It allows trained police officers. This does not mean some security guard or fly-by-night guy that sits there for 1 year in a position. These are trained individuals, who cannot have any disciplinary problems before.

The day that I submitted this bill, the original bill, H.R. 218, in San Diego an off-duty policeman had a carry permit. Guess what? A bank was being robbed. This young lady, this officer, who was off-duty saw the bank robber coming out and said, sorry, Charlie. Because she had a weapon, she stopped that bank robbery. This is the kind of legislation that I think all of us are looking for. I ask my colleagues in a bipartisan way to support this amendment. It is a good amendment.

Mr. MEEKS of New York. Mr. Chairman, I reluctantly voted against this amendment because of the current climate in this nation due to the police brutality issues in our districts. My rationale was that there have been too many police brutality incidences, as in the Anthony Baez and Amadou Diallo cases in New York City. This has led me to believe that there is a lack of proper training of police officers.

I have been a cosponsor of two police brutality bills in the 106th Congress: the Hyde/Serano bill and the Conyers bill. Both of these bills will implement provisions to carefully evaluate police training and police departments.

I find it difficult to give broad sweeping licenses to all police officers regardless of their jurisdiction—until a serious evaluation is done of the current situations throughout our country; and legislation is adopted to address the misuse of weapons by police departments.

Guns used properly by trained police officers is acceptable. In fact, New York State allows retired police officers to keep their guns. I support this measure. However, I can't support allowing a retired police officer from another part of the country carrying a concealed weapon—and not knowing the standards of his or her training or their record as a police officer in their jurisdiction. Until there are national standards for police training and police departments, I felt compelled to vote against this amendment.

Mr. SCOTT. The question is on the amendment offered by the gentleman from California (Mr. CUNNINGHAM).

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

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

The CHAIRMAN. Pursuant to House Resolution 209, further proceedings on the amendment offered by the gentleman from California (Mr. CUNNINGHAM) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 209, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 6 offered by the gentleman from Virginia (Mr. DAVIS); amendment No. 7 offered by the gentleman from California (Mr. CUNNINGHAM); and amendment No. 5 offered by the gentleman from Florida (Mr. MCCOLLUM).

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

AMENDMENT NO. 6 OFFERED BY MR. DAVIS OF VIRGINIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. DAVIS) 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 vote was taken by electronic device, and there were—ayes 311, noes 115, not voting 8, as follows:

[Roll No. 236]

AYES—311

Abercrombie
Ackerman
Allen
Andrews
Archer
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Calvert
Camp
Campbell
Canady
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Conyers
Cook
Costello
Cox
Coyne
Crowley
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hefley
Hill (IN)
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hoyer
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Phelps
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Simpson
Sisisky
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stearns
Strickland
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson (MS)
Thurman
Tierney
Toomey
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—115

Aderholt
Armey
Bachus
Ballenger
Barr
Barton
Bentsen
Blunt
Boehner
Bonilla
Boucher
Bryant
Burr
Burton
Buyer
Callahan
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cooksey
Cramer
Crane
Cubin
Danner
Deal
DeLay
DeMint
Doolittle
Duncan
Emerson
Everett
Ganske
Gibbons
Goode
Goodlatte
Green (TX)
Gutknecht
Hansen
Hastings (WA)

Hayes
Hayworth
Herger
Hill (MT)
Hilleary
Hilliard
Hostettler
Hulshof
Hunter
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kingston
Largent
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McIntyre
Metcalf
Mica
Moran (KS)
Nethercutt
Ney
Norwood
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Radanovich
Riley
Rogers
Ryun (KS)
Sandlin
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Skeen
Skelton
Smith (TX)
Souder
Stenholm
Stump
Taylor (NC)
Terry
Thompson (CA)
Thornberry
Thune
Tiahrt
Turner
Vitter
Wamp
Watkins
Watts (OK)
Whitfield
Wicker
Young (AK)

NOT VOTING—8

Brown (CA)
Frost
Houghton
Kaptur
Lewis (CA)
Minge
Salmon
Thomas

□ 1032

Messrs. STUMP, LUCAS of Oklahoma, PACKARD, YOUNG of Alaska, SHIMKUS, WICKER, and LUCAS of Kentucky changed their vote from ''aye'' to ''no.''

Mr. MOAKLEY, Mr. PETRI, Mrs. LOWEY, and Messrs. GARY MILLER of California, MOLLOHAN, and MCKEON changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. MINGE. Mr. Chairman, on rollcall No. 236, had I been present, I would have voted ''yes.''

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 209, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 7 OFFERED BY MR. CUNNINGHAM

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CUNNINGHAM) 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 372, noes 53, not voting 9, as follows:

[Roll No. 237]

AYES—372

Abercrombie
Ackerman
Aderholt
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kucinich
Kuykendall
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Packard
Pallone
Pascrell
Pastor
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vento
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOES—53

Allen
Brady (TX)
Campbell
Capuano
Chenoweth
Clay
Clayton
Conyers
Davis (IL)
Engel
Eshoo
Fattah
Jackson (IL)
Johnson, E. B.
Kilpatrick
Kolbe
LaFalce
Lee
Lewis (GA)
McCrery
McDermott
McKinney
Meek (FL)
Meeks (NY)
Miller (FL)
Miller, George
Mink
Napolitano
Owens
Oxley
Paul
Payne
Pelosi
Rohrabacher
Rothman
Rush
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Smith (MI)
Stark
Tauscher
Tierney
Towns
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Woolsey

NOT VOTING—9

Brown (CA)
Dunn
Frost
Houghton
Kaptur
Lewis (CA)
Minge
Salmon
Thomas

□ 1041

Mr. SERRANO and Mrs. CLAYTON changed their vote from ''aye'' to ''no''.

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. MINGE. Mr. Chairman, on rollcall No. 237, had I been present, I would hav voted ''yes.''

AMENDMENT NO. 5 OFFERED BY MR. MCCOLLUM

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. MCCOLLUM) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 5 offered by Mr. MCCOLLUM:

At the end of the bill, insert the following:

SEC. ___. PROHIBITING JUVENILES FROM POSSESSING SEMIAUTOMATIC ASSAULT WEAPONS.

Section 922(x) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''or'' at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(C) by adding at the end the following:

''(C) a semiautomatic assault weapon; or

''(D) a large capacity ammunition feeding device.'';

(2) in paragraph (2)—

(A) by striking ''or'' at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(C) by inserting at the end the following:

''(C) a semiautomatic assault weapon; or

''(D) a large capacity ammunition feeding device.''; and

(3) by striking paragraph (3) and inserting the following:

''(3) This subsection shall not apply to—

''(A) a temporary transfer of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon to a juvenile or to the temporary possession or use of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon by a juvenile—

''(i) if the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon are possessed and used by the juvenile—

''(I) in the course of employment,

''(II) in the course of ranching or farming related to activities at the residence of the juvenile (or on property used for ranching or farming at which the juvenile, with the permission of the property owner or lessee, is performing activities related to the operation of the farm or ranch),

''(III) for target practice,

''(IV) for hunting, or

''(V) for a course of instruction in the safe and lawful use of a firearm;

''(ii) clause (i) shall apply only if the juvenile's possession and use of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon under this subparagraph are in accordance with State and local law, and the following conditions are met—

''(I) except when a parent or guardian of the juvenile is in the immediate and supervisory presence of the juvenile, the juvenile shall have in the juvenile's possession at all times when a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon is in the possession of the juvenile, the prior written consent of the juvenile's parent or guardian who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition; and

''(II)(aa) during transportation by the juvenile directly from the place of transfer to a place at which an activity described in clause (i) is to take place the firearm shall be unloaded and in a locked container or case, and during the transportation by the juvenile of that firearm, directly from the place at which such an activity took place to the transferor, the firearm shall also be unloaded and in a locked container or case; or

''(bb) with respect to employment, ranching or farming activities as described in clause (i), a juvenile may possess and use a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon with the prior written approval of the juvenile's parent or legal guardian, if such approval is on file with the adult who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition and that person is directing the ranching or farming activities of the juvenile;

''(B) a juvenile who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon in the line of duty;

''(C) a transfer by inheritance of title (but not possession) of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon to a juvenile; or

''(D) the possession of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon taken in lawful defense of the juvenile or other persons in the residence of the juvenile or a residence in which the juvenile is an invited guest.

''(4) A handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon, the possession of which is transferred to a juvenile in circumstances in which the transferor is not in violation of this subsection, shall not be subject to permanent confiscation by the Government if its possession by the juvenile subsequently becomes unlawful because of the conduct of the juvenile, but shall be returned to the lawful owner when such handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon is no longer required by the Government for the purposes of investigation or prosecution.

''(5) For purposes of this subsection, the term 'juvenile' means a person who is less than 18 years of age.

''(6)(A) In a prosecution of a violation of this subsection, the court shall require the presence of a juvenile defendant's parent or legal guardian at all proceedings.

''(B) The court may use the contempt power to enforce subparagraph (A).

''(C) The court may excuse attendance of a parent or legal guardian of a juvenile defendant at a proceeding in a prosecution of a violation of this subsection for good cause shown.

''(7) For purposes of this subsection only, the term 'large capacity ammunition feeding device' has the same meaning as in section 921(a)(31) of title 18 and includes similar devices manufactured before the effective date of the Violent Crime Control and Law Enforcement Act of 1994.''.

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 354, noes 69, not voting 11, as follows:

[Roll No. 238]

AYES—354

Abercrombie
Ackerman
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Buyer
Calvert
Camp
Canady
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Collins
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hayes
Hefley
Hill (IN)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Petri
Phelps
Pickett
Pitts
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—69

Aderholt
Barcia
Barr
Barton
Bonilla
Burr
Burton
Callahan
Campbell
Cannon
Chenoweth
Clay
Coble
Coburn
Combest
Crane
Cubin
DeLay
Dingell
Doolittle
Emerson
Everett
Gibbons
Goode
Hansen
Hastings (WA)
Hayworth
Herger
Hill (MT)
Hostettler
Hunter
Istook
Johnson, Sam
Jones (NC)
Largent
Lewis (KY)

Lofgren	Peterson (PA)	Spence
Lucas (KY)	Pickering	Stump
Lucas (OK)	Pombo	Taylor (NC)
McCrery	Riley	Thornberry
Metcalf	Sandlin	Tiahrt
Mollohan	Sanford	Vitter
Nethercutt	Scarborough	Wamp
Ney	Schaffer	Watkins
Packard	Sessions	Watts (OK)
Paul	Shadegg	Wicker
Peterson (MN)	Skeen	Young (AK)

NOT VOTING—11

Blunt	Kaptur	Radanovich
Brown (CA)	Lewis (CA)	Salmon
Frost	Minge	Thomas
Houghton	Pomeroy	

□ 1050

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. MINGE. Mr. Chairman, on rollcall No. 238, had I been present, I would have voted "yes."

The CHAIRMAN. It is now in order to consider amendment No. 8 printed in Part B of House Report 106–186.

AMENDMENT NO. 8 OFFERED BY MR. SESSIONS

Mr. SESSIONS. Mr. Chairman, I offer an amendment made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 8 offered by Mr. SESSIONS:

At the end of the bill, insert the following:

SEC. ___. GUNS PAWNED FOR MORE THAN 1 YEAR REQUIRE BACKGROUND CHECK.

Section 922(t) of title 18, United States Code, is amended by adding at the end the following:

''(7) Paragraph (1) shall not apply in connection with the redemption from a licensee of a firearm that, during the preceding 365 days, was delivered to the licensee as collateral for a loan.''.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from Texas (Mr. SESSIONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. SESSIONS).

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

Mr. Chairman, the amendment that I am speaking on today would require a background check on a person whose gun is returned to him by a pawnshop if that gun has been stored at the pawnshop for more than 1 year.

Pawnshops are small businesses contributing to communities all across America. They provide access to credit for people who may have difficulty obtaining a loan from a standard financial institution. These loans are secured by the physical delivery of collateral against the loan.

One of the preferred forms of collateral for these loans is a firearm. Guns, unlike electronic appliances or furniture, are easily stored, have value that is easy to establish, and do not depreciate or become outdated.

This amendment deals only with returning a gun to its owner. These guns have not transferred ownership. Rather, they have merely been stored in the pawnbroker's vault until the owner has repaid the money that was loaned against the firearm.

Currently, all pawnbrokers who pawn guns are already required to have Federal firearms licenses. Most of them buy and sell guns, as well as taking them as collateral in pawn loans. This amendment does not affect sales. Sales at pawnshops follow the same procedure as sales at any other gun store.

Over the course of a year, some 10 million guns are stored in pawnbrokers' vaults, almost as many guns as are sold in America. Guns stored in pawnshops are locked securely in vaults. They are safe from theft and unauthorized access.

States and and municipalities already require pawnbrokers to report the identity of anyone who pawns a gun. Additionally, pawnbrokers are also required to report the type and serial number of each pawned gun. This provides more information for law enforcement than the NICS system, allowing the police to check on the person, as well as checking that the firearm has not been reported as lost or stolen.

Most of these reporting systems are computerized, allowing this data to be transmitted instantly to local authorities. In most major metropolitan areas, the local reporting process to law enforcement has been in place for over 20 years. We want to encourage people to legally utilize licensed, regulated pawn stores if they choose to pawn their guns.

If we discourage people from utilizing licensed, regulated pawn stores, these guns will be out of the tracking ability of local law enforcement.

I urge my colleagues to support the Sessions-Frost amendment to provide commonsense background checks on guns pawned for more than 1 year.

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

Ms. LOFGREN. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN) is recognized for 5 minutes.

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

Under current law, persons who sell their firearms from pawnshops and later seek to claim their firearms are subject to background checks. This amendment would create an exception to the Brady background check requirement for persons redeeming a firearm during the year after it's been pawned.

While the description for this amendment says it ensures that guns pawned for more than a year are not returned until the owner passes a background check, I think that this description may confuse Members, because this amendment does in fact instead create a new loophole in current law.

Under this amendment, people who leave their guns at a pawnbroker for less than a year will no longer be subject to a background check. Similar proposals were offered by Senators CRAIG and LOTT in the other body, the U.S. Senate, and were explicitly nullified in the Senate by Senator LAUTENBERG's amendment. The explanation is simple, this amendment is a dangerous one.

Felons try to redeem firearms at pawnshops four times more frequently than felons try to buy guns from gun dealers. In fact, according to the ATF, 1.4 percent of the purchasers seeking to purchase firearms from licensed dealers are felons or had some other reason why they were ineligible to purchase a gun. In sharp contrast, 5.4 percent of persons seeking to redeem their firearms from pawnbrokers were felons or had some other reason to be there. We require as much vigilance at pawnships, as we require when dealing with licensee dealers. This amendment does not meet that standard. That's why I rise in opposition.

□ 1100

My good friends from Texas are concerned that the amendment helps ameliorate discrimination against poor people, but we must point out that poor people, just like rich people, cannot be charged a user fee for background checks. Congress explicitly prohibited such fees in the Omnibus Appropriations Act for 1999, so this is not about money.

Crime, gun-tracing information shows that criminals are regular pawnshop customers. While 13 percent of federally licensed gun dealers had one or more crime guns traced back to them during 1996 and 1997, 35 percent of federally licensed pawnbrokers had one or more crime guns traced back to them.

This amendment would allow felons to raise cash with guns that they possess illegally. This amendment will make pawnshops safe harbors for criminals with guns, and I urge my colleagues to vote no.

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

Mr. SESSIONS. Mr. Chairman, I yield 1 minute to the gentleman from New Mexico (Mr. SKEEN).

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

Mr. SKEEN. Mr. Chairman, America is facing an ever-increasing problem with violent juvenile crime. It seems like yesterday that our most pressing problems were kids skipping school and drag racing down Main Street on Saturday night. Today's youth, and I don't mean to imply all, are committing murder, rape, dealing drugs and countless other heinous crimes that were unfathomable 20 years ago. This callous altitude toward life and societal norms could well be our gravest national problem.

While I appreciate the President and some of my colleagues' belief that it is the Congress who must fix these problems, I must disagree. We presently

have hundreds of Federal, State and local laws addressing these issues, many of which are redundant and to absolutely no avail.

Did these laws serve any use at all in preventing the recent violence in Colorado, Arkansas or Oregon? For example, it was a violation of Federal law to have a loaded firearm within 1,000 feet of a school when these acts took place. This alone should have prevented these acts. The important question is why did these laws not prevent these senseless acts of violence?

When a person commits a violent crime, such as murder, they must be punished quickly and to the maximum extent of the law . . ., does it really make a difference what the tool was when the result was death?

When the President and Congress seek to expand laws and do away with individual liberty they are taking the easy way out and a dangerous approach to problems by addressing the result of society's failure . . ., not the cause.

Simply put . . ., we have strayed from the ideals which have made this country the greatest on earth. And now it is time to return to those basic principles.

As Thomas Jefferson so eloquently argued, ''laws that forbid the carrying of arms . . . disarm only those who are neither inclined nor determined to commit crimes . . . Such laws make things worse for the assaulted and better for the assailants; they serve rather to encourage than to prevent homicides, for an unarmed man may be attacked with greater confidence than an armed man.''

Mr. Chairman, parents have to take responsibility for their actions and the actions of their children.

Schools should teach history, reading, writing and arithmetic, and stop educating our children on how to best abdicate personal responsibility.

Communities must be accountable to themselves and hold their elected officials at all levels accountable in return.

It is not the schools', the Federal Government's, or the entertainment industry's responsibility to raise and discipline our children. The responsibility rests solely with the family.

The bottom line is that all the laws in the world are useless without effective enforcement and the prompt return to a system of swift justice.

Most importantly, we must return to individual and familial responsibility and accountability, for all laws are pointless without the proper moral foundation of the home.

Mr. Chairman, it was my responsibility to raise my kids and hold them accountable for their deeds and it is their responsibility to do the same with their children, not the government's.

Mr. Chairman, I must tell you that it doesn't take a village to raise our children, It takes a loving, caring and actively involved family.

Finally, it is far past the time for Uncle Sam to let mom and dad take care of the kids; the last thirty years have made it painfully obvious that Uncle Sam's expanded role as parent and educator has completely failed.

Mr. Chairman, I hope that my colleagues will yield the responsibility back to the parents.

Ms. LOFGREN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a member of the committee.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman for yielding me time, and I thank the chairman very much.

I had wanted to be able to support this amendment for my good friend from Texas, but I think it is important to make clear that what this does is for anyone who pawns their gun and comes back within a 2- to 3-month period, maybe in that interim may have become a felon, a convicted felon, may be out on probation for some gun possession or some issue that deals with a criminal activity, and that individual, although it may be their gun, would not be subject to an instant check.

It is well-known, as evidenced by the ATF, that 1.4 percent of the purchasers seeking to purchase firearms from federally licensed dealers were prohibited persons; 3.3 percent of the purchasers seeking to purchase firearms from federally licensed pawnbrokers were prohibited persons.

I would ask the gentleman if he would just give me a yes or no, whether he would be willing to accept a friendly amendment on his amendment, and to indicate that at any time that you seek to reclaim your gun in a pawnshop, you be subject to an instant check. Will the gentleman accept that as a friendly amendment?

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, I will not.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I thank the gentleman very much.

Let me simply say as we sunsetted any sense of gun responsibility early this morning in the dark of night, let me cite the gun owners of America that sent brief talking points to everyone. Their final comment is, ''Vote no on final passage of H.R. 2122.''

They knew what they were doing. They knew that what they wanted to do was to make sure we had no gun laws whatsoever.

Just as last night I tried to bring up the handgun provision dealing with a private individual not transferring a gun to someone under 21, that walked off the floor of the House. The Gun Owners of America oppose banning juvenile possession of certain semiautomatic rifles; they oppose the multiple ammunition, suggesting that the Korean merchants were able to shoot it out in the streets because they had multiple ammunition; and as well they oppose mandatory safety locks.

This is another amendment that will not work. There is no gun safety on this floor. Vote it down.

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

The CHAIRMAN. The gentleman from Texas is recognized for 30 seconds.

Mr. SESSIONS. Mr. Chairman, unfortunately, what is occurring today is what typically occurs in Washington. My opponents are talking about studies, facts and figures which they claim they have. I wrote the Director of the ATF December 21, 1998, and February 2, 1999, asking for the results of the study. I was denied this. This is obviously an unfair argument, because the administration simply wants to have gun control and more guns to be available for people on the streets, rather than doing the right thing.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

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

Ms. LOFGREN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 209, further proceedings on the amendment offered by the gentleman from Texas (Mr. SESSIONS) will be postponed.

It is now in order to consider Amendment No. 9 printed in part B of House Report 106–186.

AMENDMENT NO. 9 OFFERED BY MR. GOODE

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 9 offered by Mr. GOODE:

At the end of the bill, insert the following:

SEC. . REPEAL OF LAW BANNING FIREARMS IN THE DISTRICT OF COLUMBIA.

D.C. Law 1–85, enacted September 24, 1976, is hereby repealed, and any provisions of law amended or repealed by such Act are restored and revived as if such Act had not been enacted.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from Virginia (Mr. GOODE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODE).

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

Mr. Chairman, this is a modest amendment to lift the outright ban in the District of Columbia by repealing the 1976 gun ban law in the District. It does not affect the gun restrictions in place prior to 1976, where someone seeking to have a firearm for their self-protection or for the protection of their business would still have to go and get fingerprinted, would have to go down to the D.C. police office and have a background check, and would have to be registered and have the gun registered.

The focus of this amendment is the gun ban. If you believe in gun bans, then you should vote against this amendment, but if you believe that the second amendment gives you the right to protect yourself and to protect your business, then you should vote ''yes'' on this amendment.

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

Ms. LOFGREN. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentlewoman from California is recognized for 5 minutes.

Ms. LOFGREN. Mr. Chairman, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, it is bad enough that the Goode amendment shows disrespect for the people I represent, for democratic self-government and for me. But hear me. The Goode amendment threatens the majestic Federal presence as well as our citizens.

Why? Because the Goode amendment makes it legal to sell bomb-making materials in the Nation's Capital by killing off the District's strict explosive regulation. The Goode amendment brings domestic terrorism purveyors here, increasing the risk to tourists and to the city's landmarks, including this very Capitol.

How? The Goode amendment shoots the entire explosives and firearms scheme in the back. The Goode amendment demeans the very idea of a dignified capital. The Goode amendment makes the Nation's Capital the most lenient gun jurisdiction in the country. The Goode amendment encourages tourists to bring weapons to D.C., only to have them confiscated in this capital.

I ask, after the killings of Officers Jacob Chestnut and John Gibson in this building last summer, which of us would want to send the message that D.C. is a city with no handgun laws?

Perhaps the strongest opponent of changes in the District's gun laws is D.C. Police Chief Charles Ramsey. Chief Ramsey reminds us that we lost three local police officers in 3 months' time in 1997. He says that his officers would be the first to face the consequences of increases in guns in homes when they make stops on the streets.

We are dramatically bringing down gun killings in the District. Do not drive murders of citizens and cops up by killing off local gun laws here.

Mr. GOODE. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Mr. Chairman, I would ask the gentlewoman from Washington, D.C., what are you talking about? I do not understand. Let me read what the Goode amendment does. Repeals D.C. law I–185, which prohibits D.C. residents from possessing a firearm to allow D.C. residents the right to protect and defend themselves. Your speech does not reflect the substance of the amendment.

This is a fundamental constitutional right. I appeal to all my colleagues. Why should we ignore the rights of individuals to have the opportunity to defend themselves? In fact, if you go back in the evolutionary cycle, it is a natural drive for all human beings for self-preservation. It is the most fundamental right of our human species that we should be able to defend ourselves against unwarranted harm. So the simple amendment of the gentleman from Virginia (Mr. GOODE) is restoring the ability to say we can have a firearm in Washington, D.C., to defend ourselves.

A study by Gary Kleck of Florida State University showed that in approximately 2 million incidents each year, citizens use a firearm for self-defense, usually a handgun.

Mr. Chairman, it is a good idea, and the statistics are there. Please support the Goode amendment.

Mr. Chairman, under the Constitution of this Nation, we have the right to be armed. However, if you choose to ignore the rights recognized under the Constitution, I appeal to you at another level.

Any creature, from insect to human, has the natural drive for self-preservation. Self-defense is one of the most fundamental rights we have as human beings, and no individual should ever be denied the ability to defend his or herself against unwarranted harm.

According to a study by Gary Kleck of Florida State University, in approximately 2 million instances each year, citizens use a firearm for self-defense, usually a handgun.

Criminals need have no such fear in Washington, DC. The law-abiding, decent citizens of the Nation's Capital should have the right and the means to defend themselves, and that is what this amendment will do. Let's give the people of Washington the option to defend themselves and their families; support the Goode amendment.

Ms. LOFGREN. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Chairman, we have worked very long and hard in the District of Columbia to try to bring this Nation's Capital back. If you take a look at the crime rates over the last couple of years, they have gone down dramatically. We have done that by taking the police force away from politics. Putting in a new chief, a professional cadre of officers and trained officers, and controlling the flow of guns into our city is one way that we do that.

I have the highest respect for the author of this amendment and recognize the area that he comes from and the philosophy he represents, but, in this particular case, I have to reluctantly oppose him. The reason is because the Nation's Capital, they have to have the same rights of self-determination on these kinds of issues that States and other cities and counties do across this country.

The District of Columbia, the D.C. Council in 1976 approved this enactment, and it not only has been confirmed through the years by D.C. elected officials, but your police chief; and around the metropolitan area I think you will find representatives of police officers feel stopping the flow of guns into this city is very critical. This amendment would defeat that purpose, so I oppose the amendment.

Mr. Chairman, I regretfully return to the floor today to oppose the amendment offered by my friend and colleague, Representative GOODE. In doing so, I want to first convey the unalterable opposition of the Washington, D.C. Mayor Anthony Williams and Chief of Police Charles Ramsey. This amendment is an abrogation of the very core principles of home rule here in the Nation's Capital, and of the right of States and localities to determine the needs of their communities.

In 1976, the D.C. City Council approved one of its first enactment under home rule. Mr. GOODE's amendment would repeal Title 6, Chapter 23 of D.C. Code, Section 6–2301 thru 6–2379, which includes the entire subchapter on firearms and destructive devices. The enactment of these provisions were a very important step for the District during its fledgling steps towards self-government and was affirmed by a U.S. District Court in 1978.

My good friend from Virginia's amendment unfortunately strikes at the very heart of home rule, and does so without any prior consultation from the elected officials of the District or the House Subcommittee on the District of Columbia. It shows no respect for the principle of permitting local citizens and elected leaders to make local decisions.

In 1995, Ms. NORTON and I introduced and passed the D.C. Financial Control Board Act which took numerous financial decisions away from the Mayor and City Council. Unlike Mr. GOODE's amendment the Control Board Act underwent hearings and a mark-up through the Committee process before passage by Congress. The Act creating the Control Board also enjoyed the input and support of the D.C. Mayor and Chairman of the City Council.

I urge every Member to oppose Mr. GOODE's amendment, not on Constitutional grounds but on procedural ones. While the Congress certainly has the authority to take this action, I call on every Member to consider carefully what the reaction of their constituent would be should the House decide to target them and them alone, for a law they have not expressly supported.

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

Mr. Chairman, I would just point out one thing: The person that came in the Capitol and shot the two officers under my amendment would have violated the law when he crossed the line. He was illegal unless he had gone down to the police department, got fingerprinted, got a background check, got his gun registered and got himself registered.

Mr. Chairman, I yield 1 minute 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 thank the gentleman for yielding me time.

Mr. Chairman, Article I Section 8 of the Constitution says the Congress has the power to exercise exclusive Legislation in all Cases whatsoever, over such District, as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States.

□ 1115

This section of the Constitution is not hard to understand. The words ''exclusive'' and ''all'' are hardly vague

and ambiguous. The fundamental right guaranteed in the Second Amendment is a right of all United States citizens, including those who find themselves in the district.

How can anyone rationally argue that the District of Columbia ban has rid this city of guns? The gentleman from Virginia (Mr. GOODE) correctly argues that, as the crime rate goes down nationally, Washington, D.C. continues to be a bastion of violence.

Criminals know where the largest population of helpless victims reside. Let us make sure that they do not think it is in Washington, D.C.

Ms. LOFGREN. Mr. Chairman, I ask unanimous consent that 4 additional minutes be provided for debate on this amendment due to requests of Members on both sides of the issue for debate.

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN) requests for 4 minutes be added to each side of the debate.

Ms. LOFGREN. Mr. Chairman, total; 2 on each side.

The CHAIRMAN. The gentleman from California asks unanimous consent that the gentleman from Virginia (Mr. GOODE) and the gentlewoman from California (Ms. LOFGREN) each have 2 additional minutes.

Mr. HUNTER. Reserving the right to object, Mr. Chairman, I am informed that we have a number of Members who are on very, very tight schedules. I myself have an amendment I would like to talk on longer, but I am not going to ask for extra time. Regretfully, I object.

The CHAIRMAN. Objection is heard.

The gentlewoman from California (Ms. LOFGREN) has 2 minutes remaining. The gentleman from Virginia (Mr. GOODE) has 1½ minutes remaining.

Ms. LOFGREN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Maryland (Mrs. MORELLA).

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

Mrs. MORELLA. Mr. Chairman, I rise in opposition to the Goode amendment. We have no right to micromanage what happens in the District of Columbia.

Mr. Chairman, I rise in strong opposition to the Goode amendment that would overturn the law which prohibits citizens of the District of Columbia from possessing a firearm.

This amendment attempts to micromanage the District of Columbia, without consultation with locally elected officials. We have no business doing that.

I believe that the Goode amendment shows a lack of respect for allowing the citizens of Washington, D.C. to make local decisions. I wonder how Mr. GOODE would react if Mayor Williams or Congresswoman NORTON would work to prohibit the citizens of Albemarle County in Virginia from possessing a firearm?

Congress passed the Home Rule Act in 1973 because citizens fought for the right to participate in government. The Goode amendment would repeal one of the first D.C. enactments under Home Rule. This law was passed in 1976 by the D.C. Council and even survived a 1978 court test.

As the Representative from the neighboring jurisdiction of Montgomery County, Maryland, and as the Vice-Chair of the Subcommittee on the District of Columbia, I am proud of the progress that has been made in the revitalization of D.C. Public safety has been one of the top concerns of people who live in the District and among people who live in the surrounding jurisdictions. Over the past three years, the crime rate has dropped; homicide and robbery rates have plummeted to a 25-year low. But they are still high compared with other cities, and this amendment would jeopardize the District's progress.

The Mayor, the D.C. City Council, and the D.C. Subcommittee all have worked hard to improve the prospects for home rule to succeed. It is essential that we take into consideration the views of the District's local officials. They are the advocates for a better quality of life for the 500,000 citizens who reside in the District of Columbia. They are the ones who must decide whether or not to allow the citizens of the District to own firearms, not the U.S. Congress.

I urge a ''no'' vote on the Goode amendment!

Ms. LOFGREN. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, this is a bad amendment. It is the wrong thing to do. The gentleman from Virginia (Mr. GOODE), I know that he appreciates democracy, and I hope that he realizes that the people of the District of Columbia have exercised that democracy in a legal manner.

They reacted to the fact that 84 percent of the homicides in this District come from firearms. Well, now, in the last 10 years the District's homicide rate has gone down to the lowest it has been. It has fallen 41 percent from 1994 to 1998.

Now, what this law would do is to allow gun shops to be set up again, to allow people to bring more handguns in. It is going to allow explosives.

This is the Nation's capital. With all the terrorism, threats that we have, to allow explosives to come back into the city. The people of the District of Columbia knew what they were doing when they passed that law. Now to say that we know best, coming from a rural area that has a very different economy and society and situation than the District, to impose the gentleman's opinion on the District is wrong.

This amendment should be defeated, defeated soundly.

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

Mr. Chairman, I would point this out, Virginia for years regulated gun shows, had an instant check. Today in the United States capital, every State is going by Federal rule. What is good for the goose is good for the gander.

They talked about bringing bomb material into the United States capital. The person would have to go down and be registered with the D.C. police chief to be able to do that, and I do not think the D.C. police chief is going to do that.

Mr. Chairman, I yield the balance of the time to the gentleman from California (Mr. DOOLITTLE).

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

Mr. DOOLITTLE. Mr. Chairman, I commend the gentleman. I thank the gentleman from Virginia (Mr. GOODE) for doing what is right. No government has the right, for heaven's sakes, to take away one's God given right to defend himself and his family. Why should we think the District of Columbia Council have that right. It is wrong for them to do that. It is right for people to be able to protect themselves.

The District of Columbia is the only jurisdiction from the U.S. that prohibits keeping firearms in an operable condition at home for defense against criminal attack. The right for people to be secure in their homes is an ages old right, affirmed in law and court decisions, but rejected in D.C.

This jurisdiction is a disaster. It still has one of the highest crime rates in the country. Crime generally has dropped over the entire country due to demographic trends. We should vote for the gentleman's amendment and reaffirm even in the District of Columbia people's God given rights to defend themselves and their families with a firearm.

Ms. LOFGREN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Chairman, I rise in strong opposition to the amendment.

The Goode amendment repeals D.C. law 1–85, which prohibits D.C. residents from possessing a firearm.

The Goode Amendment is paternalistic and is a slap in the face to the District of Columbia's right to self-governance. It strips away the District's comprehensive firearms and explosives regulation, adopted in 1976, by permitting the registration of firearms that are now prohibited.

Violent crime in the District of Columbia is at a historic low, thanks to a combination of strong community policing, tough gun laws, and aggressive law enforcement and prosecution of those who violate the laws.

D.C.'s homicide rate is the lowest it has been in over 10 years.

Through aggressive gun prosecutions, assaults with a firearm in D.C. fell 41% from 1994–1998.

The Goode amendment will seriously threaten public safety and undermine effective law enforcement in the District.

The Goode amendment will make it legal to buy and sell all kinds of bomb-making materials in the District.

The Goode amendment will make it much easier to obtain handguns in the District by allowing gun shops to open their doors for business.

The only individuals who will benefit from this amendment are criminals in the District of Columbia.

This is especially troubling when the D.C. Police Department reports that 84% of all homicides this year resulted from guns.

There is no justification for this amendment. It will only put the lives of District residents—and especially children—at risk by tearing down the District's firearms and explosives laws and depriving District citizens of their ability to decide what kinds of firearms laws they want to have.

Ms. LOFGREN. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. FARR).

(Mr. FARR of California asked and was given permission to revise and extend his remarks.)

Mr. FARR of California. Mr. Chairman, I rise in strong opposition to this usurpation of local control. We have 183 local firearm laws in California.

Ms. LOFGREN. Mr. Chairman, I yield the balance of the time to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, there is nothing unique about the District's handgun ban law. Dozens of cities have the exact same law across this United States. What the gentleman proposes is dangerous. He cannot even describe what would remain in place if his amendment were passed.

For example, today one has to register annually under the existing regulations. Under pre 1976 rules, one can register once. Then if one became a criminal after registering once, so be it for the people in the District of Columbia.

As to the gentleman's views about constitutionality, this law has been found constitutional. To quote the courts, ''the Act is a valid exercise of the City Council's legislative authority, and it offends no constitutional protection of appellees.''

Do my colleagues want to know about the Second Amendment? From the (Supreme Court) Miller case: ''The obvious purpose of the Second Amendment is to assure continuation and to render possible the effectiveness of State militia. It must be interpreted and applied with that view in mind.''

This is not a gun vote. This is a vote to stay out of somebody else's business. This is a vote to respect me, to respect the people I represent, to respect the laws that have been made in our local jurisdiction.

This gentleman has some nerve. Most of the guns that are killing people in the District of Columbia come from the State of the gentleman from Virginia (Mr. GOODE). They come from his State. Get off of my back. Get out of my business.

The CHAIRMAN. All time for debate on the amendment has expired.

The question is on the amendment offered by the gentleman from Virginia (Mr. GOODE).

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

Ms. LOFGREN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 209, further proceedings on the amendment offered by the gentleman from Virginia (Mr. GOODE) will be postponed.

It is now in order to consider amendment No. 10 printed in Part B of House Report 106–186.

AMENDMENT NO. 10 OFFERED BY MR. HUNTER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 10 offered by Mr. HUNTER:

Add at the end the following:

SEC. ___. RIGHT OF LAW-ABIDING RESIDENTS OF THE DICTRICT OF COLUMBIA TO KEEP A HANDGUN IN THE HOME.

(a) DEFENSE.—Notwithstanding any provision of law, a person may not be held criminally responsible for the possession of a handgun, or ammunition appropriate to the handgun, if each of the following elements are established:

(1) The person is a law-abiding individual not less than 18 years of age.

(2) The person is the sole owner of the handgun and is in compliance with all applicable Federal and State registration laws and regulations with respect to the handgun.

(3) The possession occurred in the District of Columbia—

(A) in a place of residence of the person; or

(B) if the handgun is unloaded, while the person was traveling to or from a place of residence of the person solely for the purpose of transporting the handgun in connection with an otherwise lawful transaction or activity relating to the handgun.

(b) DEFINITIONS.—For purposes of this section:

(1) The term ''handgun'' has the meaning given such term in section 921 of title 18, United States Code.

(2) The term ''law-abiding individual'' means an individual who has never been convicted of a criminal offense for which the person actually served time in jail or prison, and has never been convicted of battery, assault, or any other violent criminal offense.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. HUNTER).

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

Mr. Chairman, in 1933, a young lady named Melba Loman was being robbed at gunpoint next to a high-rise building. During the robbery, a young man leaned out the window with a gun and shouted to the robber, drop that gun or I will shoot, at which point the robber ran off.

The young man's name was Ronald Reagan, and he knew something then intuitively that we have learned now; and that is that law-abiding citizens who are allowed to defend themselves will deter crime.

I want to talk in this amendment about something that we have not talked much about during this gun debate; and that is simply this, 2 million times each year, American citizens across this country successfully defend their lives and the lives of their family members and their property with guns.

In most cases, this does not involve a shoot-out, because FBI studies now show that when law-abiding citizens simply have guns in these confrontations, in 98 percent of the cases that alone deters crime. So American citizens throughout this country in almost every place, 2 million times a year, protect their families, protect their children, protect their wives, and protect their property with guns. There is one place where that does not happen, and that is here in Washington, D.C.

Mr. Chairman, I offer this amendment because I was talked to by residents of Washington, D.C. I just want to quote a couple times.

''If someone is breaking into your home, and you are being put on hold by 911, what should you do to protect your wife and children? Or how does my wife protect herself if caught in the same situation when I am out of town?'' D.C. resident.

''As a District resident for 10 years, I have been a victim of violent crime. It is a tragedy that the reality in the Nation's Capital is not if you will be a victim of crime, but when you will be preyed upon by the vicious criminal element that roams our streets and neighborhoods.'' D.C. resident.

''The memory of holding a sobbing hysterical woman after she, by the grace of God, warded off a rapist who managed to rip steel bars off her window and break into her home still sends chills in my mind.'' D.C. resident.

All these letters came in, Mr. Chairman, when it became known that I was going to offer this amendment. In my view, all law-abiding citizens should therefore have the option of being able to protect their homes with deadly force if they see fit. As it stands now, and we all know this, in D.C. only the crooks have guns.

Now, Mr. Chairman, that is the case. The D.C. government has successfully disarmed every law-abiding citizen in Washington, D.C. I have never seen the case made that there are crooks who want guns in Washington, D.C. who cannot get them.

So the only people that have guns in this community are the bad people, the people that want to rob, rape, and kill. The point was made in the FBI analysis that was done by the University of Chicago that guns in America are used five times as often to prevent crime, to keep somebody from robbing, raping, or killing than they are to commit crime.

We want to give to D.C. residents, whom we do have a constitutional responsibility to have oversight over, we do want to give those people the same rights that millions of other Americans have. So this amendment simply offers the right of law-abiding D.C. residents to have a registered handgun in their home for home protection. I think it is a very modest amendment. I think it is very basic.

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

Ms. LOFGREN. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN) is recognized for 5 minutes.

Ms. LOFGREN. Mr. Chairman, I yield 2¾ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, the gentleman from California (Mr. HUNTER) may have been ''talked to,'' as he said, by residents from the District of Columbia. Ninety percent of them voted for me, and I think that I am entitled to speak for them on the floor this afternoon.

I respect the differences among us on gun issues. I ask only that my colleagues respect me and the people I represent by allowing us to tailor our gun laws to local demographic circumstances, just as my colleagues tailor their laws to their districts.

Here, the Hunter amendment would inflame an already violence-prone atmosphere. It invites citizens to arm themselves. But they will never keep up with the criminals, thugs, and thieves in this town, according to our local police chief. At least now we put thugs to considerable inconvenience by making them find guns illegally.

Although teen gun violence has brought us to our senses on the need for new gun laws, the Hunter amendment would allow teens, as young as 18, the troubled teens, the first to get ahold of guns in this city, to keep a gun in the Nation's capital. Violent youths could own guns at 18 legally because they were delinquent, not convicted as criminals.

The Hunter amendment is so poorly and loosely drafted that individuals carrying concealed guns might convince a jury that they believe they were transporting them for a purpose allowed by the Hunter amendment. Many other unintended consequences overwhelm any legitimate purpose for allowing residents to arm themselves in their homes here.

I do not know about my colleagues' towns, but in this town, guns in homes would lure criminals for break-ins and thefts, putting more guns on the streets. In this town, troubled teens, who most eagerly search out guns here, might find them at home instead of in the streets. In this town, kids would more likely find and use guns than adults thwarting criminals. In this town, with one of the highest domestic violence rates in the country, the last thing we need are guns to inject into family arguments.

The Hunter amendment adds to these catastrophic results a new D.C. immunity from Federal laws enforced everywhere else in the U.S. The Hunter amendment nullifies ''any other provisions of law.'' Therefore, the Hunter amendment also wipes out Federal provisions, including the only provisions that deny handguns to fugitives, drug addicts, people under indictment and some felons, among others.

A vote for the Hunter amendment is no vote for law-abiding citizens. The Hunter amendment is a vote to ease guns into the hands of troubled teens in this troubled city. The Hunter amendment is a vote the criminals in D.C. have been waiting for for 23 years.

□ 1130

Mr. HUNTER. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, I thank my friend for yielding me this time. This is actually an inquiry. I do not know how I intend to vote on this. I would just like to be informed.

If I am correct that this bill will restore or will recognize the right to private possession of a handgun, I think that is protected under the second amendment, what is our duty as a Federal Congress if we believe the District of Columbia has not adequately protected the Constitution, given that the Supreme Court has in 62 years not taken a second amendment case?

It is a question on which I would sincerely seek advice.

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

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

Mr. HUNTER. Mr. Chairman, the answer to the gentleman's question is that this is an excellent vehicle to give law-abiding citizens the right to have a gun for home protection and to solve that problem.

Ms. LOFGREN. Mr. Chairman, may I inquire as to how much time remains?

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN) has 2¼ minutes remaining.

Ms. LOFGREN. Mr. Chairman, I ask unanimous consent for 1 additional minute for each side.

Mr. HUNTER. Reserving the right to object, Mr. Chairman, I regretfully am going to have to object, because I have been advised there are a lot of Members with planes going out. I have lots more materials and lots more speakers, but I am not going to ask for more time.

So I regretfully am going to object not only on this amendment, but on others.

The CHAIRMAN. Objection is heard.

The Chair recognizes the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Chairman, I yield 45 seconds to the gentlewoman from Maryland (Mrs. MORELLA).

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

Mrs. MORELLA. Mr. Chairman, I will talk quickly and say I am in very strong opposition to the Hunter amendment. It is going to implement a new law in the District of Columbia that would allow law-abiding citizens to possess a loaded handgun in their home in order to protect themselves and their families, and my understanding is that this amendment may include drug dealers who have not been convicted in the definition of law-abiding citizens who would be permitted to carry firearms.

I am opposed to this amendment just as I was to the Goode amendment. It attempts to micromanage the government of the District of Columbia without consulting the locally elected officials. We deserve to respect those people who are residents of the District of Columbia. Congress should not override local efforts to reduce gun violence in their community.

I hope this body will vote against the Hunter amendment.

Congress should not override local efforts to reduce gun violence in their community.

The crime rate is down in the District, and homicides have also declined. But while the crime rate in the District has declined, so too has the age of our criminals. Arrests of juveniles under 18 for violent offenses increased by more than 57 percent between 1983 and 1992. It is imperative that juveniles in the District should get one unified message from their local officials. We should not be interfering with local policies and confusing young people in the District with a different message.

it has been more than two decades since Congress granted residents of the District of Columbia the right to elect their own leaders. A generation later, Congress snatched back power from the mayor and the D.C. Council, putting it in the hands of an appointed financial control board. This year, with a new Mayor and a new D.C. City Council, many of the privileges of local self-rule have been returned to local officials. We should allow this process to continue without micromanaging the affairs of the District.

I urge a ''no'' on the Hunter amendment.

Mr. HUNTER. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman from California (Mr. HUNTER) has 30 seconds remaining, and the gentlewoman from California (Ms. LOFGREN) has 1½ minutes remaining.

Mr. HUNTER. Mr. Chairman, if I have the right to close, I will defer to the other side.

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN), as a member of the committee, has the right to close.

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

Let me just take the last 30 seconds simply to say this. This is the most basic and simple and, I think, moderate of amendments. And if drug dealers in this town are not given any time, then I think the D.C. Council should be taken to task by the gentlewoman who just talked. But this gives law-abiding citizens the right to have a registered handgun complying with all registration laws in their home for the protection of their loved ones.

All our statistics show that armed citizens do deter crimes. They do it 2 million times a year throughout this Nation. Let us give D.C. residents that right.

Ms. LOFGREN. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. CONYERS), the ranking member of the committee.

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

Mr. CONYERS. Mr. Chairman, I rise in strong objection to this amendment, an intrusion into local decision-making.

Ms. LOFGREN. Mr. Chairman, I yield 45 seconds to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise to take strong exception to this amendment.

I represent the neighboring jurisdiction, the State of Maryland, and ironically enough, in concept, I agree with the gentleman. In our State we have those rights, and there is nothing wrong with it. But this amendment is wrong, because fundamentally it infringes on the rights of local government to make their own decisions.

If the District of Columbia were a State, any other State, the gentleman would never consider imposing the will of this body on a State. They would argue States rights. In this cases it should be local jurisdictions' rights.

The District of Columbia Council, in their wisdom, have made the decision that they want to ban handgun possession. I think we should respect that. We should not continue to treat the District of Columbia as a colony and treat it at our whim. We should honor and respect the local officials and local jurisdictions.

Ms. LOFGREN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Chairman, I rise in opposition to the Hunter amendment.

Mr. Chairman, as a member of the DC subcommittee, I join my colleagues in strong opposition to this amendment.

I cannot understand why, in the wake of the tragedies in Littleton, Colorado, and Conyers, Georgia, this Congress would even consider a measure that would roll back gun laws in our nation's capital.

But even more importantly, I cannot understand why some members of this body, who pride themselves on their commitment of honoring power to states and local governments, would deliberately thwart the will of the people of the District of Columbia.

My home city of New York has enacted its own tough gun-control laws, and I am proud to support them. But even if I didn't, I would defend the rights of New York to pass laws that are binding on its own citizens.

This Congress should accord the same respect to the residents of our nation's capital.

This amendment is about more than gun control. It is about local control, and the right of the people of the District of Columbia to enact their own laws.

I applaud my colleague from the District of Columbia, and my colleague from Virginia [Mr. DAVIS] for their leadership on this issue, and I urge my colleagues to vote against this amendment.

Ms. LOFGREN. Mr. Chairman, I yield the balance of my time to the gentlewoman from the District of Columbia (Ms. NORTON) for the purpose of closing the debate.

Ms. NORTON. Mr. Chairman, this loosely-worded law, for example, defines a law-abiding individual, who would carry a gun in the streets, as one who has not been convicted and served time. That leaves lots of felons who have not served time as an example of unintended consequences from the gentleman's bill. Domestic violence felons often do not serve time.

But one of the main reasons one would want to vote against this amendment is who would indeed profit? First, criminals; secondly, troubled teens; third, accidental shootings by kids; fourth, increased shootings of D.C. cops; gun violence during family arguments; break-ins and theft of guns. That is what happens in big cities when guns are freely available. That is what would happen.

I ask the Member to remember that the demographics of my district are as personal to me as his are to him.

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from California (Mr. HUNTER).

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

Ms. LOFGREN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 209, further proceedings on the amendment offered by the gentleman from California (Mr. HUNTER) will be postponed.

It is now in order to consider Amendment No. 11 printed in Part B of House Report 106–186.

AMENDMENT NO. 11 OFFERED BY MR. ROGAN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 11 offered by Mr. ROGAN:

At the end of the bill, insert the following:

SEC. ___. PROHIBITION ON FIREARMS POSSESSION BY VIOLENT JUVENILE OFFENDERS.

(a) DEFINITION.—Section 921(a)(20) of title 18, United States Code, is amended—

(1) by inserting ''(A)'' after ''(20)'';

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(3) by inserting after subparagraph (A) the following:

''(B) For purposes of subsections (d) and (g) of section 922, the term 'adjudicated to have committed an act of violent juvenile delinquency' means an adjudication of delinquency in Federal or State court, based on a finding of the commission of an act by a person prior to his or her eighteenth birthday that, if committed by an adult, would be a serious or violent felony (as defined in section 3559(c)(2)(F)(i)) had Federal jurisdiction existed and been exercised.''; and

(4) in the undesignated paragraph following subparagraph (B) (as added by paragraph (3) of this subsection), by striking ''What constitutes'' and all that follows through ''this chapter,'' and inserting the following:

''(C) What constitutes a conviction of such a crime or an adjudication of an act of violent juvenile delinquency shall be determined in accordance with the law of the jurisdiction in which the proceedings were held. Any State conviction or adjudication of an act of violent juvenile delinquency that has been expunged or set aside, or for which a person has been pardoned or has had civil rights restored, by the jurisdiction in which the conviction or adjudication of an act of violent juvenile delinquency occurred shall not be considered to be a conviction or adjudication of an act of violent juvenile delinquency for purposes of this chapter,''.

(b) PROHIBITION.—Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (8), by striking ''or'' at the end;

(B) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(C) by inserting after paragraph (9) the following:

''(10) has been adjudicated to have committed an act of violent juvenile delinquency.''; and

(2) in subsection (g)—

(A) in paragraph (8), by striking ''or'' at the end;

(B) in paragraph (9), by striking the comma at the end and inserting ''; or''; and

(C) by inserting after paragraph (9) the following:

''(10) who has been adjudicated to have committed an act of violent juvenile delinquency,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall only apply to an act of violent juvenile delinquency that occurs 180 days or more after the date of the enactment of this Act.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from California (Mr. ROGAN) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. ROGAN).

Mr. ROGAN. Mr. Chairman, should the gentleman from Illinois (Mr. BLAGOJEVICH) arrive during the debate, I ask unanimous consent that I be able to divide my time with the distinguished gentleman from Illinois and that he be allowed to control that time.

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

There was no objection.

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

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

Mr. ROGAN. Mr. Chairman, in the hands of a felon, a firearm is a ticking time bomb. That is why it is illegal for a convicted felon to purchase one. Yet shockingly, in many States, violent criminals are legally allowed to purchase guns. Today, it is perfectly legal for a violent juvenile who has committed a felony to walk into a gun store on his 18th birthday and legally walk out armed to kill.

In many States, juveniles convicted of violent crime frequently get their criminal records erased when they turn 18. This is wrong. Today we have an opportunity to act. I am proud to join with my good friend, the distinguished gentleman from Illinois (Mr. BLAGOJEVICH) to introduce the violent

youth offender accountability amendment, which will ban the most violent and dangerous juvenile offenders from ever possessing a gun. We must put violent juvenile crime on par with violent adult crime.

The violent youth offender accountability amendment will keep firearms out of the hands of dangerous violent felons. Under Federal law, these felonies include murder, manslaughter, assault, rape, sexual abuse, kidnapping, carjacking, air piracy, robbery, extortion and arson. Simply put, juveniles who commit these adult crimes must face adult consequences.

Mr. Chairman, every year approximately 116,000 violent or serious juvenile arrests are processed by the juvenile courts. Very few are processed as adult crimes. Most are repeat criminals. This dangerous loophole in the Brady law rewards the most violent of these offenders with the right to possess a gun when they reach their 18th birthday. It is time to close this loophole and keep our schools and communities safe by keeping firearms out of the hands of these violent felons.

Mr. Chairman, I urge my colleagues to join the broad coalition who support this bill and keep guns out of the hands of violent juveniles.

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

Ms. LOFGREN. Mr. Chairman, although I am not opposed to the amendment, I rise to claim the time in opposition.

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN) is recognized for 10 minutes.

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

This amendment is supported by the administration, and it would ban juveniles found delinquent of certain serious violent crimes from buying guns. That is to the good. The amendment extends the lifetime ban on firearms possessions to any juvenile who is found delinquent of a crime that would be a serious violent felony as defined by 18 U.S. Code 3559(c)(2)(F)(i). These offenses include murder, sexual abuse, carjacking, and extortion, among other offenses punishable by more than 10 years in prison.

However, I think it is worth pointing out that some serious violent felonies are excluded from the amendment. The amendment would not extend the lifetime ban to the State law offenses punishable by 10 years or more that have as an element the use, attempted use, or threatened use of physical force, including assault with a deadly weapon, vehicular manslaughter and mayhem.

Nevertheless, the amendment does represent progress. The administration believes all crimes committed by juveniles of serious violent felonies would be preferable. I believe as well that that is the case, but I intend to vote for the amendment.

I would note, however, that even though this amendment improves the situation on Brady checks for juveniles, it is ironic that because of what we did in the dark of night, the extension of the check to juveniles is merely appended to a weakening of our current gun laws. As we sort through what this body did last night, the retreat we made from sensible gun safety measures, it seems to me that licensed gun dealers will now go to the flea markets, the pawn shops, the parking lot, and they will sell unchecked, due to the Dingell loophole, guns to people who would not otherwise be eligible, and that will include the juveniles who would have been covered by this amendment that is before us.

So while I support the amendment, recognizing it is weaker than it should be, I would note that it is not going to be sufficient to save this very flawed effort that we are engaged in here. We have failed the mothers and fathers of America who look to us to stand up to the special interests and to stand up for the children of America.

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

The CHAIRMAN. The gentleman from Illinois (Mr. BLAGOJEVICH) controls 5 minutes, and the gentleman is recognized.

Mr. BLAGOJEVICH. Mr. Chairman, I yield myself such time as I may consume, and I thank the gentleman from California (Mr. ROGAN) for providing me with this time.

Mr. Chairman, let me say I am honored to join my colleague, the gentleman from California (Mr. ROGAN). He and I are cosponsoring perhaps one of the few pieces of legislation under consideration today that can tout endorsements from both handgun control and the NRA. As a Member of Congress who has been rated an F minus from the NRA, I do not know if I should celebrate or cry by that combination. But the fact remains that the handgun control advocates and NRA support this because it is very sensible, and it really has to do with what many of us have been trying to do over the last several weeks here in the Congress, and that is pass legislation that prevents those with criminal backgrounds from getting guns.

This legislation is simple and straightforward. It bans the most violent juvenile offenders in our society from possessing firearms for life. As a matter of fact, it is a common-sense issue that is hard to believe was not law already. The fact remains a juvenile that has been convicted of murder, a juvenile that has been convicted of aggravated assault, aggravated criminal sexual assault, can still buy guns. Under our legislation, we will apply the same rules to juvenile offenders as we apply to adult offenders. If a juvenile is convicted of the more serious felonies, murder, rape, aggravated assault, armed robbery, that juvenile will be prevented from legally owning firearms as adults.

□ 1145

Young people convicted in juvenile courts of serious violent crimes such as murder, rape, assault with attempt to commit murder still can, under present law, possess the right to own firearms on their 18th birthday even though, as I said moments ago, adults are barred from doing so.

Since an average of 116,000 juvenile arrests for violent crimes are referred to the juvenile court system every year, this loophole leaves the door wide open for the most violent offenders to obtain firearms and gives them the opportunity only to use them to commit more crimes.

History has proven that criminals are ready, willing, and able to walk through that door time and time again. Case studies recently compiled by the Violence Prevention and Research Institute at the University of California have cited dramatic instances of violent juvenile offenders, who had no business purchasing firearms, legally obtaining them and using then to commit serious crimes.

In one particular case, a 17-year-old California youth who served time in juvenile detention in the juvenile detention center for assault with a deadly weapon wasted no time in exercising his legal right to purchase a handgun as soon as he turned 21. Over the next 10 years, he was arrested 14 times for crimes, including burglary, theft, and murder.

In a second case, an 18-year-old who was processed through the juvenile court system in California on two occasions for assault with a deadly weapon and assault with intent to kill was also able to legally purchase a handgun when he turned 18. In fact, he was 27 at the time. At that point, he was later arrested and convicted of felony robbery with a gun.

In short and in summation, our amendment would treat the most serious class of violent juveniles as adults for their adult crimes and stop them from getting weapons to hurt others in our society.

I urge my colleagues to join us in supporting what I think in this case really is truly a bipartisan effort.

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

Ms. LOFGREN. Mr. Chairman, may I inquire as to how much time remains?

The CHAIRMAN. The gentleman from California (Mr. ROGAN) has 3 minutes remaining. The gentlewoman from California (Ms. LOFGREN) has 7 minutes remaining. The gentleman from Illinois (Mr. BLAGOJEVICH) has 1 minute remaining.

Ms. LOFGREN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE) a member of the committee.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman from California (Ms. LOFGREN) for yielding me the time.

Mr. Chairman, I have in my hand seven pages listing the names of dead children. This amendment is an important one. It deals with a different perspective, the juvenile Brady bill, which

says that those juveniles who themselves committed violent crimes during their status as a juvenile cannot, in fact, secure a gun as an adult.

This is a good bill. In fact, as I wear this blue ribbon in commemoration and sadness for the tragedy in Columbine, if the two perpetrators had lived, obviously they may not have ever been out of jail, but they would then be under this particular bill. It is a tragedy that we even have to speak to the idea of juveniles perpetrating such violent crimes. It does, however, prevent or provide a sensitive aspect to the extent that if the juvenile has been pardoned or that their civil rights restored, it does not apply.

But what it does not do, Mr. Chairman, although this is a very excellent bill, and I congratulate my colleague from Illinois, I rise to support it, and my colleague from California, it does not answer the question of the seven pages of dead children, because what it does not answer is how do we stop those juveniles in the first instance from getting guns from flea markets and gun shows and the back of a station wagon of a seller who comes into their neighborhood or community or garage sale and opens up 25 Saturday night specials. It does not answer the question of whether or not we can even prevent the transfer of a handgun to someone under 21.

So I would simply say to my colleagues that we have at least a first step, but we still have seven pages of murdered children. Amanda Cindy Garza, 15, died from a gunshot wound to the head after unintentionally shooting herself with a .357 revolver. No one knows where the gun came from. The owner was unknown. Or Shawn Harvey, 16, was shot and killed mistakenly when they thought the boy was stealing a neighborhood car. He was shot in the head. The shooter had similar prior offenses and was using an unlicensed gun. Or when Jesse Duane Rogers, 10, and Amanda Rogers, 6, were playing Nintendo when their cousin unintentionally shot and killed them. The 17-year-old cousin, who had completed an NRA hunter's safety course, was baby-sitting them when he discovered the 9 millimeter semiautomatic pistol in the closet.

I hope this amendment passes, Mr. Chairman. But I simply say, we have not done enough. We need to do more.

Mr. ROGAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Florida (Mr. MCCOLLUM) the distinguished chairman of the Subcommittee on Crime of the House Committee on the Judiciary.

Mr. MCCOLLUM. Mr. Chairman, this is an excellent amendment. I certainly hope that we adopt it today and trust that most of my colleagues will vote for it.

It is closing a major loophole in the current law with regard to those who commit very bad, violent crimes. In this case, they happen to be under 18, they happen to be teenagers, juveniles, but they are not tried in an adult court, for whatever reason. And then, as opposed to somebody who commits a crime as an adult or tried as an adult, they are not disqualified from owning a gun later.

Anybody who commits the crimes that are under this particular amendment as an adult or being tried as an adult, even under 18, would never be able to own a gun in their life again. But that is not true unless this amendment is adopted with regard to those juveniles who are tried as delinquents or tried in juvenile courts as opposed to being tried as adults.

Let me make clear what these crimes are that need to have this prohibition: Murder, manslaughter, rape, assault with intent to commit murder, assault with intent to commit rape, sexual molestation, kidnapping, carjacking, robbery, and arson.

If they commit a crime of this gravity and they are convicted of that, adjudicated of that in a juvenile proceeding, they should never be allowed to own a gun again in the future. If they are an adult, they never would be. Why should there be a difference with these serious crimes if they are a juvenile and adjudicated in a juvenile court? They committed these crimes. They should be disqualified, as the Rogan amendment does, from ever being able to own a gun again.

This is a very important provision. It definitely deals with youth violence, and it is by far and away one of the hearts of this legislation. I again commend him.

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN) has 4 minutes remaining. The gentleman from Illinois (Mr. BLAGOJEVICH) has 1 minute remaining. The gentleman from California (Mr. ROGAN) has 1 minute remaining.

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

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

Mr. Chairman, all I want to say is, it is good to see that today, with the help of the gentleman from California (Mr. ROGAN) and former prosecutor, we are able to pass in a bipartisan fashion legislation that closes the loophole. And I regret to say that we failed to do that last night and passed legislation that did not really close the loophole that is gaping and wide, and that we need to readdress it at some point in the future, and I would hope that my friend the gentleman from California (Mr. ROGAN) and I and others on that side of the aisle can join us to do that down the road because I do not think that we have done what we really need to do on the gun show loophole.

Having said that again, I commend the sponsor of this legislation.

Mr. Chairman, I yield the balance of my time to the gentlewoman from California (Ms. LOFGREN).

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

Mr. Chairman, I simply want to thank my colleague and my good friend for his leadership on this issue. It has been a pleasure working with him. I want to thank him again and his dedicated staff for all the hard work that they have put into this.

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

Ms. LOFGREN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Chairman, it takes me back to California days, and I am very, very happy to stand here in support of this amendment with my colleague from California.

Understand that, in California, we have taken very, very many steps to try to control the proliferation of guns amongst our children, and we have not been able to successfully deal with the young people who are able to acquire these guns and be able to use them indiscriminately, whether they are on drugs or whether they are doing the drive-bys in the areas where we have the least control.

Now, under this law, any person who is an adjudicated juvenile delinquent may possess firearms when they become adults. This will prevent those juveniles from being able to legally obtain and be licensed to carry a gun. This is a very necessary item to the Brady bill, and we may want to call it the juvenile Brady. And I believe that all of us should support this bill to be able to allow our law enforcement officers to have one more tool to keep guns away from violent individuals, whether they be juveniles or adults.

Ms. LOFGREN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentlewoman for yielding me the time and for her leadership on this issue.

I, too, support this amendment, but I rise to really express my disgust and disappointment that this body reversed gun safety in this country last night. Only in a Republican-controlled Congress, in the wake of tragedies like Littleton, Colorado, would they come to the floor and pass an amendment which makes it easier, makes it easier, for criminals to get their hands on guns.

Under current law, licensed dealers must wait 3 business days for a Brady background check before giving a gun to a purchaser. But last night, last night, the majority voted to reduce this time to 24 hours.

Well, guess who would have gotten a gun last year if this had been the law? I have a list here from the Department of Justice, and it talks about people who were stopped because of the Brady bill because of the background check. But if they had just the 24 hours, they would have gotten a gun.

On February 6, 1999, a twice-convicted domestic violence batterer; on

April 24, 1999, a person convicted of domestic assault and battery. It goes down. A person convicted of second degree murder, rape, crack cocaine.

This is outrageous that when this country is experiencing youth violence in our schools, in our neighborhoods, children killing children, this body voted to turn back the clock and make it easier for people to get their hands on guns, felons.

I urge my colleagues to vote for the Conyers substitute and to vote for this bill that turns back the clock and makes it easier for felons to get their hands on guns. It is outrageous and it is wrong.

Ms. LOFGREN. Mr. Chairman, may I ask how much time remains?

The CHAIRMAN. The gentlewoman has 30 seconds remaining.

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

Mr. Chairman, I would close by saying that it is fine to vote for the Rogan amendment, but let us not fool ourselves. We are voting to extend the Brady background check to juveniles. That is fine. But, in the dead of night, when they thought no one was watching, we weakened the Brady law so that criminals, and I would add juvenile criminals, are going to be able to buy these guns in the parking lots, in the flea markets, in the gun shows.

I do not think the American people have been fooled one bit. This is not what the mothers and fathers of America expected us to do in the wake of the massacre at Columbine High.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from California (Mr. ROGAN).

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

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

A recorded vote was ordered.

The CHAIRMAN. Pursuant to House Resolution 209, further proceedings on the amendment offered by the gentleman from California (Mr. ROGAN) will be postponed.

□ 1200

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 209, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 8 offered by the gentleman from Texas (Mr. SESSIONS); amendment No. 9 offered by the gentleman from Virginia (Mr. GOODE); amendment No. 10 offered by the gentleman from California (Mr. HUNTER); and amendment No. 11 offered by the gentleman from California (Mr. ROGAN).

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

AMENDMENT NO. 8 OFFERED BY MR. SESSIONS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) 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 vote was taken by electronic device, and there were—ayes 247, noes 181, not voting 6, as follows:

[Roll No. 239]

AYES—247

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berry
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Carson
Chabot
Chambliss
Chenoweth
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Ford
Fowler
Frost
Gallegly
Gekas
Gibbons
Gillmor
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jackson (IL)
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kind (WI)
Kingston
Klink
Knollenberg
Kuykendall
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Lewis (KY)
Linder
Lucas (KY)
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Menendez
Miller (FL)
Miller, Gary
Mollohan
Moore
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reyes
Reynolds
Riley
Rodriguez
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Sanford
Schaffer
Sensenbrenner
Sessions
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thornberry
Thune
Toomey
Traficant
Turner
Udall (NM)
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

NOES—181

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Berkley
Berman
Biggert
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Campbell
Capuano
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Coburn
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Dooley
Dunn
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Ganske
Gejdenson
Gephardt
Gilchrest
Gilman
Greenwood
Hastings (FL)
Hinchey
Hoeffel
Holt
Hooley
Horn
Hoyer
Inslee
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
King (NY)
Kleczka
Kolbe
Kucinich
LaFalce
Lantos
Larson
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Metcalf
Mica
Millender-McDonald
Miller, George
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Pomeroy
Porter
Price (NC)
Ramstad
Rangel
Rivers
Roemer
Rogan
Rothman
Roukema
Roybal-Allard
Sabo
Sanders
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shadegg
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Stabenow
Stark
Tauscher
Thompson (MS)
Thurman
Tiahrt
Tierney
Towns
Udall (CO)
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Woolsey
Wynn

NOT VOTING—6

Brown (CA)
Lewis (CA)
Minge
Pascrell
Salmon
Thomas

□ 1226

Mr. INSLEE, Mr. ANDREWS, Ms. VELÁZQUEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. DEGETTE, Mr. HINCHEY, Mrs. ROUKEMA, Messrs. DELAHUNT, RAMSTAD, LOBIONDO, Mrs. MINK of Hawaii, Messrs. DOOLEY of California, CASTLE, FOSSELLA, WALSH, SCARBOROUGH, CARDIN, GILMAN, GILCHREST, WELLER, MORAN of Kansas, ROEMER and LIPINSKI changed their vote from ''aye'' to ''no.''

Messrs. HINOJOSA, DINGELL, SKEEN, Ms. CARSON, Messrs. MOORE, KLINK, HEFLEY, KIND, Mrs. CUBIN, and Messrs. JONES of North Carolina, STRICKLAND and MOLLOHAN changed their vote from ''no'' to ''aye.''

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 209, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each additional amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 9 OFFERED BY MR. GOODE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. GOODE) 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 175, noes 250, answered ''present'' 2, not voting 7, as follows:

[Roll No. 240]

AYES—175

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bateman
Berry
Bilbray
Bishop
Bliley
Blunt
Boucher
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dingell
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Everett
Fletcher
Gekas
Gibbons
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hinchey
Hostettler
Hulshof
Hunter
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kingston
Knollenberg
Lampson
Largent
Lazio
Lewis (KY)
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller, Gary
Myrick
Nethercutt
Ney
Norwood
Ortiz
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Radanovich
Rahall
Ramstad
Reyes
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryun (KS)
Sandlin
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Toomey
Turner
Upton
Vitter
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wilson
Young (AK)

NOES—250

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (NE)
Barrett (WI)
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Blagojevich
Blumenauer
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hutchinson
Hyde
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Northup
Nussle
Oberstar
Olver
Ose
Owens
Oxley
Pallone
Pastor
Payne
Pelosi
Petri
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rangel
Regula
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Sisisky
Slaughter
Smith (MI)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Walden
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

ANSWERED ''PRESENT''—2

Obey
Strickland

NOT VOTING—7

Bonilla
Brown (CA)
Lewis (CA)
Minge
Pascrell
Salmon
Thomas

□ 1236

Mr. KASICH and Mr. FOSSELLA changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MINGE. Mr. Chairman, on rollcall No. 240, had I been present, I would have voted ''no.''

AMENDMENT NO. 10 OFFERED BY MR. HUNTER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. HUNTER) 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 vote was taken by electronic device, and there were—ayes 213, noes 208, answered ''present'' 3, not voting 10, as follows:

[Roll No. 241]

AYES—213

Aderholt
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bono
Boswell
Boucher
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cook
Cramer
Crane
Cubin
Cunningham
Danner
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dingell
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Everett
Fletcher
Fossella
Franks (NJ)
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hinchey
Hobson
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kasich
Kingston
Knollenberg
Kuykendall
Lampson
Largent
Latham
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller, Gary
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds

Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NOES—208

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Biggert
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Conyers
Cooksey
Costello
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Ehlers
Engel
Eshoo
Etheridge
Evans
Ewing
Fattah
Filner
Foley
Forbes
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gilman
Gonzalez
Goodling
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinojosa
Hoeffel
Hoekstra
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kolbe
Kucinich
LaFalce
LaHood
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Olver
Owens
Oxley
Pallone
Pastor
Payne
Pelosi
Petri
Porter
Price (NC)
Quinn
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sisisky
Slaughter
Smith (MI)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Tauscher
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn

ANSWERED ''PRESENT''—3

Green (WI)
Obey
Strickland

NOT VOTING—10

Archer
Bonilla
Brown (CA)
Cox
Farr
Lewis (CA)
Minge
Pascrell
Salmon
Thomas

□ 1244

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. MINGE. Mr. Chairman, on rollcall No. 241, had I been present, I would have voted ''no.''

AMENDMENT NO. 11 OFFERED BY MR. ROGAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROGAN), 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 vote was taken by electronic device, and there were—ayes 395, noes 27, not voting 12, as follows:

[Roll No. 242]

AYES—395

Abercrombie
Ackerman
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chenoweth
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—27

Aderholt
Archer
Barton
Blunt
Burton
Chambliss
Coble
Cubin
DeLay
Dickey
Doolittle
Hansen
Hill (MT)
Hinchey
Hostettler
Kingston
Linder
Obey
Paul
Riley
Scarborough
Sessions
Shadegg
Stump
Taylor (NC)
Tiahrt
Wamp

NOT VOTING—12

Bonilla
Brown (CA)
Cooksey
Everett
Forbes
Graham
Lewis (CA)
Minge
Pascrell
Rogan
Salmon
Thomas

□ 1252

Mr. KLINK and Mr. INSLEE changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded

Stated for:

Mr. MINGE. Mr. Chairman, on rollcall No. 242, had I been present, I would have voted ''yes.''

PREFERENTIAL MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The Clerk will report the motion.

The Clerk read as follows:

Mr. OBEY moves that the Committee of the Whole now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I voted in the end against passage of the so-called juvenile justice bill yesterday, and I will oppose this bill on final passage today. I do not disagree with much of the content. I voted for the Dingell amendment last night.

I will vote against this bill today because the process by which Congress considered both of these bills is a national disgrace. It has resulted in Congress making crucial decisions on matters ranging from legal liabilities of families, local school governance, judicial sentencing, and religious liberty and other issues without any clear understanding of the legal impact and the real-world effect of our actions.

That happened because neither of these bills was produced through the normal committee hearing and deliberation process, which is the main tool Congress has to protect liberty and protect justice for the people we represent.

There is a reason why Congress normally has a hearing process to allow the general public and experts alike to think aloud about what it is that Congress is planning to do, to make sure that they and Congress have a full understanding of the results of the contemplated actions.

But these bills were brought to the floor in a process that short-circuits what Congress is able to do best as an institution: Namely, to carefully sort out in committee the nuances of critical issues, aided by the expertise that committee members develop in their specialty areas of jurisdiction.

The process by which these bills were considered has contributed to a continuing erosion of this body as a respected legislative institution. More and more, the Congress is not passing real legislation, it is passing institutional press releases aimed far more at sending political messages than they are at solving problems.

This chaos must stop or this institution will lose the confidence of the public, which has the right to believe that we will consider each and every matter in a manner that is designed to protect their real-life interests, rather than our partisan interests.

I deeply believe in the need to take strong, meaningful action and thoughtful action to deal with the problems of juvenile violence, public safety, and the protection of basic American values. But this process virtually guarantees that this Congress will produce nothing of the kind. So my vote will be a protest against the way Congress has politicized a critical national problem.

I also want to note that I voted present on two of the previous four issues that we just voted on, the two relating to the District of Columbia, because in my view I was not elected to be a city councilman for the District of Columbia. I believe the city's issues should be left to themselves, so I voted present as an effort to protest the way that this House routinely interposes its judgment on matters that are strictly local affairs.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Wisconsin (Mr. OBEY).

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

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

The CHAIRMAN. Those in favor of a recorded vote will rise and remain standing. The Chair will count all Members standing.

Mr. OBEY. Mr. Chairman, I ask unanimous consent to withdraw my request for a recorded vote.

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

There was no objection.

So the motion was rejected.

It is now in order to consider the amendment deemed as the last amendment printed in Part B of House Report 106–186.

AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 12 OFFERED BY MR. CONYERS

Mr. CONYERS. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Part B amendment in the nature of a substitute No. 12 deemed printed in House Report 106–186 offered by Mr. CONYERS:

Strike all after the enacting clause and insert the following:

TITLE I—GENERAL FIREARM PROVISIONS

SECTION. 101. EXTENSION OF BRADY BACKGROUND CHECKS TO GUN SHOWS.

(a) FINDINGS.—Congress finds that—

(1) more than 4,400 traditional gun shows are held annually across the United States, attracting thousands of attendees per show and hundreds of Federal firearms licensees and nonlicensed firearms sellers;

(2) traditional gun shows, as well as flea markets and other organized events, at which a large number of firearms are offered for sale by Federal firearms licensees and nonlicensed firearms sellers, form a significant part of the national firearms market;

(3) firearms and ammunition that are exhibited or offered for sale or exchange at gun shows, flea markets, and other organized events move easily in and substantially affect interstate commerce;

(4) in fact, even before a firearm is exhibited or offered for sale or exchange at a gun show, flea market, or other organized event, the gun, its component parts, ammunition, and the raw materials from which it is manufactured have moved in interstate commerce;

(5) gun shows, flea markets, and other organized events at which firearms are exhibited or offered for sale or exchange, provide a convenient and centralized commercial location at which firearms may be bought and sold anonymously, often without background checks and without records that enable gun tracing;

(6) at gun shows, flea markets, and other organized events at which guns are exhibited or offered for sale or exchange, criminals and other prohibited persons obtain guns without background checks and frequently use guns that cannot be traced to later commit crimes;

(7) many persons who buy and sell firearms at gun shows, flea markets, and other organized events cross State lines to attend these events and engage in the interstate transportation of firearms obtained at these events;

(8) gun violence is a pervasive, national problem that is exacerbated by the availability of guns at gun shows, flea markets, and other organized events;

(9) firearms associated with gun shows have been transferred illegally to residents of another State by Federal firearms licensees and nonlicensed firearms sellers, and have been involved in subsequent crimes including drug offenses, crimes of violence, property crimes, and illegal possession of firearms by felons and other prohibited persons; and

(10) Congress has the power, under the interstate commerce clause and other provisions of the Constitution of the United States, to ensure, by enactment of this Act, that criminals and other prohibited persons do not obtain firearms at gun shows, flea markets, and other organized events.

(b) DEFINITIONS.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

''(35) GUN SHOW.—The term 'gun show' means any event—

''(A) at which 50 or more firearms are offered or exhibited for sale, transfer, or exchange, if 1 or more of the firearms has been shipped or transported in, or otherwise affects, interstate or foreign commerce; and

''(B) at which—

''(i) not less than 20 percent of the exhibitors are firearm exhibitors;

''(ii) there are not less than 10 firearm exhibitors; or

''(iii) 50 or more firearms are offered for sale, transfer, or exchange.

''(36) GUN SHOW PROMOTER.—The term 'gun show promoter' means any person who organizes, plans, promotes, or operates a gun show.

''(37) GUN SHOW VENDOR.—The term 'gun show vendor' means any person who exhibits, sells, offers for sale, transfers, or exchanges 1 or more firearms at a gun show, regardless of whether or not the person arranges with the gun show promoter for a fixed location from which to exhibit, sell, offer for sale, transfer, or exchange 1 or more firearms.''

(c) REGULATION OF FIREARMS TRANSFERS AT GUN SHOWS.—

(1) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by adding at the end the following:

"§ 931. Regulation of firearms transfers at gun shows

''(a) REGISTRATION OF GUN SHOW PROMOTERS.—It shall be unlawful for any person to organize, plan, promote, or operate a gun show unless that person—

''(1) registers with the Secretary in accordance with regulations promulgated by the Secretary; and

''(2) pays a registration fee, in an amount determined by the Secretary.

''(b) RESPONSIBILITIES OF GUN SHOW PROMOTERS.—It shall be unlawful for any person to organize, plan, promote, or operate a gun show unless that person—

''(1) before commencement of the gun show, verifies the identity of each gun show vendor participating in the gun show by examining a valid identification document (as defined in section 1028(d)(1)) of the vendor containing a photograph of the vendor;

''(2) before commencement of the gun show, requires each gun show vendor to sign—

''(A) a ledger with identifying information concerning the vendor; and

''(B) a notice advising the vendor of the obligations of the vendor under this chapter; and

''(3) notifies each person who attends the gun show of the requirements of this chapter, in accordance with such regulations as the Secretary shall prescribe; and

''(4) maintains a copy of the records described in paragraphs (1) and (2) at the permanent place of business of the gun show promoter for such period of time and in such form as the Secretary shall require by regulation.

''(c) RESPONSIBILITIES OF TRANSFERORS OTHER THAN LICENSEES.—

''(1) IN GENERAL.—If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any person who is not licensed under this chapter to transfer a firearm to another person who is not licensed under this chapter, unless the firearm is transferred through a licensed importer, licensed manufacturer, or licensed dealer in accordance with subsection (e).

''(2) CRIMINAL BACKGROUND CHECKS.—A person who is subject to the requirement of paragraph (1)—

''(A) shall not transfer the firearm to the transferee until the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(A); and

''(B) notwithstanding subparagraph (A), shall not transfer the firearm to the transferee if the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(B).

''(3) ABSENCE OF RECORDKEEPING REQUIREMENTS.—Nothing in this section shall permit or authorize the Secretary to impose recordkeeping requirements on any nonlicensed vendor.

''(d) RESPONSIBILITIES OF TRANSFEREES OTHER THAN LICENSEES.—

''(1) IN GENERAL.—If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any person who is not licensed under this chapter to receive a firearm from another person who is not licensed under this chapter, unless the firearm is transferred through a licensed importer, licensed manufacturer, or licensed dealer in accordance with subsection (e).

''(2) CRIMINAL BACKGROUND CHECKS.—A person who is subject to the requirement of paragraph (1)—

''(A) shall not receive the firearm from the transferor until the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(A); and

''(B) notwithstanding subparagraph (A), shall not receive the firearm from the transferor if the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(B).

''(e) RESPONSIBILITIES OF LICENSEES.—A licensed importer, licensed manufacturer, or licensed dealer who agrees to assist a person who is not licensed under this chapter in carrying out the responsibilities of that person under subsection (c) or (d) with respect to the transfer of a firearm shall—

''(1) enter such information about the firearm as the Secretary may require by regulation into a separate bound record;

''(2) record the transfer on a form specified by the Secretary;

''(3) comply with section 922(t) as if transferring the firearm from the inventory of the licensed importer, licensed manufacturer, or licensed dealer to the designated transferee (although a licensed importer, licensed manufacturer, or licensed dealer complying with this subsection shall not be required to comply again with the requirements of section 922(t) in delivering the firearm to the nonlicensed transferor), and notify the nonlicensed transferor and the nonlicensed transferee—

''(A) of such compliance; and

''(B) if the transfer is subject to the requirements of section 922(t)(1), of any receipt by the licensed importer, licensed manufacturer, or licensed dealer of a notification from the national instant criminal background check system that the transfer would violate section 922 or would violate State law;

''(4) not later than 10 days after the date on which the transfer occurs, submit to the Secretary a report of the transfer, which report—

''(A) shall be on a form specified by the Secretary by regulation; and

''(B) shall not include the name of or other identifying information relating to any person involved in the transfer who is not licensed under this chapter;

''(5) if the licensed importer, licensed manufacturer, or licensed dealer assists a person other than a licensee in transferring, at 1 time or during any 5 consecutive business days, 2 or more pistols or revolvers, or any combination of pistols and revolvers totaling 2 or more, to the same nonlicensed person, in addition to the reports required under paragraph (4), prepare a report of the multiple transfers, which report shall be—

''(A) prepared on a form specified by the Secretary; and

''(B) not later than the close of business on the date on which the transfer occurs, forwarded to—

''(i) the office specified on the form described in subparagraph (A); and

''(ii) the appropriate State law enforcement agency of the jurisdiction in which the transfer occurs; and

''(6) retain a record of the transfer as part of the permanent business records of the licensed importer, licensed manufacturer, or licensed dealer.

''(f) RECORDS OF LICENSEE TRANSFERS.—If any part of a firearm transaction takes place at a gun show, each licensed importer, licensed manufacturer, and licensed dealer who transfers 1 or more firearms to a person who is not licensed under this chapter shall, not later than 10 days after the date on which the transfer occurs, submit to the Secretary a report of the transfer, which report—

''(1) shall be in a form specified by the Secretary by regulation;

''(2) shall not include the name of or other identifying information relating to the transferee; and

''(3) shall not duplicate information provided in any report required under subsection (e)(4).

''(g) FIREARM TRANSACTION DEFINED.—In this section, the term 'firearm transaction'—

''(1) includes the offer for sale, sale, transfer, or exchange of a firearm; and

''(2) does not include the mere exhibition of a firearm.''.

(2) PENALTIES.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following:

''(7)(A) Whoever knowingly violates section 931(a) shall be fined under this title, imprisoned not more than 5 years, or both.

''(B) Whoever knowingly violates subsection (b) or (c) of section 931, shall be—

''(i) fined under this title, imprisoned not more than 2 years, or both; and

''(ii) in the case of a second or subsequent conviction, such person shall be fined under this title, imprisoned not more than 5 years, or both.

''(C) Whoever willfully violates section 931(d), shall be—

''(i) fined under this title, imprisoned not more than 2 years, or both; and

''(ii) in the case of a second or subsequent conviction, such person shall be fined under this title, imprisoned not more than 5 years, or both.

''(D) Whoever knowingly violates subsection (e) or (f) of section 931 shall be fined under this title, imprisoned not more than 5 years, or both.

''(E) In addition to any other penalties imposed under this paragraph, the Secretary may, with respect to any person who knowingly violates any provision of section 931—

''(i) if the person is registered pursuant to section 931(a), after notice and opportunity for a hearing, suspend for not more than 6 months or revoke the registration of that person under section 931(a); and

''(ii) impose a civil fine in an amount equal to not more than $10,000.''.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—Chapter 44 of title 18, United States Code, is amended—

(A) in the chapter analysis, by adding at the end the following:

''931. Regulation of firearms transfers at gun shows.'';

and

(B) in the first sentence of section 923(j), by striking ''a gun show or event'' and inserting ''an event''; and

(d) INSPECTION AUTHORITY.—Section 923(g)(1) is amended by adding at the end the following:

''(E) Notwithstanding subparagraph (B), the Secretary may enter during business hours the place of business of any gun show promoter and any place where a gun show is held for the purposes of examining the records required by sections 923 and 931 and the inventory of licensees conducting business at the gun show. Such entry and examination shall be conducted for the purposes of determining compliance with this chapter by gun show promoters and licensees conducting business at the gun show and shall not require a showing of reasonable cause or a warrant.''.

(e) INCREASED PENALTIES FOR SERIOUS RECORDKEEPING VIOLATIONS BY LICENSEES.—Section 924(a)(3) of title 18, United States Code, is amended to read as follows:

''(3)(A) Except as provided in subparagraph (B), any licensed dealer, licensed importer, licensed manufacturer, or licensed collector who knowingly makes any false statement

or representation with respect to the information required by this chapter to be kept in the records of a person licensed under this chapter, or violates section 922(m) shall be fined under this title, imprisoned not more than 1 year, or both.

''(B) If the violation described in subparagraph (A) is in relation to an offense—

''(i) under paragraph (1) or (3) of section 922(b), such person shall be fined under this title, imprisoned not more than 5 years, or both; or

''(ii) under subsection (a)(6) or (d) of section 922, such person shall be fined under this title, imprisoned not more than 10 years, or both.''.

(f) INCREASED PENALTIES FOR VIOLATIONS OF CRIMINAL BACKGROUND CHECK REQUIREMENTS.—

(1) PENALTIES.—Section 924 of title 18, United States Code, is amended—

(A) in paragraph (5), by striking ''subsection (s) or (t) of section 922'' and inserting ''section 922(s)''; and

(B) by adding at the end the following:

''(8) Whoever knowingly violates section 922(t) shall be fined under this title, imprisoned not more than 5 years, or both.''.

(2) ELIMINATION OF CERTAIN ELEMENTS OF OFFENSE.—Section 922(t)(5) of title 18, United States Code, is amended by striking ''and, at the time'' and all that follows through ''State law''.

(g) GUN OWNER PRIVACY AND PREVENTION OF FRAUD AND ABUSE OF SYSTEM INFORMATION.—Section 922(t)(2)(C) of title 18, United States Code, is amended by inserting before the period at the end the following: '', as soon as possible, consistent with the responsibility of the Attorney General under section 103(h) of the Brady Handgun Violence Prevention Act to ensure the privacy and security of the system and to prevent system fraud and abuse, but in no event later than 90 days after the date on which the licensee first contacts the system with respect to the transfer''.

(h) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

TITLE II—RESTRICTING JUVENILE ACCESS TO CERTAIN FIREARMS

SEC. 201. PROHIBITION ON FIREARMS POSSESSION BY VIOLENT JUVENILE OFFENDERS.

(a) DEFINITION.—Section 921(a)(20) of title 18, United States Code, is amended—

(1) by inserting ''(A)'' after ''(20)'';

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(3) by inserting after subparagraph (A) the following:

''(B) For purposes of subsections (d) and (g) of section 922, the term 'act of violent juvenile delinquency' means an adjudication of delinquency in Federal or State court, based on a finding of the commission of an act by a person prior to his or her eighteenth birthday that, if committed by an adult, would be a serious or violent felony, as defined in section 3559(c)(2)(F)(i) had Federal jurisdiction existed and been exercised (except that section 3559(c)(3)(A) shall not apply to this subparagraph).''; and

(4) in the undesignated paragraph following subparagraph (B) (as added by paragraph (3) of this subsection), by striking ''What constitutes'' and all that follows through ''this chapter,'' and inserting the following:

''(C) What constitutes a conviction of such a crime or an adjudication of an act of violent juvenile delinquency shall be determined in accordance with the law of the jurisdiction in which the proceedings were held. Any State conviction or adjudication of an act of violent juvenile delinquency that has been expunged or set aside, or for which a person has been pardoned or has had civil rights restored, by the jurisdiction in which the conviction or adjudication of an act of violent juvenile delinquency occurred shall not be considered to be a conviction or adjudication of an act of violent juvenile delinquency for purposes of this chapter,''.

(b) PROHIBITION.—Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (8), by striking ''or'' at the end;

(B) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(C) by inserting after paragraph (9) the following:

''(10) has committed an act of violent juvenile delinquency.''; and

(2) in subsection (g)—

(A) in paragraph (8), by striking ''or'' at the end;

(B) in paragraph (9), by striking the comma at the end and inserting ''; or''; and

(C) by inserting after paragraph (9) the following:

''(10) who has committed an act of violent juvenile delinquency,''.

(c) EFFECTIVE DATE OF ADJUDICATION PROVISIONS.—The amendments made by this section shall only apply to an adjudication of an act of violent juvenile delinquency that occurs after the date that is 30 days after the date on which the Attorney General certifies to Congress and separately notifies Federal firearms licensees, through publication in the Federal Register by the Secretary of the Treasury, that the records of such adjudications are routinely available in the national instant criminal background check system established under section 103(b) of the Brady Handgun Violence Prevention Act.

SEC. 202. PENALTIES FOR UNLAWFUL ACTS BY JUVENILES.

(a) JUVENILE WEAPONS PENALTIES.—Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (4) by striking ''Whoever'' at the beginning of the first sentence, and inserting in lieu thereof, ''Except as provided in paragraph (6) of this subsection, whoever''; and

(2) in paragraph (6), by amending it to read as follows:

''(6)(A) A juvenile who violates section 922(x) shall be fined under this title, imprisoned not more than 1 year, or both, except—

''(i) a juvenile shall be sentenced to probation on appropriate conditions and shall not be incarcerated unless the juvenile fails to comply with a condition of probation, if—

''(I) the offense of which the juvenile is charged is possession of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon in violation of section 922(x)(2); and

''(II) the juvenile has not been convicted in any court of an offense (including an offense under section 922(x) or a similar State law, but not including any other offense consisting of conduct that if engaged in by an adult would not constitute an offense) or adjudicated as a juvenile delinquent for conduct that if engaged in by an adult would constitute an offense; or

''(ii) a juvenile shall be fined under this title, imprisoned not more than 20 years, or both, if—

''(I) the offense of which the juvenile is charged is possession of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon in violation of section 922(x)(2); and

''(II) during the same course of conduct in violating section 922(x)(2), the juvenile violated section 922(q), with the intent to carry or otherwise possess or discharge or otherwise use the handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon in the commission of a violent felony.

''(B) A person other than a juvenile who knowingly violates section 922(x)—

''(i) shall be fined under this title, imprisoned not more than 1 year, or both; and

''(ii) if the person sold, delivered, or otherwise transferred a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon to a juvenile knowing or having reasonable cause to know that the juvenile intended to carry or otherwise possess or discharge or otherwise use the handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon in the commission of a violent felony, shall be fined under this title, imprisoned not more than 20 years, or both.

''(C) For purposes of this paragraph a 'violent felony' means conduct as described in section 924(e)(2)(B) of this title.

''(D) Except as otherwise provided in this chapter, in any case in which a juvenile is prosecuted in a district court of the United States, and the juvenile is subject to the penalties under clause (ii) of paragraph (A), the juvenile shall be subject to the same laws, rules, and proceedings regarding sentencing (including the availability of probation, restitution, fines, forfeiture, imprisonment, and supervised release) that would be applicable in the case of an adult. No juvenile sentenced to a term of imprisonment shall be released from custody simply because the juvenile reaches the age of 18 years.''.

(b) UNLAWFUL WEAPONS TRANSFERS TO JUVENILES.—Section 922(x) of title 18, United States Code, is amended to read as follows:

''(x)(1) It shall be unlawful for a person to sell, deliver, or otherwise transfer to a person who the transferor knows or has reasonable cause to believe is a juvenile—

''(A) a handgun;

''(B) ammunition that is suitable for use only in a handgun;

''(C) a semiautomatic assault weapon; or

''(D) a large capacity ammunition feeding device.

''(2) It shall be unlawful for any person who is a juvenile to knowingly possess—

''(A) a handgun;

''(B) ammunition that is suitable for use only in a handgun;

''(C) a semiautomatic assault weapon; or

''(D) a large capacity ammunition feeding device.

''(3) This subsection does not apply to—

''(A) a temporary transfer of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon to a juvenile or to the possession or use of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon by a juvenile—

''(i) if the handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon are possessed and used by the juvenile—

''(I) in the course of employment,

''(II) in the course of ranching or farming related to activities at the residence of the juvenile (or on property used for ranching or farming at which the juvenile, with the permission of the property owner or lessee, is performing activities related to the operation of the farm or ranch),

''(III) for target practice,

''(IV) for hunting, or

''(V) for a course of instruction in the safe and lawful use of a firearm;

''(ii) clause (i) shall apply only if the juvenile's possession and use of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon under this subparagraph are in accordance with State and local law, and the following conditions are met—

''(I) except when a parent or guardian of the juvenile is in the immediate and supervisory presence of the juvenile, the juvenile shall have in the juvenile's possession at all times when a handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon is in the possession of the juvenile, the prior written consent of the juvenile's parent or guardian who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition; and

''(II) during transportation by the juvenile directly from the place of transfer to a place at which an activity described in clause (i) is to take place the firearm shall be unloaded and in a locked container or case, and during the transportation by the juvenile of that firearm, directly from the place at which such an activity took place to the transferor, the firearm shall also be unloaded and in a locked container or case; or

''(III) with respect to employment, ranching or farming activities as described in clause (i), a juvenile may possess and use a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault rifle with the prior written approval of the juvenile's parent or legal guardian, if such approval is on file with the adult who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition and that person is directing the ranching or farming activities of the juvenile;

''(B) a juvenile who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon in the line of duty;

''(C) a transfer by inheritance of title (but not possession) of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon to a juvenile; or

''(D) the possession of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon taken in lawful defense of the juvenile or other persons in the residence of the juvenile or a residence in which the juvenile is an invited guest.

''(4) A handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon, the possession of which is transferred to a juvenile in circumstances in which the transferor is not in violation of this subsection, shall not be subject to permanent confiscation by the Government if its possession by the juvenile subsequently becomes unlawful because of the conduct of the juvenile, but shall be returned to the lawful owner when such handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon is no longer required by the Government for the purposes of investigation or prosecution.

''(5) For purposes of this subsection, the term 'juvenile' means a person who is less than 18 years of age.

''(6)(A) In a prosecution of a violation of this subsection, the court shall require the presence of a juvenile defendant's parent or legal guardian at all proceedings.

''(B) The court may use the contempt power to enforce subparagraph (A).

''(C) The court may excuse attendance of a parent or legal guardian of a juvenile defendant at a proceeding in a prosecution of a violation of this subsection for good cause shown.

''(7) For purposes of this subsection only, the term 'large capacity ammunition feeding device' has the same meaning as in section 921(a)(31) of title 18 and includes similar devices manufactured before the effective date of the Violent Crime Control and Law Enforcement Act of 1994.''.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

TITLE III—ASSAULT WEAPONS

SEC. 301. SHORT TITLE.

This title may be cited as the ''Juvenile Assault Weapon Loophole Closure Act of 1999''.

SEC. 302. BAN ON IMPORTING LARGE CAPACITY AMMUNITION FEEDING DEVICES.

Section 922(w) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''(1) Except as provided in paragraph (2)'' and inserting ''(1)(A) Except as provided in subparagraph (B)'';

(2) in paragraph (2), by striking ''(2) Paragraph (1)'' and inserting ''(B) Subparagraph (A)'';

(3) by inserting before paragraph (3) the following new paragraph (2):

''(2) It shall be unlawful for any person to import a large capacity ammunition feeding device.''; and

(4) in paragraph (4)—

(A) by striking ''(1)'' each place it appears and inserting ''(1)(A)''; and

(B) by striking ''(2)'' and inserting ''(1)(B)''.

SEC. 303. DEFINITION OF LARGE CAPACITY AMMUNITION FEEDING DEVICE.

Section 921(a)(31) of title 18, United States Code, is amended by striking ''manufactured after the date of enactment of the Violent Crime Control and Law Enforcement Act of 1994''.

TITLE IV—CHILD HANDGUN SAFETY

SEC. 401. SHORT TITLE.

This title may be cited as the ''Safe Handgun Storage and Child Handgun Safety Act of 1999''.

SEC. 402. PURPOSES.

The purposes of this title are as follows:

(1) To promote the safe storage and use of handguns by consumers.

(2) To prevent unauthorized persons from gaining access to or use of a handgun, including children who may not be in possession of a handgun, unless it is under one of the circumstances provided for in the Safe Handgun Storage and Child Handgun Safety Act of 1999.

(3) To avoid hindering industry from supplying law abiding citizens firearms for all lawful purposes, including hunting, self-defense, collecting and competitive or recreational shooting.

SEC. 403. FIREARMS SAFETY.

(a) UNLAWFUL ACTS.—

(1) MANDATORY TRANSFER OF SECURE GUN STORAGE OR SAFETY DEVICE.—Section 922 of title 18, United States Code, is amended by inserting after subsection (y) the following:

''(z) SECURE GUN STORAGE OR SAFETY DEVICE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for any licensed manufacturer, licensed importer, or licensed dealer to sell, deliver, or transfer any handgun to any person who is not licensed under section 923, unless the licensee provides the transferee with a secure gun storage or safety device for the handgun.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the—

''(A)(i) manufacture for, transfer to, or possession by, the United States or a department or agency of the United States, or a State or a department, agency, or political subdivision of a State, of a handgun; or

''(ii) transfer to, or possession by, a law enforcement officer employed by an entity referred to in clause (i) of a handgun for law enforcement purposes (whether on or off duty); or

''(B) transfer to, or possession by, a rail police officer employed by a rail carrier and certified or commissioned as a police officer under the laws of a State of a handgun for purposes of law enforcement (whether on or off duty);

''(C) transfer to any person of a handgun listed as a curio or relic by the Secretary pursuant to section 921(a)(13); or

''(D) transfer to any person of a handgun for which a secure gun storage or safety device is temporarily unavailable for the reasons described in the exceptions stated in section 923(e): *Provided*, That the licensed manufacturer, licensed importer, or licensed dealer delivers to the transferee within 10 calendar days from the date of the delivery of the handgun to the transferee a secure gun storage or safety device for the handgun.

''(3) LIABILITY FOR USE.—(A) Notwithstanding any other provision of law, a person who has lawful possession and control of a handgun, and who uses a secure gun storage or safety device with the handgun, shall be entitled to immunity from a civil liability action as described in this paragraph.

''(B) PROSPECTIVE ACTIONS.—A qualified civil liability action may not be brought in any Federal or State court. The term 'qualified civil liability action' means a civil action brought by any person against a person described in subparagraph (A) for damages resulting from the unlawful misuse of the handgun by a third party, if—

''(i) the handgun was accessed by another person without authorization of the person so described; and

''(ii) when the handgun was so accessed, the handgun had been made inoperable by use of a secure gun storage or safety device.

A 'qualified civil liability action' shall not include an action brought against the person having lawful possession and control of the handgun for negligent entrustment or negligence per se.''.

(b) CIVIL PENALTIES.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)(1), by inserting '', or (p)'' before ''this section''; and

(2) by adding at the end the following:

''(p) PENALTIES RELATING TO SECURE GUN STORAGE OR SAFETY DEVICE.—

''(1) IN GENERAL.—

''(A) SUSPENSION OR REVOCATION OF LICENSE; CIVIL PENALTIES.—With respect to each violation of section 922(z)(1) by a licensed manufacturer, licensed importer, or licensed dealer, the Secretary may, after notice and opportunity for hearing—

''(i) suspend for up to six months, or revoke, the license issued to the licensee under this chapter that was used to conduct the firearms transfer; or

''(ii) subject the licensee to a civil penalty in an amount equal to not more than $2,500.

''(B) REVIEW.—An action of the Secretary under this paragraph may be reviewed only as provided in section 923(f).

''(2) ADMINISTRATIVE REMEDIES.—The suspension or revocation of a license or the imposition of a civil penalty under paragraph (1) does not preclude any administrative remedy that is otherwise available to the Secretary.''.

(c) LIABILITY; EVIDENCE.—

(1) LIABILITY.—Nothing in this chapter shall be construed to—

(A) create a cause of action against any Federal firearms licensee or any other person for any civil liability; or

(B) establish any standard of care.

(2) EVIDENCE.—Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with the amendments made by this chapter shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce paragraphs (1) and (2) of section 922(z), or to give effect to paragraph (3) of section 922(z).

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to bar a governmental action to impose a penalty under section 924(p) of title 18, United States Code, for a failure to comply with section 922(z) of that title.

SEC. 404. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect 180 days after the date of enactment of this Act.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 15 minutes.

Mr. CONYERS. Mr. Chairman, I ask unanimous consent to yield 5 minutes to the distinguished gentleman from California (Mr. CAMPBELL) so that he may yield blocks of time at his own discretion.

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

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. CAMPBELL) will control 5 minutes and the gentleman from Michigan (Mr. CONYERS) will control 10 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CONYERS).

MODIFICATION TO AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 12 OFFERED BY MR. CONYERS

Mr. CONYERS. Mr. Chairman, I ask unanimous consent that the amendment in the nature of a substitute approved by the Committee on Rules be modified in the manner which I have caused to be placed at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification offered by Mr. CONYERS to amendment in the nature of a substitute No. 12:

At page 22, line 8, insert after ''person'' the following: '', in or affecting interstate commerce,''.

At page 22, line 17, insert after ''person'' the following: '', in or affecting interstate commerce where the proof of such is an element of the offense,''.

Mr. CONYERS (during the reading). Mr. Chairman, I ask unanimous consent that the modification to the amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

Is there objection to the modification of the amendment?

There was no objection.

The amendment in the nature of a substitute is modified.

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Mr. CAMPBELL. Mr. Chairman, I ask unanimous consent to allocate an additional 5 minutes per each side for this debate.

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

Mr. MCCOLLUM. Mr. Chairman, reserving the right to object, I reluctantly am going to object because we have Members who plan to catch their planes. It is very late now. It is 1:00 in the afternoon. I would say to the gentleman from California that we, unfortunately, need to get on with it. I hate to do that. I will cancel my reservation and make an objection, Mr. Chairman.

The CHAIRMAN. Objection is heard.

The gentleman from Michigan (Mr. CONYERS) is recognized for 10 minutes on his amendment.

Mr. CONYERS. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, this has been a trying event with this legislation, but this substitute may be able to provide some solace for those of us who want something to take to the American people.

This substitute is the Senate-passed gun safety provisions word for word, which many of us were led to believe at one time that the Speaker and the Chair of the House Committee on the Judiciary supported.

I had hoped that in the wake of Littleton that this body could pass modest gun safety measures, but leave it to the Republicans to tarnish the memory of those children by putting forth a bill that creates scores of new loopholes.

If the bill that is before this body is passed, not only will we have gutted the bill, the gun show provision, and given criminals a virtual license to buy a gun, but we will have actually weakened current law in several important respects, and here is how: Right now, it is illegal to ship weapons across State lines into someone's home. This has been the law ever since Lee Harvey Oswald assassinated President Kennedy. The bill before us repeals that law.

Right now the District of Columbia restricts possession of firearms. This bill allows residents to not only own guns, but carry concealed weapons.

Mr. Chairman, we have one last chance to turn this sorry situation around and restore some sanity to the process. A yes vote on the bill offered by myself and my dear friend, the gentleman from California (Mr. CAMPBELL), on this substitute will eliminate all of the loopholes and return us word for word to the Senate-passed gun safety provisions.

The Conyers/Campbell amendment will shut down the gun show loopholes once and for all.

Mr. Chairman, if this amendment fails, I will be forced to vote against final passage of this legislation. The gentlewoman from New York (Mrs. MCCARTHY) deserves more than this sorry bill, and the parents of 13 school children killed by guns every day deserve far more from this House.

I urge a yes on the substitute, a no on final passage.

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

Mr. MCCOLLUM. Mr. Chairman, I rise in opposition to this substitute.

The CHAIRMAN. The gentleman from Florida (Mr. MCCOLLUM) will control 15 minutes.

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

Mr. Chairman, the substitute that the gentleman from Michigan (Mr. CONYERS) offers is flawed for two principal reasons. Number one, it is a revote of the McCarthy amendment from last night that we defeated on the floor, and for anyone who voted against that, I do not wish to completely redebate that, but it is indeed a good reason, and, in fact, a necessary reason, in my judgment, to vote against this substitute.

In case somebody needs to be reminded, this substitute, as would the McCarthy amendment last night, would essentially not specify what type of events fall within the definition of a gun show, so at a community yard sale if one person is selling his firearms collection, which could easily be more than 50 guns, and another neighbor puts one of his firearms on the table, it is a gun show.

Private yard sales, private home sales would be covered. There are all kinds of illustrations that we went over last night where they are talking about two or more persons simply exhibiting firearms. A gun show is designed by nature to be exactly that, where there are a number of vendors, we have in the bill right now 10 or more, who get together to sell firearms at some organization's show or event, not a private sale among two or three individuals. That is really the biggest flaw in the McCarthy and now in the Conyers substitute.

So I want Members to fully understand that we are revoting, by this substitute, the McCarthy proposal.

Secondly, another reason why the Conyers substitute should be voted down, in my judgment, is that the gentleman from Michigan (Mr. CONYERS), in his proposal, would amend several sections of the criminal code that would put it in direct conflict with what we passed yesterday in H.R. 1501, the juvenile justice bill.

We all want child safety out here. We also all want to deter violent juvenile behavior and crimes, not just with guns, but in a number of other respects, but because these provisions that the gentleman from Michigan (Mr. CONYERS) is altering would directly conflict with yesterday's amendments that were adopted in the bill on 1501, I think that this should be defeated.

For example, the Conyers substitute does not contain these punishments passed yesterday: Increased penalties on juveniles who illegally possess a gun with intent to take it to a school or to give it to somebody who will take it to a school; the increased penalty on

adults who illegally give a gun to a juvenile; the mandatory minimum sentence imposed on adults who give illegal firearms to juveniles intending that they take them to a school; and the mandatory minimum penalty imposed on adults who illegally give a gun to a juvenile, knowing that a juvenile will use it to commit a serious felony.

The House, again, has already decided these issues, and the best case scenario, the adoption of this substitute is going to confuse the issue because the provisions would be directly in conflict, albeit in two separate bills.

Lastly, I would like to comment on where we are as we move to final passage. We are about to do that after this substitute, and I would certainly encourage the vote for the final passage of this legislation. It is a piece of legislation which will close loopholes. It is a piece of legislation that without any dispute does four of the five provisions from the Senate legislation, the other body's legislation, that a lot of people have been discussing out here.

The question of banning juvenile possession of assault weapons was adopted and is part of this bill, as it is a part of the other body's. The juvenile Brady provisions with respect to now saying that if someone commits certain violent crimes as a juvenile and are adjudicated in a juvenile court, they are no longer able to own a gun later as an adult, or purchase one, that is part of this bill as it is part of the other body's.

The ban on large magazine clips that were manufactured, or for guns manufactured, before 1994 is a part of this bill, as it is the other body's. The safety lock language that all of us, at least most of us, feel is important with respect to safety of children is also a part of this.

The only debate, again, comes back to the question of the gun shows, and that comes back to the debate last night, again, that is in this substitute over the McCarthy, or in the other body, the Lautenberg proposal.

I would say shame on anybody who does not vote for this, because as we said last night, everybody wants to close the gun show loophole. The legislation we have before us does that, and it does all four of the other things that I mentioned.

This is a major advance in the right direction. Maybe some people did not get all they wanted. That we can revisit on a future date. But this is a vast improvement over the conditions we presently have in current law, and anybody, I would suggest, who votes against this, who really does so because they do not believe it goes far enough in the way of providing more safety in these areas, is doing so and playing politics where they should not be playing politics.

It is a constructive proposal. It may not be, again, what everybody wants, but it is a constructive proposal that does advance the purposes intended, and that is to protect our Nation from violent felons getting access to guns when they should not and protecting children on our streets and the playgrounds in our schools and at home. That is what this legislation is all about.

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

Mr. CAMPBELL. Mr. Chairman, I yield myself 1 minute and 15 seconds.

Mr. Chairman, there are Republicans who believe in gun control. We are going to hear from them right now. We are hearing from one right now, and we will hear from others. There were 47 of us who voted against the Dingell watering down. I am proud to say that there were eight from California in that group, and today we Republicans who recognize the importance of reasonable gun control and the second amendment both strongly support the Conyers/Campbell substitute.

I am proud to put my name right next to that of my good friend and mentor and colleague, the gentleman from Michigan (Mr. CONYERS), for whom I have the highest regard. That is point one.

Point two, there is a huge advantage in this version versus the underlying bill. If my colleagues are against semiautomatic assault weapons and large-capacity ammunition feeding devices for minors, there is a flaw in the underlying bill; they did not rectify it under U.S. v. Lopez.

What does that mean? In 1995, the Supreme Court said that we could not, as a Federal Government, ban the ownership, the bringing onto school grounds of a handgun, because there was no finding of an effect on commerce. By contrast, the gentleman from Michigan (Mr. CONYERS), in his kindness and willingness to accept an accommodation, put that exact finding into this bill. So I repeat, if Members want to take semiautomatic assault-style weapons away from people under 18, only Conyers/Campbell does that. The underlying bill, in my view, is and will be held unconstitutional.

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

Mr. CONYERS. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. WEXLER), a distinguished member of the committee.

Mr. WEXLER. Mr. Chairman, 200 million guns flood the streets of America. Two hundred million guns arm us like a Nation at war with itself, and this Congress does virtually nothing.

We are accomplices when 13 of our children are gunned down every day. We are accomplices when a child finds the family gun and ends the life of a neighbor. We are accomplices when the leading cause of death among young African American men is homicide by guns.

A teen without a gun cannot massacre his classmates. A toddler without a gun cannot shoot his playmate. The NRA and Charlton Heston are writing our gun laws. Where is the outrage? Congress is playing Russian roulette with the lives of our children. America, where is the outrage? Support the Democratic substitute.

Mr. MCCOLLUM. Mr. Chairman, may I inquire how much time each side has remaining?

The CHAIRMAN. The gentleman from Florida (Mr. MCCOLLUM) has 9½ minutes remaining. The gentleman from Michigan (Mr. CONYERS) has 6¾ minutes remaining. The gentleman from California has 3¾ minutes remaining.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield for a question?

Mr. MCCOLLUM. Mr. Chairman, I will yield myself such time as I may consume, and I yield for a question to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, we are trying to work in a bipartisan way. I would say to the gentleman from Florida (Mr. MCCOLLUM), I just simply ask the question, how many guns would nine gun show vendors have to sell under this bill?

Mr. MCCOLLUM. Reclaiming my time, I am not going to get into a debate over the McCarthy issue again today. I have a limited amount of time.

Ms. JACKSON-LEE of Texas. I am trying to clarify the bill of the gentleman.

Mr. MCCOLLUM. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I never thought I would be standing in front of this or any other legislative body asking for a vote in favor of a bill that has any type of gun control legislation attached to it, but then I never thought I would be representing a district in which two teenagers would walk into a school and callously, mercilessly, take the lives of 12 of their classmates and 1 of their teachers and wound over 20 other children.

Of course, there are things that happen in individual lives that delineate one section from another. That is what has happened to every one of us who live in Littleton, Colorado. No one will be the same after April 20, 1999. Everybody's life has changed and will be dated from that point on by that event.

I do not mean to suggest that what we are doing here in this bill will have the effect of guaranteeing that we will never have a recurrence of Columbine High School. I know that we cannot make such a guarantee, because there is nothing in this bill actually that can cure the sickness of the soul that afflicts so many, such an unfortunately large segment of the population of this great land.

I do hope that we have addressed that issue to the extent that we are able to address that issue, the underlying issue, the real cause of the problem. I hope we did that yesterday and late last night.

To the extent that we can address the other side of the problem, the more superficial side, and I admit fully well

that I believe that this is relatively superficial, that when we deal with the gun side of this thing it is the superficial side. It is the attention to a sore that appears on one's body and that they apply a Band-Aid to, but that they ignore whatever it is that is causing that sore to appear.

□ 1315

But, nonetheless, we must oftentimes apply that Band-Aid. We have to have it. Even though it is relatively superficial, it needs to be done. We are bleeding. There is no two ways about that. We are bleeding in my district. We are bleeding across this land both literally and figuratively.

So I recognize that there are people on both sides of the aisle who are concerned about the ability for this particular piece of legislation to get the job done, but I will tell my colleagues that I believe that we are far closer to getting it done if we pass this than if we do not.

I fear that, if this fails, first of all, that there will be nothing that comes out of this Congress, nothing that can come out even in a conference committee if the Conyers amendment passes and eventually this bill fails, which I think is exactly what would happen.

We have done a number of things that I think we can be proud of. We have extended Brady. It does now include everyone that walks into the door that wants to purchase a gun in a gun show. If the Dingell bill passes, that is what we have accomplished.

There are things that we have done right, Mr. Chairman, and I would ask for a yes vote on the bill and no vote on the Conyers amendment.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 30 seconds to the gentlewoman from Colorado (Ms. DEGETTE), who has worked so hard on this whole subject matter.

Ms. DEGETTE. Mr. Chairman, well, I guess my constituents and the parents across this country will sleep a lot better this weekend knowing that Congress is solving youth violence by posting the Ten Commandments in the schools and passing child gun safety laws written by the NRA which substantially weaken current laws.

Do my colleagues know something, if there is anything we should have learned in the last year it is that the American people are a lot smarter than this, and they will not accept the watered-down bill like this.

It is not right to remember the kids at Columbine, to remember the kids across the country this way. Vote yes on Conyers. Vote no on final passage if Conyers fails.

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

Mr. CONYERS. Mr. Chairman, I am very pleased to yield 30 seconds to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I rise in strong support of the substitute. Mr. Chairman, more than 8 weeks ago, 12 students and a teacher were killed at Columbine High School. That terrible event shocked this Nation to its core; and all across the country, the American people cried out for action. That cry was heard in Washington. CAROL MCCARTHY heard it. We all heard it, the cry of so many victims, the cry of the children.

A terrible tremor arose from Columbine 8 weeks ago. It spread across the entire Nation. Today we stand on the floor after 2 days of debate and discussion. Let us vote for this bill, the substitute bill. It is a good bill. Let us take action.

Mr. MCCOLLUM. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Chairman, I thank the gentleman from Florida (Mr. MCCOLLUM), the chairman of the Subcommittee on Crime, and the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on the Judiciary, and all of our colleagues that have paid very close attention to these debates, these monumental, momentous debates over these last 3 days.

Of course, the headlines today, depending on which paper we read, which tabloid we picked up, places the consequence for what happened last night, the various votes, on one group or another group or one person or another person.

The fact of the matter is, Mr. Chairman, that the action that this House took last night, the action that this House took the day before yesterday, the action that this House took this morning, and the action that this House will take in a few moments to pass the McCollum bill, H.R. 2122, is the American people speaking.

Every one of us in this Chamber, and all of our colleagues not here at this moment, represent 600,000 or more American citizens, families, men, women, children, grandparents, aunts, and uncles and friends. They have been in touch with us. They are listening.

Now, Mr. Chairman, because we may disagree on something, my colleagues may say, oh, it is another group that is doing this. Huh-uh. We listen to our constituents the same way they do. Our constituents are telling us they want a comprehensive piece of legislation that protects the Constitution, protects the Second Amendment, strengthens family, strengthens schools, strengthens the right of all Americans, and moves us in the direction of a positive piece of legislation that we can go back to the American people and say, yes, Congress has listened.

Yes, we listen to both the Constitution, the American people, our American educators, our families, and support this piece of legislation. Is it perfect? No. Is it good? Absolutely yes. I urge all of my colleagues to vote for this bill, H.R. 2122.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 30 seconds to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I thank the gentleman from Michigan for yielding me this time.

Mr. Chairman, the modest provisions that we have before us today have sent the gun lobby into a frenzy because it explodes the myth that we are powerless to act only to pass foolish symbolic legislation. We can explode that myth. We can stand up to the gun lobby.

Every day in America we have another Littleton. It is just that the dead children are scattered across America rather than concentrated in one place for the media. I pray that our hearts are not so hardened that all the carnage has to be in one place before we have the courage to act.

Please vote for the Conyers amendment.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentlewoman from California (Ms. PELOSI), who has worked indefatigably, and I thank her.

Ms. PELOSI. Mr. Chairman, I rise in strong support of the Conyers-Campbell substitute and to commend the gentleman from Michigan (Mr. CONYERS) for his leadership and that of the gentlewoman from New York (Mrs. MCCARTHY).

This legislation is necessary because it will reduce gun violence, save the lives of our children, and protect the safety of our families and communities. We have all heard the statistics, Mr. Chairman, about every day 13 children's lives are lost to gunfire. But did my colleagues also know that, in 1996, gunfire killed 4,643 infants, little children, and teens.

We must take action to protect our children. Support the Conyers-Campbell bill.

Mr. CAMPBELL. Mr. Chairman, I am pleased to yield 2 minutes on behalf of reasonable gun control to the gentleman from Iowa (Mr. GANSKE), a reasonable Republican.

Mr. GANSKE. Mr. Chairman, I rise in support of the Conyers substitute and also urge my colleagues to vote no on final passage.

Mr. Chairman, I remember vividly many years ago cradling a 16-year-old Spanish-American, Mexican-American boy in my arms with a gunshot wound to his head and trying to save his life. Mr. Chairman, I remember speaking to his family afterward, his brothers, his sisters, his parents, his grandparents, his cousins, and explaining to them how their son had been killed and died of a gunshot wound to the head.

What was passed last night was not an improvement on current law. Under current law, a retailer has to get a background check and has 3 business days to do it. What was passed last night was a weakening of that law. So that if a retailer goes to a gun show, they only have a 24-hour period. If the agencies are not open, then that person who has not been adequately background checked gets his gun.

Mr. Chairman, do we want to pass a law in light of Littleton and all the other gun shootings around this country that weakens current law? That is what we would do, Mr. Chairman, if we vote for this bill.

I urge my colleagues to vote for the substitute. There are many of my Republican colleagues who, once they realize that what the Dingell amendment did was weaken current law for retailers, I think would do wise to reconsider their vote. I urge a yes vote on the substitute and a no vote on final passage.

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

Mr. Chairman, I respect the last speaker a great deal, but with all due respect I disagree. Whatever my colleagues may think of any of the proposals that were here before us last night, and we are now revoting one of them today, the McCarthy one, every one of them closed the loophole with respect to gun shows because every one of them addressed the people who sell guns at gun shows who currently are not required in any way to get an instant check. Those are the individuals who go there.

If my colleagues vote for this bill today, there will be not a person who buys a gun at a gun show who does not have to have their background checked to see it they were a felon, a convicted felon. I think that is extremely important.

Most of the checks do not provide a positive result. When they do, they are arrests only records, and they can quickly be resolved and find out whether the person is convicted.

Last, but not least, I would like to again reiterate that the Conyers proposal does more than simply revote McCarthy. It also undoes some of the work we did in H.R. 1501 yesterday, the juvenile justice bill. My colleagues should vote no on Conyers. If my colleagues believe in closing the gun show loophole and improving our laws, vote yes on final passage. It is not perfect, but it is an improvement of significant.

Mr. CONYERS. Mr. Chairman, it is my pleasure to yield 30 seconds to the distinguished gentleman from Maryland (Mr. CARDIN).

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

Mr. CARDIN. Mr. Chairman, I support the Conyers-Campbell substitute. Let me just respond to the gentleman from Florida (Mr. MCCOLLUM), the subcommittee chairman.

Under current law, and under the underlying bill, individuals will still be able to buy guns at gun shows without the background check because of the time differences and the definition of what is a gun show.

So if we really want to do something, this is our last chance. Let us go along with the other body. We ask for that, many of us, on both sides of the aisle. We can do something for child safety. We can do something for gun safety.

The subcommittee chairman says we will have other opportunities. It does not come along in this Chamber very often. This is our last chance. Let us support the substitute.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Chairman, I thank the gentleman from Michigan (Mr. CONYERS) for yielding me this time.

I rise in strong support of the Conyers-Campbell substitute. We very often have to make difficult decisions around here balancing different interests. This is not a very difficult decision at all, because we are balancing the inconvenience of a relative handful of people versus the protection of human life.

I would say we have heard a lot of statistics around here the last few hours about percentages that would be involved and numbers of people that would be involved. In my judgment, the real number is one. If one life is preserved, if one shooting is prevented because of this measure, it is worth it. Support the Conyers-Campbell substitute.

Mr. CAMPBELL. Mr. Chairman, I yield 1 minute to the gentleman from Delaware (Mr. CASTLE), the distinguished former Governor of Delaware, a reasonable Republican for reasonable gun control.

Mr. CASTLE. Mr. Chairman, I thank the gentleman from California for yielding me this time.

Obviously, I rise in support of the Conyers-Campbell amendment. Let us understand exactly where we are now. The Dingell bill is passed. There is a 24-hour check. Ninety percent of all the people that get the instant background check can buy their guns right away.

We are dealing with the 10 percent of people who have been arrested at some time in their lives. We are trying to find out if they have been convicted. Are they felons, or are they not felons? We need time to do that.

This basic legislation with the Dingell amendment in it now would apply to weekend gun shows. That is when gun shows take place, and they cannot check it in 24 hours because the courthouses simply are not open. It is not a loophole. It is just a wide open highway that a felon can take advantage of to go and buy guns. We are going to be arming felons if we leave this law the way it is.

□ 1330

Why do we not pass the Conyers-Campbell substitute now? It does exactly what the Senate did. It does it correctly. It has been signed off on by virtually every group out there that has looked at the issue of guns, and, in my judgment, in this country it is the way to go.

We do not want to arm felons, we want to prevent them from being armed. Let us pass the substitute.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE), a member over the Committee on the Judiciary.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for yielding me this time, and I want to also thank the gentleman from California (Mr. CAMPBELL) very much.

We can still do something today. We can pass real straightforward gun safety legislation. We can take the millions of guns away from criminals. We can keep the guns out the hands of violent juveniles. We can provide child safety locks, and we can bar large-capacity ammunition.

Here is a letter to the NRA: ''Dear NRA. We are going to turn the lights out on you today and the gun lobby of America, but we are going to shine the light on America's children for safety and saving their lives. We are going to support the Conyers-Campbell substitute.''

Yes, we can beat the gun lobby. We are going to stand up for America.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from Illinois (Mr. DAVIS), who is an old friend of mine from Chicago.

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Chairman, I have been to the funerals of too many young people who were gunned down by others with semiautomatic weapons. I have been through Schwab Rehabilitation Hospital and Chicago Rehabilitation Hospital. I have seen too many young people paralyzed before they get an opportunity to realize what life is all about. I have seen the agony, the frustration, the pain of people in neighborhoods and communities afraid to come out of their houses at night.

We must do the only sane, sensible thing on this day. We did not do it last night. Do it today, vote for the Conyers substitute.

Mr. Chairman, I rise in support of the Conyers' Democratic substitute amendment to H.R. 2122, the Mandatory Gun Show Background Check Act.

Today, in this sacred chamber, we have an opportunity to address this Nation's most pressing problem, gun violence, in a meaningful and effective fashion. We have a mandate from the people to take action that stems the tide of violence that is sweeping across our Nation from Washington, DC to Chicago and LA.

The biggest victim of this tide of violence is our children. From Chicago's west side to Colorado and over to Georgia, we have felt the pain of lost precious lives. Now, before we lose another precious life, we must take meaningful action.

Today, we have the opportunity to put in place meaningful gun control legislation, a task that we failed to complete last nite. Let's close the gun show loophole, let's ban the importation of large ammunition clips, let's raise the age to possess a handgun and semi-automatic weapon, lets make sure that every gun is sold with a safety device, lets adopt the Conyers' substitute. Why do we need these

protections. Well I'll tell you why, in Chicago we have a gun problem, our children are shooting children. In 1997 firearms were used in over ¾ of the murders committed in Chicago. What makes this statistic so disturbing is that over half of the persons committing murder were under the age of 21. In 1997 Chicago had 246 murders of people under the age of 21 and there were 290 people under the age of 21 charged with committing murder. Chicago contributes more than its fair share of children to a terrible statistical category: children killed too soon by hand guns, and it must stop. How can we in good conscience let this situation go on. Did you know that since 1969 that firearms are the leading cause of death among African-American youths? For 30 years handguns have been killing African-American youth and we still debate whether or not we need this common sense gun legislation. When will we take this necessary action?

Now is not the time for loopholes in the bill that's trying to close loopholes.

No one here is saying that someone can't own a gun, all they are saying is you have to wait, that your background must be checked out, and that children should not have guns. These are simple, straight forward, common sense proposals. Let's do it and make America safer and better. Let's not fail America's children again, let's take this opportunity to the right thing and pass meaningful gun reform.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I thank the gentleman from Michigan for all his hard work and for allowing me this time.

Over 70 percent of Democrats are in favor of what the Senate passed, yet 70 percent of the Republicans are opposed to what the Senate passed.

Everyone knows the Republicans have played games with this process, playing a shell game with the Committee on Rules. This has really been a sham. This bill is going down unless we pass the Conyers-Campbell substitute to save our children from dying from gun violence.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, without the Conyers substitute, nine licensed vendors could sell thousands of guns to felons at a gun show without doing one criminal background check.

Let me repeat. Without the Conyers substitute, nine licensed vendors could sell thousands of guns to felons without doing one criminal background check.

In the wake of the Columbine High tragedies, only the NRA and those who support them could call this progress.

Vote ''yes'' on the Conyers substitute.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentlewoman from Ohio (Mrs. JONES), a former member of the judiciary.

Mrs. JONES of Ohio. Mr. Chairman, I raised it yesterday, I raise it again today. No one has responded to the fact that local communities are not prepared to provide answers to instant check within 24 hours. No one has responded. And the reality of it is they cannot respond because local communities cannot help law enforcement comply with instant check in 24 hours.

I rise in support of the Conyers substitute bill and ask all of my colleagues to get real. Protect children in this country. Vote against this sham of a legislation.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from Minnesota (Mr. VENTO).

Mr. VENTO. Mr. Chairman, gun violence is out of control. This House is in a state of denial. It is time to stop dancing to the music composed by the gun lobby. It is time to face up to the fact of providing for a real instant check and to take guns out of the hands of criminals, out of the hands of the unstable, to stop the gun violence.

Vote for the Conyers substitute, a bill that will go to the Senate, and we will have a bill that will be law. That is why the gun lobby has postponed the consideration of this measure, because they want to kill it. That is why they needed the month to do it.

We should not be the handmaidens of the gun lobby. We should stick up for our constituents. We should stick up for the 600,000 people that sent us here, not the special interests.

Mr. Chairman, I rise in support of sensible gun safety measures that will prevent criminals from possessing guns.

Last night's votes were not about saving lives or about preventing tragic events like the shooting in Colorado from happening again, but were about inconvenience-waiting three business days to complete a transaction. Ask a parent whose child is dead because of senseless gun violence if they have been inconvenienced by the loss of their child. Or ask the brothers, sisters and friends of these victims if they have been inconvenienced by the death of a loved one. It is so unfortunate the arguments of the 24-hour National Instant Check System (N.I.C.S.) equates the value of a precious life as only a matter of convenience. It's a shame when waiting a couple of days is just too much to put up with. If we can prevent firearms from being placed into the hands of persons that have records of violence or are unstable and stop the gun violence at their hands, only then will we have done our job. At least 27 percent of N.I.C.S. applicants are not processed within 24 hours and approximately 80 percent of those denied the purchase, the individuals we want to screen out, take longer than 24 hours.

Although we may not hear about all the other tragedies that occur on a daily basis we do know that more and more criminals are finding it easier to obtain guns and we must act now to prevent this from occurring and making a mockery of the background check procedure. Our goal has never been to punish a law-abiding citizen who wishes to own guns, but to prevent those individuals who have demonstrated that they will break the law, who do have criminal conduct as part of their history and those who are incompetent from bypassing the screening system and finding other ways to obtain firearms. The fact is that the limitations on such problem actors is a positive reinforcement for gun ownership by the general population. This provides assurance that there are opportunities to responsibly possess firearms for lawful citizens.

I supported the McCarthy amendment because it just made sense. Without creating new, burdensome regulations on firearms collectors and hobbyists it would have brought parity, fairness and accountability to gun show sales by requiring gun show participants to abide by the same laws as the transactions within gun stores. This in fact codifes requirements that currently exist for firearms sales that take place at conventional retail outlets. This difference is an invitation for those who want to avoid a sound background check. Why the law should have two standards defies logic.

We do not have the answers to solve all of the challenging problems that face our nation, but we are able to take preventive steps to ensure that certain tragedies like the ones we've seen all over the country do not continue. The Brady law background check, since enacted, has prevented 400,000 gun purchases by screening out those that are a risk, a violent risk to society. Congress should act to enhance this screening process and close the loophole. Keep the guns, the weapon of choice out of the hands of the violent person, especially youth that are unstable and lack maturity.

Today we have another opportunity to restore workability and integrity to the screening process by adopting the Conyers substitute. Essentially the language and proposals which the Senate passed will close the loopholes in current law. Congress ought to do more, but the reality is that today we are fighting not to backtrack on existing laws, much less voting for new additional common sense measures that are needed. These include limiting the number of guns purchased in a month, prevention of remanufacturing kits for machine gun performance, legal liability and responsibility for the sales stream and for adults, including parents.

All too often this debate on firearm safety and protecting our society from gun violence engenders the same canned arguments, no matter the substance and different proposals. The gun lobby and their supporters have the same script; that assumes the hidden agenda is to take all guns and ban them, supposedly violating the Constitution—plain and simple scare tactics. Well, I own hunting shotguns and I want to keep them and I want others in our society who are responsible to have the same opportunity. In fact, I've heard no proponent of closing the gun show loophole or placing other limits on handguns or assault firearms advocate banning or taking all guns away. But the gun lobby has stampeded the House, ironically the people's House, into a blind canyon. Their arguments reflect an inability to deal with the facts and the gun lobby dictates only cosmetic changes.

Sound regulation of firearms is the best assurance Congress can provide for citizen ownership. As for the second amendment to the Constitution, I am not aware of any decisions that come close to undercutting the laws and proposals on the table. These assertions are

simply bogus rationalizations. The real friend of the sportsman is a policy path that asserts responsibility and sets a standard of common sense and not a Congress that dances to the music composed and conducted by the gun lobby special interests.

Vote for the Conyers substitute. Vote to stop the violence. Vote for responsible firearm safety and ownership. Vote for your constituents, not the special interest. Vote for the Conyers substitute.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I rise today in strong support of the Conyers substitute and to protest the majority's restriction on the number of Democratic amendments considered to the Mandatory Gun Show Background Check Act.

Clearly, this decision favors the opponents of gun control and weakens our efforts to combat the proliferation of gun crimes in our Nation. Instead of being a House of the people, we become the water carriers for the NRA.

Mr. Chairman, we are out of step with our colleagues in the Senate, and we are certainly out of step with the majority of the people in the United States.

By restricting our ability to offer meaningful anti-gun violence amendmentsto this legislation, the Republican leadership has clearly let down the children and families of America by putting the interests of the gun lobby above the safety and well-being of all our children.

Therefore I strongly urge my colleagues to support the Conyers substitute which will assure that Congress promptly responds to what the vast majority of Americans want—commonsense laws which are designed to keep firearms out of the hands of criminals and children.

Mr. CAMPBELL. Mr. Chairman, I yield 45 seconds to the gentleman from Connecticut (Mr. SHAYS), a reasonable Republican for reasonable gun control.

Mr. SHAYS. Mr. Chairman, I rise in support of the Conyers-Campbell substitute, the Senate bill, and I urge Members to vote against final passage if the Conyers-Campbell substitute does not pass.

The bottom line is a 24-hour waiting period is a joke. It is an absolute joke. It makes a mockery of the law. We have a gun show on a Saturday, on a Sunday, the check means nothing. It is a joke.

I hope in my lifetime the marriage between the NRA and my party ends in divorce. It is a bad marriage.

Mr. CONYERS. Mr. Chairman, I yield myself the balance of my time, and I want to thank all of the Members of this body on both sides of the aisle that have joined in for the substitute, particularly, of course, the gentleman from California (Mr. CAMPBELL).

What is the question? If we want more criminals to get guns from gun shows, vote against Conyers-Campbell. If we do not want criminals to get guns from gun shows then we will vote for Conyers-Campbell. It is as simple as that.

Mr. MCCOLLUM. Mr. Chairman, may I inquire if all time has expired for the others?

The CHAIRMAN. All other time has expired.

Mr. MCCOLLUM. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the House Committee on the Judiciary.

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

Mr. HYDE. My colleagues, we have reached the bottom line, and there is only one question that remains. Do we go forward, or do we go backwards?

Nobody gets everything they want in a bill, especially one as contentious as this bill. But if we can pass a bill, we can get it to conference, where the real bill will be written, and we will have a chance to get those things that are near and dear to all our hearts. But if we stop right now, we will not solve anything.

So the question is, are we really serious about doing something about juvenile crime, or would we rather posture; would we rather demonize our opponents and question their motives? Is that too much fun? Or can we keep this process alive and get it into conference where we will all have a voice, and we will try to shape a bill that suits the needs of America?

This is only the first step. It is not the end game. So I ask my colleagues to please not cut the lifeline to this process that we are embarked in, this contentious process.

Everybody here has been voting their district, their community, not voting party line, and we should not vote party line. There is no party line, although the Republican leadership supports this bill.

The substitute of the gentleman from Michigan (Mr. CONYERS) would undo all of the things we did yesterday. Some we may think are bad, but some are good. One of the things the gentleman does is denies the increased penalty on adults who illegally give a gun to a juvenile. That is a step backwards.

I suggest we support this bill, we keep the process alive, because we want to do something about juvenile violence. And maybe someday we can elevate our thoughts from things like guns and get into the realm of ideas that have horrible consequences and are filling our children's souls with hate and death and violence. That is the real enemy, not the things.

But there are too many guns, too many guns available to kids, and those people who responsibly use guns are entitled to their constitutional right. Balance is what we are looking for, protecting constitutional rights, protecting kids.

The gentlewoman from New York last night, and she is a gentlewoman, made a very compelling and moving speech about why she came here. We all came here for the same thing. And I suggest we stop playing politics and we start playing children and start playing juvenile violence and start thinking more deeply about these things and trying to come to grips with solutions.

One thing we can do is pass a bill today. Then it goes to conference, and then we will see if we cannot, through some inspiration, come out with a bill that advances the cause of tranquility and safety and families and kids in this country.

Vote for the bill; vote against the Conyers substitute, which undoes everything we did in the last 2 days, and let us move into conference and see if we cannot continue this process.

Ms. DEGETTE. Mr. Chairman, my esteemed colleagues, we have an opportunity before us today to pass bi-partisan, moderate gun safety legislation. We have a chance to make this country a safer place and we cannot afford to let this opportunity slip away.

If this body passes weak and watered down gun safety legislation then we have wasted our time. If we do not pass the moderate gun safety measures, equivalent to those that passed in the Senate, we might as well pass nothing. We have a chance to do something meaningful and we cannot afford to fail!

When it comes to gun safety, the people of this country are not going to settle for lip service. They want safe schools for their children. They want safe streets. They want to live in a country where thousands of people do not die of gun shot wounds every year. They want to live in a country where there are not seven school shootings within a period of two years.

There have been charges from Members on the other side of this issue that those of us who support these gun safety measures are somehow taking political advantage of recent tragedies. Make no mistake. There is only one outside agenda here and that is the agenda of the NRA which has categorically rejected one reasonable proposal after another. The rest of us are attempting to enact smart, sensible gun safety legislation which many of us have been working on throughout our legislative careers. And every school massacre, drive-by shooting and accidental death of a child playing with guns further proves that this is the right thing to do.

Sensible gun control is not about chipping away at the Second Amendment. It is not about taking away the right of ordinary citizens to own a gun. Those who tell you otherwise are not being straight with you because this is not about infringing upon the rights of ordinary citizens. This is about keeping guns out of the hands of those who should not have them.

Tightening restrictions on the ability of criminals to purchase weapons of mass destruction does not impede on the Bill of Rights. Making guns safer and keeping them out of the hands of kids does not undermine our constitution.

We live in an era of automatic weapons and an increasingly violent culture. Tackling the problems with guns should not preclude the need to address our cultural problems. But to deny that easy access to certain guns is a part of the problem is, quite literally, a deadly mistake. A disturbed person is dangerous. A disturbed person with a gun is deadly.

We have before us an opportunity to do right by our constituents. If this House can't pass a meaningful gun safety bill we should be ashamed to go home and face the men, women and children we represent.

Vote for the Conyers substitute.

Ms. MCCARTHY of Missouri. Mr. Chairman, I rise today to support the democratic alternative to the Child Safety Act, offered by Mr. CONYERS of Michigan. In particular, I urge my colleagues to support the funding for crisis prevention counselors and anti-violence initiatives in our local schools.

Early intervention has been shown to greatly reduce incidences of violence in schools. Children who need help should be able to get help right away. There should be caring adults in the schools who can identify children who might be struggling with a problem or with anger before it is too late. We cannot cut corners when it comes to our children.

The other body had the opportunity to adopt a true ban on juvenile possession of semi-automatic assault weapons, but instead they adopted a weak amendment that allows juveniles to possess semi-automatic assault weapons with parental consent. There is no legitimate reason for a teenager to possess a Street Sweeper or an Uzi. Juvenile possession of these weapons should be banned. This provision is an invitation for dangerous juveniles to manipulate or pressure a permissive or irresponsible parent into allow the teenager to have a deadly weapon. We have an opportunity to adopt a strong bill that will prioritize youth safety. Then we can advocate for this strong language when the bill is in conference.

I hope that this Congress will prioritize school safety. I hope that we will make a commitment to our children to make their schools safer and more conducive to learning. I also hope that we will make a commitment to examine what our children are learning and to ask if they are receiving a quality education that prepares them to be responsible citizens in a democracy—to make good, informed choices; to live in peace with their neighbors and coworkers; and to enjoy life to the fullest extent possible.

Mr. FARR of California. Mr. Chairman, a bright and shining moment to better protect our children from gun violence was within our reach and we failed to grasp the brass ring.

We failed to enact modest gun safety measures that many of our states have already enacted.

In my own state of California we have a 10 day waiting period to purchase any firearm.

19 states have enacted their own waiting periods to purchase a handgun or a permit to purchase a firearm.

Why are we afraid to be as bold as our own state legislators.

Two months ago, following the Columbine High School shooting in Colorado, the California General Assembly passed a one-gun-month law for California, and the California Senate is expected to approve it.

If California approves the measure, it will become the fourth and largest state to curb gun trafficking through this common sense measure.

I urge my colleagues to support the Democratic substitute—a common sense measure—to protect our children from gun violence.

Mr. BENTSEN. Mr. Chairman, I rise in support of the Conyers-Campbell substitute. Last night, I believe this House failed to address a gaping loophole in the law as it relates to the transfer of guns to criminals.

I fully appreciate the emotion felt by all members with regard to gun control and gun safety laws. I grew up around guns and have enjoyed shooting and hunting since I was a young child. I defy anyone to call me anti-gun or to imply that I favor banning guns or prohibiting gun ownership. I do not agree with those who seek to ban ownership of guns by law abiding citizens. I support the second amendment, but we must remember we are a nation of laws, not a nation of men. In our 212 years of experience with the Constitution, our nation and our freedom has survived with order. I do not believe the Brady Bill and the instant background check have denied any law abiding citizen the right to purchase and possess a gun. And it is an undeniable fact that the Brady Bill has stopped hundreds of thousands of people whom all of us believe should not have guns from getting guns. But the fact remains that sellers at gun shows who are not federally licensed gun dealers are able to sell guns outside the confines of the background check. Not only does this open a loophole for the transfer of guns to people whom we all believe should not have access to them, namely criminals, or people with criminal backgrounds, but this is also creates an unfair advantage for non-licensed dealers. Why should Congress treat one class of gun sellers differently than others? Unfortunately, current law allows this unequal treatment as does the Dingell amendment, which I believe is unfair.

I opposed the amendment by my good friend Mr. DINGELL, with whom I have enjoyed many hours freezing in a duck blind, because I do not believe it closes the loophole that is allowing criminals access to guns. I supported the McCarthy amendment because it would have closed this gun show loophole without placing any new restrictions on law abiding citizens right to own and purchase a gun. No where in the bill did it restrict that right. And, it eliminated the commercial inequity that currently exists between licensed gun dealers and non-licensed gun dealers.

I am not comfortable with everything in Conyers-Campbell amendment, but I do believe we must close the gun show loophole to prevent criminals from having such easy access to guns, just as has been done at gun stores, and we should restore commercial equity between federally licensed and non-licensed gun sellers to the public. We can do so without restricting the right to gun ownership by the law abiding public. To say otherwise is simply not correct and fearmongering. As a gun owner, hunter and former NRA marksman, I believe the gun show loophole for criminals is one which we law abiding gun-owning citizens can live without while protecting our Second Amendment right to own guns.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as modified, offered by the gentleman from Michigan (Mr. CONYERS).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 242, not voting 8, as follows:

[Roll No. 243]

AYES—184

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gilchrest
Gonzalez
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kaptur
Kennedy
Kildee
Kilpatrick
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
Lantos
Larson
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Olver
Ose
Owens
Pallone
Pastor
Payne
Pelosi
Pomeroy
Porter
Price (NC)
Quinn
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rogan
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Slaughter
Snyder
Spratt
Stabenow
Stark
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOES—242

Aderholt
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Deal
DeLay
DeMint
Dickey
Dingell
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Gallegly
Gekas
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John

Johnson, Sam	Oberstar	Smith (MI)
Jones (NC)	Obey	Smith (NJ)
Kanjorski	Ortiz	Smith (TX)
Kasich	Oxley	Smith (WA)
Kelly	Packard	Souder
Kind (WI)	Paul	Spence
King (NY)	Pease	Stearns
Kingston	Peterson (MN)	Stenholm
Knollenberg	Peterson (PA)	Strickland
Kolbe	Petri	Stump
LaHood	Phelps	Sununu
Lampson	Pickering	Sweeney
Largent	Pickett	Talent
Latham	Pitts	Tancredo
LaTourette	Pombo	Tanner
Lazio	Portman	Tauzin
Lewis (KY)	Pryce (OH)	Taylor (MS)
Linder	Radanovich	Taylor (NC)
LoBiondo	Rahall	Terry
Lucas (KY)	Regula	Thornberry
Lucas (OK)	Reynolds	Thune
Maloney (CT)	Riley	Thurman
Manzullo	Rogers	Tiahrt
Mascara	Rohrabacher	Toomey
McCollum	Royce	Traficant
McCrery	Ryan (WI)	Turner
McHugh	Ryun (KS)	Upton
McInnis	Sandlin	Vitter
McIntosh	Sanford	Walden
McIntyre	Saxton	Walsh
McKeon	Scarborough	Wamp
Metcalf	Schaffer	Watkins
Mica	Sensenbrenner	Watts (OK)
Miller (FL)	Sessions	Weldon (FL)
Miller, Gary	Shadegg	Weldon (PA)
Mollohan	Shaw	Weller
Moran (KS)	Sherwood	Whitfield
Murtha	Shimkus	Wicker
Myrick	Shows	Wilson
Nethercutt	Shuster	Wise
Ney	Simpson	Wolf
Northup	Sisisky	Young (AK)
Norwood	Skeen	Young (FL)
Nussle	Skelton	

NOT VOTING—8

Bonilla	Lewis (CA)	Salmon
Brown (CA)	Minge	Thomas
Hilliard	Pascrell	

□ 1402

Messrs. WALSH, LUCAS of Oklahoma and PEASE changed their vote from ''aye'' to ''no.''

So the amendment in the nature of a substitute, as modified, was rejected.

The result of the vote was announced as above recorded.

Mr. HALL of Texas. Mr. Chairman, I would like to thank my good friend for giving me the time to express my strong opposition to H.R. 2122. In lieu of recent events—more specifically, the tragedy in Littleton, Colorado—I share the concern and fear for the future of our great nation—especially for our children. Such tragic occurrences demand serious reflection by all of us—parents, children, educators and legislators alike. I pray that such reflection will create serious dialogue between parents and their children, for I believe that the true solution to such tragedies lies within the family unit.

We are united in our compassion for those involved in these recent tragedies, but we must be careful not to confuse the issues surrounding these terrible events. It seems that every time there is a drive-by shooting—or every time some mal-contented, misguided, or incorrigible youth decides to obtain guns in order to kill innocent people—there is a rush to jump on the bandwagon to take away our Second Amendment rights. These tragedies ought, instead, to spawn a resurgence of the effort to put God back in our schools and in the hearts of every student. Such tragedies should also spawn a resurgence in parents' commitment to raise their children to respect the sanctity of life and to be responsible, law-abiding citizens. We need to focus our efforts where we know the problem lies—on the number of broken families in our country, on our over-sized classrooms, on the amount of sex and violence in our children's music, movies and games, and on the drugs and drug dealers that are infiltrating our inner cities. The root of the problem is the absence of God in our homes and in our schools—not the presence of guns in our society.

Despite the hundreds of gun laws that exist today, none prevented such horrifying events. And none ever will. In Washington, D.C., it is a felony to possess a handgun in your home—yet this has had little effect on the crime rate in our nation's capital. We must not punish the majority of our law-abiding citizens by making it harder on them to—legally—pursue a constitutional right. Instead, we must empower our law enforcement agencies and judicial system to track down and convict those who choose to use guns illegally—regardless of their age.

In short, Mr. Chairman, we need to focus our efforts on strengthening our juvenile justice system. We need to instill values and build character in our children at home, in our schools and in our churches. We need to advocate more parental control—not more gun control. I urge colleagues to vote against H.R. 2122.

Mr. POMEROY. Mr. Chairman, I rise in support of the Conyers amendment to H.R. 2122, the Mandatory Gun Show Background Check Act. This amendment takes reasonable steps to reduce gun violence, while preserving personal freedoms.

I believe strongly that law-abiding citizens have a constitutionally protected right to purchase and responsibly use firearms. The federal government does not and should not have the power to prevent its citizens from enjoying recreational activities that involve firearms, such as hunting and target shooting. Neither does the federal government have the power to restrict our ability to defend ourselves by banning the possession of hand guns. My constituents in North Dakota, and all American citizens, have the right to use firearms in recreation, just as they have the right to use firearms to defend themselves and their families. The full strength of the Second Amendment to the Constitution is behind that right.

However, I also believe that the moderate gun safety measures included in the Conyers amendment uphold constitutional rights while helping to prevent the gun violence that threatens public safety and shatters families. The gun safety measures in this amendment are identical to those passed last month by the Senate, and offer a common-sense approach to gun safety. Specifically, the expansion of the National Instant Check System to include background checks at gun shows will help keep firearms out of the hands of violent criminals. The National Instant Check System (NICS) set up by the Brady bill has proven to be highly successful at preventing convicted criminals from accessing firearms. In the last six months, the NICS has prevented over 90,000 illegal gun transactions, many of which would have armed violent criminals.

I do recognize that concerns exist regarding the impact of gun show background checks on citizens' rights to purchase firearms. However, the NICS system has proven effective at deterring criminals without placing an undue burden on law-abiding gun buyers. Nearly ninety-five percent of all background checks are resolved within two hours; a full seventy-three percent are completed instantly. The handful of background checks that take longer than two hours are usually due to an arrest record that needs to be investigated further. Law-abiding gun owners in this country will not be burdened by this provision, but instituting background checks at gun shows will help keep guns out of the wrong hands.

I also support the Senate-passed provision included in this amendment that would require safety locks or secure storage devices on every newly purchased handgun. This provision would help parents safeguard their children from the epidemic of accidental shootings that has infected this country. This amendment does not mandate that the gun owner take advantage of the safety device; the gun owner may remove the device immediately upon purchase of the weapon. This proposal would only aid efforts to avoid preventable deaths.

Mr. Chairman, the Conyers amendment to H.R. 2122 does not tamper with our nation's strong tradition of the protection of the right to bear arms. This amendment provides a common-sense approach to gun safety, and I would urge my colleagues to support it.

Mrs. ROUKEMA. Mr. Chairman, I have to commend our leader in this battle, Mrs. MCCARTHY. I have worked very closely with her, followed her outstanding leadership and been so truly inspired by her commitment and bravery.

None of us can understand the trauma Mrs. MCCARTHY has endured since December 7, 1993, the day Colin Ferguson, armed with an illegal gun, opened fire inside a crowded Long Island Railroad passenger car, killing six and injuring 19. Her husband, Dennis, who was innocently returning home from a hard day at the office, was among those killed. Her son, Kevin, was wounded and severely disabled.

This horrible tragedy instantly shattered Mrs. MCCARTHY's quiet life as a licensed practical nurse, wife and mother. She could have stayed at home, absorbed with her grief. Instead, she has gathered strength from trauma and grief, and chosen to make a contribution and bring something positive out of this tragedy. She is now a leader in the efforts to end this terrible cycle of gun violence that is plaguing our nation. Speaking at events across the country, crusading to spread the message of gun violence and working to pass gun safety legislation here in Congress, she is striving to make our streets safe for our children, families and neighbors.

Mrs. MCCARTHY has shown incredible courage and strength throughout this legislative process. She is an inspiration for all of us who have lost a loved one to an untimely death and is proof that life can go on.

Mr. FILNER. Mr. Chairman, as the juvenile crime bill has worked its way to the House floor, we have lost sight of something crucial. Following the tragic armed assault by two troubled students on classmates at Columbine High School, the citizens of this nation cried out for policy to stop the killing, a policy that will protect our children from gun violence.

There are many concerns that need to be addressed. We need to take action on media violence, to develop programs that build children's confidence and self-esteem, to help parents develop the tools they need to better raise their children. But before our work in any of these areas can be effective, we must face

one irrefutable fact: our young people are able to act on their anger and frustration and rage because it is so easy for them to get their hands on a gun. As a result of this—and the ease with which criminals can buy guns—we are losing on average 13 children and teenagers every single day.

The vast majority of Americans understand this. In a CNN-Gallup poll taken just this week, 87 percent of Americans said they support legislation to close the loopholes in the law that put guns in the hands of children and criminals.

Americans favor laws that: Close the loophole that allows people to buy guns at gun shows and flea markets without background checks; close the loophole that fails to hold gun owners responsible for keeping loaded firearms out of the reach of children; close the loophole that allows children of any age to purchase or possess assault weapons; close the loophole that allows the import of ammunition clips holding more than 10 rounds; and close the loophole that allows juveniles under 21 to purchase handguns.

This is the bare bones legislation that Americans are demanding. The bill passed last month by the Senate would close most of these loopholes. Now it is up to us to approve the Senate gun package as written or to strengthen it. We must seize the opportunity to close loopholes in the law and save children and their families from the horror and pain of gun violence.

But what are we doing instead? We are ignoring the American public and playing games with the lives of our children. The bills we have before us this week not only water down the Senate's proposal, but they actually create new loopholes, like a new definition for gun shows and changing the time allotted for background checks. These bills were not designed to quell the understandable fears of American parents. They were designed to satisfy a small, vocal minority in this country—the gun lobby.

Mr. Chairman, I call on my colleagues today to stop playing politics with the lives of our children. You'll never satisfy the gun lobby. They care more about their guns and winning the argument than they do about protecting the lives of our precious children.

I am not suggesting that closing these loopholes will stop all gun violence. What I am saying is that this is a small, but significant, first step to reigning in the violence that is killing our children and destroying our families. I ask that you join me in a vote for the future of America. Please reject the weak measures before you and vote for meaningful laws that will restrict access to guns and keep our children safe.

Mr. RILEY. Mr. Chairman, I rise today in support of the Hunter amendment. As a homeowner in the District of Columbia, I find it offensive that DC gun laws prevent me from protecting my family and home.

We all know that the criminals in this city have guns, yet innocent, law-abiding citizens are routinely denied a basic constitutional right of protection.

Mr. Chairman, this defies all common sense. Let's punish criminals, not law-abiding citizens. Pass the Hunter amendment.

Mr. PACKARD. Mr. Chairman, like every American, I am deeply disturbed by the growing epidemic of violent juvenile crime. The recent tragedy at Columbine High School has dramatically heightened concerns about the safety of our children, and left parents across the nation searching for answers.

The sad fact is, our society is now permeated with violence. Graphic depictions of violent acts can be found all over television, in films and music, and on the Internet. By the age of 18, the average American child has witnessed over 200,000 acts of violence on television alone, including some 16,000 murders. Sadly, the average child under the age of eleven watches more than twenty hours of television a week—yet spends less than one hour in meaningful conversation with parents. America is now in a cultural state of emergency. As parents and leaders in our communities, we must reclaim control over our children's lives and education.

Mr. Chairman, I wish we could forever end violent crimes in our schools by a simple act of Congress. Unfortunately, no success can ever compensate for failure in the home. No new law will repair the damage done by the repeated glorification of violence in our society—and no new regulation will ever do the job of a caring and attentive parent. If we hope to reduce violence in our schools and instill a healthy appreciation of life in our children, we must begin by strengthening our efforts in the home. If we fail at home as parents, our children will have little chance of ever succeeding—or feeling safe—at our nation's schools.

As a strong supporter of the Constitution, I will not support unreasonable restrictions on the ability of citizens to exercise their Second Amendment right. While I agree that we must do everything possible to prevent more violent school tragedies, simply blaming guns ignores the root causes of violence among our youth. Strictly enforcing the 20,000 existing gun laws already on the books should be our first immediate step. The restoration of discipline and accountability in our homes, our schools, and in society will help reduce violent juvenile crimes—compromising the rights of every free, law-abiding American will not.

Mr. Chairman, there are plenty of people here in Washington who believe that we can ''legislate'' a solution to the problem of school violence. I wish it were that easy. But the truth is, this is a job for parents, not politicians—and the most important thing we can do for our children won't happen on the floor of Congress, but within the walls of our own homes.

Ms. HOOLEY of Oregon. Mr. Chairman, I am supporting the McCarthy amendment because I believe this amendment will close a loophole left open in the Brady Law passed in 1994. Closing this loophole does not create new laws, and I believe, creates very little additional burdens for law abiding citizens. However, it will present criminals from getting guns and it will save lives.

I also support this amendment at the request of the law enforcement community in my district who have signaled to me that closing the gun show loophole is one of their top priorities. They have told me that the McCarthy amendment will best help them keep guns out of the hands of criminals and prevent violent crime throughout the fifth district and the State of Oregon.

This amendment is a common sense approach to keeping guns out of the hands of criminals and is supported by law enforcement and members of both parties. I look forward to seeing this amendment passed this evening.

Mr. DELAHUNT. Mr. Chairman, I rise in opposition to this dangerous and irresponsible bill. A bill that would weaken the Brady Law and put lethal weapons into the hands of criminals.

During the past five years, the Brady Instant Check System has prevented illegal gun purchases by more than 400,000 fugitives, convicted felons, drug addicts, and others who cannot lawfully possess a firearm.

But if we pass this bill, we will be handing them a loaded weapon and inviting them to pull the trigger.

That's because the bill denies the FBI the three days it needs to complete its background check on the very people most likely to have a criminal history.

Like the convicted rapist who traveled from Virginia to North Carolina last month—for the purpose of buying a gun.

Or the man convicted of armed robbery and burglary in Georgia who drove to Missouri last March—for the purpose of buying a gun.

Or the murderer in Texas.

Or the arsonist in New Jersey, who went all the way to Mississippi last April—for the purpose of buying a gun.

These are just a few of the thousands of criminals who tried to purchase handguns in the last six months and were stopped—because a three-day background check revealed their criminal history before the sale could go through.

But if this bill had been the law of the land six months ago, the FBI estimates that 9,000 of these people would have been walking the streets with a license to kill. If this bill passes in its present form, those 9,000 will try again. And this time, they'll get away with it.

I ask my colleagues to think about that before they vote. Think about the lives that will be destroyed because one of those 9,000 criminals got hold of a weapon and pulled the trigger. Think about what we will say to the families of the victims who are killed if we vote tonight to weaken the Brady Law.

Or we can step back from the precipice, Mr. Speaker, as the Senate did a few short weeks ago. Tonight the provisions passed by the Senate will be offered as an amendment by Congresswoman MCCARTHY—who knows more about what handguns have cost the families of America than anyone in this chamber.

The McCarthy amendment would preserve the Brady Instant Check System and extend it to the gun shows where criminals go to buy their weapons.

It is time for us to stand with her. It is time for us to stand up to the NRA.

Mr. BARCIA. Mr. Chairman, in the aftermath of the tragedy in Littleton, Colorado, there has been a need to find something concrete to be culpable for this horrible event. While many have blamed the parents, society, movies or video games, most of the condemnation has pointed to firearms. As a result, a call for more gun control legislation swept across this country to Washington.

I share many of my colleagues' concerns about the violence that has plagued our society and I, too, am particularly concerned about the children who have used violence to address a situation rather than using other means. However, I do not believe that putting more restrictions on guns is the solution to this blame game.

As many of my colleagues have expressed, there are thousands of guns laws on the

books today and none of them prevented the tragedy in Colorado. Furthermore, the proposals here today would not prevent this kind of tragedy from happening again.

The right to keep and bear arms as guaranteed in our Constitution should not be restricted, but be restored to our law-abiding citizens. The way to fight crime is to punish the criminals, not victims, for the crimes they commit by imposing harsh punishments and longer sentences. It is also important to give the police the resources and authority they need to catch and punish criminals without penalizing or restricting the rights of law-abiding citizens.

If we want to find someone to blame for the crime in our society, we should blame ourselves for not spending the time with our children and helping them to grow into productive and well-adjusted adults. I urge everyone who is a parent or grandparent to try to put more time aside and really listen to our children and grandchildren. If there are problems, we should be able to address them in a nonviolent fashion. Our children, the future leaders of this great country, are calling out to us. Listen to them and react to their needs.

Mr. NORWOOD. Mr. Chairman, today we debate more than guns, we debate how to get a handle on violence. Everyone in this House admits, and the majority of Americans recognize, that there are a multitude of factors that led to the tragic school shootings this spring in Littleton, Colorado, and Conyers, Georgia.

If we are serious about ending this kind of violence, we have to address all the factors that led to it. We must deal with the denigration of religion in society, for religion is the foundation of personal morality, the greatest of all protections against violence. As George Washington stated in his farewell address in 1796:

''Let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.''

We must also deal with ensuring a zero-tolerance for any weapons in our schools. We must deal with the smut on the Internet and throughout our society. We must deal with juvenile crime, and the fact that we too often coddle teenagers who engage in murder, rape, and robbery.

These are the real solutions to Littleton and Conyers, not more gun control laws. Let's be honest and quit dealing with just the edges of the problems. Let's quit giving the easy political-out answers.

Let's take a hard, cold look at what kind of nation we've become, what we've allowed to develop in this nation, and not shy away from the tough actions needed to change our course.

If anyone commits a violent crime with a gun, they should never again be allowed to own one. If an adult illegally provides a weapon to a child, they should be prosecuted to the fullest extent of the law, and we should increase the penalties to the harshest possible. Children should not have access to guns.

Children should also not be allowed to have access to the filth and graphic violence that permeates the Internet, airwaves, cable television, electronic games, and record shops.

Most of our young people manage to maintain morality in spite of this smut. A very few, those on the edge, cannot. It only took three of those young people to created the havoc that brings us to this debate. Unless we deal with these societal problems, we will be doomed to repeat the tragedies of Littleton and Conyers.

Let's rebuild the guardrails of our society that will keep the less fortunate or the emotionally-disturbed from going off the side of the mountain—and taking the innocents with them.

The CHAIRMAN. There being no further amendments in order under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. THORNBERRY, 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. 2122) to require background checks at gun shows, and for other purposes, pursuant to House Resolution 209, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 147, noes 280, not voting 8, as follows:

[Roll No. 244]

AYES—147

Archer
Armey
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehner
Bono
Bryant
Burton
Calvert
Camp
Canady
Cannon
Clement
Coble
Cook
Cox
Crane
Cunningham
Davis (VA)
DeLay
DeMint
Diaz-Balart
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Gallegly
Gekas
Gilchrest
Gillmor
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hobson
Hoekstra
Horn
Houghton
Hunter
Hutchinson
Hyde
Isakson
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Linder
Lipinski
LoBiondo
Manzullo
McCollum
McCrery
McHugh
McKeon
Miller (FL)
Miller, Gary
Myrick
Northup
Norwood
Nussle
Oxley
Packard
Petri
Phelps
Pickering
Pitts
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reynolds
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Saxton
Sensenbrenner
Sessions
Shaw
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Spence
Stearns
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Toomey
Traficant
Walden
Walsh
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wilson
Wise
Wolf
Young (FL)

NOES—280

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Barton
Becerra
Bentsen
Berkley
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Burr
Buyer
Callahan
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clyburn
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gibbons
Gilman
Gonzalez
Goode
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McInnis
McIntosh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickett
Pombo
Pomeroy
Porter
Price (NC)
Ramstad
Rangel
Reyes
Riley
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin

Sanford	Spratt	Udall (NM)
Sawyer	Stabenow	Upton
Scarborough	Stark	Velazquez
Schaffer	Stenholm	Vento
Schakowsky	Strickland	Visclosky
Scott	Stump	Vitter
Serrano	Stupak	Wamp
Shadegg	Tauscher	Waters
Shays	Thompson (CA)	Watt (NC)
Sherman	Thompson (MS)	Waxman
Sherwood	Thornberry	Weiner
Shimkus	Thune	Wexler
Shows	Thurman	Weygand
Skelton	Tiahrt	Whitfield
Slaughter	Tierney	Woolsey
Smith (NJ)	Towns	Wu
Snyder	Turner	Wynn
Souder	Udall (CO)	Young (AK)

NOT VOTING—8

Berman	Lewis (CA)	Salmon
Bonilla	Minge	Thomas
Brown (CA)	Pascrell	

☐ 1421

Ms. SANCHEZ and Messrs. COSTELLO, HAYES, MOLLOHAN and SHADEGG changed their vote from ''aye'' to ''no.''

So the bill was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. MINGE. Mr. Speaker, on rollcall No. 244, had I been present, I would have voted "no."

Mr. BERMAN. Mr. Speaker, I was unable to cast a vote on final passage of H.R. 2122 because I had to catch the last available plane to Los Angeles to attend my daughter's graduation ceremony at 6:00 p.m. Pacific time. However, had I been present I would have voted "no."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1501, CONSEQUENCES FOR JUVENILE OFFENDERS ACT OF 1999

Mr. BRYANT. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1501, the Clerk be authorized to make changes in the placement of the table of contents, combine duplicative sections, correct section numbers, punctuation and cross references and to make other such technical and conforming changes as may be necessary to reflect the actions of the House.

The SPEAKER pro tempore (Mr. KOLBE). Is there objection to the request of the gentleman from Tennessee?

There was no objection.

TITLE AMENDMENT TO H.R. 1501, CONSEQUENCES FOR JUVENILE OFFENDERS ACT OF 1999

The SPEAKER pro tempore. Without objection, the amendment to the title of H.R. 1501 proposed in amendment No. 36 in Part A of House Report 106–186 is adopted.

There was no objection.

The text of the amendment to the title is as follows:

A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants to ensure increased accountability for juvenile offenders; to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency; and for other purposes.

LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, I ask for this 1 minute for the purpose of inquiring from the distinguished Majority Leader the schedule for today and next week.

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

Mr. BONIOR. I yield to my friend from Texas.

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

Mr. Speaker, I am pleased to announce we have concluded legislative business for the week.

The House will not be in session on Monday, June 21.

The House will next meet on Tuesday, June 22, at 12:30 p.m. for morning hour and 2 p.m. for legislative business. Members should note that we expect recorded votes after 2 p.m. on Tuesday, June 22. On Tuesday we will consider a number of bills under suspension of the rules, and H.R. 659, the Patriotic Act, under an open rule.

On Wednesday, June 23, and the balance of the week the House will consider the following legislation, all of which will be subject to rules:

H.R. 2084, the Department of Transportation Appropriation Act;

H.R. 1658, Civil Asset Forfeiture Reform;

H.J. Res. 33, Proposing an Amendment to the Constitution of the United States Authorizing the Congress to Prohibit the Physical Desecration of the Flag of the United States; and

H.R. 1802, Foster Care and Dependents Act of 1999.

Mr. Speaker, we expect to conclude legislative business by 2 o'clock p.m. on Friday, June 25, and I thank the gentleman for having yielded me the time.

Mr. BONIOR. If I could ask the gentleman from Texas: Do we expect any late nights next week, any anticipated late evenings?

Mr. ARMEY. I thank the gentleman.

We do have a fairly full legislative schedule, but it seems to me given that most of the work is considered under the rules and not very controversial we should not expect a flood of amendments, and we should be able to manage ourselves into relatively reasonable working hours.

Mr. BONIOR. I thank my colleague.

Let me ask him a further question and inquiry:

When are we going to take up campaign finance reform? I understand that the Committee on House Administration is going to have a series of hearings, and I would just implore my friend from Texas and my colleagues on this side of the aisle in the majority that the time has come for us to have this bill on the floor where we can have an open debate on an issue in which we debated for weeks and weeks and months on end in the last Congress. I think the country is ready, we are tired of waiting, and I hope the gentleman can give us some indication of when that bill will be before this body.

Mr. ARMEY. Mr. Speaker, let me again remind the gentleman the summers belong to the appropriations process. The Speaker and the leadership have correctly, I think, in terms of the management of the year's flow of business placed that priority on the process, and yet the Speaker has given assurance, and I would second the assurances that he has given, that we should be able to address this matter of campaign finance reform on the floor before the end of September.

Mr. BONIOR. Before the end of September.

Mr. Speaker, I regret hearing that once again. I understand that was the Speaker's assurance and the gentleman's assurance, but that seems awfully late in terms of making sure that we have something that can change the law of this country to clean up our campaign finance.

I yield for a comment to my friend and leader on this issue, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the distinguished whip for yielding, and I will say to my friend, the Majority Leader, I quoted him yesterday in hearings that we had in the Committee on House Administration saying that he hoped initially that this would be on the floor in July, campaign finance reform. I also quoted the gentleman from Tennessee (Mr. WAMP), who indicated that if we delayed until September he was fearful that it would kill campaign finance reform.

As the distinguished Majority Leader knows, we had over 50 hours of debate on the Shays-Meehan bill last Congress and we had 252 Members vote in favor of passing that bill, and frankly with all due respect the hearing that we had yesterday, three good Members of Congress, the gentleman from California (Mr. CALVERT), the gentleman from Maryland (Mr. GILCHREST) and the gentleman from Minnesota (Mr. SABO), came and testified, but very frankly, Mr. Leader, they testified on bills they have had in it for at least two congresses. Very little change in their testimony. They indicated to me it was essentially no different than it was before. So I fear that the hearings will simply delay us and will be a device to kill rather than pass campaign finance reform.

I would hope that the gentleman from Texas (Mr. ARMEY) would consult with his leadership and see if we could accelerate that so we could bring Shays-Meehan to the floor as quickly as possible, and I thank the distinguished gentleman from Michigan (Mr.

BONIOR) for yielding, and I thank the leader for his consideration of that request.

Mr. BONIOR. Mr. Speaker, I just have one other request, and I yield to the gentleman from California (Mr. FARR) for a comment.

Mr. FARR of California. Mr. Speaker, I just have a question for those of us traveling from the West Coast. Is there any possibility that those votes on Tuesday could be rolled until 5 o'clock? If we leave the West Coast first thing early Tuesday morning, the first plane gets in 4 p.m., and we can be on the floor by 5:00. It would be very helpful.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for his request, and I do understand how important and sensitive that is.

Ordinarily, especially on a Monday, we would almost assuredly give Members a 6 o'clock vote time. We do have again an opportunity to have an orderly week's business, but to begin, being a Tuesday beginning, I just at this point am not comfortable. Should we see a modification in the schedule, we would put out over the whip notice, but I just do not believe we can get there now.

□ 1430

But I just do not believe we can get there now.

Mr. FARR of California. So the gentleman does not think the votes could be rolled?

Mr. ARMEY. Mr. Speaker, if the gentleman would yield, we always look for these opportunities to the best of our ability, but we need to get more quickly than in many weeks to considerations of legislation under rules, and therefore we just simply cannot make that Tuesday accommodation that is so usual and, I think, so necessary and desirable. But we will continue to keep the needs of Members in our planning priorities.

Mr. FARR of California. Mr. Speaker, I thank the gentleman.

ADJOURNMENT TO TUESDAY, JUNE 22, 1999

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Tuesday, June 22, 1999 for morning hour debates.

The SPEAKER pro tempore (Mr. KOLBE). Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. 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 Texas?

There was no objection.

HAPPY BIRTHDAY, CHRISTOPHER

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

Mr. ARMEY. Mr. Speaker, it is my proud opportunity today to advise the House that my first grandson, Christopher Irving Armey; as we like to know him, ''CIA,'' will be 2 years old tomorrow, and I am going to spend the whole day on that.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain 1-minute speeches.

NORTH AMERICAN SLAVERY MEMORIAL COUNCIL ACT

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

Mr. STEARNS. Mr. Speaker, I believe that a quote by Papa Dallas Stewart, a former slave, captures the essence of the bill that I have introduced today when he said, ''Promise me that you are going to tell all the children my story.''

As a child, Stewart had his eyes burned out when an overseer caught him studying the alphabet. He spent his life encouraging others to never forget about the horrors of slavery. He understood that we must share the painful past in order to protect our future.

Today, I introduce the North American Slavery Memorial, which is patterned after the Holocaust Museum and pays tribute to those who suffered and perished under slavery in North America. This bill will ensure that future generations grasp the injustice that occurred in North America's past so that we may never repeat it.

For the sake of Papa Stewart and countless others, we must never forget the past. I encourage my colleagues to join the gentleman from Georgia (Mr. LEWIS) and myself in cosponsoring the North American Slavery Museum bill.

WAKE UP, AMERICA

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

Mr. FARR of California. Mr. Speaker, I want to ask America to wake up. Watch what is going on here on the floor of Congress. America has seen that we cannot pass effective gun reform in this Congress because we are wedded to the NRA.

Well, I want you to do something about it. I want you to wake up your mayors, city councils, county supervisors, wake up your school boards, wake up your State legislators, because they can do what we cannot do. They can pass laws regulating gun business.

Mr. Speaker, 67 cities and dozens of counties in California have adopted 183 local firearm regulations, local firearm regulations. The State legislature has passed every single law that Congress has rejected. California regulates guns; other counties, cities and school districts regulate, and so can yours. So local governments can do what Congress has refused to do.

Wake up, America. Get all of the politicians involved in this. Take this issue home, and give it to your local legislators and make those laws in your own city.

BIPARTISANSHIP FOR MAINTAINING FISCAL DISCIPLINE

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

Mr. WICKER. Mr. Speaker, a few weeks ago there were reports that Jack Lew, the Director of the Office of Management and Budget, intended to slam Republicans for making unrealistic cuts in spending programs. But these same reports also stated that Mr. Lew would insist that the GOP resist the temptation to raise the budget caps.

An administration official said, the message is to the GOP, it is your budget, live with it. Our budget? Mr. Speaker, the 1997 Balanced Budget Act was passed by a bipartisan majority in both House and Senate and signed by the Democratic President of the United States. The problem is that while the minority leadership and the White House are talking fiscal restraint, many of their Democratic colleagues are pushing for spending well above the approved levels. The leaders and their rank and file and the OMB should get on the same page on this issue. There is time to deliberate and craft spending bills to maintain the fiscal discipline which has produced our budget surplus, but only if it is done on a bipartisan basis.

Mr. Speaker, I urge my Democratic colleagues to join us in the pursuit of this goal.

BRING TERRORISTS TO JUSTICE

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

Mr. BROWN of Ohio. Mr. Speaker, on my behalf and on behalf of my colleague, the gentleman from Ohio (Mr. LATOURETTE), I rise to strongly urge the President and the U.S. Government to act on behalf of justice. A Palestinian terrorist in a just-released autobiography admitted he planned the attack against Israeli athletes at the 1972 Olympics in Munich.

Mr. Speaker, 11 athletes were murdered in that attack. One of the murdered was David Berger, a middleweight lifter from Shaker Heights,

Ohio, with dual American-Israeli citizenship. David's family has been waiting 27 years for justice, to find the killers and to bring them to justice.

Palestinian terrorist Abu Daoud says he plotted the senseless murders in Munich. Now is the time for the United States and the world community to marshal its forces to capture Mr. Daoud and bring him before a court of law. We must do this for the memory of David Berger. We must do this for the families of all of the athletes who perished, and we must do this to fight terrorism wherever and whenever we find it.

CELEBRATING JUNETEENTH

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

Mr. LAMPSON. Mr. Speaker, tomorrow thousands and thousands of African Americans in Galveston, Texas, the birthplace of Juneteenth, and around the Nation will celebrate this holiday of freedom and justice. President Abraham Lincoln technically ended the right to own human beings in 1863, but most slaves gained their freedom only after Union troops took control of Confederate territory and released them from bondage.

It took 2½ years after the Emancipation Proclamation for the Union Army to reach Texas, the last place where slavery was not only allowed, but also enforced.

After Union General Gordon Granger rode into Galveston and announced to the States' 200,000 slaves that they were free, they immediately erupted into jubilant celebration, much like the 4th of July.

As we look ahead to the next millennium, I challenge all of us to take this opportunity while we celebrate the rich history of this celebration of freedom to rededicate ourselves to the value of equal opportunity for all Americans, because that is at the heart of Juneteenth and the American ideal.

WASTING TIME IN THE HOUSE OF REPRESENTATIVES

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

Mr. DEFAZIO. Mr. Speaker, after the high school shooting in my district last year, in my hometown of Springfield, Oregon, I talked to hundreds of residents. We had an incredible community dialogue about the causes and the possible solutions for youth violence. Everyone agreed it was complex. They had a long list of things they would like to see done. They would like to see something done about violence in the media.

After 66 amendments and dozens of hours of staying in session until 2 o'clock in the morning, this House has done nothing about violence in the media. After a day and a half on the very sensitive issue of gun control, this House has done nothing to extend instant check and background checks to people who purchase guns at gun shows. After 66 amendments and dozens of hours and late into the night, we have done nothing to add to the services to serve at-risk youth and their families and prevent them from getting into violence. Nothing. Zero.

Mr. Speaker, I hope my constituents and I hope my colleagues' constituents were watching. What we did here does not even meet the common-sense laugh test. It was a disgrace for this House of Representatives.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SHIMKUS). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

FOREIGN OPERATIONS APPROPRIATIONS BILL AND U.S. CAUCASUS POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, yesterday, in the other body, the Senate, the Appropriations Committee, marked up the foreign operation appropriations legislation for fiscal year 2000. The legislation reported out yesterday addresses several key issues concerning U.S. policies and priorities for the Caucasus Mountain region of the former Soviet Union, an area of vital and growing importance for the U.S. in the 21st century.

Here in the House, action on the foreign operations bill is not expected until later this summer. I wanted to take a few minutes to cite some of the key provisions in the Senate legislation that I hope the House will address, as well as to cite some additional areas where the Senate did not act, but I hope the House will.

As cochair of the Congressional Caucus on Armenian Issues, I plan to put my suggestions into a letter to the House Subcommittee on Foreign Operations, and that subcommittee, I should point out, has many good friends of Armenia, and I look forward to working with them.

First, the good news, Mr. Speaker. The Senate Foreign Operations bill earmarks $90 million in assistance to the Republic of Armenia. This represents an increase over the slightly less than $80 million that was reported in fiscal year 1999, and is certainly an improvement over the $71.5 million requested by the administration in its budget. I believe it is important for the United States to maintain our support and partnership with Armenia, which continues to make major strides towards democracy, as evidenced by last month's parliamentary elections, as well as market reforms and increasing integration with the West.

However, Armenia's strides towards providing a better life for its people at home and being a partner for peace and stability with the West continue to be challenged by the blockades imposed by the neighboring countries, Azerbaijan and Turkey. Provisions of U.S. support provides at least some relief from the difficulties imposed by the blockades and represents a moral statement by our country that we should try to offset the effects of the illegal blockades imposed on Armenia by its neighbors. I would urge the House subcommittee to provide the same $90 million earmark that has been included by the Senate.

Mr. Speaker, another area where I will be working to have the House follow the Senate language is with regard to something that is not there, and that is repealing section 907 of the Freedom Support Act, which restricts aid to Azerbaijan until that country lifts its blockade of Armenia and Nagorno Karabagh.

Last month, Secretary of State Albright called on the Senate appropriators to repeal section 907. When the Freedom Support Act was adopted in 1992, establishing our post-Cold War U.S. foreign policy for the Newly Independent States of the former Soviet empire, section 907 was included as a way of holding Azerbaijan accountable for the blockade of its neighbors. Azerbaijan has continued its strategy of trying to strangle Armenia and Nagorno Karabagh. I am glad the Senate appropriators resisted the administration's proposal to lift section 907.

As I just indicated, Azerbaijan's blockade is against both the Republic of Armenia and the Republic of Nagorno Karabagh. Nagorno Karabagh is an historically Armenian-populated region that Stalin's mapmakers included as part of Azerbaijan. Because Nagorno Karabagh's independence has not been officially recognized by the United States, it was a tremendous breakthrough when Congress approved $12.5 million in assistance for Nagorno Karabagh in the fiscal year 1998 legislation. Unfortunately, much of that assistance has yet to be obligated, and while the Senate is silent on this issue, I will be working with my Armenia issues caucus colleagues to ensure the House bill also provides report language directing the Agency for International Development to expedite delivery of this assistance.

Another area where the Senate bill is silent is on the issue of the peace process for Nagorna Karabagh. The U.S. has been one of the countries taking the lead in the peace process under the auspices of the Organization for Security and Cooperation in Europe. And late last year, the U.S. and our negotiating partners put forward a proposal known as the Common State Proposal as a basis for moving the negotiations forward. Despite some serious reservations, the elected governments of both

Nagorno Karabagh and Armenia have accepted this Common State Proposal to get the negotiations moving forward, but Azerbaijan has flatly rejected our peace proposal.

I will work, Mr. Speaker, to include language in the House foreign operations appropriations bill to urge the administration to stay the course in the Nagorna Karabagh peace process and not let the rejectionist policies of the Azerbaijan cause us to back down in the search for a just and lasting solution to this conflict, providing for the full self-determination of Nagorno Karabagh.

I do appreciate the fact that the Senate did not buy into the administration's inexplicable proposal to increase aid to Azerbaijan and decrease aid to Armenia. As I indicated, the Senate language provides for an increase in assistance to Armenia. It does not provide any specific mention of aid to Azerbaijan.

With the break-up of the Soviet Union, as the countries of the collapsing empire attained their independence, Azerbaijan attempted to militarily crush Nagorno Karabagh and drive out the Armenian population. But the Karabagh Armenians ultimately won their war of independence, and a cease-fire was signed in 1994.

American humanitarian assistance to Azerbaijan, via Non-Governmental Organizations (NGOs) has not been affected by Section 907. In recent years, further exemptions to Section 907 have been carved out. It is important that, at a time when Azerbaijan continues to reject good-faith efforts to achieve a negotiated settlement to the Nagorno Karabagh conflict, while illegally blockading supplies of fuel, food and other essential supplies to its neighbors, that we not reward this country with additional U.S. assistance.

□ 1430

Mr. Speaker, I look forward to working with my friends on the Subcommittee on Foreign Operations, Export Financing and Related Programs to craft legislation that supports Armenia.

JUSTICE FOR THE BERGER FAMILY

The SPEAKER pro tempore (Mr. THORNBERRY). Under a previous order of the House, the gentleman from Ohio (Mr. LATOURETTE) is recognized for 5 minutes.

Mr. LATOURETTE. Mr. Speaker, as Americans, we have a right to expect that justice will be served whenever an American citizen is murdered, either on our soil or on foreign land.

David Berger, the son of Dr. and Mrs. Benjamin Berger of Shaker Heights, Ohio, was murdered nearly 20 years ago, but unlike too many others whose lives are senselessly lost, his death was not relegated to the police blotter section of the local paper.

Instead, the killing of David Berger was broadcast around the world and splashed across the front page of virtually every newspaper in the world. Still, for his family there has been no justice and no closure.

David Berger, a dual American-Israeli citizen, was one of 11 Israeli athletes killed by Palestinian terrorists in 1972 at the Olympic Games in Munich. David Berger, a championship weightlifter, had emigrated to Israel so he could compete in the Olympics as a member of the Israeli team.

Many of us remember the 1972 Olympic games perhaps from Mark Spitz and the 7 gold medals that he won in swimming. Others recall with delight the pint-sized Olga Korbut, who captured our hearts and also captured gold, but for the Berger family the 1972 Olympic games are scarred with painful images that are permanently etched in their minds and hearts, a machine gun toting terrorist with a black ski mask in the window of the dormitory where their son and his teammates were staying, the white pine coffin that held his remains when he was returned to the United States for his funeral.

Mr. Speaker, David Berger was the only American to die in this horrific act of terrorism that changed our world, that caused the Olympics to lose its innocence and forced the world to take the reality of terrorism far more seriously. If it could happen at the Olympics, it could happen anywhere.

Mr. Speaker, I share the story of David Berger now because at this very moment in history the United States has an unprecedented opportunity to deliver justice to the Berger family.

The Palestinian guerilla long suspected as the mastermind of the terrorist acts at the Munich games not only has admitted his part in this plot, but has written a book and plans to profit from it. Abu Daoud has written his autobiography, and it was recently published in France, called ''Palestine: From Jerusalem to Munich.'' In his book he admits to being the mastermind of the hostage taking at the Munich games.

Based on those admissions the German government last week issued an Interpol arrest warrant for Abu Daoud and plans to try him as an accessory for murder for planning the attack. Now this terrorist is in Jordan. The Israeli government last week denied him access to Israel, making it impossible for him to return to his home on the West Bank.

Mr. Speaker, regrettably it appears that Abu Daoud cannot be held accountable for his crimes in the United States or in Israel. Therefore, it is imperative that the Jordanian government honor the Interpol arrest warrant and return him to Germany. I have called today, Mr. Speaker, upon President Clinton to immediately demand the Jordanian King Abdullah that he turn over Abu Daoud to Germany for prosecution. It would be reprehensible if the United States would now turn its back and refuse to do all within its power to see that an assassin of an American citizen is brought to justice.

Mr. Speaker, Abu Daoud's book is not yet available in the United States. However, any American citizen can log on to the Internet, call up Amazon.com and read a breezy synopsis which says, ''Twenty-five years ago after he masterminded the tragedy of the 1972 Munich Olympic games, one of the legendary figures of Palestinian terrorism comes out of hiding to tell his story.''

Daoud has chosen this time in history to reveal to the world his role in this senseless execution of 11 Olympic athletes. While it sickens me to the core, Mr. Speaker, to think that anyone could profit from this type of terrorism, it would sicken me even more if our country were to fail to intervene and assist the Berger family of Shaker Heights, Ohio.

Mr. Speaker, Dr. Benjamin Berger is now 81 years old. He still practices medicine and is on the board of trustees at Fairmount Temple, where his eldest son was eulogized more than a quarter of century ago. He and his wife Dorothy have two grown children. The Bergers were left with many wonderful reminders of their son's life: A memorial at the Jewish Community Center, a gym at his high school, and a 19-year-old grandson named after the wonderful son they lost.

As we can imagine, it is painful for David Berger's mother Dorothy to relive the horror that befell her family nearly 27 years ago. Mr. Speaker, Dorothy Berger cannot fathom why Abu Daoud has chosen to admit his criminal acts in a book. Maybe he is proud of it. He has gotten away with it all these years.

Mr. Speaker, an American citizen was killed nearly 27 years ago in one of the most heinous, well-known terrorist acts of this century. We must not allow Abu Daoud to get away with it one day longer.

Mr. Speaker, may justice prevail. May God bless the Berger family and the United States of America.

COMMONSENSE MEASURES TO CURB GUN VIOLENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. EHRLICH) is recognized for 5 minutes.

Mr. EHRLICH. Mr. Speaker, just a few thoughts on the events taking place on the floor in the last few days.

Mr. Speaker, I and most of us support the rights of law-abiding citizens to possess guns for a variety of reasons, not the least of which is self-defense. This view derives from my observation that many gun control initiatives have proven a failure in reducing crime.

For example, in the case of the Colorado shootings, the two criminals responsible for the carnage broke 19 State and Federal laws in the preparation and commission of those crimes.

Some of my constituents have written to me about gun control proposals which seek to limit gun owners to purchasing one gun a month and a minimum 3-day waiting period. Previously, waiting periods were necessary in order to allow for background checks to be

completed. The passage of the Brady bill in 1994 brought new computerized national and local criminal arrest records. The criminal background of a potential gun purchaser can now be verified in a matter of minutes through the National Instant Check System, the NICS. I believe the background investigation as initiated through the NICS is a reasonable check on gun ownership rights.

I support some new proposals brought to this floor over the past two days, as well. For instance, I do not believe juveniles convicted of serious violent crimes should be allowed to acquire guns even after they turn 21 years of age. I support the imposition of harsh penalties for adults who provide guns to juveniles with the knowledge those guns will be used in a crime of violence.

I support programs which trace the source of firearms used in the commission of a crime. Convicted felons found in the possession of any gun should be punished severely, with mandatory minimum sentences that cannot be plea-bargained away.

Further, I welcome positive changes to current law that allow current and former police officers to carry weapons to protect themselves and our communities, prohibit guns pawned for more than a year from being returned until the owner passes an instant check, and allow D.C. residents the right to protect and defend themselves and their families in their own homes.

National crime statistics reflect an 18 percent decrease in violent crime and a 28 percent decrease in the murder rate from 1993 through 1997. The downward trend continued through June of 1998. I attribute a significant percentage of this improvement to the increased use of mandatory sentencing for violent offenders. Accordingly, I will continue to insist on harsh penalties for violent criminals, particularly those who misuse weapons during the commission of a crime.

Further, I call upon prosecutors everywhere to refrain from pleading away gun-related charges and criminal indictments. Sensible gun laws do work, but not when rendered meaningless by overburdened prosecutors more interested in moving their docket than in enforcing gun statutes.

Mr. Speaker, in my view the primary causes of gun violence in our society are rather obvious. The breakdown of families and family values, failure to hold individuals accountable for their actions, the romanticizing and glorifying of drug abuse, and violent behavior and guns on television, at the movies, and in video arcade are all relevant in assigning blame for recent events pertaining to youth violence.

Youth access to guns plays a part in the total picture, as well. Accordingly, I will continue to support measures restricting youth access to guns, criminal access to guns, and the mentally impaired and their access to guns.

I will not punish responsible. Law-abiding gun owners who are often made scapegoats by special interests and some segments of the popular press, and Members are going to see a heck of a lot of that over the coming days.

If gun control was the sole answer to the problem of violence in our country, my home State of Maryland, which has some of the strongest gun control laws in the country, would not have experienced an increased murder rate in 1998 while the national murder rate continued to fall.

The thoughts expressed herein do not make for an easy sound bite. Neither do they fall neatly under one political or philosophical label. They state, however, the views of one Member from Maryland who seeks to find positive solutions to one of our society's major ills, our fascination with violence.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

(Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE DISASTROUS WAR IN YUGOSLAVIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, fairly early on during the war in Yugoslavia I spoke on this floor and said it was obvious that Milosevic would cave and that President Clinton and his spin doctors would then try to declare a great victory. It was obvious that a country no bigger than Kentucky, with less than 4 percent of our population and an already weakened economy, and without any real ability even to fight back, could not hold out for long against the massive bombings and megabillions of the U.S. Defense Department.

The only reason this stupid, one-sided cruel joke of a war lasted as long as it did was because it became, as one columnist said, and allied farce instead of an allied force, as the military called it.

Jeffrey Gedmin, writing in the just published June 28 issue of the liberal New Republic Magazine, said this:

> If the deal between Yugoslavia and NATO over Kosovo sticks, expect the Clinton administration to claim vindication and to speak of a victory for American leadership via NATO. But Europe's own early post-mortem suggests that our allies might be drawing rather different conclusions.
>
> Privately, politically influential Europeans generally consider the U.S.-led operation in Kosovo to have been a fiasco. Calculations of an early victory proved disastrously wrong. The Kosovars, whom we started the fighting to protect, have been decimated. There were 90,000 refugees before the bombing began. Estimates of the homeless now exceed 1 million.

Mr. Gedmin ended his article by calling it a pyrrhic victory, meaning really no victory at all. Columnist Robert Novak said the same thing. He wrote,

> But the truly pyrrhic nature of NATO's victory lies in longer-term implications. Serious students of foreign policy, far from eager to join in a champagne bash, were melancholy. U.S. relations with China have been undermined. The most dangerous elements in the Russian military have been emboldened. Most worrisome, the world now sees America with different eyes.

Former Secretary of State Lawrence Eagleburger said, ''We looked like the big bully to a lot of people around the world.''

Senator KAY BAILEY HUTCHINSON said that we are in danger of losing prestige and good will around the world. Under this administration, we have bombed people in Afghanistan, the Sudan, Iraq, and Yugoslavia, all apparently in an attempt to show that the President and the Secretary of State are great world leaders, and to make their mark in history.

Paul Harvey called this war Monica's war, and many people believe all these bombings in Afghanistan, the Sudan, Iraq, and Yugoslavia, timed as they were, were at least in part done to try to make people forget things like the sordid Lewinsky affair and the President's sale of missile technology to the Chinese.

Columnist Tony Snow said that this was the first war we have ever entered into in which we were the unambiguous aggressor and in which there was no vital U.S. interests at stake. In the process, the President turned NATO from a purely defensive force into an offensive one for the very first time, illegally many think, because it was against the NATO charter. He turned our Defense Department into a war department, as it was once called. He violated both our constitutional law and our statutory law, the War Powers Act. But then, some people do not care as long as the stock market remains high.

Former Democratic Senator Sam Nunn said, however, ''I think we have to be more mature in handling these civil wars around the globe. We have got to develop other tools beyond military force to deal with what are nonvital interests, and I consider this,'' Senator Nunn said, ''to be a nonvital interest.''

These bombings have turned people who want to be our friends into enemies. These actions have increased anti-Americanism all over the world. We will have problems years from now because of all of this when the problems will be blamed on whomever is president at the time.

In addition, this has cost us many, many billions, which could have been spent on so many better things. Our military would have plenty of money and no shortages if this administration had not so totally misused our military in so many ridiculously costly ways.

Columnist Carol THOMAS wrote,

> Only a president who knows more about making love than war would declare the puny and ineffective one-sided assault on the former Yugoslavia to be a victory.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members to refrain from personal references towards the President.

□ 1500

Mr. DUNCAN. By any objective standard, the goals of Serbian leader Slobodan Milosevic, not of NATO and the United States, have been achieved. We have not defeated evil or hatred in the Balkans. It will come back, as it always has.

William Ratliff and David Openheimer, writing in the Washington Times, said,

NATO's bombing precipitated floods of refugees and other disasters that have destabilized the region in political, economic and other terms far beyond what Mr. Milosevic could have ever done on his own.

They added,

Since for most people NATO is America, this war has reignited anti-Americanism and suspicion of U.S. intentions from Argentina to China. Most people do not believe this war was to defend human rights, particularly since we harmed so many innocent people in and far beyond the central Balkans. Now people are already telling us we will have to spend $30 billion to $50 billion over the next few years to rebuild what we have destroyed.

This stupid, one-sided, cruel joke of a war was a foreign policy disaster that American taxpayers will be paying for in both military and economic terms for many years to come. It certainly cannot be called a victory in any shape, form or fashion.

[From the Washington Times, June 14, 1999]

PERILOUS PRECEDENT IN KOSOVO

(By William Ratliff and David Oppenheimer)

The resolution that passed United Nations Security Council Thursday is a welcome if short-term escape from a catastrophe NATO created in unintended cooperation with Yugoslav President Slobodan Milosevic. Some of the settlement can never be implemented and much of the collateral damage the war has caused will be difficult or impossible to reverse.

Mr. Milosevic undoubtedly is a war criminal whose crimes have been widely reported. But NATO is seriously guilty as well. Indeed, NATO's conduct precipitated or committed far greater moral—not to mention political, economic, international relations—damage than it prevented.

But already there are smug intimations of victory from the White House and nonsense like The Washington Post's editorial saying the Kosovo war proves the West ''would not stand for crimes against humanity.'' The hypocrisy of fighting a ''moral'' war that causes so many civilian casualties and global problems has not yet sunk in for Americans.

Now NATO is dictating a political correct ''settlement''—what Mr. Clinton calls ''multi-ethnic democracy'' and Kosovo autonomy within Yugoslavia—that is even more utopian than three months ago and guarantees more bitter warfare in the future.

War critics are not ''isolationists'' or critical of the American military; they simply say NATO could not achieve its objective of stopping Mr. Milosevic at an acceptable cost to ourselves and others. The proof:

NATO's stated objective was to protect the Kosovar Albanians, but it betrayed them. It gave Mr. Milosevic a cover to exponentially accelerate his repression and then in the June ''settlement'' fuzzed over the independence option that was given in the Rambouillet ultimatum. It is silly to suppose the Kosovo Liberation Army will agree to become a police force in a province of Yugoslavia. The Serb and NATO destruction of Kosovo left most of 1.5 million Kosovar Albanian refugees nothing to return to. Those most eager to return despite a terrible winter coming on are radicalized youngsters who now far more than before want to join the KLA to slaughter Serbs and seize the independence NATO now refuses to offer them.

If war had been the only option, it should not have been led by yuppie politicians who understood nothing about history, politics and warfare. There is a long list of lessons on the fatally flawed military conduct of the war, beginning with gradual escalation.

NATO's will or even capability to rebuild Kosovo and restore Kosovars to their destroyed homes will flag as Americans and Europeans are overwhelmed by problems of enforcement and as the billions of dollars add up at the expense of Social Security and other domestic projects.

For months NATO regularly (if apologetically) inflicted casualties on all sorts of innocents, from Serbs and Kosovar Albanians to Chinese, in part because it attacked from 15,000 feet in the air. While no military seeks casualties, to refuse to risk even one person in order to drop flood to hundreds of thousands of refugees in the mountains is to undermine one's seriousness and moral credibility.

Then there is the question, why Yugoslavia and not somewhere else where the crimes are equal or greater, as in Rwanda? Or the less remembered example of Cyprus, which next month ''celebrates the 25th anniversary of the Turkish invasion. Almost 200,000 Greek Cypriots were ''cleansed'' out of their homes in Northern Cyprus in 1974 by the Turkish army, but ''principled'' Washington for strategic reasons still in effect winks at Turkish occupation of more than a third of the island.

Serbia has been devastated and will cost tens of billions to rebuild, and Mr. Milosevic is still there.

NATO's bombing precipitated floods of refugees and other disasters that have destabilized the region in political, economic and other terms far beyond what Mr. Milosevic could ever have done on his own.

The war has buttressed reactionaries from Russia and China to the United States.

Since for most people NATO is America, this war has re-ignited anti-Americanism and suspicion of U.S. intentions from Argentina to China. Most people do not believe this war was to defend human rights, particularly since we harmed so many innocent people in and far beyond the Central Balkans.

NATO's war will encourage arms (including nuclear) proliferation around the world among nations who fear NATO may invade them next. The Kosovo war may even encourage development of defensive alliances to guard against NATO attacks on those it considers ''moral deviants.''

americans must see that long before its end this war was no longer simply a campaign to eliminate the ''evil'' Mr. Milosevic. It became a tragic fiasco with all kinds of casualties from Pristina to Beijing.

If Kosovo is seen as a ''victory,'' it will become a model for what British Prime Minister Tony Blair calls ''moral crusades'' to ''right wrongs'' around the world. The non-Western world—and many in the West as well—regard this as a dangerous and unworkable arrogance that like the Crusades centuries ago may have been at least partly moral in inspiration but in practice became fanatical, intolerant and massively destructive. If the moral crusades spread, the 21st century may have an even uglier human face than the 20th.

[From the New York Times]

WHAT DID NATO WIN IN BALKANS WAR?

(By A.M. Rosenthal)

But—why aren't we celebrating?

After all, we won, didn't we? The Kosovars will get to home, won't they?

Well, yes, we did encourage Slobodan Milosevic to drive them from those homes by giving him advance notice of when we would attack and assuring him not to worry about our sending in ground troops.

All right, all right, those were mistakes; shut up about them. At least now the million or so Kosovars we were supposed to be helping can pick up lives in their broken homes in smashed villages. Can't they?

Somebody will put up the money to fix up the homes. Isn't that so, perhaps?

Then there will be real peace, won't there? Naturally, to keep the Kosovars and Serbs from killing each other, we will have to maintain enough troops there for—oh, for about a generation.

But we are already doing that in Bosnia, so what is the big deal about sending off 7,000 or so more Americans—to start with—to Yugoslavia? Let's not be pretty about that; we are into the Balkan wars far too deep to quibble.

Maybe it won't be dangerous duty. The Kosovar army of Yugoslav citizens who count themselves Albanians won't take advantage of the departure of Serbian forces to take revenge on civilian Serbs. Will it?

And the Serbs in Serbia—they won't harbor a grudge against us, will they, for bombing their power plants, their factories, homes, hospitals, bridges and of course relatives with a destructiveness only the Germans had achieved against the Serbs in World War II?

Maybe they will forgive what the Germans did to them. About that time, they and their children will forgive us too, isn't that possible?

And the upside! Look at what we win. We saved NATO's face and President Clinton's and Madeleine Albright's. Her mouth foretold a quickie war. Maybe actually not saved their faces—but at least wiped them off a bit.

So we will be able to walk tall in the world for bombing Serbia into slivers. I mean, when the fear of America dies down in some countries that one day we will fly over their lands to bomb them into submission for not carrying out our orders.

You know, countries like India that are not about to surrender Kashmir without all-out war or Israel, whose mind it has crossed that, if NATO could bomb a neighbor that had not attacked its members first, why shouldn't the Arab League exercise the same privilege against Israel and eventually ask the United Nations for approval?

Remember—we have indicted Milosevic for war crimes. Yes, the fact that we never indicted Franjo Tudjman of Croatia, our own private dictators for driving 300,000 Serbs out is embarrassing. But at least the Serbian killer will have to spend his vacations at home or maybe someplace in Russia.

Maybe all that is why we are not celebrating the great victory. People like myself, who have spent years struggling to get our country to use its political and economic power for human rights, saw its leaders bumble into another Balkan war using bombs instead of the brains God should have given them.

The Bosian frightfulness has wound up in the partition that without foreign interference Muslims, Croates and Serbs could have had a decade ago, without war.

We have seen our country launch a war, first by futile ultimatum, then by a slovenly planned war that from the beginning brought more suffering to Kosovars and Serbian civilian than to Milosevic and his troops. Far too

many Americans wrote and talked of Serbs, our allies in battles we should remember, as if they were bugs.

To those Kosovars who will return or seek safe lives elsewhere, for Serbs who will one day eliminate Milosevic, go our embraces. To Clinton and his fellow leaders—our contempts for their human and security values.

While Clinton and his NATO comrades were busy bombing Serbia and Kosovo, they were permitting the destruction of the U.N. arms inspection of Iraq—the one barrier against Saddam Hussein's path to nuclear, biological and chemical weapons.

That is a disaster for all nations, for all human rights struggles. If America remembers the Clinton-Albright bungling in Iraq, China and Yugoslavia and demands that any presidential or senatorial candidate separate from them, there may be reason for some satisfaction—for for champagne and parades, none.

CHARITABLE CHOICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

Mr. SOUDER. Mr. Speaker, this really has been an exhausting week, and it will be interesting to see how people address this. Earlier one of our Members who said that we did not actually do anything this week, we did in fact pass a juvenile justice prevention bill, and I thought that that was our goal here which was to reduce juvenile crime and to reach those who have gotten in trouble and try to help them straighten out their lives.

If one is obsessed only with guns, and particularly if one is obsessed only with their solution to the gun problem, perhaps we had a difficult week because their bill did not pass, but let us not confuse that with the fact that we did accomplish some advancement in an effort to try to reach youth.

Furthermore, some of us were disappointed that we did not do more to address the question of violence in the media, and hopefully over the next few months we will be able to address that.

One amendment that I had that passed, the charitable choice amendment, gets lost. Charitable choice and many other things like this are not as glamorous or as media driven, and the general public does not focus on them like the Ten Commandments or like the one video game called Postal, where actually someone goes crazy and it shows how many of the people are remaining to be killed and a person gets more points if they hit them in the chest or at a main artery as opposed to other places in their body. This type of disgusting type of thing will get a lot of media attention, but when we do charitable choice where we are allowing juvenile prevention funds to be used by religious-based organizations, where people are actually trying to help the kids who are being impacted by this, it does not get as much media coverage.

We had hoped this afternoon to be able to move under unanimous consent a sense of the House of Representatives in regard to community renewal through community and faith-based organizations. Out of respect to the minority who did not have adequate time to look at this and has some objections, this will probably be addressed on Tuesday, but I wanted to speak a little bit about this resolution and the renewal alliance efforts of this past week.

The gentleman from Pennsylvania (Mr. PITTS), the gentleman from Ohio (Mr. KASICH), the gentleman from Missouri (Mr. TALENT), the gentleman from Oklahoma (Mr. WATTS), the gentleman from Pennsylvania (Mr. ENGLISH), the gentleman from Tennessee (Mr. WAMP) and many others, as well as former Democratic colleagues Fred Flake of New York and Denny Davis of Chicago, have worked together in trying to put together both legislative packages, as well as in our renewal alliance efforts this past week, to have a number of meetings, to highlight local groups, to visit local charities and we were hoping that this resolution would have been a capping to that week.

The resolution, which we hope to have come up on Tuesday, states that while steady economic growth and low inflation has yielded unprecedented prosperity, many American citizens have not in fact benefited from this prosperity and continue to be socioeconomically disadvantaged. Many of these live in inner cities and rural communities where they continue to be plagued by social breakdown, economic disadvantage and educational failure that fosters hopelessness and despair.

Many of the groups that are by far the most effective are community and faith-based organizations. Many of us believe through the American Community Renewal Act and other pieces of legislation that we need to figure out how to get more dollars to the groups that are the most effective. We need to know how to capitalize on their vision of compassion, of volunteerism, of caring for the poor and the vulnerable; that when we see our national leaders, our current Republican leader candidate for president, Governor Bush has been a leader in the area of prisons where he has worked with Prison Fellowship. He has worked with a number of other local groups in Texas and has actually put this into practice.

A little bit newer to this is Vice President GORE but he has been outspoken in the past few weeks on the importance of including charitable, particularly religious and community-based organizations, in this effort.

In fact, on his election campaign home page he specifically says that he believes charitable choice should be promoted, and that was reflected in a vote this week on my amendment, where we not only had 346 votes but we had, I believe it was 130 Democrats for it and only 79 Democrats against it.

We are in an unusual period right now in America, and that is both parties are coming to realize that the Federal Government, for that matter the State and local governments alone, cannot accomplish and solve all the problems related to poverty. Not that anybody can, but they need the help; in particular are seeking the help. Many of us in government now realize we have to work, we must work, with the churches and volunteers in our local community. We must give tax incentives.

I have one tax bill, the charitable tax bill, that would increase the value of the charitable deduction to 120 percent; that would let nonitemizers take the charitable deduction; that would lift the caps on higher income and delay the effective date to April 15.

We need to be looking at creative tax solutions, at creative solutions as we now have, in welfare reform where we have done charitable choice, in social services block grant where we did charitable choice last year, and now in juvenile justice where we have put charitable choice in.

So whatever else we may or may not have accomplished, we did move some prevention programs. We have once again advanced the charitable choice and next hopefully we will have another resolution that will put the House on record in this exciting and really substantive, if not the most sexy concept, that we are proceeding with.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PASCRELL (at the request of Mr. GEPHARDT) for Friday, June 18, after 12:15 p.m., on account of family emergency.

Mr. LEWIS of California (at the request of Mr. ARMEY) for today on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at the request of Mr. PALLONE) to revise and extend his remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. SOUDER) to revise and extend their remarks and include extraneous material:)

Mr. SMITH of Michigan, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

Mr. EHRLICH, for 5 minutes, today.

Mr. SOUDER, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and insert extraneous material:)

Mr. EHRLICH, for 5 minutes, today.

SENATE CONCURRENT RESOLUTION REFERRED

A Concurrent resolution of the Senate of the following title was taken

from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 40. Concurrent resolution commending the President and the Armed Forces for the success of Operation Allied Force; to the Committee on International Relations in addition to the Armed Services Committee for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADJOURNMENT

Mr. SOUDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 7 minutes p.m.) under its previous order, the House adjourned until Tuesday, June 22, 1999, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2665. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Horses From Australia and New Zealand; Quarantine Requirements [Docket No. 98–069–2] received June 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2666. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Propamocarb Hydrochloride; Extension of Tolerance for Emergency Exemptions [OPP–300826; FRL–6070–1] (RIN: 2070–AB78) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2667. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Public Housing Development Rule: Information Collection Approval Numbers [Docket No. FR–4443–F–05] received April 8, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2668. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2669. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2670. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–7288] received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2671. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits—received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2672. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Leesville, Louisiana) [MM Docket No. 98–191] (RM–9351) received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2673. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, Office of Governmentwide Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Circular 97–12; Introduction—received June 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2674. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule—Matching Credit Card and Debit Card Contributions in Presidential Campaigns [Notice 1999–9] received June 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

2675. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Migratory Bird Special Canada Goose Permit (RIN: 1018–AE46) received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2676. A letter from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking and Importing Marine Mammals; Taking of Marine Mammals Incidental to Power Plant Operations [Docket No. 970703165–9117–03; I.D. 062397A] (RIN: 0648–AK00] received June 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2677. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to amend title XVIII of the Social Security Act to increase flexibility in Medicare claims processing; jointly to the Committees on Ways and Means and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on the Judiciary. H.R. 1659. A bill to reinforce police training and reestablish police and community relations, and to create a commission to study and report on the policies and practices that govern the training, recruitment, and oversight of police officers, and for other purposes; with an amendment (Rept. 106–190). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 33. Resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States (Rept. 106–191). Referred to the House Calendar.

Mr. HYDE: Committee on the Judiciary. H.R. 1658. A bill to provide a more just and uniform procedure for Federal civil forfeitures, and for other purposes; with amendments (Rept. 106–192). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. FARR of California (for himself, Mr. GALLEGLY, Mr. WAXMAN, Mr. CAMPBELL, Mr. STARK, Mrs. CAPPS, Mr. BILBRAY, and Ms. ESHOO):

H.R. 2277. A bill to designate all unreserved and unappropriated California coastal rocks and islands currently administered by the Bureau of Land Management as a component of the National Wilderness Preservation System; to the Committee on Resources.

By Mr. FARR of California:

H.R. 2278. A bill to require the National Park Service to conduct a feasibility study regarding options for the protection and expanded visitor enjoyment of nationally significant natural and cultural resources at Fort Hunter Liggett, California; to the Committee on Resources.

H.R. 2279. A bill to expand the boundaries of Pinnacles National Monument, and for other purposes; to the Committee on Resources.

By Mr. STUMP (for himself, Mr. EVANS, Mr. QUINN, and Mr. FILNER):

H.R. 2280. A bill to amend title 38, United States Code, to provide a cost-of-living adjustment in rates of compensation paid for service-connected disabilities, to enhance the compensation, memorial affairs, and housing programs of the Department of Veterans Affairs, to improve retirement authorities applicable to judges of the United States Court of Appeals for Veterans Claims, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ACKERMAN:

H.R. 2281. A bill to amend title 18, United States Code, to permanently prohibit the possession of firearms by persons who have been convicted of a felony, and for other purposes; to the Committee on the Judiciary.

By Mr. BLILEY (for himself, Mr. OBERSTAR, Mr. CAMP, Mr. SCOTT, Mr. BURTON of Indiana, Mr. POMEROY, and Mr. DEMINT):

H.R. 2282. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from individual retirement plans for adoption expenses and to expand and extend permanently the exclusion allowed for employer adoption assistance programs; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island:

H.R. 2283. A bill to amend title 10, United States Code, to improve the authorities relating to the provision of honor guard details at funerals of veterans; to the Committee on Armed Services.

By Mr. LEWIS of Kentucky (for himself and Mrs. NORTHUP):

H.R. 2284. A bill to provide that certain costs of private foundations in removing hazardous substances shall be treated as qualifying distributions; to the Committee on Ways and Means.

By Mr. RODRIGUEZ (for himself, Mr. SMITH of Texas, Mr. BONILLA, and Mr. GONZALEZ):

H.R. 2285. A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to authorize the Secretary of the Interior to participate in the design, planning, and construction of the San Antonio Water System Water Recycling Project Phase III for the reclamation and reuse of water, and for other purposes; to the Committee on Resources.

By Mr. SCARBOROUGH (for himself, Mr. LEWIS of Georgia, Mr. ROEMER, and Mr. QUINN):

H.R. 2286. A bill to designate the Federal building located at 10th Street and Constitution Avenue, NW, in Washington, DC, as the

''Robert F. KENNEDY Department of Justice Building''; to the Committee on Transportation and Infrastructure.

By Mr. SERRANO (for himself, Ms. JACKSON-LEE of Texas, Mrs. MINK of Hawaii, Mr. HINOJOSA, Mr. EVANS, Mr. ROMERO-BARCELO, Mr. PASTOR, Mr. RANGEL, and Ms. LEE):

H.R. 2287. A bill to amend the Immigration and Nationality Act to ensure that veterans of the United States Armed Forces are eligible for discretionary relief from detention, deportation, exclusion, and removal, and for other purposes; to the Committee on the Judiciary.

By Mr. STEARNS (for himself and Mr. LEWIS of Georgia):

H.R. 2288. A bill to establish the North American Slavery Memorial Council; to the Committee on Resources.

By Mr. WELDON of Florida (for himself and Mr. DAVIS of Florida):

H.R. 2289. A bill to amend the Internal Revenue Code of 1986 to treat spaceports like airports under the exempt facility bond rules; to the Committee on Ways and Means.

By Mr. ROEMER (for himself, Mr. WOLF, and Mr. LAFALCE):

H. Con. Res. 137. A concurrent resolution expressing the sense of Congress with regard to the recommendations of the National Gambling Impact Study Commission; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 73: Mr. CUNNINGHAM, Mr. ROHRABACHER, Mr. FOLEY, Mr. HERGER, Mr. BURTON of Indiana, Mr. COBLE, and Mr. ARCHER.

H.R. 142: Mr. GUTKNECHT.

H.R. 175: Mr. CROWLEY, Mr. GILCHREST, Mr. ABERCROMBIE, Mr. SERRANO, Mr. HOBSON, Mr. HASTINGS of Florida, Ms. JACKSON-LEE of Texas, Mr. KNOLLENBERG, Mr. FOSSELLA, and Mr. BOSWELL.

H.R. 218: Mr. BARCIA.

H.R. 303: Mrs. MEEK of Florida, Mr. PETERSON of Pennsylvania, Mr. COOK, Ms. KILPATRICK, Mr. THUNE, and Mr. HALL of Ohio.

H.R. 316: Mr. TIERNEY and Mr. WU.

H.R. 332: Mr. PAUL.

H.R. 491: Ms. LEE.

H.R. 528: Mr. EVERETT.

H.R. 531: Mr. SNYDER and Mr. TOWNS.

H.R. 577: Mr. BARRETT of Nebraska.

H.R. 682: Mr. BEREUTER.

H.R. 693: Mr. STRICKLAND.

H.R. 721: Mr. WEYGAND and Mr. CANNON.

H.R. 762: Mr. ROTHMAN, Mrs. CAPPS, Mr. CONYERS, Mr. MARTINEZ, Mr. MOORE, Mr. KUCINICH, Mr. HOUGHTON, Mr. COSTELLO, Mr. LUCAS of Oklahoma, Mr. GOODLING, Mr. DAVIS of Virginia, Mr. CAPUANO, Mr. OLVER, Mr. STUPAK, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KING, Mr. INSLEE, Mr. KILDEE, Mr. CLEMENT, Mr. LARSON, Mr. BOUCHER, Mr. HOEFFEL, Mr. MASCARA, Mr. PALLONE, Mr. WOLF, Ms. PRYCE of Ohio, Ms. VELAZQUEZ, Mr. GONZALEZ, Mr. LAMPSON, Ms. NORTON, Mr. BERRY, Mrs. JOHNSON of Connecticut, Mr. WU, Mr. SCOTT, Mr. ENGEL, Mr. KENNEDY of Rhode Island, Ms. CARSON, Mr. MCNULTY, Mr. LAHOOD, Mrs. MCCARTHY of New York, Mr. CLYBURN, Mr. SHAW, Ms. LEE, Mr. LEWIS of California, Mr. OWENS, Ms. SCHAKOWSKY, Mr. FATTAH, Mr. FARR of California, Mr. SMITH of New Jersey, and Mr. SAXTON.

H.R. 764: Mr. GREEN of Wisconsin, Mr. PORTMAN, Mr. MEEKS of New York, and Mr. LAMPSON.

H.R. 772: Mr. UDALL of Colorado.

H.R. 776: Mr. KLECZKA.

H.R. 783: Mr. COSTELLO, Mr. HALL of Ohio, Ms. KAPTUR, Mr. HOLDEN, Mr. HINCHEY, Mrs. ROUKEMA, and Mr. BOEHLERT.

H.R. 784: Mr. HOLDEN, Mr. GREEN of Texas, Mr. GILMAN, Mr. INSLEE, and Mrs. EMERSON.

H.R. 804: Mr. FROST.

H.R. 835: Mr. ARMEY, Mr. HEFLEY, Mr. DELAY, Mr. BILBRAY, Mr. BENTSEN, Mr. WEYGAND, Mr. CLEMENT, Mr. BLUNT, Mr. GONZALEZ, Mr. BARCIA, Mrs. CAPPS, Mr. PASCRELL, and Mr. PHELPS.

H.R. 853: Mr. GEKAS.

H.R. 859: Mr. FILNER.

H.R. 864: Mr. PAUL, Ms. SLAUGHTER, Ms. HOOLEY of Oregon, Mr. HOYER, Mr. BILIRAKIS, Mr. ROEMER, Ms. SCHAKOWSKY, Mr. CROWLEY, Mr. SERRANO, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. JACKSON-LEE of Texas, Mr. HASTINGS of Florida, and Mr. KNOLLENBERG.

H.R. 909: Mr. MARTINEZ.

H.R. 914: Mr. GORDON.

H.R. 958: Mr. ENGEL.

H.R. 1044: Mr. LEWIS of Kentucky.

H.R. 1053: Mr. VENTO.

H.R. 1070: Mr. JENKINS.

H.R. 1083: Mrs. CUBIN and Mr. BOEHLERT.

H.R. 1093: Mr. WEINER, Mr. WATT of North Carolina, Mr. BERRY, Mr. DAVIS of Illinois, Mrs. NAPOLITANO, Mr. UDALL of New Mexico, and Ms. MCCARTHY of Missouri.

H.R. 1111: Mr. JENKINS.

H.R. 1168: Mr. CLEMENT.

H.R. 1180: Mr. SHIMKUS, Mr. ANDREWS, and Mrs. THURMAN.

H.R. 1196: Mr. DAVIS of Illinois and Ms. HOOLEY of Oregon.

H.R. 1215: Mr. PETRI.

H.R. 1216: Mr. CALVERT, Mr. BISHOP, and Ms. LEE.

H.R. 1260: Mr. FOLEY.

H.R. 1281: Mr. WATKINS.

H.R. 1283: Mr. BRYANT, Mr. GARY MILLER of California, and Mr. SHAYS.

H.R. 1300: Mr. SERRANO.

H.R. 1301: Mr. BASS, Mr. POMBO, Mr. FRELINGHUYSEN, Mr. LEWIS of Kentucky, Mr. THUNE, Mrs. MINK of Hawaii, Mr. MCINTYRE, Mr. LOBIONDO, Mr. OSE, and Mr. WICKER.

H.R. 1303: Mr. MARTINEZ.

H.R. 1317: Mr. NUSSLE.

H.R. 1325: Mr. FILNER, Mr. VENTO, and Mrs. NORTHUP.

H.R. 1328: Mr. LOBIONDO.

H.R. 1344: Mr. GILLMOR and Mr. SIMPSON.

H.R. 1381: Mr. DEAL of Georgia.

H.R. 1387: Mr. PETERSON of Minnesota and Mr. REYES.

H.R. 1433: Mr. SMITH of Washington and Mr. INSLEE.

H.R. 1442: Mr. DEUTSCH.

H.R. 1456: Mr. BONIOR, Mr. MEEKS of New York, Ms. DANNER, and Ms. HOOLEY of Oregon.

H.R. 1525: Mr. NEAL of Massachusetts and Ms. HOOLEY of Oregon.

H.R. 1622: Mr. PASTOR.

H.R. 1645: Mr. BONIOR.

H.R. 1663: Mr. HAYWORTH.

H.R. 1676: Ms. MCKINNEY.

H.R. 1707: Mr. MCINNIS.

H.R. 1731: Mr. HUNTER, Mr. DICKEY, and Mr. MCDERMOTT.

H.R. 1736: Mr. BRADY of Pennsylvania, Mr. HILLIARD, Mr. FILNER, Mr. ABERCROMBIE, and Mr. WEXLER.

H.R. 1746: Mr. BLUNT and Mr. COMBEST.

H.R. 1760: Ms. LEE.

H.R. 1784: Mr. HASTINGS of Florida, Mr. RAHALL, Mr. MEEHAN, Mr. MCNULTY, Mr. SHERMAN, and Mr. WEINER.

H.R. 1810: Mr. LAHOOD and Mr. THUNE.

H.R. 1837: Mr. STRICKLAND and Mr. LOBIONDO.

H.R. 1863: Mr. DICKS.

H.R. 1899: Mr. GILMAN, Mr. KENNEDY of Rhode Island, Mr. LARSON, Mr. TURNER, Ms. LEE, Mrs. MALONEY of New York, and Mr. BONIOR.

H.R. 1917: Mr. PAUL, Mr. TOWNS, Mrs. MINK of Hawaii, Mr. WATKINS, Mr. VISCLOSKY, Ms. NORTON, Mr. BENTSEN, Mr. ROMERO-BARCELO, and Mr. THOMPSON of California.

H.R. 1929: Ms. BALDWIN.

H.R. 1932: Mr. BALDACCI, Mr. SHOWS, Mr. SHERMAN, Mr. FRELINGHUYSEN, Mr. HOLT, Ms. GRANGER, and Ms. ESHOO.

H.R. 1950: Mr. FORBES, Mr. METCALF, and Mr. ETHERIDGE.

H.R. 1975: Mr. HAYWORTH and Mr. BARR of Georgia.

H.R. 1977: Ms. SCHAKOWSKY, Mr. VENTO, and Ms. WOOLSEY.

H.R. 1990: Mr. TRAFICANT, Mr. FROST, Mr. WISE, Mr. NADLER, and Mr. LOBIONDO.

H.R. 1993: Mr. RADANOVICH.

H.R. 1996: Mr. BRADY of Pennsylvania and Mr. FROST.

H.R. 1998: Mr. CAPUANO, Mr. SHAW, Mr. MCGOVERN, Mr. SALMON, Mr. VENTO, and Mr. HAYWORTH.

H.R. 1999: Mr. STUMP and Mr. KOLBE.

H.R. 2013: Mr. LATHAM.

H.R. 2031: Mr. RAHALL, Mr. DICKEY, Mr. EHRLICH, Mr. ETHERIDGE, Mr. MCINTYRE, Mr. SANDLIN, Mr. MEEHAN, Mr. BARCIA, and Mr. TURNER.

H.R. 2060: Mr. EVANS and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2101: Mrs. NORTHUP.

H.R. 2121: Mr. RAHALL, Mr. LAHOOD, Ms. RIVERS, Mr. RODRIGUEZ, and Mr. KILDEE.

H.R. 2233: Mrs. CLAYTON, Mr. DICKEY, Mr. HASTINGS of Florida, Mr. NETHERCUTT, Mrs. MORELLA, Mr. TALENT, Mr. BRYANT, Mr. COOK, Mr. BILBRAY, Mr. WATKINS, Mr. LAZIO, Mr. FALEOMAVAEGA, and Mr. NORWOOD.

H.R. 2252: Mr. COLLINS.

H.R. 2260: Mr. DEMINT and Mrs. NORTHUP.

H. Con. Res. 17: Ms. PELOSI.

H. Con. Res. 100: Mr. PAYNE and Mr. GILMAN.

H. Con. Res. 112: Mr. NETHERCUTT, Mr. KLECZKA, Mr. LINDER, Mr. GUTKNECHT, Mr. SANFORD, Mrs. BONO, Mr. SWEENEY, and Mr. LAZIO.

H. Con. Res. 113: Ms. HOOLEY of Oregon.

H. Con. Res. 128: Mr. DEUTSCH, Mr. CLAY, Mr. RAMSTAD, Mr. GEPHARDT, Ms. DUNN, Mr. PAYNE, and Mr. FILNER.

H. Con. Res. 130: Mr. FALEOMAVAEGA.

H. Con. Res. 133: Mr. FROST, Mr. RUSH, Mr. SISISKY, and Mr. BONIOR.

H. Res. 34: Mrs. JOHNSON of Connecticut, and Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 90: Mr. MEEHAN, Mr. PETERSON of Minnesota, Mr. LAMPSON, Mr. CLEMENT, and Mr. WU.

H. Res. 212: Mr. BARRETT of Wisconsin, Mr. CROWLEY, and Mr. KLECZKA.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 853: Mr. HOBSON.

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PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, FRIDAY, JUNE 18, 1999 No. 87

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, as we approach this Father's Day weekend, we praise You that You are our Heavenly Father from whom we learn what true fatherhood really means. You exemplify the perfect blend of admonition and affirmation, discipline and nurture, encouragement and inspiration.

May this Father's Day be more than a celebration honoring fathers, but a day of calling fathers to their responsibility for the spiritual and character formation of their children. In this time of absentee fathers, when 21 million children in America live without a father in their homes, we ask You to instigate a father movement.

Bless the families of our land. Stir fathers who have abdicated their responsibility. When fathers are silent about their faith, children miss the strength and courage of learning how to trust You with the ups and downs of life. O God, we need a great spiritual awakening. Thank You for waking up the fathers of the land and for a Father's Day dedicated to the recovery of the role of strong fathers to love their wives and their children. Through our Lord and Savior. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

SCHEDULE

Mr. ENZI. Mr. President, today the Senate will immediately begin the vote on final passage of H.R. 1664, the steel, oil and gas appropriations legislation. Following that vote, the Senate will begin consideration of the State Department authorization bill under a previous consent agreement. Therefore, votes are anticipated.

I thank my colleagues for their attention.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from West Virginia.

KOSOVO AND SOUTHWEST ASIA EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1999

Mr. BYRD. Mr. President, I am authorized by the distinguished majority leader to ask for 5 minutes prior to the vote to be equally divided between Mr. NICKLES and myself.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent also that other Senators may include statements in the RECORD if they so wish.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative assistant read as follows:

A bill (H.R. 1664) making emergency supplemental appropriations for military operations, refugee relief, and humanitarian assistance relating to the conflict in Kosovo, and for military operations in Southwest Asia for the fiscal year ending September 30, 1999, and for other purposes.

The Senate resumed consideration of the bill.

Mr. VOINOVICH. Mr. President, no one cares about our Nation's steelworkers and steel industry more than I.

Since 1979, I have been at the forefront in support of Ohio's steel industry. As Mayor of Cleveland and Governor of Ohio, I pressured the Reagan and Bush Administrations to enforce the voluntary restraint agreements, VRAs, on steel and to make sure that all U.S. trade laws were enforced as soon as those agreements expired. In 1991, I set up the first Ohio Steel Industry Advisory Council as a public-private partnership to strengthen ties among the steel industry, the state of Ohio and its citizens.

And last year, when steel imports reached record levels, I was one of the first elected officials to pressure the Clinton administration to stop the illegal dumping of steel in our country. Since October of 1998, I have written the President three letters urging him to take action on behalf of the steel industry.

Ohio is now the largest steel producing state in the Nation—a development that occurred during my term as governor. Many have assumed that because steel is so important to the state of Ohio that I would vote in favor of this legislation. But it is because steel is so important that I cannot vote in favor of this legislation. There are three fundamental reasons why.

First, this bill does not provide industry-wide assistance. The legislation as it has been presented to the Senate provides loan-guarantee assistance to a few steel companies, and not all companies. In fact, the vast majority of steel companies in Ohio have not approached me indicating that my vote in favor of this legislation was crucial. Some steel companies in my state are opposed to this bill.

It does not make sense that in an economy as strong as ours, with steel production in the United States at record, all-time highs, with all the construction that is occurring in our nation, and all the cars that are being made and the record unemployment, that we should pass a package that is meant to assist only a handful of companies.

Which brings me to my second point: the government should not be in the position of picking winners and losers. What this legislation does is tell those companies that may have made poor business decisions that they will be given help. Meanwhile, we ignore those

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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companies that have done the right actions to make themselves competitive. This is not the spirit of American enterprise.

Indeed, I have to ask if we are going to make it the business of the federal government to help companies inside particular industries on a regular basis. We could be here in the Senate spending every taxpayer dollar bailing out specific businesses inside specific industries whenever we saw an economic threat or whenever we desired. Where will we draw the line? How will we decide which failing companies we'll bail out? What criteria will we use? Every time a company has a bad quarter or a bad year, should the federal government provide them with financial assistance? How are we different from those foreign countries we criticize for subsidizing their companies that are struggling to compete? These are the kinds of questions we need to ask if this is going to be the policy our government pursues.

Third, the history behind such loan programs points to a high default rate. The proponents of this legislation have indicated that they expect a default rate on the loans of 14%. That means of the $1 billion worth of loans that the government will guarantee for steel manufacturers, $140 million of that is expected to never be repaid. For the oil and gas industry, the expected default rate is higher, 25%, or $125 million on a loan guarantee of $500 million.

In essence, what Congress wants to do is allow the federal government to simply write off $265 million of taxpayer funds. That money has to come from somewhere, whether it's the Social Security trust fund, tax increases, or cuts in essential programs for our children.

The last time this nation established a steel loan guarantee program in 1978, the default rate was 77%. Five companies took out loans—all five companies defaulted and the U.S. taxpayer was forced to pick-up the tab for $222 million. The U.S. Commerce Department's Economic Development Administration said at the time, ''By any measurement, EDA's steel loan program would have to be considered a failure.'' In addition, EDA said, ''the program is an excellent example of the folly inherent in industrial policy programs.'' Now, I cannot guarantee that the companies today, if given these loan guarantees, will default at such a high rate, but I do not believe we should be making the same mistakes twice at the expense of other federal programs.

Mr. President, there have been scant few instances where the Federal Government getting involved in market decisions has been productive. I do not believe that we should do so here.

Mrs. LINCOLN. Mr. President, yesterday during consideration of the Steel and Oil and Gas Loan Guarantee Program the Senator from Illinois, Senator FITZGERALD, raised several concerns regarding the potential for program abuse. During these discussions, my colleague from Illinois questioned whether or not a bank, or other investor, would be able to transfer their risk to the government upon enactment of the Steel and Oil and Gas Loan Guarantee Program.

Fiscal responsibility is a top priority of mine and upon hearing of these concerns, I was initially troubled. However, I have been assured by the distinguished Senator from West Virginia, Senator BYRD, that the loan approval board is structured such that these situations will be prevented. Loans will not be approved on a whim and the taxpayers' dollars will not be thrown about recklessly to benefit those who did not need help in the first place. This program provides much needed, temporary assistance to keep our steel industry afloat.

It should be noted that the Steel and Oil and Gas Loan Guarantee Program sunsets in three years and is not a permanent change in public policy. We are simply responding to the crisis currently faced by many in our nation's steel industry.

I rise in support of this measure and thank the Senator from West Virginia for his leadership on this issue.

Mr. BYRD. Mr. President, this bill on which we are about to vote is a buy-American bill. A vote for this bill is a buy-American vote, a vote of confidence in American steel, American workers, and American families. But a vote against the bill sends a very different message. It says buy Russian, buy Japanese, buy South Korean, buy from our foreign competitors and send our steel industry and our steel jobs overseas. I urge my colleagues to vote American.

Now, if I have any time remaining in the 2½ minutes, I wish to compliment Mr. NICKLES, Mr. GRAMM, and others who were the opponents of the bill. They were honorable opponents, and I think they made good contributions, especially in our discussions yesterday. Their proposals improve the bill. I was happy to support their proposals and to join as a cosponsor of the amendment.

I especially wish to thank Senator STEVENS and Senator DOMENICI. Senator STEVENS has kept his word. He is a man of his word. Senator DOMENICI has done a great job in proposing a similar program for the oil and gas industry. I hope that he will be able to speak likewise at some point.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I urge my colleagues to vote against this bill. I compliment the sponsors of it, Senator BYRD and Senator DOMENICI. They are very persistent. I expect they will be successful today, but I hope that this bill doesn't pass either today in the Senate or in the conference.

I urge our colleagues to vote against it. The reason is because I think it is a mistake. It is not that I don't want to help the steel industry or that I don't want to help the oil and gas industry. I want to help both.

I do not think the Federal Government guaranteeing loans is the right thing to do. We have tried it. We have been there. It did not work. We did it in 1978 and 1979. The Federal Government had a loan guarantee program for the steel industry—$290 million worth of steel loans were made, guaranteed by the Federal Government. The Federal Government loaned $222 million on which the steel industry defaulted. That is a 77 percent default rate. Basically, the people who ran the program at the time or later said, well, really, it was replacing the marketplace with politicians making those decisions, saying that we don't think that the marketplace should be making capital decisions; we are going to have those decisions being made by Government.

I think that was a serious mistake. We have urged other countries not to go into this industrial policy; let the marketplace work. And now we are trying to come back and do it. We have done it before. It did not work before.

I want to help the oil and gas industry. It is really hurting in my State. But I do not think that having the Federal Government guaranteeing loans is the right solution. As a matter of fact, I do not think it will help anybody. I do not think it will even help the steel industry. It might help them reshuffle some debt, but I do not think it makes sense.

I urge my colleagues to vote no on this bill today.

Mr. President, I ask for the yeas and nays on the bill.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass? The yeas and nays have been ordered.

The clerk will call the roll.

The legislative assistant called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

Mr. REID. I announce that the Senator from Connecticut (Mr. DODD) is necessarily absent.

I further announce that the Senator from New Mexico (Mr. BINGAMAN) is absent attending a funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 63, nays 34, as follows:

[Rollcall Vote No. 176 Leg.]

YEAS—63

Abraham	Campbell	Feinstein
Akaka	Chafee	Gorton
Baucus	Cleland	Graham
Bayh	Cochran	Harkin
Bennett	Conrad	Hatch
Biden	Daschle	Helms
Bond	DeWine	Hollings
Boxer	Domenici	Hutchison
Breaux	Dorgan	Inhofe
Bryan	Durbin	Inouye
Byrd	Edwards	Johnson

Kennedy	Lugar	Sarbanes
Kerrey	Mikulski	Schumer
Kerry	Moynihan	Sessions
Kohl	Murray	Shelby
Landrieu	Reed	Specter
Lautenberg	Reid	Stevens
Leahy	Robb	Thurmond
Levin	Roberts	Torricelli
Lieberman	Rockefeller	Wellstone
Lincoln	Santorum	Wyden

NAYS—34

Allard	Frist	Murkowski
Ashcroft	Gramm	Nickles
Brownback	Grams	Roth
Bunning	Grassley	Smith (NH)
Burns	Gregg	Smith (OR)
Collins	Hagel	Snowe
Coverdell	Hutchinson	Thomas
Craig	Jeffords	Thompson
Crapo	Kyl	Voinovich
Enzi	Lott	Warner
Feingold	Mack	
Fitzgerald	McConnell	

NOT VOTING—3

Bingaman	Dodd	McCain

The bill (H.R. 1664), as amended, was passed, as follows:

Resolved, That the bill from the House of Representatives (H.R. 1664) entitled ''An Act making emergency supplemental appropriations for military operations, refugee relief, and humanitarian assistance relating to the conflict in Kosovo, and for military operations in Southwest Asia for the fiscal year ending September 30, 1999, and for other purposes.'', do pass with the following amendments:

Page 2, strike out all after line 7 over to and including line 21 on page 3 and insert:

SEC. 101. EMERGENCY STEEL LOAN GUARANTEE PROGRAM. (a) SHORT TITLE.—This chapter may be cited as the ''Emergency Steel Loan Guarantee Act of 1999''.

(b) CONGRESSIONAL FINDINGS.—Congress finds that—

(1) the United States steel industry has been severely harmed by a record surge of more than 40,000,000 tons of steel imports into the United States in 1998, caused by the world financial crisis;

(2) this surge in imports resulted in the loss of more than 10,000 steel worker jobs in 1998, and was the imminent cause of 3 bankruptcies by medium-sized steel companies, Acme Steel, Laclede Steel, and Geneva Steel;

(3) the crisis also forced almost all United States steel companies into—

(A) reduced volume, lower prices, and financial losses; and

(B) an inability to obtain credit for continued operations and reinvestment in facilities;

(4) the crisis also has affected the willingness of private banks and investment institutions to make loans to the United States steel industry for continued operation and reinvestment in facilities;

(5) these steel bankruptcies, job losses, and financial losses are also having serious negative effects on the tax base of cities, counties, and States, and on the essential health, education, and municipal services that these government entities provide to their citizens; and

(6) a strong steel industry is necessary to the adequate defense preparedness of the United States in order to have sufficient steel available to build the ships, tanks, planes, and armaments necessary for the national defense.

(c) DEFINITIONS.—For purposes of this section:

(1) BOARD.—The term ''Board'' means the Loan Guarantee Board established under subsection (e).

(2) PROGRAM.—The term ''Program'' means the Emergency Steel Guarantee Loan Program established under subsection (d).

(3) QUALIFIED STEEL COMPANY.—The term ''qualified steel company'' means any company that—

(A) is incorporated under the laws of any State;

(B) is engaged in the production and manufacture of a product defined by the American Iron and Steel Institute as a basic steel mill product, including ingots, slab and billets, plates, flat-rolled steel, sections and structural products, bars, rail type products, pipe and tube, and wire rod; and

(C) has experienced layoffs, production losses, or financial losses since the beginning of the steel import crisis, in January 1998 or that operates substantial assets of a company that meets these qualifications.

(d) ESTABLISHMENT OF EMERGENCY STEEL GUARANTEE LOAN PROGRAM.—There is established the Emergency Steel Guarantee Loan Program, to be administered by the Board, the purpose of which is to provide loan guarantees to qualified steel companies in accordance with this section.

(e) LOAN GUARANTEE BOARD MEMBERSHIP.—There is established a Loan Guarantee Board, which shall be composed of—

(1) the Secretary of Commerce;

(2) the Chairman of the Board of Governors of the Federal Reserve System, who shall serve as Chairman of the Board; and

(3) the Chairman of the Securities and Exchange Commission.

(f) LOAN GUARANTEE PROGRAM.—

(1) AUTHORITY.—The Program may guarantee loans provided to qualified steel companies by private banking and investment institutions in accordance with the procedures, rules, and regulations established by the Board.

(2) TOTAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed and outstanding at any one time under this section may not exceed $1,000,000,000.

(3) INDIVIDUAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed under this section with respect to a single qualified steel company may not exceed $250,000,000.

(4) TIMELINES.—The Board shall approve or deny each application for a guarantee under this section as soon as possible after receipt of such application.

(5) ADDITIONAL COSTS.—For the additional cost of the loans guaranteed under this subsection, including the costs of modifying the loans as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a), there is appropriated $140,000,000 to remain available until expended.

(g) REQUIREMENTS FOR LOAN GUARANTEES.—A loan guarantee may be issued under this section upon application to the Board by a qualified steel company pursuant to an agreement to provide a loan to that qualified steel company by a private bank or investment company, if the Board determines that—

(1) credit is not otherwise available to that company under reasonable terms or conditions sufficient to meet its financing needs, as reflected in the financial and business plans of that company;

(2) the prospective earning power of that company, together with the character and value of the security pledged, furnish reasonable assurance of repayment of the loan to be guaranteed in accordance with its terms;

(3) the loan to be guaranteed bears interest at a rate determined by the Board to be reasonable, taking into account the current average yield on outstanding obligations of the United States with remaining periods of maturity comparable to the maturity of such loan;

(4) the company has agreed to an audit by the General Accounting Office prior to the issuance of the loan guarantee and annually thereafter while any such guaranteed loan is outstanding; and

(5) In the case of a purchaser of substantial assets of a qualified steel company, the qualified steel company establishes that it is unable to reorganize itself.

(h) TERMS AND CONDITIONS OF LOAN GUARANTEES.—

(1) LOAN DURATION.—All loans guaranteed under this section shall be payable in full not later than December 31, 2005, and the terms and conditions of each such loan shall provide that the loan may not be amended, or any provision thereof waived, without the consent of the Board.

(2) LOAN SECURITY.—Any commitment to issue a loan guarantee under this section shall contain such affirmative and negative covenants and other protective provisions that the Board determines are appropriate. The Board shall require security for the loans to be guaranteed under this section at the time at which the commitment is made.

(3) FEES.—A qualified steel company receiving a guarantee under this section shall pay a fee to the Department of the Treasury to cover costs of the program, but in no event shall such fee exceed an amount equal to 0.5 percent of the outstanding principal balance of the guaranteed loan.

(4) GUARANTEE LEVEL.—No loan guarantee may be provided under this section if the guarantee exceeds 85 percent of the amount of principal of the loan.

(i) REPORTS TO CONGRESS.—The Secretary of Commerce shall submit to Congress a full report of the activities of the Board under this section during each of fiscal years 1999 and 2000, and annually thereafter, during such period as any loan guaranteed under this section is outstanding.

(j) SALARIES AND ADMINISTRATIVE EXPENSES.—For necessary expenses to administer the Program, $5,000,000 is appropriated to the Department of Commerce, to remain available until expended, which may be transferred to the Office of the Assistant Secretary for Trade Development of the International Trade Administration.

(k) TERMINATION OF GUARANTEE AUTHORITY.—The authority of the Board to make commitments to guarantee any loan under this section shall terminate on December 31, 2001.

(l) REGULATORY ACTION.—The Board shall issue such final procedures, rules, and regulations as may be necessary to carry out this section not later than 60 days after the date of enactment of this Act.

(m) IRON ORE COMPANIES.—

(1) IN GENERAL.—Subject to the requirements of this subsection, an iron ore company incorporated under the laws of any State shall be treated as a qualified steel company for purposes of the Program.

(2) TOTAL GUARANTEE LIMIT FOR IRON ORE COMPANY.—Of the aggregate amount of loans authorized to be guaranteed and outstanding at any one time under subsection (f)(2), an amount not to exceed $30,000,000 shall be loans with respect to iron ore companies.

FEDERAL ADMINISTRATIVE AND TRAVEL EXPENSES

(RESCISSIONS)

SEC. 102. (a) Of the funds available in the nondefense category to the agencies of the Federal Government, $145,000,000 are hereby rescinded: Provided, That rescissions pursuant to this subsection shall be taken only from administrative and travel accounts: Provided further, That rescissions shall be taken on a pro rata basis from funds available to every Federal agency, department, and office in the Executive Branch, including the Office of the President.

(b) Within 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a listing of the amounts by account of the reductions made pursuant to the provisions of subsection (a) of this section.

Page 4, strike out all after line 1 over to and including line 14 on page 22 and insert:

SEC. 201. PETROLEUM DEVELOPMENT MANAGEMENT. (a) SHORT TITLE.—This chapter may be cited as the ''Emergency Oil and Gas Guaranteed Loan Program Act''.

(b) FINDINGS.—Congress finds that—

(1) consumption of foreign oil in the United States is estimated to equal 56 percent of all oil consumed, and that percentage could reach 68 percent by 2010 if current prices prevail;

(2) the number of oil and gas rigs operating in the United States is at its lowest since 1944, when records of this tally began;

(3) if prices do not increase soon, the United States could lose at least half its marginal wells, which in aggregate produce as much oil as the United States imports from Saudi Arabia;

(4) oil and gas prices are unlikely to increase for at least several years;

(5) declining production, well abandonment, and greatly reduced exploration and development are shrinking the domestic oil and gas industry;

(6) the world's richest oil producing regions in the Middle East are experiencing increasingly greater political instability;

(7) United Nations policy may make Iraq the swing oil producing nation, thereby granting Saddam Hussein tremendous power;

(8) reliance on foreign oil for more than 60 percent of our daily oil and gas consumption is a national security threat;

(9) the level of United States oil security is directly related to the level of domestic production of oil, natural gas liquids, and natural gas; and

(10) a national security policy should be developed that ensures that adequate supplies of oil are available at all times free of the threat of embargo or other foreign hostile acts.

(c) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Loan Guarantee Board established by subsection (e).

(2) PROGRAM.—The term ''Program'' means the Emergency Oil and Gas Guaranteed Loan Program established by subsection (d).

(3) QUALIFIED OIL AND GAS COMPANY.—The term ''qualified oil and gas company'' means a company that—

(A) is—

(i) an independent oil and gas company (within the meaning of section 57(a)(2)(B)(i) of the Internal Revenue Code of 1986); or

(ii) a small business concern under section 3 of the Small Business Act (15 U.S.C. 632) (or a company based in Alaska, including an Alaska Native Corporation created pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)) that is an oil field service company whose main business is providing tools, products, personnel, and technical solutions on a contractual basis to exploration and production operators that drill, complete wells, and produce, transport, refine, and sell hydrocarbons and their byproducts as the main commercial business of the concern or company; and

(B) has experienced layoffs, production losses, or financial losses since the beginning of the oil import crisis, after January 1, 1997.

(d) EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM.—

(1) IN GENERAL.—There is established the Emergency Oil and Gas Guaranteed Loan Program, the purpose of which shall be to provide loan guarantees to qualified oil and gas companies in accordance with this section.

(2) LOAN GUARANTEE BOARD.—There is established to administer the Program a Loan Guarantee Board, to be composed of—

(A) the Secretary of Commerce;

(B) the Chairman of the Board of Governors of the Federal Reserve System, who shall serve as Chairman of the Board; and

(C) the Chairman of the Securities and Exchange Commission.

(e) AUTHORITY.—

(1) IN GENERAL.—The Program may guarantee loans provided to qualified oil and gas companies by private banking and investment institutions in accordance with procedures, rules, and regulations established by the Board.

(2) TOTAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed and outstanding at any 1 time under this section shall not exceed $500,000,000.

(3) INDIVIDUAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed under this section with respect to a single qualified oil and gas company shall not exceed $10,000,000.

(4) EXPEDITIOUS ACTION ON APPLICATIONS.—The Board shall approve or deny an application for a guarantee under this section as soon as practicable after receipt of an application.

(5) ADDITIONAL COSTS.—For the additional cost of the loans guaranteed under this subsection, including the costs of modifying the loans as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a), there is appropriated $122,500,000 to remain available until expended.

(f) REQUIREMENTS FOR LOAN GUARANTEES.—The Board may issue a loan guarantee on application by a qualified oil and gas company under an agreement by a private bank or investment company to provide a loan to the qualified oil and gas company, if the Board determines that—

(1) credit is not otherwise available to the company under reasonable terms or conditions sufficient to meet its financing needs, as reflected in the financial and business plans of the company;

(2) the prospective earning power of the company, together with the character and value of the security pledged, provide a reasonable assurance of repayment of the loan to be guaranteed in accordance with its terms;

(3) the loan to be guaranteed bears interest at a rate determined by the Board to be reasonable, taking into account the current average yield on outstanding obligations of the United States with remaining periods of maturity comparable to the maturity of the loan; and

(4) the company has agreed to an audit by the General Accounting Office before issuance of the loan guarantee and annually while the guaranteed loan is outstanding.

(g) TERMS AND CONDITIONS OF LOAN GUARANTEES.—

(1) LOAN DURATION.—All loans guaranteed under this section shall be repayable in full not later than December 31, 2010, and the terms and conditions of each such loan shall provide that the loan agreement may not be amended, or any provision of the loan agreement waived, without the consent of the Board.

(2) LOAN SECURITY.—A commitment to issue a loan guarantee under this section shall contain such affirmative and negative covenants and other protective provisions as the Board determines are appropriate. The Board shall require security for the loans to be guaranteed under this section at the time at which the commitment is made.

(3) FEES.—A qualified oil and gas company receiving a loan guarantee under this section shall pay a fee to the Department of the Treasury to cover costs of the program, but in no event shall such fee exceed an amount equal to 0.5 percent of the outstanding principal balance of the guaranteed loan.

(4) GUARANTEE LEVEL.—No loan guarantee may be provided under this section if the guarantee exceeds 85 percent of the amount of principal of the loan.

(h) REPORTS.—During fiscal year 1999 and each fiscal year thereafter until each guaranteed loan has been repaid in full, the Secretary of Commerce shall submit to Congress a report on the activities of the Board.

(i) SALARIES AND ADMINISTRATIVE EXPENSES.—For necessary expenses to administer the Program, $2,500,000 is appropriated to the Department of Commerce, to remain available until expended, which may be transferred to the Office of the Assistant Secretary for Trade Development of the International Trade Administration.

(j) TERMINATION OF GUARANTEE AUTHORITY.—The authority of the Board to make commitments to guarantee any loan under this section shall terminate on December 31, 2001.

(k) REGULATORY ACTION.—Not later than 60 days after the date of enactment of this Act, the Board shall issue such final procedures, rules, and regulations as are necessary to carry out this section.

FEDERAL ADMINISTRATIVE AND TRAVEL EXPENSES

(RESCISSIONS)

SEC. 202. (a) Of the funds available in the nondefense category to the agencies of the Federal Government, $125,000,000 are hereby rescinded: Provided, That rescissions pursuant to this subsection shall be taken only from administrative and travel accounts: Provided further, That rescissions shall be taken on a pro rata basis from funds available to every Federal agency, department, and office in the Executive Branch, including the Office of the President.

(b) Within 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a listing of the amounts by account of the reductions made pursuant to the provisions of subsection (a) of this section.

Page 22, strike out all after line 15 over to and including line 4 on page 32 and insert:

GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in the Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

This Act may be cited as the ''Emergency Steel Loan Guarantee and Emergency Oil and Gas Guaranteed Loan Act of 1999''.

The title was amended so as to read: ''An Act providing emergency authority for guarantees of loans to qualified steel and iron ore companies and to qualified oil and gas companies, and for other purposes.''.

Mr. BYRD. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2000 AND 2001

The PRESIDING OFFICER. The clerk will report H.R. 886.

The legislative assistant read as follows:

A bill (S. 886) to authorize appropriations for the Department of State for fiscal years 2000 and 2001; to provide for enhanced security at United States diplomatic facilities; to provide for certain arms control, nonproliferation, and other national security measures; to provide for the reform of the United Nations; and for other purposes.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from North Carolina.

Mr. HELMS. Mr. President, to make the RECORD absolutely clear, what is the pending business now?

The PRESIDING OFFICER. The pending business is S. 886.

Mr. HELMS. Which is?

The PRESIDING OFFICER. State Department authorization.

UNANIMOUS CONSENT REQUEST

Mr. HELMS. Mr. President, I ask unanimous consent with respect to the State Department authorization bill, all amendments in order pursuant to the consent agreement of June 10 must be offered and debated during Friday's session of the Senate. I further ask

consent that any votes relative to the bill occur in a stacked sequence beginning at 5:30 p.m. on Monday, with 2 minutes for explanation prior to each vote.

The PRESIDING OFFICER. Is there objection?

Mr. BIDEN. Mr. President, reserving the right to object, I will object.

The PRESIDING OFFICER. The Senator will suspend. We will please have order in the body.

The Senator from Delaware.

Mr. BIDEN. Reserving the right to object, I will object, and I want to explain why. The reason I object is there are several amendments from Senators who are not going to be able to be here today. They are necessarily absent. So they would be shut out completely from introducing their amendments.

On behalf of the leadership, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BIDEN. Mr. President, with the permission of my colleague from North Carolina, I ask unanimous consent, with respect to the State Department authorization bill, any amendments on the list of amendments in order to the State Department authorization bill must be filed at the desk by 11:30 today, that there be no further votes today, and the next vote would occur beginning at 5:30 on Monday.

The PRESIDING OFFICER. Is there objection?

Mr. HELMS. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BIDEN. Will the Senator yield for a unanimous consent request relating to staff?

Mr. HELMS. Certainly.

PRIVILEGE OF THE FLOOR

Mr. BIDEN. Mr. President, I ask unanimous consent the privilege of the floor be granted to the following members of the minority staff of the Foreign Relations Committee: David Auerswald, an American political science fellow, and Joan Wadelton, a Pearson fellow, during the pendency of the State Department authorization bill, S. 886.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIDEN. I thank the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, on behalf of the majority leader, I suggest Senators not leave town because there are going to be additional votes today.

Having made that announcement, I hope it is clear to all Senators we were willing to offer an agreement, but that failing, we must proceed.

Mr. REID. Will the Senator yield?

Mr. HELMS. Yes, sir.

Mr. REID. I could not quite hear, but you indicated there would be votes during today?

Mr. HELMS. Yes, sir.

Mr. REID. There was an announcement made by the leader yesterday that there would be no votes occurring after 11:45 a.m. today. There are people who have based their schedules on that public announcement made yesterday.

Mr. HELMS. I ask the Chair if the unanimous consent agreement stated 11:45 a.m.

Mr. REID. I am not sure there was a unanimous consent agreement. There was a public statement made.

The PRESIDING OFFICER. There is no agreement on limiting votes for the remainder of the day.

The Senator from North Carolina.

Mr. HELMS. Mr. President, I believe I am authorized to say there will be no votes after 11:45 a.m. today. At least I will not participate in ordering them.

Mr. KERRY. Mr. President, I understand a couple of Senators are out of town and therefore are not, even though they may want to, able to physically meet the unanimous consent request of the chairman. I wonder if the purposes of the Senate in moving this legislation forward are not equally well served by narrowing the universe of amendments by requiring that they all be laid down before the hour when there will be no further votes. We will then have a fixed universe of amendments, and we can begin debating them and proceed rapidly.

Mr. HELMS. I am unable to pass judgment on that. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. HELMS. I have to object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue calling the roll.

The assistant legislative clerk continued with the call of the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELMS. Mr. President, I am a father. Like everybody else, every daddy wants to get home, except a few who will not give time agreements on their amendments. So we will just have to plow ahead and do the best we can.

On behalf of the Senate Committee on Foreign Relations, I offer the foreign relations authorization bill, approving specific State Department activities for fiscal years 2000 and 2001, including funds for payment of some dues arrearages to the United Nations and other international organizations conditioned upon reform of those institutions.

In the course of debate, the distinguished Senator from Delaware, Mr. BIDEN, and I will offer an amendment naming this bill the Admiral James W. Nance Foreign Relations Authorization bill, in memory and in honor of the late chief of staff of the Foreign Relations Committee, Bud Nance.

The Foreign Relations Committee approved this bipartisan legislation back in April—I believe on April 21st—by a vote of 17 to 1.

This is the first authorization of State Department activity since enactment last October on the Foreign Affairs Reform and Restructuring Act, which required the consolidation of the Arms Control and Disarmament Agency and the U.S. Information Agency into the State Department. These were temporary agencies. They were established in the 1950s and were explicitly and emphatically described as temporary agencies.

As Ronald Reagan said, there is nothing so near eternal life as a temporary Federal agency. So what we did, we folded two of those into the State Department, their responsibilities, and got rid of them.

Both of these temporary agencies were created about a half century ago, and this effort by the Foreign Relations Committee is the first time any body has tried to do away with those nontemporary or temporary agencies.

The bill addresses several significant oversight and authorization issues. It proposes to strengthen and preserve the arms control verification functions of the U.S. Government, while addressing other nonproliferation matters as well.

The bill authorizes a 5-year $3 billion construction blueprint for upgrading U.S. embassies around the world to provide secure environments for America's personnel overseas. Unlike the funds provided more than a decade ago in the wake of a report by Admiral Inman calling for improved security of U.S. embassies, this bill creates a firewall for funding from other State Department expenditures which will ensure that embassy funds are not raided to pay for other State Department pet projects.

The bill makes some reforms to strengthen the Foreign Service. Most Foreign Service officers are supportive of ensuring poor performing members of the Foreign Service are not automatically kept in the Service by statutes manipulated to protect unworthy employees from discharge and/or personnel actions. The changes in the bill will streamline the grievance and disciplinary process stipulated by the Foreign Service Act.

The bill augments a coordination and oversight of the U.S. Government's role in assisting parents seeking return of abducted children. These provisions are an outgrowth of the Foreign Relations Committee oversight hearing this past year on the growing problem of international abduction of children in disputes growing out of divorce and separation. It is a real problem, I say to the distinguished occupant of the Chair.

Significantly, the bill includes a U.N. reform package which includes payments of arrearages in exchange for—I reiterate for emphasis—in exchange for key reforms of and by the United Nations.

I say parenthetically to the distinguished occupant of the Chair that on the day that Kofi Annan was designated to be the Secretary General of the United Nations, I called him and invited him to come to Washington. We worked out a stipulated number of reforms that had to be done before any thought or agreement could be considered regarding the so-called arrearages.

He agreed to that. He went back to the United Nations and made some other statements, but we are working that out.

Interestingly enough, we are getting some support from the gentleman who probably will be confirmed in a week or so as the new U.S. Ambassador to the United Nations who strongly favors the reform of the United Nations. He stipulated that to me yesterday.

The reform agenda required by this bill, prior to the payment of any U.S. taxpayer dollars, has the full support of the Secretary of State and the distinguished Senator from Delaware, Mr. BIDEN, and me. These reforms were approved by the Senate during the 105th Congress by a vote of 90–5, but it was vetoed by the President of the United States.

I thank the Chair, and I yield the floor.

I believe we are going to have to have order, Mr. President.

The PRESIDING OFFICER. The Senator is correct. There is not order in the body.

Please, may we have order in the body so we can proceed on this important piece of legislation. Conversations will please be taken off the floor.

Mr. HELMS. Mr. President, I suggest the absence of a quorum until we can get order.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELMS. I am going to depart from what we agreed to. The distinguished Senator from Vermont needs 3 minutes, he says, for a statement in the form of a eulogy. I yield that time to him.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 3 minutes.

LEONARD RIESER

Mr. LEAHY. Mr. President, Vermont and the United States lost one of its most distinguished academics last winter. Leonard Rieser, a physicist, a professor, a dean, and chairman of the board of the Bulletin of Atomic Scientists, holder of so many titles that we couldn't repeat all of them, died at the same time his great gifts and talent were still expanding.

I knew Leonard and his wife, Rosemary, through their son, Tim Rieser. Tim has been the most extraordinary advisor to me for many years, and he holds the best attributes of his father: decency, a towering intellect, and a constant search for knowledge.

Leonard Rieser is a man who lived more in a decade than most people will live in a lifetime. He accomplished in a few years what others would be proud to have as their life's work. What is extraordinary is that he did it for decade after decade.

In Vermont and throughout the Nation, expressions of sorrow but also of admiration and gratitude for his life poured in. We have all benefited by his life. He leaves a great void, especially for his wife, his sons, Tim, Leonard, and Ken, his daughter, Abby, his grandchildren and all his friends.

Mr. President, I ask unanimous consent that just one of the many tributes written about him be printed in the RECORD at this point.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

[From the Bulletin of the Atomic Scientists, Mar./Apr. 1999]

LEONARD M. RIESER, 1922–1998

(By Mike Moore)

Leonard M. Rieser, 76, who chaired the board of the Bulletin from 1985 to June of last year, died in December of pancreatic cancer. His tenure as chairman spanned a tumultuous era. When Rieser took the chair, the Bulletin's ''Doomsday Clock'' stood at three minutes to midnight and ''Evil Empire'' rhetoric still ricocheted back and forth across the Atlantic.

But by late 1991, the United States and the Soviet Union had signed the Strategic Arms Reduction Treaty, a coup attempt in the Soviet Union had failed, and the United States and Russia had begun to withdraw thousands of tactical nuclear weapons from forward deployment. That fall, the board voted to move the minute hand ''off the scale''—from 10 minutes to 17 minutes to midnight.

In speaking to the press after the meeting, Rieser displayed the rooted-in-the-real-world optimism that characterized his life. The Cold War was clearly over, Leonard told the audience, as was the East-West arms race. That was a cause for celebration, and it surely justified the unprecedented seven-minute move. ''But the world is still a dangerous place and governments continue to pour vast sums of money and intellectual capital into weaponry. The Bulletin has much work left to do. It will continue reporting on the destructiveness of seeking military solutions to the world's ills.''

He was surely right about the Bulletin having more work to do. In 1995, the board moved the minute hand back onto the scale, to 14 minutes to midnight, in part because of the slow U.S. and Russian pace in cutting back nuclear arsenals. And last June, the board moved the hand to nine minutes to midnight, partly because of nuclear tests by India and Pakistan, and partly because East-West arms reductions were still agonizingly slow.

In December of 1942, Rieser, an undergraduate in physics at the University of Chicago, enlisted in the army, but received a deferment so he could finish his degree. After receiving his baccalaureate, he was assigned to the Manhattan Project, first in the Chicago laboratory and then at Los Alamos.

In later years, he seldom talked of his bomb-related work, other than to say that he had no interest in pursuing weapons work after the war. Al Baez, a physicist who met Rieser in the late 1940s while both were graduate students at Stanford, said they became lifelong friends partly because of their mutual belief that scientists had a moral responsibility to weigh the consequences of their work.

Rieser joined the Dartmouth College physics faculty in 1952 and remained active in Dartmouth affairs until his death. He became dean of the faculty, provost, and the Sherman Fairchild Professor in the Sciences. During the socially and politically chaotic years of the late 1960s and early 1970s, he helped transform Dartmouth from a small men's liberal arts school into a more diverse coed institution.

Rieser retired as provost in 1982, the year he joined the board of the Bulletin, but he remained chairman of Dartmouth's Montgomery Endowment, which brings scholars, artists, and political figures to the campus for periods ranging from a week to a year. In 1984, he became the founding director of the John Sloan Dickey Center for International Understanding at Dartmouth.

Despite his decision to follow a largely administrative track, he remained passionately committed to science, pure and applied, and to the teaching of science. He was a member of the American Physical Society, the American Association of Physics Teachers, and the American Association for the Advancement of Science (AAAS).

Rieser chaired the AAAS's Commission on Science Education from 1966 to 1971, and he successively served as president-elect, president, and chairman of the AAAS board in the early 1970s. He later chaired the association's Committee on Future Directions and the Committee on Scientific Freedom and Responsibility.

In 1974, Rieser was a co-founder of the Interciencia Association, an organization based in Caracas that is dedicated to uniting scientific communities in the Americas, so they can more effectively promote the welfare of the people. He later served as president of Interciencia, and he was still a director at his death.

At various times, Rieser was president of the New England Council on Graduate Education, an overseer at Harvard, a member of the Commission on the International Exchange of Scholars, a member of the Council on Humanities and Sciences at Stanford, a trustee of Hampshire College, and a trustee of the Latin American Student Programs at American Universities.

In 1990, Rieser became a consultant to the John D. and Catherine T. MacArthur Foundation in Chicago. For four years, beginning in 1993, he chaired MacArthur's Fellows program—the so-called ''genius grant'' program in which scholars, artists, and innovators of all description are awarded handsome sums so they can more readily pursue their work by freeing them of financial constraints.

The program's yearly awards regularly make headlines. They have been applauded as being imaginative and visionary and criticized for being too offbeat, ''too politically correct.''

''It was not a matter of 'political correctness,'' says Adele Simmons, president of MacArthur. ''Leonard delighted in finding people not already being supported by mainstream institutions, and giving them an opportunity to look at institutions and issues in a new way, getting people to really think.''

Victor Rabinowitch, senior vice president of MacArthur, said Rieser took particular

joy in mentoring younger people. ''He loved to play that role. He was idealistic—but also realistic. He believed in the goodness of people, a man of enormous decency. The secretaries all adored him—he listened to them.''

An adjective often used to describe Rieser is ''graceful''—in the sense that he was a considerate man, a ''gentleman'' in the old-fashioned use of the term. Listening, says Barbara Gerstner, assistant provost at Dartmouth, was one of Rieser's greatest gifts. ''When he conducted a meeting, he made sure that everyone's point of view was heard and understood. A person could leave a meeting unsatisfied with the result. But at least he knew he had had a fair chance to be heard.''

MacArthur's Rabinowitch, who has attended high-powered meetings throughout the world for most of his professional life, says simply: ''Leonard was the most talented chairman I have ever seen.''

Dorothy Zinberg, on the faculty at Harvard's John F. Kennedy School of Government, recalls Rieser's ability to put people at ease. She first met Leonard in the early 1970s, when she ''parachuted into Washington'' to serve as the ''token woman'' on the AAAS's Committee for Science and Social Responsibility. It was a small but steller group that included former Chief Justice Earl Warren and John Knowles, then president of the Rockefeller Foundation, and Alan Astin, a towering figure in Washington science policy. Zinberg, who was then a young professor at Harvard, was ill at ease. ''Don't worry,'' said Leonard. ''You have every right to be here. Speak up.'' That she did, and she went on to serve on several more AAAS committees.

In the early 1990s, Zinberg was a consultant at the MacArthur Foundation and often found herself working closely with Rieser. ''Leonard challenged every statement to make certain that no issue under discussion had been superficially examined. Behind the boyish smile, the informal style, the casual country clothes, and the droll humor lay a steely determination to get things right.''

Leonard M. Rieser, according to those who knew him well, did get it right.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent for 3 minutes.

The PRESIDING OFFICER. The Senate is in a quorum call.

Mr. WELLSTONE. I ask unanimous consent that the order for the quorum call be dispensed with so I may have 3 minutes as in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

THE BANKRUPTCY BILL

Mr. WELLSTONE. I thank the Senator from North Carolina. It may take less than 3 minutes.

I refer colleagues, and I will include in the RECORD, to a piece today in the New York Times, front-page article, the title of which is ''New Lenders With Huge Fees Thrive on Workers With Debts.''

Some of my colleagues remember that Senator Metzenbaum did a lot of work on this. When we do bring up the bankruptcy bill, I will have an amendment which will prohibit claims in bankruptcy which rise from these high-cost transactions such as ''payday'' loans, car title loans, or any other credit extension that extends beyond 100 percent per annum. I will go into this in detail. I cannot right now in 3 minutes. I will put this piece in the RECORD. I hope colleagues will read it. It is really quite outrageous what these companies have been able to get away with. I look forward to having a debate on this amendment on the bankruptcy bill.

Mr. President, I ask unanimous consent to have printed in the RECORD the article to which I referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 18, 1999]

NEW LENDERS WITH HUGE FEES THRIVE ON WORKERS WITH DEBTS

(By Peter T. Kilborn)

KOKOMO, IND, June 16.—A year and a half ago, Doris Rude, a taxi driver who is partly disabled by a herniated disc, was living at the edge of her income of $300 a week and had just $5 in the bank. Then she received a $1,900 hospital bill. With poor credit and no money, she turned in desperation to a new, fast-growing American institution: The payday loan company.

For a fee of $30, the company agreed to advance her a two-week loan of $100. To obtain the loan, she wrote the company a check for $130 that the lender greed to hold until her next payday. With the $30 fee, the lender was charging her an annual interest rate that consumer advocates say is 780 percent.

But two weeks later, with no change in her living expenses, her check was sure to bounce. So the lender let Ms. Rude renew the loan for another two weeks, for another $30 fee. Soon she was bounding from one payday lender to another, six in all, borrowing from the next to pay the accumulating fees of the others.

Ms. Rude had fallen into a trap that regulators worry is an increasingly common one, not just for lower-paid workers like Ms. Rude but for higher-salaried ones as well.

Payday lending companies are sprouting up all over the country, having increased to nearly 8,000 today from 300 seven years ago. Although this is the most prosperous peacetime decade of the century, many workers have become trapped by debts run up in free spending or have been driven deeper into debt by misfortune. But these workers have the two basic things needed to obtain a payday loan: paychecks and checking accounts.

Although plentiful in big cities like New York and Los Angeles, the payday lenders have become most visible in places like Kokomo; Springfield, Ohio, and Cleveland, Tenn. Ten have opened in Kokomo, a city of 45,000 people.

Bearing names like Check Into Cash, Check 'n Go and Fast Cash, payday lenders grant loans to workers against their next paychecks. In return, the companies charge a ''fee,'' typically $15 to $35. At annual rates, the fees normally exceed 300 percent and 400 percent and in some cases they reach four digits.

At least a dozen national chains have sprung up. The biggest, Ace Cash Express in Irving, Tex., has around 900 stores and revenue last year—what it collected in loan fees—of $100 million, twice that of 1996. Check Into Cash, in Cleveland, Tenn., reported that its revenue had jumped to $21 million in the first six months of 1998 from $10 million three years ago and $1 million five years ago.

In much of the country, these companies escape the routine scrutiny and regulations faced by banks, finance companies and pawn shops, because in some states they are too new to have stirred much controversy and in others they have used political clout to stave off legislation.

As of late last year, the Consumer Federation of America reported that 19 states, including all of those in New England, as well as Pennsylvania, Texas and Virginia, prohibited payday lending, most by limiting annual, small-loan interest to less than 40 percent. But the federation said the 31 other states, including New York and New Jersey, condoned it by law or by the absence of law.

A spokesman for the New York State Banking Department, Rick Hansen, disputed this assertion, saying the state's usury law forbids charging more than 25 percent annual interest on any loan.

The payday lenders say they are providing a vital service. As commercial banks have shunned the poorest borrowers, in part by raising the minimum amounts they will lend, people who need small sums to get over a hump, like paying for a medical prescription or buying tires for a car, have few choices. These include people who are unable to get credit cards or who have charged or exceeded their cards' credit limits.

Industry leaders say comparing payday lenders' fees with annual interest rates is unfair because most of the loans are paid off within a month.

Consumer advocates consider the payday lenders' interest rates exorbitant.

''I know of loan sharks in New York who wouldn't charge this kind of interest,'' said Gary L. Calhoun, a lawyer here who provides legal services for members of the United Automobile Workers.

State Representative Richard W. Bodiker of Indiana, a Democrat whose bill this year to regulate the lenders fell to intense industry lobbying, calls the fees, ''in excess of what usury laws consider loan-sharking.''

Robert C. Rochford, deputy counsel of the National Check Cashers Association, an industry trade group, called such accusations spurious.

''Loan-sharking involves coercive tactics to collect the debt,'' Mr. Rochford said. ''No major direct deposit provider has been convicted of that.''

One reason for the lenders' growth is people's comfort with debt. The nation's savings rate, the percentage of people's disposable income that is saved, dropped to 0.5 percent last year and to nothing at all by earlier this year from 6 percent a decade ago. Rather than save, people are spending more than ever and borrowing more than ever.

''We know there's a pretty sizable group of folks whose credit cards are maxed out,'' said Mark B. Tarpey, a supervisor in the consumer finance division of the Indiana Department of Financial Institutions.

With payday lenders around, Mr. Tarpey said: ''They don't have to tell the boss they need a cash advance. They don't have to give up their TV's and furniture. They don't have to run a credit check.''

Another reason is a level of unemployment, 4.2 percent, that economists used to call unattainable. To succeed, payday lenders need customers with bank accounts and regular checks, in particular paychecks, and these days, just about every able-bodied adult receives one.

Under such conditions, said Mr. Rochford, the deputy counsel for the check cashers' association, payday lenders' revenues will grow to $1.44 billion this year from $810 million last year.

Payday lending exists, Mr. Rochford said, ''because there's a need for it.'' A short-term deferred deposit loan, the industry's preferred term, helps a worker through an emergency and is cheaper than bouncing a check.

Most banks do not make loans for less than $1,000, he said, and pawning is embarrassing.

Borrowers like a payday loan, Mr. Rochford said, because ''it is private,'' adding: ''It is quick. And they do not need a lot of documentation.'' The fees cover loans that turn sour, he said, and the cost of employees to process loans.

Kokomo, about 50 miles north of Indianapolis, may be a case in point. A steel and asphalt city of immense new Daimler-Chrysler and Delphi-Delco automobile component factories, Kokomo is fertile terrain for payday lending.

Strapped by bad credit and unmanageable or unexpected expenses, people here used to go to pawn shops for loans. But of three pawn shops here two years ago, one has closed, and another, Bob's, passed up renewing its license this month. Now people go to the city's new payday lenders.

Unemployment, which has exceeded 20 percent in Kokomo in recessions, was just 1.4 percent in March, according to the latest survey by the Kelley School of Business at Indiana University. About 20,000 people, roughly 40 percent of the area work force, is employed by automotive companies. They earn $50,000 to $60,000 a year and are the new lenders' biggest customers.

The payday lenders here approve most loans within 10 minutes. ''No Credit Check, Instant Approval,'' Easy Money's flier promises. ''The fastest way to payday,'' read the banners on the walls of Check 'n Go.

For this service, some states specify a maximum fee of $15 on a one- or two-week loan of $100 or $200. In Indiana the limit is $33. At $33, the annual rate on a two-week $100 loan is 858 percent.

And as borrowers amass loans, taking new ones to pay the fees on the others, the fastest way to payday becomes a fast way, too, to garnished wages and bankruptcy.

Kathy Jo King, 41, earns almost $60,000 a year as an assembly-line worker at the Daimler-Chrysler transmission plant. But she has no savings, in part because she is paying creditors $113 a week to work her way out of a bankruptcy that followed a serious automobile accident and left her husband partly disabled and both with high medical bills.

Then early last year, Ms. King and her husband and their boys, 18 and 11, had to move, incurring $1,500 in unexpected expenses.

''I've got kids to feed,'' she said. ''I had to go do something.'' With her credit in ruins, she could not go to a bank for a loan, so she went to payday lenders.

''We did several payday loans all at once,'' Ms. King said. ''They make you feel real at ease about it.'' She started paying off the loans bit by bit but became saddled with $200 in fees alone every two weeks and could not keep up.

So one lender tried to redeem her last $330 check covering a loan of $300 and a fee of $30. She did not have money in the bank to cover the check and it bounced. The bank and the lender then charged her $80 in fees for a bad check.

Next, the lender sued, and Ms. King lost. The court awarded the lender triple damages—$990, or three times the amount of the check, plus $150 in lawyer fees and $60 for court costs. With the $80 for bouncing the check, Ms. King owes $1,280 on her original loan of $330.

Currently, about 100 payday lenders suits against borrowers are on file in the Howard County Superior Court in Kokomo. Lenders here also send out letters threatening their customers with imprisonment for bouncing a loan check, although none is known to have tested the state penal code provision that they invoke in making the threat. Some lenders start taking legal action within a month to obtain unpaid loans; others try to work longer with customers to avoid a lawsuit.

David Hannum, coordinator of the Consumer Credit Counseling Service, said borrowers kept paying the fees, digging themselves deeper into debt, out of fear that lenders would otherwise try to redeem their checks when they did not have money in the bank to cover them, further tainting their credit ratings.

To tap into this market, Carol Brenner, 36, opened Quick Cash here in September. Ms. Brenner now has 350 clients, most of whom return every week or two to have their loans renewed or to pay them off, but then they often take another a few days later. She charges less than most lenders: $20 for a two-week $100 loan, for an annual percentage rate of 521 percent, and $30 for $200, or 391 percent.

Unlike some lenders, Ms. Brenner lets her clients pay off portions of their loans as they extend them and in that way work them down. And to avert probable trips to small-claims court, she says she will not lend to people who already have more than two loans from other payday lenders.

The biggest borrowers, many lenders say, are not Kokomo's low-wage service workers, but auto industry employees who earn more than $20 an hour.

''Most of my customers are from Chrysler and Delco,'' said Marc Sutherland, manager of the Kokomo office of Nationwide Budget Finance.

Shari Harris, 39, who earns around $25,000 a year as an information security analyst, was managing money well enough until the father of her two children, 10 and 4, stopped paying $1,200 a month in child support.

''And then,'' Ms. Harris said, ''I learned about the payday loan places.''

She qualified immediately for a two-week $150 loan at Check Into Cash, handing it a check for $183 to include the $33 fee. ''I started maneuvering my way around until I was with seven of them,'' she said.

In six months, she owed $1,900 and was paying fees at a rate of $6,006 a year. ''That's the sickness of it,'' Ms. Harris said. ''I was in the hole worse than when I started. I had to figure a way to get out of it.''

So she asked her employer to stop paying her wages into her checking account, emptying it, and putting her checks into a savings account. She stopped paying the biweekly fees to extend the loans, so the lenders tried to redeem her checks. ''I let them all bounce,'' she said.

She took a second job, working in a department store, and turned to the Consumer Credit Counseling Service, which worked out a plan under which she is paying $440 a month to work down the loans.

Jean Ann Fox, director of consumer protection at the Consumer Federation of America and a prominent critic of payday lending, said, ''There's nothing wrong with small loans at reasonable interest rates, reasonable terms and reasonable collection practices.

''But these practices are designed to keep you in perpetual debt.''

WHAT IT COSTS

An Expensive $100—A payday loan is a short-term cash advance, for a fee, to be paid off with a check that will be cashed on the borrower's next payday. But with fees like $30 for a two-week loan of $100, they are far more expensive than even credit cards:

Payday loan: $60 a month—A $30 fee for a two-week $100 loan, renewed for two more weeks; $100 cash loan—$60 $100 cash advance—$5.

Credit card: About $5 a month—A card available to people with poor credit might have a 3 percent fee for a cash advance, plus an annual interest rate of 19.8 percent, or about $2 a month on $100.

Mr. WELLSTONE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2000 AND 2001

The Senate continued the consideration of the bill.

Mr. HELMS. Mr. President, I know it must appear to the Chair and others that this is sort of a disjointed way to begin consideration of a major bill, but we are trying to work out time agreements. Senators are being very cooperative. I think we are approaching some reconciliation on it; I am not sure.

In the meantime, Senator SARBANES needs to get away for an important appointment. How much time will the Senator need?

Mr. SARBANES. This is the amendment I indicated I could do in 40 minutes. Once the amendment is explained, I hope that the committee will accept it. I would be prepared to offer it now. I have another amendment which will take longer.

I am prepared to go ahead and offer it now if the chairman wishes.

Mr. HELMS. Why don't we do that.

Mr. REID. Mr. President, I say to the Senator from North Carolina, we are working on a unanimous consent request. Would the Senator allow us to interrupt his statement if necessary?

Mr. SARBANES. Yes, absolutely.

Mr. MURKOWSKI. Mr. President, if I may interrupt for a moment on a matter of procedure, I recognize the difficulty the leader has in trying to orchestrate things in the body. I know he is working very diligently to try to come up with time agreements and the possibility of stacking votes and holding them over until Monday. I remember that former Senator Jake Garn sort of had an affinity for a family-friendly process, and I want to commend the leadership for trying to follow that.

I want to point out that I happen, by coincidence, to live very far away. For me to make a Monday vote, I have to leave Sunday night and fly all night to get here. If I leave on the very first flight from Fairbanks, AK, on Monday and leave at 8 o'clock, I get arrive in Washington in the evening. Ordinarily, I don't go back to my State on a weekend; I stay here. But Father's Day and Mother's Day are fairly important, so I intend to go to Alaska today.

Unfortunately, I will miss the stacked votes that are proposed on Monday. I was inclined to object to the unanimous-consent agreement, but in

the spirit of cordiality, which I have pretty much maintained around here in the last 19 years, I will defer to the leadership. I wanted to explain this uniqueness to those who live in Chicago or for those who can take the train next door. I wish I could. It is a little different set of circumstances.

I have made my concerns known. As we plan events, I think we should recognize there are a couple of special days, and Father's Day is one of them. I have 11 grandchildren who are coming, so sayonara.

Mr. LOTT. Mr. President, I certainly wish the Senator from Alaska a wonderful trip. I know how important his family is to him. I also want to thank him for his magnanimous decision not to object to the stacked votes. I know it is important to him to be here and participate in recorded votes. I also know his family is very important and Father's Day is very important. He could have objected, but he decided not to. I hope other Senators will follow that example. I try very hard to accommodate every Senator on both sides of the aisle.

I fear that the problem in the Senate now is that I have been too accommodating, because we try to work votes around every Senator's schedule, and it is absolutely out of control. I have Senators come in here and say: Oh, please, please, please, don't have another vote after 9:30 on Friday. And other Senators say: You mean we are going to vote Monday afternoon?

I realize voting is a problem, but it is required to move bills along. So I ask my colleagues to not get mad at me for trying to get our work done.

This week has been unusually productive. With this bill, if we could have finished it today, we would have completed seven bills this week. Senator REID and Senator DASCHLE share my frustration at what we go through. You would not believe the kinds of requests we get from Senators not to have votes during the middle of the day on Tuesday, or in the morning on Wednesday, or on Thursday afternoon. My colleagues, it is just out of control.

We try to say on Mondays or Fridays, for good and valid reasons, we will not have votes on occasion. We try to tell Members in advance. Because of a number of problems, we have notified both sides of the aisle that there won't be votes next Friday, the 25th. But there is a limit as to how much we can do. I was always used to working Monday through Friday. I realize that when we go home, we are still working. When we tell Senators we are not going to have votes before 5 on Monday or after 12 on Friday, we still have difficulty.

I thank Senator MURKOWSKI for his attitude. I must say to all the Senators that we just have to be prepared to be here and vote.

Here is another thing. Senators have now gotten to where, when there is a death in the family, they don't even want to miss a vote. That is a terrible and difficult time, but your constituents will understand. You can't ask 99 Senators not to have a recorded vote because you have had a death in the family. Sometimes it is an in-law. People understand if you can't be here. Meanwhile, back in the jungle, we have to get our work done. So I ask for your indulgence.

I yield to Senator MURKOWSKI.

Mr. MURKOWSKI. My only frustration, I share with the leader, is that the assumption today was that we were going to have some votes. As a consequence, I made my plans accordingly for a 2 o'clock airplane. I could have gotten a 10:30 airplane. After 2 o'clock, there are no more airplanes. I share the frustration of the leader who, obviously, is today accommodating a number of Senators who want to get out of here early, even though the leader said today we are going to vote in the morning at least. We did vote in the morning. It works both ways, Mr. President. When the leader says so, the consistency of that statement, I think, should be followed through, if I can make an appropriate suggestion.

Mr. LOTT. I must say, if I may respond, it was our intent to have more votes, but obstructionists can quite often prevail in the Senate. If somebody objects, it is pretty hard to force a vote. On Monday, I could call up Executive Calendar items. I can force votes, but I prefer not to do that. I have never liked the so-called ''bed check'' votes. I try to have votes on substance. That is the problem. Today, we had a blowup here at 9:45, and all kinds of efforts to be reasonable and get agreements came apart. I believe maybe by 11 o'clock, if enough people are gone, we can get this thing worked out.

Mr. SARBANES. Will the majority leader yield?

Mr. LOTT. I am glad to yield.

Mr. SARBANES. Mr. President, I appreciate the frustrations the majority leader has to work under. But he has just had a very productive week. We passed half a dozen bills of consequence here in the Senate this week. So I guess I would better understand this reaction if we hadn't done anything all week. I thought we had a productive week. I am right next door here, so it is easy for me. Sometimes you get more with a carrot than you do with a stick.

Mr. LOTT. I don't believe there has been a majority leader since Mansfield who has used a carrot as much as this majority leader. We don't go late on Mondays or Fridays.

Mr. SARBANES. I acknowledge that the majority leader worked hard to try to make the calendar more family friendly.

Mr. LOTT. Thank you for doing that.

Mr. REID. Mr. President, I say to the majority leader and the others assembled here, not only have we done a good job this week on those things we voted upon—major appropriations bills—but also there are a lot of things that have gotten a lot of attention that are completed and passed in this body, not the least of which is the resolution sponsored by the four leaders and everybody else in the Senate, and basically a vast majority here, dealing with commending the troops and all those who were involved in the Kosovo war. That took some work between the two sides, and we worked that out. It is a beautiful resolution. It is passed. If we had more time today, we would talk about that.

Lots of things occurred here. There, of course, is some question as to whether there are other things we would like to do. We have talked about the Patients' Bill of Rights. But we have to say that we have accomplished a great deal this week, and I think we should feel good about that.

Having served in the other body and this body, I think every Senator who has served here for a matter of years appreciates the work of the leader in making this body one where we have certainty as to our schedule. That has been a big help.

We had a vote this morning. We didn't have as many people as we thought, but we had a vote. Our time wasn't wasted this morning. The progress made on this State Department bill, I think, is terrific. I have been involved in this bill when we have taken more than a week to deal with this bill. We will resolve this in a matter of a few hours.

I appreciate the anxiety and frustration of the leader, but we want to work with the leader and make sure we get more done. I speak for everyone on this side.

Mr. LOTT. I will use leader time to respond briefly. I thank Senator REID for his comments. I note the fact he was willing to work with us. We had the resolution worked out over a period of several days, commending our troops and commending the President and others for their work in Kosovo. That could have been difficult, could have caused amendments, and there could have been requests for recorded votes.

That was one of several things we have done this week. I note the Senator from Nevada in his new role as the whip on the Democratic side has really made a difference. We appreciate his cooperation. Quite often, it takes a lot of time to work through the pending amendments. He has been very helpful.

I am glad we had a good week. I am hoping every week will be similar to this week. I will keep working in that effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

AMENDMENT NO. 689

(Purpose: To revise the deadlines with respect to the retention of records of disciplinary actions and the filing of grievances within the Foreign Service)

Mr. SARBANES. I have an amendment at the desk which I ask be called up.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maryland [Mr. SARBANES] proposes an amendment numbered 689.

Mr. SARBANES. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 39, strike lines 14 and 15 and insert the following: ''for a period commensurate with the seriousness of the offense, as determined by Director General of the Foreign Service, except that the personnel records shall retain any record with respect to a reprimand for not less than one year and any record with respect to a suspension for not less than two years.'.''.

On page 41, line 16, strike ''one year'' and all that follows through the end of line 22 and insert the following: ''two years after the occurrence giving rise to the grievance or, in the case of a grievance with respect to the grievant's rater or reviewer, one year after the date on which the grievant ceased to be subject to rating or review by that person, but in no case less than two years after the occurrence giving rise to the grievance.'.''.

Mr. SARBANES. Mr. President, I hope the committee will find it possible to accept this amendment. I will very briefly describe it.

This amendment seeks to address two provisions in the bill which affect the rights of those who serve in the Foreign Service. The first problem deals with the time period given in order to file a grievance. Under the current system, employees have a period of 3 years to file a grievance; that is the current law, 3 years. The bill does two things: It reduces that period to 1 year. It will take away the employee's right, which was upheld by a 1989 decision by the Foreign Service Labor Relations Board, to challenge an old evaluation that has been used against them.

It does two things. The amendment addresses those issues. It extends the period for filing a grievance to 2 years. In other words, the committee bill brings it down from 3 years to 1 year. We put it back up to 2 years.

Let me explain why I think this is important. Members of the Foreign Service have limited access to lawyers and personnel files while they are overseas. This amendment, moving the period back up to 2 years, gives them time to return to the United States on home leave, which they are entitled to only after they have been at their post for 18 months. They can come back on home leave in order to research and file their case.

If the grievance is against an employee's supervisor, the employee would have 1 year after he or she ceased to be supervised by that individual to file the grievance. I think the fairness of that is obvious on its face.

In addition—and this is a complicated, but I think important point—the amendment deletes the sentence that would preclude employees from grieving old evaluations used against them. Currently, promotion panels can reinterpret old reports to select out Foreign Service personnel using report statements which did not seem and were not intended at the time to be negative. The promotion panels can go back to these old reports and reinterpret them.

The bill, as it is written, eliminates the ability to challenge an old evaluation on the part of the employee. Civil service employees have this protection now. They can contest all bases cited for their termination, regardless of when the matter occurred. A Foreign Service employee should have the same due process rights.

In fact, following this 1989 decision to which I referred, the Foreign Service Association and the five foreign affairs agencies in the Government reached an agreement under which employees may contest records to the extent they are used as a basis for grievable actions taken against them.

Denying employees the ability to do that, among other things, would lead to filing unnecessary preemptive grievances for fear they would be used against them in the future. In other words, if you are going to say these old evaluations can't be ''grievanced,'' then it will serve as an incentive to contest more evaluations earlier.

This amendment restores the limited right, if an old evaluation is used to challenge it, and it would preclude the need for such preemptive grievances.

That is the first part of the amendment. It seems to me to make eminent good sense to do this. I have tried to take into account some of what the committee was seeking to accomplish. As I have indicated, we accept bringing the 3 years down, but we think it should come down to 2. I think taking it to 1 is going too far. The employees overseas would have a difficult time because they don't get the home leave for 18 months.

The second part of the amendment relates to the length of time a disciplinary action stays in an employee's personnel file. Under the current system, a reprimand stays in the employee's file for 1 year and a suspension for 2 years. The bill would extend that period in all cases until the employee is tenured as a career member of the service or next promoted. In effect, you may significantly lengthen the time in which these disciplinary actions stay in the employee's file.

There is a balancing to be done because under the current system disciplinary records are removed from the file after 1 or 2 years, no matter how serious. Therefore, they are not always available to reviewers when a Foreign Service employee is considered for promotion. That is something we need to look at. I understand the committee was focused on that.

The bill attempts to rectify this problem by requiring all records of disciplinary action to remain in the employee's file until the employee is tenured or next promoted. The proposed change makes no distinction between a suspension of 1 day or 1 month, between a minor infraction or a major violation. By failing to differentiate between minor and major violations, this change could have the unintended effect either of extending the length of punishment beyond a reasonable time period or reducing the likelihood that appropriate disciplinary actions will be imposed in the first place. The disciplining authorities may forego imposing these actions in the more minor cases because they know these things will remain in the file perhaps for a long period—until tenure or the next promotion.

This part of the amendment requires the Director General of the Foreign Service to decide when taking a disciplinary action what length of time it should remain in the employee's record based on the seriousness of the violation. In no case, however, would the letter remain in the file less than 1 year for a reprimand or 2 years for a suspension.

So we set, as it were, a minimum requirement of 1 year for a reprimand and 2 years for a suspension. Beyond that, the Director General, at the time of the disciplinary action, could indicate the additional length of time, as it were, that the disciplinary action would remain in the employee's file. I think this accomplishes the purpose of distinguishing between major and minor infractions, in a sense. It does not put the minor infractions in there indefinitely or until tenure or promotion is reached, but it does permit the Director General, on the major infractions, to extend them beyond the minimum of 1 year for a reprimand or 2 years for a suspension.

In both instances here I have tried to take into account what I have perceived to be the concerns of the committee in including these provisions. Neither proposal, in effect, eliminates the committee provisions. It only seeks to modify them or to adjust them, and I think would make for a more equitable system. I very much hope the committee will find it possible to accept this amendment.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I had a very brief discussion with the chairman of the committee about the second part of the Senator's amendment, which I happen to support fully; that is, instead of going from 3 years down to 1 year. All the reasons the Senator stated seem valid to me. A 2-year time period, it seems to me, is more reasonable. I suspect the chairman may be inclined to agree with that.

With regard to the first part of the amendment of the Senator relating to this issue of the seriousness of the offense, right now it is 1 year and 2 years. This would allow the State Department to make an independent judgment as to whether or not a reprimand or suspension should stay in the file beyond the time period here.

I raise the question whether or not we may be able to work something out. I have not had a chance to talk to the chairman about this to see whether it makes sense to him, but it seems to me the greatest difficulty with the first part of the amendment of the Senator, as it relates to the reforms we are trying to implement, is leaving open-ended this notion of who determines the seriousness of the offense. Having the Director General of the Foreign Service determine the seriousness of the offense without us, the committee, knowing how he or she will go about making that determination, in effect leaves a hole wide enough to eliminate the reform. I am not asking my colleague from North Carolina to respond to this yet.

I raised a moment ago in private with the Senator from Maryland whether or not he would be agreeable to amend the first part of his amendment to suggest the Director General had to submit to the Congress and the committee a set of regulations about how he or she would determine what constitutes the seriousness of the offense; in other words, how that would be determined. We would put the burden on them to come back to us to tell us, so we had some faith it would not be an ad hoc way of approaching this and we would have some sense of how to proceed.

I do not know whether or not that is amenable. It obviously needs to be fleshed out more than I have just outlined it, whether or not that is amenable to the chairman. But I suggest there is a possibility that the Senator, if he is willing, could work with us to see if we could work out some procedure that may enable the chairman to agree, for his part, to accept the amendment. Is the Senator amenable to that approach, I ask the Senator from Maryland?

Mr. SARBANES. Let me say to my distinguished colleague, I think we could work something out. I am not trying to create a situation in which the Director General can simply end up retaining the current system. Because, as I understand it, the committee's concern was that these disciplinary records were taken out of the file after 1 or 2 years, no matter how serious, and therefore they were not always available for review when a Foreign Service employee was considered for promotion. So the committee said, all right, we are going to keep it in the record until you are tenured or you are next promoted.

I think that is reasonable to do for serious violations, but I think we need to create a differentiation between serious violations and what would be minor infractions. But I think if we require regulations be proposed that would define that difference and that would be submitted to the committee, it seems to me maybe that would work it out in a way that is amenable to everyone.

Mr. BIDEN. I say to my friend from Maryland, I appreciate his willingness to try to work this out. I think we can work out the issue of the nature of the seriousness of the offense through regs being submitted.

I am told there is one other concern that is being suggested now. Right now there is a floor of 2 years for suspension.

Mr. SARBANES. We keep that floor.

Mr. BIDEN. Pardon me?

Mr. SARBANES. We keep that floor.

Mr. BIDEN. I understand it, but rather than do this negotiation, probably on the floor, that is another part Senator HELMS wants to take a look at.

What I suggest is I think we are very close to being able to work this out. I commit to the Senator we will attempt to do that. Obviously, if we do not, he is entitled to a vote on this, but I am inclined to believe we can do this and accept it to his satisfaction in the managers' amendment. But we will have between now and Monday evening to try to work that out, if he is willing to do that?

Mr. SARBANES. Yes. I will be happy to work with the committee members. I am trying to recognize the committee's concerns and, in a sense, simply fine-tune the language. I am not contending in either instance that there is no validity in the committee concerns. I concede the validity of the committee concerns. But I am trying to fine-tune this thing so I think it works in a better fashion.

Does the Senator want me to request it be temporarily laid aside so others can offer amendments?

Mr. BIDEN. I suggest that, if the Senator is willing to do that.

Mr. SARBANES. Mr. President, I ask unanimous consent this amendment be temporarily set aside, thereby opening the way for other Members to offer amendments.

The PRESIDING OFFICER (Mr. INHOFE). Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, today we begin consideration of the State Department Authorization Act for fiscal year 2000 and 2001, which was reported out of the committee 17–1.

Mr. President, as I said, today the Senate begins consideration of the State Department Authorization Act for Fiscal Years 2000 and 2001. The bill was reported by the Committee on Foreign Relations on April 21 by an overwhelming vote of 17 to 1.

The bill contains several titles, which Chairman HELMS has just summarize. Let me just take a few minutes to highlight the major provisions of the bill.

First the bill revives the so-called Helms-Biden legislation on paying our overdue bills to the United Nations.

This proposal, I remind my colleagues, was approved by the Senate in June 1997 by a 90 to 5 vote. Unfortunately, it was ultimately sidetracked by the other body in the last Congress.

The version in this bill contains several changes from the bill approved in 1997—changes that were made to reflect the time that has passed since the deal was devised in the 105th Congress.

This package meets the central objective that I have—to pay back most of our back dues, or arrears—to the United Nations. It provides for the payment of $926 million in arrears, nearly all that we owe to the United Nations, over the course of three years, with the amount of funding released in each year contingent on the achievement of specific reforms in the United Nations.

Significant changes have been made to the final plan that we passed in the last Congress:

First, the bill provides a waiver for the two toughest provisions in the package—the requirement to achieve a reduction to 20 percent in our regular budget assessment rate, and a requirement to establish a ''contested arrears'' account for those arrears that are in dispute between the United States and the United Nations.

Seocnd, the bill provides more money upfront. A provision permitting the President to waive $107 million in reimbursements owed by the United Nations to the United States has been moved from ''year three'' to ''year two'' of the bill. This will allow $682 million to be paid to the United Nations as soon as the ''year one'' and ''year two'' conditions are met.

That is enough to cover most of our $712 million debt to the regular and peacekeeping budgets, which together constitute the bulk of our arrears. I should emphasize here that a significant amount of this funding—$575 million—has already been appropriated in the last two fiscal years.

I expect that the third year of funding will be appropriated this year—because this money is exempt from the limits imposed by the 1997 Balanced Budget Act. So once we pass this bill, and the Secretary of State makes the necessary certifications, the money can begin to flow.

This package is the product of lengthy negotiations that began over two years ago.

The final details of this revised package were negotiated earlier this year between the chairman, the Secretary of State, and me. It is supported by the Clinton administration.

I think we have a good deal here. It is not everything that I wanted. It is not everything that the Secretary of State wanted. And it is not everything the chairman wanted. That is the essence of compromise. And this is a solid compromise that I hope our colleagues will support.

Let me briefly discuss a few other provisions in the bill.

First, we fully funded the President's budget request for most of the bill, including the operating accounts of the Department of State, international and cultural exchanges, and international broadcasting operations such as the Voice of America.

Second, we developed bipartisan legislation to improve security at our embassies. The tragic bombings of our embassies in Kenya and Tanzania last August underscored the vulnerability of our diplomatic posts. Some 80 percent of our embassies do not meet government security standards for setback from the street.

An official review chaired by retired Admiral William Crowe concluded that there had been a ''collective failure'' in the U.S. Government in failing to address security at our embassies overseas, and called on the government to devote $1.4 billion a year over each of the next ten years to strengthen security.

The bill before the Senate authorizes $3 billion over the next five years for construction of more secure facilities.

This meets the President's requested funding level, and accelerates it by a year. Even though it is the amount that the President sought, we must recognize that it is just the beginning of what must be a sustained program of enhancing security.

Working overseas is dangerous. We can never make our embassies bombproof or risk-free. But we owe it to our dedicated employees who work overseas to provide the resources necessary to minimize known risks.

Third, the bill provides for the establishment of a new Assistant Secretary of State for Verification and Compliance, which will carry out a function that was handled at an equivalent level in the former Arms Control and Disarmament Agency.

The verification function has long been headed by a Senate-confirmed official, and for good reason. Once a treaty is signed, we don't want its enforcement to be lost in the bureaucratic shuffle. Moreover, the existence this office will be of considerable importance in obtaining Senate approval of future arms control treaties.

Fourth, the bill reauthorizes Radio Free Asia, which began broadcasting in 1996 pursuant to legislation that I introduced.

Although it has been on the air less than three years, Radio Free Asia already plays an important role in providing news and information to the people living under dictatorial rule in East Asia, particularly the People's Republic of China, where freedom of the press remains a distant dream.

I am pleased that we are giving our stamp of approval to continue the radio at an increased level of funding.

This bill is a solid piece of legislation which enjoyed strong bipartisan support in the Foreign Relations Committee—as was reflected in the strong vote of 17 to 1 in the committee.

I want to join the chairman in putting the Senate on notice in two respects.

First, we will oppose any amendments that address foreign assistance or security assistance. Those measures do not belong on the State Department authorization bill.

Second, we will oppose any measures dealing with ''sanctions reform'' or imposing new sanctions.

The chairman has scheduled hearings for next month to consider the various bills on sanctions reforms that are pending in the committee; therefore, it would be premature to consider amendments on that subject at this time.

I pay public tribute to the chairman. Quite frankly, his leadership and the consensus which he has built in the committee in the last 18 months has been remarkable. This bill is a product of JESSE HELMS.

There are some serious, significant changes we make—one of which I will speak to in a moment—with the United Nations. That is through the persistence of my friend from North Carolina. As my mom might say, everyone is capable of redemption, and of late, the State Department has finally redeemed itself on this one. I am confident—the Senator is correct—if and when Mr. Holbrooke is confirmed, we will have an advocate for the Senator's position at the United Nations.

This bill contains several titles which the chairman has summarized. I will take a few minutes to highlight the major provisions of the bill from my perspective.

First, the bill revives the so-called Helms-Biden legislation on paying our overdue bills at the United Nations. The Senator from North Carolina and I have always been friends. We have become very close friends, and we suffer from the same problem: Our friends get very angry with us when we compromise.

I am sure the friends of the Senator from North Carolina are very angry that he has worked out a solution to the so-called arrearages to get this moving, and Senator BIDEN's friends, on my side of the aisle, are very angry that I have agreed to it because they think it should be more.

The bottom line is, we have done some good work. The Senate acted on what we did once before. It was the herculean efforts of the Senator from North Carolina, taking on folks on his side of the aisle, which came to naught, and the not so herculean efforts on my part to take on folks on my side of the aisle who did not think this was enough. We are back.

Hopefully, a little reason has permeated the environment and the purists on both sides will understand that what we have done is necessary in the national interest, very much in the interest of the American taxpayers, and is coupled to genuine reforms with which, when one thinks about it, nobody really disagrees.

The argument on my side of the aisle is: We should not make them agree to the reforms by holding dues over their heads and holding arrearages over their heads. Nobody I have spoken with says what Chairman HELMS wants is unreasonable.

I do not hear anybody coming to the floor saying there is no bloated bureaucracy at the United Nations. I do not hear anyone coming to the floor saying that the United States should pay more. Everybody says we should pay less as a percentage. I do not hear anyone arguing about the substance the chairman has been insisting on for years.

We are down to: Are we doing it the right way? It reminds me of an expression—I will probably get myself in trouble with the French Government—which I think is classic. I was meeting with a State Department person, who will remain nameless, in a very significant position, negotiating a very significant agreement with the French relative to NATO. That is as much as I will say about it.

I asked this fellow: Are the French going to agree with this?

He said: Yes, I think they will, but it is kind of difficult.

I said: What do you mean?

He said: My friend's counterpart duly said to me last night, ''Yes, yes, yes, this will work in practice, but will it work in principle?''

That is what we are hung up on here. What the Senator has suggested in these reforms is practically what everyone has acknowledged is needed. What we have been hung up on is the principle of whether or not it should be done the way in which we are doing it.

On the other side of the equation, nobody argues that if we do not come up with this $926 million we are going to badly hurt the United Nations. We are hurting our allies, we are hurting England, we are hurting the Germans, we are hurting others, because over $700 million of this money is for peacekeeping accounts that we agreed to sign on to with the Brits, with the French, with the Germans, and with our NATO allies.

I think and I hope, I say to the chairman, a little bit of reason is seeping into this debate—I hope.

I guess I am preaching to the choir here, but hopefully some of the congregation on the House side will hear what the choir is saying, because it is very important that we finally settle this issue and put it to bed.

The version in this bill contains several changes from the bill approved in 1997, changes that were made to reflect the time that has passed since the deal we put together—the chairman actually put together—devised in the 105th Congress which made sense. Time has passed. We have had to make some adjustments. I compliment and thank the chairman, as well as the Secretary of State, who was not overwhelmingly enthused about this approach.

We finally, through the leadership of the chairman actually, are all singing from the same hymnal, as they say up my way. The State Department is on the same page now, the Senator is on the same page, I am on the same page, hopefully, the House will get on the same page, and we can go on to the next hymn.

I think this package meets the central objectives that we have, at least

the ones I have—to pay back most of our so-called arrears to the United Nations. It provides for a payment of $926 million in arrears—nearly all of that we owe to the United Nations—over the course of 3 years, with the amount of funding released in each year contingent on achievement of specific reforms in the United Nations.

This package is a product of very lengthy negotiations begun over 2 years ago. The details of this revised package were negotiated earlier this year between the chairman, the Secretary of State, and me. It is now supported by the Clinton administration. I think we have a good deal. It is not everything I wanted, and it is not everything the Secretary wanted, and it is clearly not everything the chairman wanted, but that is the essence of compromise. This is a solid compromise. I hope our colleagues will support it.

Let me briefly discuss a few other provisions of the bill.

First, we fully funded the President's budget request for most of the bill, including the operations account in the State Department, international and cultural exchanges, and the international broadcasting operations, such as the Voice of America.

Second, we developed a bipartisan legislative approach to improve the security of our embassies. The tragic bombings of our embassies in Kenya and Tanzania last August underscored the vulnerability of our diplomatic posts. Some 80 percent of our embassies do not meet Government security standards for setbacks from the streets, just to state one aspect of the problem.

The official review, chaired by retired Admiral William Crowe, concluded that there had been a ''collective failure'' in the U.S. Government in failing to address the security of our embassies overseas and called on the Government to devote $1.4 billion a year over each of the next 10 years to strengthen security.

The bill before the Senate authorizes $3 billion over the next 5 years for the construction of more secure facilities. This meets the President's requested funding level and accelerates it by a year. Even though it is the amount that the President sought, we must recognize that it is just the beginning of what must be a sustained program of enhancing security.

I know my colleague in the Chair knows better than anybody in this building what it is like to have a Government building vulnerable to and subject to terrorist attacks. No one knows the tragedy that flows from that better than the Presiding Officer.

We are as exposed in our foreign embassies around the world as buildings are in this town. We cannot and we should not become ''Fortress America'' internally. But we must do the reasonable things that can be done outside of the country in hostile environments or environments where we have less control over the protection of our citizens.

Working overseas is dangerous. We can never make our embassies bombproof or risk-free. But we owe it to our dedicated employees who work overseas to provide resources necessary to minimize the known risk.

Third, the bill provides for the establishment of a new Assistant Secretary of State for Verification and Compliance, who will carry out a function that was handled at the equivalent level in the former Arms Control and Disarmament Agency.

I might add, all we are doing now is putting in place what the distinguished chairman is the father of, and that is a significant reorganization of the State Department apparatus. When people ask me, why was this so important to Senator HELMS and why did he work so hard to get it done, I analogize it to what our former colleague, Barry Goldwater, did in terms of the reorganization of the Defense Department. It is as consequential, it is as significant, and I believe it will be remembered as successful as Senator Goldwater's initiatives were with regard to the Defense Department.

It basically takes us into the 21st century and recognizes how fundamentally changed the world is. I think he is to be complimented for it. I plan, as long as I am here, that every time we implement a new aspect of his reorganization plan, to remind our colleagues why it is occurring. It is occurring because the Senator from North Carolina was as persistent as he was, and as consistent as he is, in making sure this organization is modernized.

The verification function had long been headed by a Senate confirmed official, and for a good reason. Once a treaty was signed, we did not want its enforcement to be lost in the bureaucratic shuffle. Moreover, the existence of this office will be of considerable importance to obtaining Senate approval of future treaties.

Fourth, the bill reauthorizes Radio Free Asia, which began broadcasting in 1996 pursuant to legislation I introduced.

I must tell you that we all have our pet initiatives that we care a great deal about because we think they have a significant impact on our security and our interests. I have been ferocious, and some suggest too vocal, in my support of the radios.

But I want to again publicly thank the chairman, who maybe disagreed with me in some aspects of this, but was willing to go along with my basic approach on how to deal with the radios. I know, from his many years during the cold war, of his devotion to Radio Free Europe and Voice of America. I appreciate his lending his considerable support and weight to the way in which we are approaching, under the reorganization, the so-called radios.

Although it has been on the air less than 3 years, by the way, Radio Free Asia already plays an important role in providing news and information for people living under the dictatorial rule in East Asia, particularly the People's Republic of China, where freedom of the press remains a distant dream. I am pleased that we are giving our stamp of approval to continue the radio at increased levels of funding to make it workable.

There is much more to say, but I will stop at this point in the interest of accommodating my colleagues. But this bill is a solid piece of legislation which enjoys strong bipartisan support in the Foreign Relations Committee. Again, I want to remind everybody, this, as the defense authorization bill, usually attracts every contentious issue that is out there. It is because of the leadership of the chairman that we came out of the committee with a 17–1 vote.

My colleagues should understand—it is presumptuous for me to say this—that this is a reflection of the fact that what is in this bill is solid. It is a solid, solid bill. We would not have gotten this kind of consensus out of an ideologically divided committee but a committee where we are totally committed to making sure we have the strongest ability, the greatest ability, to project our foreign policy around the world.

Again, I thank the chairman for his leadership. I still think people are probably scratching their heads: How do BIDEN and HELMS get along so well and produce such bipartisan approaches? Because I think we both respect each other, but also because I understand that the chairman's motivation here is to make this committee's work a product that can pass the bipartisan muster of the Senate and the Congress. I compliment him again for his leadership.

I yield the floor.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER (Mr. ROBERTS). The Senator from North Carolina.

Mr. HELMS. Mr. President, the distinguished Senator, the ranking member of the Foreign Relations Committee, Mr. BIDEN, is far too generous. Several times in the past year or two, former Secretaries of State, and other past foreign policy officials of this Government, have said that the Foreign Relations Committee is now relevant. I think that is a high compliment to the committee.

But it would not have happened if it had not been for JOE BIDEN. When JOE BIDEN became—by his choice—the ranking member of the Foreign Relations Committee, when I became chairman, we made a pact that we would work together. I have not enjoyed any other of my services in the Senate more than the cooperation with him.

I have just been amazed at how much he has learned about foreign policy since we have been on opposite sides of the committee. I have gotten to know JOE BIDEN well. He is a good partner, a good Senator, and an expert on foreign policy. And I compliment him.

Mr. BIDEN. I thank the Senator.

UNANIMOUS CONSENT AGREEMENT

Mr. LOTT. Mr. President, I ask the chairman to yield so that I may enter this unanimous consent agreement.

I join in that exchange of compliments to each Senator. I commend the chairman of the committee and the ranking member on the Democratic side, Senator BIDEN. Senator HELMS, you have done a great job. I know you have put a lot of time and energy into this particular bill, and we would not be here without your persistence and without the cooperation of Senator BIDEN.

It is an important bill. When you showed up in my office a week or so ago and said we are ready to go, we need to do this, I was determined we would find a place to do it. I think you have now worked through an agreement that will allow us to get it completed and final passage, hopefully, Monday afternoon. I would like to enter into this unanimous consent request and thank both of you for the outstanding work that you are doing.

I ask unanimous consent that with respect to the State Department authorization bill, all amendments must be filed by 11:45 today, with the exception of the managers' amendment and any second-degree amendments.

I further ask that any votes ordered with respect to amendments be stacked at a time to be determined by the majority leader and the Democratic leader, and the following amendments limited to the following times, to be equally divided in the usual form.

The amendments are as follows: Dodd amendment regarding the inspector general, 30 minutes; Sarbanes amendment No. 689; Wellstone amendment regarding child soldiers, 90 minutes; Wellstone-Harkin, ILO convention amendment, 30 minutes; Wellstone, women and children amendment, 90 minutes; Feingold, war crimes in Rwanda, 30 minutes; Sarbanes amendment with regard to the U.N., 2 hours; Feingold amendment regarding NED, 40 minutes; the Leahy amendment regarding East Timor, 20 minutes; the Helms-Biden managers' amendment; the Feinstein arms trafficking amendment, 30 minutes; and a relevant amendment by the majority leader and the Democratic leader.

Before the Chair rules, let me say again, the managers' packet will include the following: Amendments offered by Senators ABRAHAM, ASHCROFT, KENNEDY, DODD, DURBIN, MOYNIHAN, REID of Nevada, BINGAMAN, THOMAS, BIDEN, LUGAR, GRAMS, another one by LUGAR, and others that have been cleared by the two managers.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. In light of the agreement, there will be no further votes today, and the next votes will occur at 5:30 on Monday.

REDUCTION IN VOLUME STEEL IMPORTS—MOTION TO PROCEED

Mr. LOTT. Mr. President, I move to proceed to Calendar No. 66, H.R. 975, the steel quota bill, and send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of Rule XXII of The Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 66, H.R. 975, The Steel Import Limitation Bill:

Trent Lott, Rick Santorum, Mike DeWine, Jesse Helms, Ted Stevens, Harry Reid, Byron Dorgan, Orrin Hatch, Jay Rockefeller, Robert C. Byrd, Robert Torricelli, Fritz Hollings, Pat Roberts, Arlen Specter, Richard Shelby, and Craig Thomas.

Mr. LOTT. For the information of all Senators, this cloture vote will occur Tuesday, June 22.

Mr. President, before I complete that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. LOTT. Mr. President, cloture will occur Tuesday, June 22. I ask unanimous consent that the vote occur at 12:15 p.m. on Tuesday, and the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I now withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. LOTT. Mr. President, in conclusion, I want to make it clear that while I am calling up this steel quota bill and signed the cloture motion, it is because I think this is an important issue and because I made commitments to Senators that we would have a vote on this issue.

I do not think cloture should be invoked. I do not think this bill should pass. I think it would be a very large mistake if we pass it. I want to make that clear.

I am not in any way supporting it. I urge my colleagues on both sides of the aisle to think about this vote very carefully. We have already had one steel-related issue passed by the Senate. If we start down the trail of imposing quotas, I think it will not be well received in the financial markets, and it is going in a different direction from what we have been trying to do. I want to make sure the record is clear from the beginning.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2000 AND 2001

Mr. HELMS. Mr. President, I submit for the RECORD a Congressional Budget Office cost estimate for S. 886, the pending legislation. The estimate was not available at the time the committee report was filed.

I ask unanimous consent that this CBO cost estimate be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 886.—Foreign Relations Authorization Act, Fiscal Years 2000 and 2001—As reported by the Senate Committee on Foreign Relations on April 27, 1999

Summary: The bill would authorize appropriations for the Department of State and related agencies for 2000 and 2001. CBO estimates that appropriation of the authorized amounts would result in additional discretionary spending of $13.6 billion over the 2000–2004 period. Because the legislation would affect direct spending and revenues, pay-as-you-go procedures would apply; the net impact would generally be less than $500,000 a year.

Section 4 of the Unfunded Mandates Reform Act (UMRA) excludes from the application of that act any provisions that are necessary for the national security or the ratification or implementation of international treaty obligations. CBO has determined that the provisions in title VI of S. 886 either fall within that exclusion or contain no intergovernmental or private-sector mandates. All other titles of the bill contain no private-sector or intergovernmental mandates and would have no significant effects on the budgets of state, local, or tribal governments.

Estimated Cost to the Federal Government: The estimated budgetary impact of S. 886 is shown in the following table. The costs of this legislation fall within budget functions 150 (international affairs) and 300 (natural resources and environment).

	By fiscal year, in millions of dollars—					
	1999	2000	2001	2002	2003	2004
SPENDING SUBJECT TO APPROPRIATION						
Spending Under Current Law [1]:						
Budget Authority [2]	7,488	0	0	0	0	0
Estimated Outlays	5,747	1,296	1,177	468	145	74
Proposed Changes:						
Administration of Foreign Affairs:						
Authorization Level	0	4,041	4,041	600	600	600
Estimated Outlays	0	2,701	3,224	844	662	617
International Organizations and Conferences:						
Authorization Level	0	1,506	1,155	0	0	0
Estimated Outlays	0	1,230	1,052	375	2	0
Refugee Assistance and Other Programs:						
Authorization Level	0	665	665	0	0	0
Estimated Outlays	0	459	648	193	7	3
International Broadcasting and Exchange:						
Authorization Level	0	723	723	0	0	0
Estimated Outlays	0	512	680	197	39	12
International Commissions:						
Authorization Level	0	50	50	0	0	0
Estimated Outlays	0	39	46	9	5	2
Subtotal of Proposed Changes:						
Authorization Level	0	6,986	6,635	600	600	600

	By fiscal year, in millions of dollars—					
	1999	2000	2001	2002	2003	2004
Estimated Outlays	0	4,941	5,650	1,618	715	634
Spending Under S. 886 [1]:						
Authorization Level [2]	7,488	6,986	6,635	600	600	600
Estimated Outlays	5,747	6,237	6,827	2,086	860	708
DIRECT SPENDING AND REVENUES						
Proposed Changes to Direct Spending:						
Estimated Budget Authority	0	(3)	(3)	(3)	(3)	(3)
Estimated Outlays	0	(3)	(3)	(3)	(3)	(3)
Proposed Changes to Revenues	0	(3)	(3)	(3)	(3)	(3)

[1] The program covered here include the conduct of foreign affairs, information and exchange activities, and arrears to the United Nations.
[2] The 1999 level is the amount appropriated for that year.
[3] Less than $500,000.

Spending Subject to Appropriation. The bill specifies authorizations of appropriations that total $15.4 billion over the 2000–2004 period. In addition, it contains a number of other provisions with potential budgetary impacts. CBO estimates that the bill would result in outlays totaling $13.6 billion over the five-year period, assuming appropriation of the authorized amounts. CBO assumes that outlays would follow historical spending patterns except for payments of arrears to the United Nations (U.N.).

Arrears to the United Nations. Title IX would authorize the appropriation of funds to pay amounts owed by the United States under various treaties to the U.N. and related agencies. Specifically, the bill would authorize new appropriations totaling $244 million for fiscal year 2000 and obligation of previously appropriated amounts for 1998 and 1999—$100 million and $475 million, respectively. In addition, subject to appropriation action, the bill would authorize the President to forgo $107 million that the United Nations owes the Department of Defense (DOD), in return for a corresponding reduction in U.S. payments owed to the United Nations.

Appropriations for the 1998 and 1999 installments have not been obligated pending an authorization. CBO estimates that enactment of S. 886 would permit the $100 million provided for 1998 to be obligated and disbursed in 2000. S. 886 would retain the conditions that were enacted in the 1999 appropriations act that are likely to delay obligation of the $475 million until 2001. Based on information from the Department of State, CBO estimates that the conditions attached to the funding for 2000 are likely to delay their obligation and expenditure until at least 2002.

Fees for Affidavits of Support. Subject to approval in advance in an appropriation act, section 212 would authorize the State Department to charge a fee for helping to prepare certain affidavits as part of an immigrant visa application. Proceeds from the fees would be deposited as offsetting collections and would be available for spending, subject to appropraiton. Based on information from the department, CBO estimates that it would charge a $50 fee and collect roughly $17 million a year. Because spending would initially lag behind collections, this provision would lower net outlays by $3 million in 2000 and $1 million each year in 2001 and 2002 before spending would completely offset collections.

Currency Fluctuations. In addition to the bill's specific authorizations for contributions to international organizations and programs, section 801(f) would authorize such sums as may be necessary in 2000 and 2001 to compensate for adverse fluctuations in exchange rates that might affect those contributions. Any funds appropriated for this purpose would be obligated and expended subject to certification by the Office of Management and Budget. Currency fluctuations are extremely difficult to estimate in advance, and they could result in spending either higher or lower than the amounts specifically authorized in the bill for contributions to international organizations and programs. Therefore, CBO estimates no change in spending from this provision.

Miscellaneous Provisions. The bill includes several provisions that would combine to cost about $1 million annually, but each provision would probably cost less than $500,000 a year. The individual budgetary impacts are insignificant because they would involve small payments to a few people.

Section 312 would allow U.S. citizens hired abroad to receive a different (usually higher) amount of compensation than a foreign national employed in the same position.

Section 331 would grant employees living in the United States and working in Canada or Mexico adjustments for locality pay equal to what they would receive if they worked nearby in the United States.

Section 332 would allow federal employees who transfer to an international organization to make retroactive contributions to the Thrift Savings Plan (TSP) upon their return to the federal government and to receive matching government contributions and lost earnings on their retroactive contributions. (See the following section for the revenue effects of this provision.)

Section 333 would authorize allowances to compensate dependents of a deceased employee who are returning to the United States.

Section 334 would allow employees working abroad who send a dependent to school away from their post to use an education allowance to pay for room, board, and periodic travel between the post and the school.

Section 335 would authorize advances of pay for employees with medical emergencies.

Direct Spending and Revenues. The bill contains other provisions that would affect direct spending or revenues by less than $500,000 in most years.

Machine Readable Visa. S. 886 would extend, through 2001, the Secretary of State's authority to charge a fee for machine readable visas and border crossing cards and to spend the collections on consular activities. CBO estimates the State Department would collect and spend over $300 million in 2001 under this authority.

Deaths and Estates of U.S. Citizens Overseas. Section 214 would expand the authority of the State Department to oversee and liquidate the estates of U.S. citizens who lived overseas but died intestate. Under current law, the department is authorized to take possession of and dispose of estates. After a certain period, if no claims have been made against the estate, the proceeds from the sale are transferred to the U.S. state in which the deceased citizen last lived. If the state is unknown, the proceeds are deposited into the Treasury as miscellaneous receipts (revenues).

The bill would make three substantive changes that would increase miscellaneous receipts. First, if the country in which the citizen died is unable to issue a death certificate, the State Department would issue a report of death (or presumptive death), which would allow for the disposition of the estate. The $10 fee charged for the report would be deposited in the Treasury. (The fee and other expenses associated with disposition of the estate are paid by the estate.) Second, instead of transferring the proceeds of the sale to the U.S. state, these proceeds would be deposited directly into the Treasury. Finally, the bill would allow the State Department to take title to any real property. The department would have the option to retain the property for its own use or sell it and deposit the proceeds in the Treasury. CBO estimates that these changes would raise miscellaneous receipts by less than $500,000 in most years; however, sales of real property could net over $500,000 in rare instances

Thrift Savings Plan. CBO estimates that section 332, discussed above, would reduce income tax receipts by less than $100,000 annually. Under current law, federal employees can count service with an international organization towards their retirement annuity, but they cannot participate in TSP during this period. Under S. 886, employees who are covered by the Foreign Service Pension System or the Federal Employees' Retirement System would be eligible to make retroactive contributions to TSP. Like all TSP contributions, these retroactive contributions would not be subject to income tax until distributed. According to information from the State Department, approximately 90 federal employees are serving with international organizations at any one time.

Reimbursement from the United Nations. Section 813 would require the President to seek reimbursement for goods and services provided to the United Nations for peacekeeping operations and other emergencies. The President has authority to provide goods and services on a reimbursable basis and to credit reimbursements to current appropriations if the funds are received within 180 days after the close of the fiscal year in which the services were provided. This section would credit the funds to current appropriations regardless of when the reimbursement is received or allow them to be used to offset peacekeeping assessments if the funds cannot be applied to any appropriation. The section could reduce offsetting receipts, though CBO estimates that the loss of receipts would not be significant.

During the mid-1990s, DoD provided $175 million in goods and services on a reimbursable basis to support U.N. peacekeeping activities. Most of the reimbursements were deposited into the Treasury. In recent years, however, the DoD has provided less than $1 million a year in goods and services to the United Nations. CBO expects this more recent pattern to continue for the next five years.

Lockerbie Trial. Section 727 would authorize the President to seize and liquidate blocked Libyan assets to pay the reasonable costs of travel for certain individuals to attend the trial of those suspected of bombing Pan American flight 103. The bill would authorize payment of travel expenses to the Netherlands for the immediate family members of U.S. victims, and the authorized amount would be whatever is necessary to cover those expenses. According to information from the Office of Foreign Assets Control, there are currently $400 million in blocked Libyan assets and roughly $600 million in claims against them.

Although CBO does not expect that this provision would have a significant net budgetary impact over the next five years, liquidating Libyan assets could create a claim against the U.S. government. Should the United States and Libyan governments return to normal relations, the United States might be required to repay the funds or reduce the amount of compensation to other claimants. CBO estimates that transportation and per diem for two weeks would cost $3,000 per person. Depending on the number of family members that choose to attend the trial and on the length of their stay, costs could approach $500,000.

Reimbursements From a State. Section 824 would authorize the commissioner of the International Boundary and Water Commission to accept and spend funds from state and local governments. Upon request, those contributions would be used to provide technical tests, surveys, or similar services. CBO estimates that collections and spending would not be significant in any year.

Pay-as-you-go Considerations: The bill contains several provisions that affect direct spending and revenues; however, the net impact is estimated to be less than $500,000 a year.

Intergovernmental and Private-Sector Impact: Section 4 of the Unfunded Mandates Reform Act (UMRA) excludes from the application of that act any provisions that are necessary for the national security or the ratification or implementation of international treaty obligations. CBO has determined that the provisions in title VI of S. 886 either fall within that exclusion or contain no intergovernmental or private-sector mandates. All other titles of the bill contain no private-sector or intergovernmental mandates and would have no significant effects on the budgets of state, local, or tribal governments.

Estimate Prepared by: Federal Costs: Sunita D'Monte and Joseph C. Whitehill (226–2840) for the Department of State; Gary Brown (226–2860) for the International Boundary and Water Commission; Eric Rollins (226–2820) for retirement benefits; and Jennifer Winkler (226–2880) for employee compensation.

Impact on State, Local, and Tribal Governments: Leo Lex (225–3220).

Impact on the Private Sector: Keith Mattrick (226–2940).

Estimate Approved by: Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

Mr. HELMS. Mr. President, I have ascertained that none of the Senators on the other side will be available this afternoon to offer their amendments or to discuss them. Since there is no Member here, or no amendment pending by anybody on this side, I think it would be an exercise in futility to continue to suggest quorum calls.

MORNING BUSINESS

Mr. HELMS. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, June 17, 1999, the federal debt stood at $5,585,233,665,272.21 (Five trillion, five hundred eighty-five billion, two hundred thirty-three million, six hundred sixty-five thousand, two hundred seventy-two dollars and twenty-one cents).

One year ago, June 17, 1998, the federal debt stood at $5,491,718,000,000 (Five trillion, four hundred ninety-one billion, seven hundred eighteen million dollars).

Five years ago, June 17, 1994, the federal debt stood at $4,491,908,000,000 (Four trillion, four hundred ninety-one billion, nine hundred eight million dollars) which reflects a debt increase of 1,093,325,665,272.21 (One trillion, ninety-three billion, three hundred twenty five million, six hundred sixty-five thousand, two hundred seventy dollars and twenty-one cents) during the past 5 years.

RECYCLING PROVISION OF SUPERFUND

Mr. LOTT. Mr. President, 1 year ago the distinguished minority leader, Mr. DASCHLE, and I introduced S. 2180, the Superfund Recycling Equity Act, to overcome the unintended consequences of Superfund which continue to have major negative impacts on recycling. There is widespread recognition of the need for relief in this area, as evidenced by the number of Superfund bills that have been introduced since the 103d Congress, as well as the measures being considered in this Congress, all of which include nearly identical recycling relief provisions.

I am grateful for the decision by Senators CHAFEE and SMITH to include a strong recycling provision in their Superfund reform bill currently pending before the Environment and Public Works Committee. This inclusion was an important contributing reason to my decision to be an original cosponsor of the Superfund Program Completion Act of 1999 (S. 1090). As the committee approaches a markup of its legislation, I understand that the committee chairman and subcommittee chairman are negotiating with their minority counterparts and the Environmental Protection Agency in an effort to reach a bipartisan consensus. In the spirit of the last year's Superfund Recycling Equity Act, which collected 63 cosponsors from both sides of the aisle, I endorse such an approach and look forward to debating the bill on the Senate floor.

Today, I am pleased to join the minority leader in bringing to the attention of the Senate the need to move expeditiously in this regard, recognizing that another year has passed without needed relief for recyclers.

Mr. DASCHLE. The distinguished majority leader is correct in noting the attention of many bills directed at Superfund relief for recyclers in this session, the bipartisan interest in this subject, and the broad based, bicameral commitment directed to correcting these unintended consequences. The Superfund Litigation Reduction and Brownfields Cleanup Act of 1999 (S. 1105), introduced by Senators BAUCUS, LAUTENBERG, LINCOLN, and me, contains a provision similar to the distinguished majority leader's and my bill, S. 2180, introduced in this body 1 year ago.

Mr. LOTT. I have worked for years with my colleagues to reform Superfund. We must put this important program back on track to get the environment cleaned up effectively and efficiently, with polluters paying the bills, not innocent parties. There was clear tangible evidence of how Superfund is off track in a recent GAO report which was requested by House Commerce Committee Chairman BLILEY. The GAO report revealed that a majority of the funds go for activities other than clean up, and this is clearly wrong. I hope the Senate will act soon because America deserves a viable Superfund program.

While there are different bills being considered in the Senate at this time, both the minority leader and I stand committed to Superfund relief for recyclables and we assure all Senators that the differences between the bills in their recycling language will be addressed in the interest of moving forward with this needed legislation. With the bipartisan support of this needed relief in place, Mr. President, it is essential to stress that relief for recycling, an issue of fundamental fairness, must be accomplished in this session.

Mr. DASCHLE. Along with my Senate colleagues, I have worked for years to reform Superfund, and by all accounts the program has been vastly improved over the past 6 years. Today, I reaffirm my commitment to work with the majority leader to ensure passage of needed Superfund relief for recyclables in this session and urge passage of a recycling bill.

Mr. LOTT. In this regard, I applaud the efforts of Chairman SHUSTER and BOEHLERT, who have worked tirelessly with their very competent staffs to help resolve the one significant remaining issue in contention.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of a recently negotiated and signed agreement dealing with paper scrap by all the affected parties.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INSTITUTE OF SCRAP
RECYCLING INDUSTRIES, INC.,
Washington, DC, June 15, 1999.

Hon. TRENT LOTT,
Majority Leader, U.S. Senate.
Hon. TOM DASCHLE,
Minority Leader, U.S. Senate.
Hon. JOHN H. CHAFEE,
Chairman, Committee on Environment and Public Works.
Hon. MAX S. BAUCUS,
Ranking Minority Member, Committee on Environment and Public Works.
Hon. ROBERT C. SMITH,
Chairman, Superfund, Waste Control, and Risk Assessment Subcommittee.
Hon. FRANK R. LAUTENBERG,
Ranking Minority Member, Superfund, Waste Control, and Risk Assessment Subcommittee.
Hon. TED STEVENS.
Hon. BLANCHE LINCOLN.

DEAR SENATORS LOTT, DASCHLE, CHAFEE, BAUCUS, SMITH, LAUTENBERG, STEVENS, AND LINCOLN: We, the undersigned representatives of our respective entities, are writing to express our agreement with the attached consensus recycling amendment to the ''Superfund Program Completion Act of 1999'' (S. 1090), and the ''Superfund Litigation Reduction and Brownfield Cleanup Act of 1999'' (S. 1105). This amendment has been negotiated over the last two months and reflects a compromise that we find to be both reasonable and functional. None of us will seek, or encourage others to seek, amendments that would undermine the compromise we have reached. We are satisfied with the legislative language we have labored so long to craft and intend that this language be used in any legislative vehicle that addresses recycling issues in either House of Congress.

In closing, we would like to thank you for your patience as we worked to remove one of the longstanding obstacles to meaningful

Superfund reform. We are committed to working with you to make Superfund reform a reality in the 106th Congress.

Sincerely yours,

Institute of Scrap Recycling Industries; Fort James Corporation; P.H. Glatfelter Company; Wisconsin Tissue Mills, Inc.; NCR Corporation; AT&T; Appleton Papers Inc.; Printing Industries of America; Lucent Technologies.

AMENDMENT TO S. 1090

On page 52, strike line 12 and all that follows down through line 6 on Page 53 and insert in lieu thereof the following:

''(1) LIABILITY CLARIFICATION.—As provided in paragraphs (2), (3), (4), and (5) of this subsection, a person who arranged for the recycling of recyclable material or transported such material shall not be liable under paragraphs (3) or (4) of subsection (a) with respect to such material. A determination whether or not any person shall be liable under paragraph (3) or (4) of subsection (a) for any transaction not covered by paragraphs (2) and (3), (4), or (5) of this subsection shall be made, without regard to paragraphs (2), (3), (4), and (5) of this subsection, on a case-by-case basis, based on the individual facts and circumstances of such transaction.

''(2) RECYCLABLE MATERIAL DEFINED.—For purposes of this subsection, the term 'recyclable material' means—

''(A) scrap paper, scrap plastic, scrap glass, scrap textiles, scrap rubber (other than whole tires), scrap metal, or spent lead-acid, spent nickel-cadmium, and other spent batteries, as well as minor amounts of material incident to or adhering to the scrap materials as a result of its normal and customary use prior to becoming scrap; except that such term shall not include—

''(i) shipping containers with a capacity from 30 liters to 3,000 liters, whether intact or not, having any hazardous substance (but not metal bits and pieces or hazardous substance that form an integral part of the container contained in or adhering thereto; or

''(ii) any item of material containing polychlorinated biphenyls (PCBs) in excess of 50 parts per million (ppm) or any new standard promulgated pursuant to applicable Federal laws.

On page 61, line 9, strike ''; or'' and insert in lieu thereof, a period (''.'').

On Page 61, strike lines 10 down through line 15.

On page 62, after line 11, insert the following new sub-paragraph:

''(7) LIMITATIONS ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to—

''(A) affect any rights, defenses, or liabilities under section 107(a) of any person with respect to any transaction involving any material other than a recyclable material subject to paragraph (1) of this subsection; or

''(B) relieve a plaintiff of the burden of proof that the elements of liability under section 107(a) are met under the particular circumstances of any transaction for which liability is alleged.''

AMENDMENT TO S. 1105

On Page 51, strike line 2 and all that follows down through line 21 and insert in lieu thereof the following:

''(a) LIABILITY CLARIFICATION.—As provided in subsection (b), (c), (d), and (e), a person who arranged for the recycling of recyclable material or transported such material shall not be liable under sections 107(a)(3) and 107(a)(4) with respect to such material. A determination whether or not any person shall be liable under section 107(a)(3) or section 107(a)(4) for any transaction not covered by subsections (b) and (c), (d) or (e) of this section shall be made, without regard to subsections (b), (c), (d), and (e) of this section, on a case-by-case basis, based on the individual facts and circumstances of such transaction.

''(b) RECYCLABLE MATERIAL DEFINED.—For purposes of this section, the term 'recyclable material' means—

''(1) scrap paper, scrap plastic, scrap glass, scrap textiles, scrap rubber (other than whole tires), scrap metal, or spent lead-acid, spent nickel-cadmium, and other spent batteries, as well as minor amounts of material incident to or adhering to the scrap material as a result of its normal and customary use prior to becoming scrap; except that such term shall not include—

''(A) shipping containers with a capacity from 30 liters to 3,000 liters, whether intact or not, having any hazardous substance (but not metal bits and pieces or hazardous substance that form an integral part of the container) contained in or adhering thereto; or

''(B) any item of material containing polychlorinated biphenyls (PCBs) in excess of 50 parts per million (ppm) or any new standard promulgated pursuant to applicable Federal laws.

On Page 58, line 10, delete (''or'') and insert in lieu thereof a period (''.''), and strike lines 11 through 15.

On Page 59, delete lines 15 through 18 and insert in lieu thereof the following:

''(g) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to—

''(1) affect any rights, defenses, or liabilities under section 107(a) of any person with respect to any transaction involving any material other than a recyclable material subject to subsection (a) of this section; or

''(2) relieve a plaintiff of the burden of proof that the elements of liability under section 107(a) are met under the particular circumstances of any transaction for which liability is alleged.''

Mr. LOTT. The successful efforts of Congressmen SHUSTER and BOEHLERT demonstrate again that the recycling issue can proceed on a bipartisan basis and that no serious opposition to its adoption exists.

Mr. DASCHLE. I am pleased to join majority leader in documenting that a compromise has been reached on the paper scrap issue. This compromise is especially important in light of the fact that during her recent testimony before the House Water Resources and Environment Subcommittee, the EPA Administrator repeated her support for the recycling provision, a version of which collected 310 House cosponsors. The Administrator stated that should identical language to S. 2180 show up again this year, the administration ''would continue to support it.''

And, in answer to a question, Administrator Browner stated at the hearing that EPA would oppose an exemption for PCB-contaminated paper or materials in excess of 50 parts per million. This issue is important not only to EPA, but also the Department of Justice and the environmental community. For that reason, I am delighted that a compromise was found.

Mr. LOTT. Finally, I would like to thank Mr. Phil Morris of New Albany, MS, a long time friend and fellow Mississippian, who, as a traditional recycler, has struggled with the negative aspects of Superfund. Phil first brought this subject to my attention and, though our inability to pass Superfund reform last year led to sharp increases in his unintended Superfund liability, I commit to him and his fellow recyclers that Congress will act this year to ensure that such unreasonable, unfair and unintended actions under Superfund will cease. I again thank all supporters of this provision, especially the distinguished minority leader for supporting this attempt to restore equity and fairness where it has long been missing.

Mr. DASCHLE. As is the case with Senator LOTT, my constituents have suffered because Superfund has been inappropriately directed at them. On this first anniversary of the introduction of S. 2180, it is an appropriate time for all Senators to commit to act on this issue.

Mr. WARNER. As the original Senate sponsor of legislation designated to remove unintended Superfund hindrances to recycling, which I proposed for correction in the 103rd Congress, I applaud the majority and minority leaders for their continuing joint efforts. There is no more telling statement of need than to see partisan politics put aside in the greater public interest. Both Senators LOTT and DASCHLE have demonstrated outstanding leadership in helping to assure increased recycling that will occur when the Superfund burden, so inappropriately assessed, will finally be removed.

Mrs. LINCOLN. It was my privilege as a Member of the other body to introduce a bill in the 103rd Congress that would have eliminated much of the unintended Superfund hindrance that is limiting legitimate recycling.

Now as a Senator, I am proud to stand with the majority and minority leaders and the distinguished senior Senator from Virginia on this first anniversary of the introduction of S. 2180 to ensure Superfund relief for recycling will be addressed in this session of the 106th Congress.

THE FEDERAL ERRONEOUS RETIREMENT COVERAGE CORRECTIONS ACT

Mr. AKAKA. Mr. President, I am pleased to join the Senator from Mississippi, Mr. COCHRAN, in introducing S. 1232, the Federal Erroneous Retirement Coverage Corrections Act. This legislation provides relief to those federal employees who were placed in an incorrect retirement system during the transition to the Federal Employees Retirement System from the Civil Service Retirement System in the mid-1980s.

As the ranking Democrat on the International Security, Proliferation, and Federal Services Subcommittee, I am committed to correcting the erroneous pension problems facing anywhere from 10,000 to 20,000 individuals. S. 1232 provides a reasonable solution in affording misclassified federal workers, former employees, retirees, and survivors with equitable relief from

these retirement coverage errors. Moreover, the measure gives those affected a choice between corrected retirement coverage and the coverage the employee expected to receive, without disturbing Social Security coverage law.

Similar legislation was offered in 1998, and my colleague, the chairman of the Subcommittee on International Security, Proliferation, and Federal Services, held a hearing on the measure at which officials from the Office of Personnel Management and the Federal Retirement Thrift Investment Board testified in support of the bill.

I believe this measure addresses the concerns of federal workers who have been placed in the wrong retirement system. It offers a workable and reasonable solution, and I ask my colleagues to support this legislation. I also wish to note that S. 1232 enjoys the support of the Office of Personnel Management and the two largest federal employee unions, the American Federation of Government Employees and the National Treasury Employees Union, that are encouraged by the bipartisan effort that went into crafting this bill.

GUN CRIME COMMITTED BY 18 TO 20 YEAR OLDS

Mr. LEVIN. Mr. President, this week, Vice President GORE released a new study focusing on the connection between young adults and gun crimes. This report, jointly prepared by the Departments of Treasury and Justice, documents an alarmingly high rate of gun violence among 18 to 20 year olds.

The report shows that while 18, 19, and 20 years olds make up only 4 percent of the U.S. population, they commit an astounding 24 percent of gun murders in our country. In addition, the report shows that 18 year olds commit 35 percent more gun murders than 21 year olds; double the gun murders of 24 year olds; triple the gun murders of 28 year olds; and four times the gun murders of 30 year olds.

There are several loopholes in our current firearms laws that permit young people access to handguns and other deadly weapons. We must close those loopholes, especially for the 18 to 20 year olds, who contribute to such a high percentage of gun crimes. One of those loopholes allows 18 to 20 year olds, minors, to purchase handguns from unlicensed dealers, private collectors or friends, even though it would be illegal for them to purchase the same handgun from a federally licensed dealer.

There are also additional loopholes in federal law that permit 18 to 20 year olds to purchase semiautomatic weapons and large capacity ammunition feeding devices from anyone willing to sell them. These weapons, such as AK–47s and Uzis, and the 50 rounds per minute clips that accompany them, are not the type of weapons needed for hunting, they are the type needed for killing, and that is what they are too often used for.

There is strong precedent for imposing minimum age requirements for engaging in dangerous activities. Congress and the states worked together in the past to minimize public safety concerns by ensuring that states raised their legal drinking ages to 21. This was in response to evidence that young adults were involved in proportionately far more driving accidents while intoxicated. Increasing the age requirement for drinking alcohol, reduced automobile accidents dramatically. And, in the first year after Michigan raised its drinking age from 18 to 21, there was a 21 percent decline in alcohol related deaths among drivers age 18 to 20.

Most recently, a report to be released today by a national commission studying the impact of gambling will apparently recommend that the minimum age for all forms of gambling be raised to 21. Although currently most casinos require gamblers to be 21, other forms of gambling, such as state lotteries have an age requirement of 18. The National Gambling Impact Study Commission contends that there should be tighter restrictions on state lotteries and other forms of betting because of the dangers and risks of excessive gambling.

Surely if there are clear and compelling reasons to prevent young people from drinking and gambling, there are even better reasons, as documented by the Gore report, to prevent 18, 19 and 20 year olds from owning an assault weapon or a handgun. I am a cosponsor of legislation introduced by Senator SCHUMER, S. 891, that would prohibit the sale or transfer of these weapons to young adults as well as prohibit possession of these weapons by those under 21, while maintaining exemptions under current law. In my judgment, it is critical that Congress act quickly to close these loopholes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–3781. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled ''Matching Credit Card and Debit Card Contributions in Presidential Campaigns'', received June 11, 1999; to the Committee on Rules and Administration.

EC–3782. A communication from the Acting Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''17 CFR Part 10 Rules of Practice''; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3783. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''1999 Amendment to Cotton Board Rules and Regulations Adjusting Supplemental Assessment on Imports—Final Rule'' (Docket Number: CN–99–002), received June 16, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3784. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Raisins produced from Grapes Grown in California; Final Free and Reserve Percentages for 1998–99 Zante Currant Raisins'' (Docket Number: FV–99–989–3 FIR), received June 16, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3785. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tart Cherries Grown in the States of Michigan, et al.; Revision of the Sampling Techniques for Whole Block and Partial Block Diversions and Increasing the Number of Partial Block Diversions Per Season for Tart Cherries'' (Docket Number: FV–99–930–2 FIR), received June 16, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3786. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Horses from Australia and New Zealand; Quarantine Requirements'' (Docket Number: 98–069–2), received June 15, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3787. A communication from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Schedule for Rating Disabilities; Fibromyalgia'' (RIN2900–AH05), received June 16, 1999; to the Committee on Veterans' Affairs.

EC–3788. A communication from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Veterans Education: Increase in Educational Assistance Rates'' (RIN2900–AJ37), received June 16, 1999; to the Committee on Veterans' Affairs.

EC–3789. A communication from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Single Family Mortgage Insurance; Informed Consumer Choice Disclosure Notice'' (FR–4411) (RIN2502–AH30), received June 15, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–3790. A communication from the Executive Director, Federal Labor Relations Authority, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Equal Access to Justice Act Attorney Fees Regulations'', received June 16, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–3791. A communication from the Acting Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Effective Date of Application for Supplemental Security Income (SSI) Benefits'' (RIN0960–AE71), received June 16, 1999; to the Committee on Finance.

EC–3792. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 99–36, Charitable Split-Dollar Transactions'' (Notice 99–36), received June 14, 1999; to the Committee on Finance.

EC–3793. A communication from the Rules Administrator, Federal Bureau of Prisons,

Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Correspondence: Return Address'' (RIN1120–AA69), received June 16, 1999; to the Committee on the Judiciary.

EC–3794. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Federal Prison Industries (FPI) Inmate Work Programs: Eligibility'' (RIN1120–AA57), received June 16, 1999; to the Committee on the Judiciary.

EC–3795. A communication from the Military Personnel Management Specialist, Headquarters Air Force Personnel Center, Department of the Air Force, transmitting, pursuant to law, the report of a rule entitled ''Rule 32-National Defense-Part 881-Determination of Active Military Service for Civilians or Contractual Groups,'' received June 16, 1999; to the Committee on Armed Services.

EC–3796. A communication from the Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Congressional Medal of Honor'' (DFARS Case 98–D304), received June 16, 1999; to the Committee on Armed Services.

EC–3797. A communication from the Executive Director, Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, the report of a rule entitled ''Additions to and Deletions from the Procurement List,'' received June 16, 1999; to the Committee on Governmental Affairs.

EC–3798. A communication from the General Services Administration, the Department of Defense, and the National Aeronautics and Space Administration, transmitting jointly, pursuant to law, the report of a rule entitled ''Federal Acquisition Circular 97–12'' (FAC 97–12), received June 11, 1999; to the Committee on Governmental Affairs.

EC–3799. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Allied Signal Inc. VN411B Very High Frequency (VHF) Navigation Receivers; Docket No. 95–CE–91 (6–11/6–14)'' (RIN2120–AA64) (1999–0246), received June 14, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3800. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Flight Crewmember Flight Time Limitations and Rest Requirements; Notice of Enforcement Policy'' (RIN2120–ZZ19), received June 14, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3801. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Raytheon Aircraft Company Beech Models 45 (YT–34), 45 (T–34A, B–45), and D45 (T–34B) Airplanes; Request for Comments; July 9, 1999 (6–14/6–14)'' (RIN2120–AA64) (1999–0242), received June 14, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3802. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Raytheon Aircraft Company Model 1900D Airplanes; Docket No. 98–CE–127 (6–11/6–14)'' (RIN2120–AA64) (1999–0244), received June 14, 1999; Committee on Commerce, Science, and Transportation.

EC–3803. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–200C Series Airplanes; Docket No. 98–NM–273'' (RIN2120–AA64) (1999–0245), received June 14, 1999; Committee on Commerce, Science, and Transportation.

EC–3804. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: The New Piper Aircraft Inc. Models PA–31, PA–31–300, PA–31–325, PA–31–350, and PA–31P–350 Airplanes; Docket No. 97–CE–32 (6–14/6–14)'' (RIN2120–AA64) (1999–0243), received June 14, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3805. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: International Aero Engines AG V2500–A1 and V2500–A5 Series Turbofan Engines; Request for Comments; Docket No. 99–NE–37 (6–15/6–14)'' (RIN2120–AA64) (1999–0241), received June 14, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3806. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Incorporations by Reference for Alternate Compliance Program (ACP) (USCG–1999–5004)'' (RIN2115–AF74), received June 14, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3807. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; New York Super Bowl Race, Hudson River, New York (CGD01–98–175)'' (RIN2115–AA97) (1999–0029), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3808. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; 4th of July Fireworks, Charles River Esplanade, Boston, MA (CGD01–99–057)'' (RIN2115–AA97) (1999–0028), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3809. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Fort Point Channel, MA (CGD01–98–173)'' (RIN2115–AE47) (1999–0021), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3810. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Riverbend Festival, Tennessee River Mile 463.5 to 464.5, Chattanooga, TN (CGD08–99–037)'' (RIN2115–AE46) (1999–0023), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3811. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Riverfest '99, Tennessee River Mile Marker 140.0 to 141.0, Parsons, TN (CGD08–99–038)'' (RIN2115–AE46) (1999–0022), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3812. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Hampton Offshore Challenge, Chesapeake Bay, Hampton, Virginia (CGD05–99–038)'' (RIN2115–AE46) (1999–0019), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3813. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SPL; Independence Day Celebration, Cumberland River Mile 190.0–191.0, Nashville, TN (CGD08–99–036)'' (RIN2115–AE46) (1999–0020), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3814. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Sharptown Outboard Regatta, Nanticoke River, Sharptown, Maryland (CGD05–99–037)'' (RIN2115–AE46) (1999–0021), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3815. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Anaktuvuk Pass, AK; Correction; Docket No. 99–AAL–42 (6–16/6–17)'' (RIN2120–AA66) (1999–0202), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3816. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Shawnee, OK; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ASW–07 (6–17/6–17)'' (RIN2120–AA66) (1999–0201), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3817. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Lake Charles, LA; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ASW–04 (6–17/6–17)'' (RIN2120–AA66) (1999–0199), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3818. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Guthrie, OK; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ASW–06 (6–17/6–17)'' (RIN2120–AA66) (1999–0198), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3819. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bell Helicopter

Textron Canada (BHTC) Model 206L–4 Helicopters; Request for Comments; Docket No. 98–SW–66 (6–17/6–17)'' (RIN2120–AA64) (1999–0247), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3820. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Eurocopter France Model AS 32C, L, L1, and L2 Helicopters; Request for Comments; Docket No. 99–SW–17 (6–17/6–17)'' (RIN2120–AA64) (1999–0248), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3821. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure of the Gulf of Alaska to Directed Fishing for Pollock in Statistical Area 610,'' received June 16, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3822. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure of Statistical Area 620, Gulf of Alaska, to Directed Fishing for Pollock,'' received June 16, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3823. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure to Directed Fishing for Pacific Cod by Vessels Catching Pacific Cod for Processing by the Offshore Component in the Western Regulatory Area in the Gulf of Alaska,'' received June 16, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3824. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Bering Sea and Aleutian Islands,'' received June 16, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3825. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Regulations Regarding the Taking of Marine Mammals Incidental to Power Plant Operations'' (RIN0648–AK00), received June 16, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3826. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States-Final Rule to Implement Framework Adjustment 29 to the Northeast Multispecies Fishery Management Plan and Framework Adjustment 11 to the Atlantic Sea Scallop Fishery Management Plan'' (RIN0648–AM24), received June 16, 1999; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. AKAKA (for himself, Mr. BURNS, Mr. COCHRAN, Mr. GRAHAM, and Mr. INOUYE):

S. 1242. A bill to amend the Immigration and Nationality Act to make permanent the visa waiver program for certain visitors to the United States; to the Committee on the Judiciary.

By Mr. FRIST:

S. 1243. A bill to amend the Public Health Service Act to revise and extend the prostate cancer preventive health program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THOMPSON (for himself, Mrs. LINCOLN, Mr. VOINOVICH, Mr. KERREY, and Mr. BREAUX):

S. 1244. A bill to establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes; to the Committee on Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LIEBERMAN (for himself, Mr. GREGG, Mr. BAYH, Mr. BROWNBACK, Mr. MACK, Mr. DODD, Mr. DOMENICI, Mr. JEFFORDS, Mr. ALLARD, Mr. COCHRAN, Ms. LANDRIEU, Mr. BUNNING, Mr. ROBB, Mr. DORGAN, Mr. DASCHLE, Mr. AKAKA, Mr. GORTON, Mr. SMITH of Oregon, Mr. ENZI, Mr. BENNETT, Mr. HUTCHINSON, Mr. SESSIONS, Mr. DEWINE, Mr. CAMPBELL, and Mr. THURMOND:

S. Res. 125. A resolution encouraging and promoting greater involvement of fathers in their children's lives and designating June 20, 1999, as ''National Father's Return Day''; considered and agreed to.

By Mr. SCHUMER:

S. Con. Res. 41. A concurrent resolution expressing the sense of Congress regarding the treatment of religious minorities in the Islamic Republic of Iran, and particularly the recent arrests of members of that country's Jewish community; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself, Mr. BURNS, Mr. COCHRAN, Mr. GRAHAM, and Mr. INOUYE):

S. 1242. A bill to amend the Immigration and Nationality Act to make permanent the visa waiver program for certain visitors to the United States; to the Committee on the Judiciary.

THE VISA WAIVER PROGRAM

Mr. AKAKA. Mr. President, today I am introducing a bill to amend the Immigration and Nationality Act to make permanent the visa waiver program for certain visitors to the United States.

The visa waiver program has been an unprecedented success in reducing barriers to travel and tourism to and from the United States. The program allows a citizen of a participating country to forego visa application at a U.S. consulate abroad, and allows them to travel to the U.S. for business or pleasure and make application for entry directly to the INS at a port of entry. To use this privilege, an applicant agrees to waive rights to challenge the decision of the INS inspector, and agrees to depart the U.S. within 90 days. More than 10 million visitors used the visa waiver program in fiscal year 1995. This represents 76 percent of the total number of non-immigrant entries by citizens of visa waiver countries. Visitors entering under the visa waiver program accounted for just under 50 percent of all temporary business and tourist entries.

In the ten years since the implementation of the visa waiver program, international visitors have become accustomed to the program's requirements, and use it routinely. The program has effectively served the purpose for which it was designed, to facilitate the efficient flow of low-risk foreign tourists and business travelers. Simultaneously, the program has afforded Department of State consular officers more time to focus efforts on individuals who visit the U.S. for other purposes, such as employment or study, or those who intend to remain in the U.S. for extended periods. Further, it has allowed the Department of State to drastically reduce its consular staff at low-risk locations, and strengthen efforts in high risk locations. Yet, all this pales in comparison to the real benefit of the visa waiver program, that of expanded foreign travel and tourism to the U.S. Put simply, the U.S. needs this program to remain competitive with the many other nations around the globe who are competing for the finite pool of business travelers and tourists.

In 1996, the World Tourism Organization reported that the United States was the second most popular international tourist destination and the number one location for tourism expenditures. Of the 44.8 million arrivals that year, 12.4 million entered under the visa waiver program. International tourism in the U.S. is a $65 billion enterprise which boosts the economies of many local communities.

In my home state of Hawaii, tourism is an $11 billion indusry which generates about one-quarter of the state's tax revenue and one-third of its jobs. It is estimated that 80 percent of all international visitors arriving at Honolulu International Airport arrive under the visa waiver program. We know that the visa waiver program has been very successful because it provides a big boost for Japanese visitors to travel to Hawaii. Our long-term goal for a permanent visa waiver program would be to expand participation of the program in the Asia-Pacific region. Currently, most of the 26 eligible countries are in Europe. Only four of these countries are in the Asia-Pacific region—Australia, Japan, Brunei, and New Zealand. We hope that South Korea and China will be future participants in an expanded program.

While the pilot program has been extended periodically since its inception,

its unqualified success justifies a permanent program. Further, because the program's life has at times been uncertain and somewhat unpredictable, particularly at times when an authorization is about to expire, any real or perceived lapse in the program causes needless turmoil and uncertainty among the industry and government both here and abroad and, most important, the traveling public. In the ten years since it commenced, the benefit of the program has been clearly proven, and the need for it to remain a pilot program has ceased. To sunset the program in April 2000 or in the future would require a reinvestment of significant capital, both human and otherwise. In addition, because the visa waiver program is based on reciprocity, any termination or restriction of the program would likely result in a substantial backlash by other participating nations against U.S. citizens traveling abroad, resulting in more entry burdens for U.S. citizens when they attempt to enter other visa waiver countries.

Visa waiver participants, by their very definition, are low-risk travelers. There is no data which indicates that visa waiver travelers stay longer than permitted otherwise violate the terms of their admission in any greater numbers than any other population of the traveling public. Another important benefit of the visa waiver program is the standardization of passports and machine readable documentation, which is used as an inducement for acceptance of a country into the program. The ability to read a document by machine has greatly increased the efficiency of the Federal inspection service process.

I can say without reservation that this program is a resounding success. It has bolstered the U.S. economy through the expedited admission of millions of legitimate short-term visitors for business, allowing for the negotiation of contracts for the provision of American goods and services to the world. It has provided a welcome boost to the U.S. tourism industry, which employs thousands of American citizens, through the visa-free admission of millions of foreign tourists. We must support permanent reauthorization of this highly effective program. The visa waiver program is not just a win-win situation, it is a win for business, a win for tourism, and a win for effective management of the Department of State.

Thank you, Mr. President. I ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1242

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT VISA WAIVER PROGRAM FOR CERTAIN VISITORS.

Section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) is amended—

(1) in the section heading, by striking ''PILOT'';

(2) in the caption for subsection (a)(2), by striking ''PILOT'' and inserting ''VISA WAIVER'';

(3) in the caption for subsection (c) by striking ''PILOT'' and inserting ''VISA WAIVER'';

(4) by striking ''pilot'' each place it appears and inserting ''visa waiver'';

(5) in subsection (a)(1), by striking ''during the pilot program period (as defined in subsection (e))'';

(6) in subsection (b)(3), by striking ''(within the pilot program period)'';

(7) by striking subsection (f); and

(8) by redesignating subsection (g) as subsection (f).

By Mr. FRIST:

S. 1243. A bill to amend the Public Health Service Act to revise and extend the prostate cancer preventive health program; to the Committee on Health, Education, Labor, and Pensions.

PROSTATE CANCER RESEARCH AND PREVENTION ACT

Mr. FRIST. Mr. President, this year 37,000 American men will die, and 179,300 will be diagnosed with prostate cancer, the second leading cause of cancer-related deaths in American men. Cancer of the prostate grows slowly, without symptoms, and thus is often undetected until in its most advanced and incurable stage. It is critical that men are aware of the risk of prostate cancer and take steps to ensure early detection.

While the average age of a man diagnosed with prostate cancer is 66, the chance of developing prostate cancer rises dramatically with age—which makes it important for men to be screened or consult their healthcare professional. The American Cancer Society and the American Urological Association recommend that men over 50 receive both an annual physical exam and a PSA (prostate-specific antigen) blood test. African-American men, who are at higher risk, and men with a family history of prostate cancer should begin yearly screening at age 40.

Even if the blood test is positive, however, it does not mean that a man definitely has prostate cancer. In fact, only 25 percent of men with positive PSAs do. Further testing is needed to determine if cancer is actually present. Once the cancer is diagnosed, treatment options vary according to the individual. In elderly men, for example, the cancer may be especially slow growing and may not spread to other parts of the body. In those cases, treatment of the prostate may not be necessary, and physicians often monitor the cancer with follow-up examinations.

Unfortunately, preventive risk factors for prostate cancer are currently unknown and the effective measures to prevent this disease have not been determined. In addition, scientific evidence is insufficient to determine if screening for prostate cancer reduces deaths or if treatment of disease at an early stage is more effective than no treatment in prolonging a person's life. Currently, health practitioners cannot accurately determine which cancer will progress to become clinically significant and which will not. Thus, screening and testing for early detection of prostate cancer should be discussed between a man and his healthcare practitioners.

In an effort to help address the serious issues of prostate cancer screening, to increase awareness and surveillance of prostate cancer, and to unlock the current mysteries of prostate cancer through research, I rise to introduce the ''Prostate Cancer Research and Prevention Act.''

The ''Prostate Cancer Research and Prevention Act'' expands the authority of the Centers for Disease Control and Prevention (CDC) to carry-out activities related to prostate cancer screening and overall awareness and surveillance of the disease and extends the authority of the National Institutes of Health to conduct basic and clinical research in combating prostate cancer.

The bill directs the CDC to make grants to States and local health departments to increase awareness, surveillance, information dissemination regarding prostate cancer, and to examine the scientific evidence regarding screening for prostate cancer. The main focus is to comprehensively evaluate of the effectiveness of various screening strategies for prostate cancer and the establishment of a public information and education program about the issues regarding prostate cancer. The CDC will also strengthen and improve surveillance on the incidence and prevalence of prostate cancer with a major focus on increasing the understanding of the greater risk of this disease in African-American men.

The bill also reauthorizes the authority of the CDC to conduct a prostate screening program upon consultation with the U.S. Preventive Services Task Force and professional organizations regarding the scientific issues regarding prostate cancer screening. The screening program, when implemented, will provide grants to States and local health departments to screen men for prostate cancer with priority given to low income men and African-American men. In addition the screening program will provide referrals for medical treatment of those screened and ensure appropriate follow up services including case management.

Finally, to continue the investment in medical research, the bill extends the authority of the National Cancer Institute at the National Institutes of Health to conduct and support research to expand the understanding of the cause of, and find a cure for, prostate cancer. Activities authorized include basic research concerning the etiology and causes of prostate cancer, and clinical research concerning the causes, prevention, detection and treatment of prostate cancer.

Mr. President, as we celebrate Father's Day this weekend, I hope that we

take time to reflect on the serious health threat of prostate cancer. It is my hope that my colleagues will join me in supporting the ''Prostate Cancer Research and Prevention Act,'' so that we can further understand the issues surrounding this disease and continue to move forward on developing effective treatment and finding a cure.

Mr. President, I ask unanimous consent that letters of support be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

AMERICAN CANCER SOCIETY,
Washington, DC, June 15, 1999.

Hon. BILL FRIST,
U.S. Senate, Washington, DC.

DEAR SENATOR FRIST: On behalf of the more than 2 million volunteers of the American Cancer Society, I am writing to offer our support for the Prostate Cancer Research and Prevention Act. Thank you for introducing this important legislation that reauthorizes important programs, with respect to prostate cancer research and prevention activities at the National Institutes of Health (NIH), the Agency for Health Care Policy (AHCPR), the Health Resources and Services Administration (HRSA) and the Centers for Disease Control and Prevention (CDC).

Prostate cancer represents one of the most significant medical and social challenges facing our country today. In 1999, approximately 179,300 new cases of prostate cancer will be diagnosed in the United States and it is estimated that this disease will cause more than 37,000 deaths this year. While aggressive detection and treatment programs have begun to show some promise of reducing the mortality rate for this disease, we still have a long way to go.

The Society support the continuation of prostate cancer research programs at the NIH, APCPR, HRSA and CDC. These programs may yield better tests to detect prostate cancer at an early stage, new treatments to cure prostate cancer, and improved knowledge of the psychosocial and quality-of-life impacts of men diagnosed with prostate cancer.

Your legislation also recognizes the need for more information on how best to tackle the many challenges this disease brings. Specifically, the bill addresses the need for: additional research on the effectiveness of prostate cancer screening strategies; more data on how best to improve training, education, and skills of health practitioners with regards to prostate cancer; and more information about how men seek medical attention, make decisions about treatment, and follow-up on treatment recommendations.

All of this information would support the development and communication of messages by public and private health professionals about prostate cancer early detection and treatment for men and their families, as well as provide for the establishment of a prostate cancer screening program. The American Cancer Society believes that prostate cancer education, awareness and screening programs should give priority to those populations at high risk of developing this disease—specifically, African American and older men.

Lastly, your legislation takes a crucial first step at addressing several critical issues related to increasing access to prostate cancer screening and appropriate follow-up care. While the American Cancer Society recognizes that often an incremental approach to complex health care issues is preferable than attempting comprehensive reform or crafting multifaceted policy solutions, the Society asks that you and your colleagues take this opportunity to consider some of the larger health care quality and access challenges to our health care delivery system. We urge you to explore other legislative provisions that would help to assure access to quality care—for all patients—especially those disproportionately affected by cancer.

Again, the American Cancer Society applauds your leadership and support for the reauthorization of these valuable programs. Thank you for your continued dedication to cancer control and prevention.

Sincerely,

CHARLES J. MCDONALD, MD,
President of the Board of Directors.

AMERICAN UROLOGICAL ASSOCIATION, INC.,
Baltimore, MD, June 17, 1999.

Hon. BILL FRIST,
The U.S. Senate, Washington, DC.

DEAR SENATOR FRIST: As President of the American Urological Association (AUA), representing 9,200 urologists in this country, I would like to thank you for introducing the ''Prostate Cancer Research and Prevention Act.'' The AUA supports this legislation, which recognizes that prostate cancer early detection and education are vital tools in the fight against prostate cancer. As you know, the American Cancer Society (ACS) estimates that 179,300 new cases of prostate cancer will be diagnosed in 1999, and that 37,000 men will die from this disease this year.

In a recent paper by Roberts et al (Journal of Urology 161:529, 1999), U.S. prostate cancer deaths per 100,000 men from the years 1989 to 1992 were compared to the years 1993 to 1997. The authors found that prostate cancer deaths have fallen significantly, and conclude that early detection may have led to a decline in prostate cancer deaths.

We would only point out a concern we have about the bill's reliance on the United States Preventive Services Task Force (USPSTF), which currently does not recommend prostate cancer early detection. This varies from the AUA and ACS policy positions (see attachment), and we believe this could send a confusing message to patients. Moreover, Congress enacted prostate cancer early detection coverage for Medicare beneficiaries aged 50 and older in 1997. We believe reliance on USPSTF could engender confusion about the value of prostate cancer early detection.

Again, thank you for introducing this important legislation, and we look forward to working with you to advance this effort. To coordinate any future efforts, please contact Scott Reid, AUA Government Relations Manager.

Sincerely,

LLOYD H. HARRISON, M.D.,
President.

MEN'S HEALTH NETWORK,
Washington, DC, June 16, 1999.

Hon. BILL FRIST, M.D.,
Chairman, Subcommittee on Public Health, Senate Committee on Health, Education, Labor and Pensions, U.S. Senate, Washington, DC.

DEAR SENATOR FRIST: I am writing on behalf of the Men's Health Network (MHN) in support of legislation which will revise and extend the prostate cancer prevention health program at the Centers for Disease Control. We thank you for proposing this important legislation. As you know, educating the public as to the prevalence and risks of prostate cancer is of great importance in fighting this deadly disease.

As the baby boom generation ages, the risk of prostate cancer, if unchecked, will continue to increase. Prostate cancer is the most commonly occurring cancer in America, affecting about 200,000 men in 1999. Nearly 40,000 men will lose their lives to the disease this year. A man has a one in six chance of getting prostate cancer in his lifetime. If he has a close relative with prostate cancer, his risk doubles. With two close relatives, his risk increases five-fold. With three close relatives, his risk is nearly 97%. Today, African-American men have the highest prostate cancer incidence rate in the world. The African-American mortality rate from the disease is more than twice that of the rate for Caucasian Americans.

With the right investment in education and research, prostate cancer is preventable, controllable and curable. There is no better time than National Men's Health Week for all of us to focus on prostate cancer and men's health. It is vitally important to educate not only men but their families as to the risk factors associated with this disease and the need for annual screenings.

Thank you for addressing this critical public health issue. If there is anything we can do in the future to assist in the passage of your bill, please do not hesitate to let us know.

Sincerely,

TRACIE SNITKER,
Government Relations.

By Mr. THOMPSON (for himself, Mrs. LINCOLN, Mr. VOINOVICH, Mr. KERREY, and Mr. BREAUX):

S. 1244. A bill to establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes; to the Committee on Governmental Affairs.

TRUTH IN REGULATING ACT OF 1999

Mr. THOMPSON. Mr. President, I rise to introduce the ''Truth in Regulating Act.'' This legislation would establish a 3-year pilot project to support Congressional oversight to ensure that important regulatory decisions are efficient, effective, and fair.

The foundation of the ''Truth in Regulating Act'' is the right of Congress and the people we serve to know about important regulatory decisions. Through the General Accounting Office, which serves as Congress' eyes and ears, this legislation will help us get access to the important information that Federal agencies use to make regulatory decisions before the horse gets out of the barn. So, in a real sense, this legislation not only gives people the right to know; it gives them the right to see—to see how the government works, or doesn't. And by providing us with information that agencies use to make regulations, it will enable Congress to ensure that agency regulations are consistent with Congress' intent and the authority that Congress has delegated to the agencies by statute. This will make the regulatory process more transparent, more accountable, and more democratic. It will help improve the quality and fairness of important regulations. This will contribute to the success of programs the public values and improve public confidence in the Federal Government, which is a real concern today.

Under the 3-year pilot project established by this legislation, a Committee

of either House of Congress may request the Comptroller General to review an economically significant rule as it is being developed. The Comptroller General shall submit a report no later than 180 calendar days after a committee request is received. This should allow Congress ample time to decide whether it wants to disapprove the rule under the Congressional Review Act. The Comptroller General's independent analysis of the rule shall include: an analysis of the potential benefits of the rule, the potential costs of the rule, any alternative approaches that could achieve the goal in a more cost-effective manner or that could produce greater net benefits, the extent to which the rule would affect State or local governments, and a summary of how the results of the analysis of the Comptroller General differ, if at all, from the results of agency analyses. The Comptroller General will have the discretion to develop the procedures for determining the priority of requests.

Mr. President, it is my hope that the ''Truth in Regulating Act'' will encourage Federal agencies to make better use of modern decisionmaking tools, such as risk assessment and benefit-cost analysis. Currently, these important tools often are viewed simply as options—options that aren't used as much or as well as they should be. The Governmental Affairs Committee has reviewed and developed a voluminous record showing that our regulatory process is not working as well as intended and is missing important opportunities to achieve greater benefits at less cost. On April 22, I chaired a hearing in which we heard testimony on the need for this proposal. The General Accounting Office has done important studies for Governmental Affairs and other committees showing that agency practices—in cost-benefit analysis, risk assessment, and in meeting transparency and disclosure requirements of laws and executive orders—need significant improvement. Many other authorities support these findings.

All of us benefit when government performs well and meets the needs of the people it serves. I want to thank BLANCHE LINCOLN, GEORGE VOINOVICH, BOB KERREY, and JOHN BREAUX for joining me as original cosponsors of this bill. All of us on both sides of the aisle should pull together to improve the quality of our government. I urge by colleagues to support this important legislation.

I ask unanimous consent that the ''Truth in Regulating Act'' be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1244

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Truth in Regulating Act of 1999''.

SEC. 2. PURPOSES.

The purposes of this Act are to—

(1) increase the transparency of important regulatory decisions;

(2) promote effective congressional oversight to ensure that agency rules fulfill statutory requirements in an efficient, effective, and fair manner; and

(3) increase the accountability of Congress and the agencies to the people they serve.

SEC. 3. DEFINITIONS.

In this Act, the term—

(1) ''agency'' has the meaning given such term under section 551(1) of title 5, United States Code;

(2) ''economically significant rule'' means any proposed or final rule, including an interim or direct final rule, that may have an annual effect on the economy of $100,000,000 or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; and

(3) ''independent analysis'' means a substantive review of the agency's underlying assessments and assumptions used in developing the regulatory action and whatever additional analysis the Comptroller General determines to be necessary.

SEC. 4. PILOT PROJECT FOR REPORT ON RULES.

(a) IN GENERAL.—

(1) REQUEST OF REVIEW.—When an agency develops or issues an economically significant rule, the Comptroller General of the United States may review the rule at the request of a committee of either House of Congress.

(2) REPORT.—The Comptroller General shall submit a report on each economically significant rule selected under paragraph (4) to the committees of jurisdiction in each House of Congress not later than 180 calendar days after a committee request is received. The report shall include an independent analysis of the economically significant rule by the Comptroller General using any relevant data or analyses available to or generated by the General Accounting Office.

(3) INDEPENDENT ANALYSIS.—The independent analysis of the economically significant rule by the Comptroller General under paragraph (2) shall include—

(A) an analysis of the potential benefits of the rule, including any beneficial effects that cannot be quantified in monetary terms and the identification of the persons or entities likely to receive the benefits;

(B) an analysis of the potential costs of the rule, including any adverse effects that cannot be quantified in monetary terms and the identification of the persons or entities likely to bear the costs;

(C) an analysis of alternative approaches that could achieve the statutory goal in a more cost-effective manner or that could provide greater net benefits, and, if applicable, a brief explanation of any reason why such alternatives could not be adopted;

(D) an analysis of the extent to which the rule would affect State or local governments; and

(E) a summary of how the results of the analysis of the Comptroller General differ, if at all, from the results of the analyses of the agency in promulgating the rule.

(4) PROCEDURES FOR PRIORITIES OF REQUESTS.—The Comptroller General shall have discretion to develop procedures for determining the priority and number of requests for review under paragraph (1) for which a report will be submitted under paragraph (2).

(b) COOPERATION WITH COMPTROLLER GENERAL.—Each agency shall cooperate with the Comptroller General by promptly providing the Comptroller General with such records and information that the Comptroller General determines necessary to carry out this Act.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the General Accounting Office to carry out this Act $5,200,000 for each of fiscal years 2000 through 2002.

SEC. 6. EFFECTIVE DATE AND DURATION OF PILOT PROJECT.

(a) EFFECTIVE DATE.—This Act and the amendments made by this Act shall take effect 90 days after the date of enactment of this Act.

(b) DURATION OF PILOT PROJECT.—The pilot project under this Act shall continue for a period of 3 years, if in each fiscal year, or portion thereof included in that period, a specific annual appropriation not less than $5,200,000 or the pro-rated equivalent thereof shall have been made for the pilot project.

(c) REPORT.—Before the conclusion of the 3-year period, the Comptroller General shall submit to Congress a report reviewing the effectiveness of the pilot project and recommending whether or not Congress should permanently authorize the pilot project.

ADDITIONAL COSPONSORS

S. 51

At the request of Mr. BIDEN, the names of the Senator from Florida (Mr. GRAHAM) and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of S. 51, a bill to reauthorize the Federal programs to prevent violence against women, and for other purposes.

S. 61

At the request of Mr. DEWINE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 61, a bill to amend the Tariff Act of 1930 to eliminate disincentives to fair trade conditions.

S. 285

At the request of Mr. MCCAIN, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 472

At the request of Mr. GRASSLEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 495

At the request of Mr. BOND, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 495, a bill to amend the Clean Air Act to repeal the highway sanctions.

S. 632

At the request of Mr. DEWINE, the name of the Senator from Hawaii (Mr.

INOUYE) was added as a cosponsor of S. 632, a bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 660

At the request of Mr. BINGAMAN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 660, a bill to amend title XVIII of the Social Security Act to provide for coverage under part B of the medicare program of medical nutrition therapy services furnished by registered dietitians and nutrition professionals.

S. 801

At the request of Mr. SANTORUM, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 801, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

S. 892

At the request of Mr. ROBB, his name was added as a cosponsor of S. 892, a bill to amend the Internal Revenue Code of 1986 to permanently extend the subpart F exemption for active financing income.

S. 894

At the request of Mr. CLELAND, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 894, a bill to amend title 5, United States Code, to provide for the establishment of a program under which long-term care insurance is made available to Federal employees and annuitants, and for other purposes.

S. 1010

At the request of Mr. ROBB, his name was added as a cosponsor of S. 1010, a bill to amend the Internal Revenue Code of 1986 to provide for a medical innovation tax credit for clinical testing research expenses attributable to academic medical centers and other qualified hospital research organizations.

S. 1132

At the request of Mr. ROBB, his name was added as a cosponsor of S. 1132, a bill to amend the Internal Revenue Code of 1986 to allow the reinvestment of employee stock ownership plan dividends without the loss of any dividend reduction.

S. 1145

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1145, a bill to provide for the appointment of additional Federal circuit and district judges, and for other purposes.

S. 1209

At the request of Mr. ROBB, his name was added as a cosponsor of S. 1209, a bill to amend the Internal Revenue Code of 1986 to restore pension limits to equitable levels, and for other purposes.

S. 1212

At the request of Mr. CAMPBELL, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1212, a bill to restrict United States assistance for certain reconstruction efforts in the Balkans region of Europe to United States-produced articles and services.

SENATE RESOLUTION 117

At the request of Mr. CAMPBELL, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of Senate Resolution 117, a resolution expressing the sense of the Senate regarding the United States share of any reconstruction measures undertaken in the Balkans region of Europe on account of the armed conflict and atrocities that have occurred in the Federal Republic of Yugoslavia since March 24, 1999.

SENATE RESOLUTION 118

At the request of Mr. REID, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of Senate Resolution 118, a resolution designating December 12, 1999, as ''National Children's Memorial Day.''

SENATE CONCURRENT RESOLUTION 41—EXPRESSING THE SENSE OF THE CONGRESS REGARDING THE TREATMENT OF RELIGIOUS MINORITIES IN THE ISLAMIC REPUBLIC OF IRAN, AND PARTICULARLY THE RECENT ARRESTS OF MEMBERS OF THAT COUNTRY'S JEWISH COMMUNITY

Mr. SCHUMER submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 41

Whereas 10 percent of the citizens of the Islamic Republic of Iran are members of religious minority groups;

Whereas, according to the State Department and internationally recognized human rights organizations, such as Human Rights Watch and Amnesty International, religious minorities in the Islamic Republic of Iran—including Sunni Muslims, Baha'is, Christians, and Jews—have been the victims of human rights violations solely because of their status as religious minorities;

Whereas the 55th session of the United Nations Commission on Human Rights passed Resolution 1999/13, which expresses the concern of the international community over ''continued discrimination against religious minorities'' in the Islamic Republic of Iran, and calls on that country to moderate its policy on religious minorities until they are ''completely emancipated'';

Whereas more than half the Jews in Iran have been forced to flee that country since the Islamic Revolution of 1979 because of religious persecution, and many of them now reside in the United States;

Whereas the Iranian Jewish community, with a 2,500-year history and currently numbering some 30,000 people, is the oldest Jewish community living in the Diaspora;

Whereas five Jews have been executed by the Iranian government in the past five years without having been tried;

Whereas there has been a noticeable increase recently in anti-Semitic propaganda in the government-controlled Iranian press;

Whereas, on the eve of the Jewish holiday of Passover 1999, thirteen or more Jews, including community and religious leaders in the city of Shiraz, were arrested by the authorities of the Islamic Republic of Iran; and

Whereas, in keeping with its dismal record on providing accused prisoners with due process and fair treatment, the Islamic Republic of Iran failed to charge the detained Jews with any specific crime or allow visitation by relatives of the detained for more than two months: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the Clinton administration should—

(1) be commended for supporting Resolution 1999/13, and should continue to work through the United Nations to assure that the Islamic Republic of Iran implements that resolution's recommendations;

(2) condemn, in the strongest possible terms, the recent arrest of members of Iran's Jewish minority and urge their immediate release;

(3) urge all nations having relations with the Islamic Republic of Iran to condemn the treatment of religious minorities in Iran and call for the release of all prisoners held on the basis of their religious beliefs; and

(4) maintain the current United States policy toward the Islamic Republic of Iran unless and until that country moderates its treatment of religious minorities.

SENATE RESOLUTION 125—ENCOURAGING AND PROMOTING GREATER INVOLVEMENT OF FATHERS IN THEIR CHILDREN'S LIVES AND DESIGNATING JUNE 20, 1999, AS ''NATIONAL FATHER'S RETURN DAY''

Mr. LIEBERMAN (for himself, Mr. GREGG, Mr. BAYH, Mr. BROWNBACK, Mr. MACK, Mr. DODD, Mr. DOMENICI, Mr. JEFFORDS, Mr. ALLARD, Mr. COCHRAN, Ms. LANDRIEU, Mr. BUNNING, Mr. ROBB, Mr. DORGAN, Mr. DASCHLE, Mr. AKAKA, Mr. GORTON, Mr. SMITH of Oregon, Mr. ENZI, Mr. BENNETT, Mr. HUTCHINSON, Mr. SESSIONS, Mr. DEWINE, Mr. CAMPBELL, and Mr. THURMOND) submitted the following resolution; which was considered and agreed to:

S. RES. 125

Whereas more than 1 out of every 3 children currently live in a household where the child's father does not reside;

Whereas approximately half of all the children born in the United States will spend at least half of their childhood in a family without a father figure;

Whereas approximately 40 to 50 percent of all marriages are predicted to end in divorce;

Whereas approximately 3 out of every 5 divorcing couples have at least 1 child;

Whereas almost half of all children aged 11 through 16 that live in mother-headed homes have not seen their father in the last 12 months;

Whereas 79 percent of people in the United States believe that the most significant family or social problem facing the country is the physical absence of fathers from the home, resulting in a lack of involvement of fathers in the rearing and development of children;

Whereas the likelihood that a young male will engage in criminal activity doubles if he is reared without a father and triples if he lives in a neighborhood comprised largely of single-parent families;

Whereas studies reveal that even in high-crime, inner city neighborhoods, over 90 percent of children from safe, stable, 2-parent homes do not become delinquents;

Whereas compared to children reared in 2-parent families, children reared in single-parent families are less likely to complete high school and thus, more likely as adults to obtain low paying, unstable jobs;

Whereas researchers have linked the presence of fathers with improved fetal and infant development, and father-child interaction has been shown to promote a child's physical well-being, perceptual abilities, and competency for interpersonal relations;

Whereas researchers have also found that both boys and girls demonstrate a greater ability to take initiative and exercise self-control when they are reared by fathers who are actively involved in their upbringing;

Whereas the general involvement of parents in the lives of their children has decreased significantly over the last generation;

Whereas a Gallup Poll indicated that over 50 percent of all adults agree that fathers today spend less time with their children than their fathers spent with them;

Whereas nearly 20 percent of children in grades 6 through 12 report that they have not had a meaningful conversation with even 1 parent in over a month;

Whereas in a broad survey of 100,000 children in grades 6 through 12, less than half of the children ''feel they have family boundaries or high expectations from parents or teachers'';

Whereas 3 out of 4 adolescents report that ''they do not have adults in their lives that model positive behaviors'';

Whereas in a widely cited study of the health risks to the young people in the United States, University of Minnesota researchers found that ''independent of race, ethnicity, family structure and poverty status, adolescents who are connected to their parents, their schools, and to their school community are healthier than those who are not'', and that ''when teens feel connected to their families, and when parents are involved in their children's lives, teens are protected'';

Whereas millions of single mothers in the United States are heroically struggling to raise their children in safe and loving environments;

Whereas promoting responsible fatherhood is not meant to diminish the parenting efforts of single mothers, but rather to increase the chances that children will have 2 caring parents to help them grow up healthy and secure;

Whereas many of this country's leading experts on family and child development agree that it is in the best interest of both children and the United States to encourage more 2-parent, father-involved families to form and endure;

Whereas in 1994, the National Fatherhood Initiative was formed to further the goal of raising societal awareness about the ramifications of father absence and father disengagement by mobilizing a national response to father absence;

Whereas the Congressional Task Force on Fatherhood Promotion and the Senate Task Force on Fatherhood Promotion that were formed in 1997, the Governors' Task Force on Fatherhood Promotion of 1998, and the Mayor's Task Force on Fatherhood Promotion of 1999 were created to work in partnership with the National Fatherhood Initiative;

Whereas on June 14, 1999, the National Fatherhood Initiative is holding a national summit on supporting urban fathers in Washington, D.C., to mobilize a response to father absence by many powerful sectors of society, including public policy, social services, educational, religious, entertainment, media, and civic groups; and

Whereas those groups are working across party, ideological, racial, and gender lines in order to reverse the trend of father absence and disengagement by encouraging and supporting responsible fatherhood and greater father involvement in children's lives: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that the creation of a better United States requires the active involvement of fathers in the rearing and development of their children;

(2) urges each father in the United States to accept his full share of responsibility for the lives of his children, to be actively involved in rearing his children, and to encourage the emotional, academic, moral, and spiritual development of his children;

(3) urges the States to hold fathers who ignore their legal responsibilities accountable for their actions and to pursue more aggressive enforcement of child support obligations;

(4) encourages each father to devote time, energy, and resources to his children, recognizing that children need not only material support, but also, more importantly, a secure, affectionate, family environment;

(5) urges governments and institutions at every level to remove barriers to father involvement and enact public policies that encourage and support the efforts of fathers who do want to become more engaged in the lives of their children;

(6) to demonstrate the commitment of the Senate to those critically important goals, designates June 20, 1999, as ''National Father's Return Day'';

(7) calls on fathers around the country to use the day to reconnect and rededicate themselves to their children's lives, to spend National Father's Return Day with their children, and to express their love and support for them; and

(8) requests that the President issue a proclamation calling on the people of the United States to observe ''National Father's Return Day'' with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED

FOREIGN RELATIONS AUTHORIZATION ACT

THOMAS AMENDMENT NO. 688

(Ordered to lie on the table.)

Mr. THOMAS submitted an amendment intended to be proposed by him to the bill, S. 886, to authorize appropriations for the Department of State for fiscal year 2000 and 2001; to provide for enhanced security at United States diplomatic facilities; to provide for certain arms control, nonproliferation, and other national security measures; to provide for the reform of the United Nations; and for other purposes; as follows:

At the appropriate place in the bill, insert the following new section and renumber the remaining sections accordingly:

''SEC. . PROHIBITION OF THE RETURN OF VETERANS MEMORIAL OBJECTS TO FOREIGN NATIONS WITHOUT SPECIFIC AUTHORIZATION IN LAW.

(a) PROHIBITION.—Notwithstanding section 2572 of title 10, United States Code, or any other provision of law, the President may not transfer a veterans memorial object to a foreign country or entity controlled by a foreign government, or otherwise transfer or convey such object to any person or entity for purposes of the ultimate transfer or conveyance of such object to a foreign country or entity controlled by a foreign government, unless specifically authorized by law.

(b) DEFINITIONS.—In this section:

(1) ENTITY CONTROLLED BY A FOREIGN GOVERNMENT.—The term ''entity controlled by a foreign government'' has the meaning given that term in section 2536(c)(1) of title 10, United States Code.

(2) VETERANS MEMORIAL OBJECT.—The term ''veterans memorial object'' means any object, including a physical structure or portion thereof, that—

(A) is located at a cemetery of the National Cemetery System, war memorial, or military installation in the United States;

(B) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the United States Armed Forces; and

(C) was brought to the United States from abroad as a memorial of combat abroad.''

SARBANES AMENDMENT NO. 689

Mr. SARBANES proposed an amendment to the bill, S. 688, supra; as follows:

On page 39, strike lines 14 and 15 and insert the following: ''for a period commensurate with the seriousness of the offense, as determined by Director General of the Foreign Service, except that the personnel records shall retain any record with respect to a reprimand for not less than one year and any record with respect to a suspension for not less than two years.'.''.

On page 41, line 15, strike ''one year'' and all that follows through the end of line 22 an insert the following: ''two years after the occurrence giving rise to the grievance or, in the case of a grievance with respect to the grievant's rater or reviewer, one year after the date on which the grievant ceased to be subject to rating or review by that person, but in no case less than two years after the occurrence giving rise to the grievance.'.''.

DODD AMENDMENT NO. 690

(Ordered to lie on the table.)

Mr. DODD submitted an amendment intended to be proposed by him to the bill, S. 886, supra; as follows:

At the appropriate place in the bill, insert the following new section—

SEC. . TRANSFER OF AUTHORITY FOR CRIMINAL INVESTIGATIONS FROM STATE DEPARTMENT INSPECTOR GENERAL TO DIPLOMATIC SECURITY SERVICE.

(a) Section 37(a)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709(a)(1)) is amended to read as follows:

''(1) conduct investigations—

(A) concerning illegal passport or visa issuance or use; and

(B) concerning potential violations of Federal criminal law by employees of the Department of State or the Broadcasting Board of Governors.

(b) Section 209(c)(3) of the Foreign Service Act of 1980 (22 U.S.C. 3929(c)(3)) is amended by adding the following—

''In such cases, the Inspector General shall immediately notify the Director of the Diplomatic Security Service, who, unless otherwise directed by the Attorney General, shall assume the responsibility for the investigation.''

(b) The amendment made by this section shall take effect October 1, 2000.

(c) Not later than February 1, 2000, the Secretary of State and the State Department Inspector General shall report to the appropriate congressional committees on—

(1) the budget transfer required from the Inspector General to the Diplomatic Security Service to carry out the provisions of this section;

(2) other budgetary resources necessary to carry out the provisions of this section;

(3) any other matters relevant to the implementation of this section.

FEINGOLD AMENDMENTS NOS. 691–692

(Ordered to lie on the table.)

Mr. FEINGOLD submitted two amendments intended to be proposed by him to the bill, S. 886, supra; as follows:

AMENDMENT NO. 691

At the appropriate place, insert:

SEC. .

(a) FINDINGS.—The Congress finds as follows:

(1) The International Criminal Tribunal for Rwanda (ICTR) was established to prosecute individuals responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda;

(2) A separate tribunal, the International Criminal Tribunal for the former Yugoslavia (ICTY), was created with a similar purpose for crimes committed in the territory of the former Yugoslavia;

(3) The acts of genocide and crimes against humanity that have been perpetrated against civilians in the Great Lakes region of Africa equal in horror the acts committed in the former Yugoslavia;

(4) The ICTR has succeeded in issuing at least 28 indictments against 48 individuals, and currently has in custody 38 individuals presumed to have led and directed the 1994 genocide;

(5) The ICTR issued the first conviction ever by an international court for the crime of genocide against Jean-Paul Akayesu, the former mayor of Taba, who was sentenced to life in prison;

(6) The mandate of the ICTR is limited to acts committed only during calendar year 1994, yet the mandate of the ICTY covers serious violations of international humanitarian law since 1991 through the present;

(7) There have been well substantiated allegations of major crimes against humanity and war crimes that have taken place in the Great Lakes region of Africa that fall outside of the current mandate of the tribunal in terms of either the dates when, or geographical areas where, such crimes took place;

(8) The attention accorded the ICTY and the indictments that have been made as a result of the ICTY's broad mandate continue to play an important role in current U.S. policy in the Balkans;

(9) The international community must send an unmistakable signal that genocide and other crimes against humanity cannot be committed with impunity;

(b) POLICY.—The President should instruct the U.S. representative to the United Nations to advocate to the Security Council an expansion of the mandate of the International Criminal Tribunal for Rwanda to include crimes committed outside calendar year 1994 and in a broader geographical area.

AMENDMENT NO. 692

On page 13, after line 10, add the following new section:

SEC. 106. LIMITATIONS ON NONCOMPETITIVELY AWARDED NED GRANTS.

(a) LIMITATIONS.—Of the total amount of grants made by the National Endowment for Democracy in each of the following fiscal years, not more than the following percentage for each such fiscal year shall be grants that are awarded on a noncompetitive basis to the core grantees of the National Endowment for democracy:

(1) For fiscal year 2000, 52 percent.

(2) For fiscal year 2001, 39 percent.

(3) For fiscal year 2002, 36 percent.

(4) For fiscal year 2003, 13 percent.

(5) For fiscal year 2004, zero percent.

(b) CORE GRANTEES OF THE NATIONAL ENDOWMENT FOR DEMOCRACY DEFINED.—In this section, the term ''core grantees of the National endowment for Democracy'' means the following:

(1) The International Republican Institute (IRI).

(2) The National Democratic Institute (NDI).

(3) The Center for International Private Enterprise (CIPE).

(4) The American Center for International Solidarity (also known as the ''Solidarity Center'').

FEINSTEIN (AND OTHERS) AMENDMENT NO. 693

(Ordered to lie on the table.)

Mrs. FEINSTEIN (for herself, Mr. FEINGOLD, and Mr. LEVIN) submitted an amendment intended to be proposed by them to the bill, S. 886, supra; as follows:

On page 115, after line 18, add the following new section:

SEC. ___. REPORTING REQUIREMENT ON WORLDWIDE CIRCULATION OF SMALL ARMS AND LIGHT WEAPONS.

(a) FINDINGS.—Congress makes the following findings:

(1) In numerous regional conflicts, the presence of vast numbers of small arms and light weapons has prolonged and exacerbated conflict and frustrated attempts by the international community to secure lasting peace. The sheer volume of available weaponry has been a major factor in the devastation witnessed in recent conflicts in Angola, Cambodia, Liberia, Mozambique, Rwanda, Sierra Leone, Somalia, Sri Lanka, and Afghanistan, among others, and has contributed to the violence endemic to narcotrafficking in Colombia and Mexico.

(2) Increased access by terrorists, guerrilla groups, criminals, and others to small arms and light weapons poses a real threat to United States participants in peacekeeping operations and United States forces based overseas, as well as to United States citizens traveling overseas.

(3) In accordance with the reorganization of the Department of State made by the Foreign Affairs Reform and Restructuring Act of 1998, effective March 28, 1999, all functions and authorities of the Arms Control and Disarmament Agency were transferred to the Secretary of State. One of the stated goals of that Act is to integrate the Arms Control and Disarmament Agency into the Department of State ''to give new emphasis to a broad range of efforts to curb proliferation of dangerous weapons and delivery systems''.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report containing—

(1) an assessment of whether the export of small arms poses any proliferation problems including—

(A) estimates of the numbers and sources of licit and illicit small arms and light arms in circulation and their origins;

(B) the challenges associated with monitoring small arms; and

(C) the political, economic, and security dimensions of this issue, and the threats posed, if any, by these weapons to United States interests, including national security interests;

(2) an assessment of whether the export of small arms of the type sold commercially in the United States should be considered a foreign policy or proliferation issue;

(3) a description of current Department of State activities to monitor and, to the extent possible ensure adequate control of, both the licit and illicit manufacture, transfer, and proliferation of small arms and light weapons, including efforts to survey and assess this matter with respect to Africa and to survey and assess the scope and scale of the issue, including stockpile security and destruction of excess inventory, in NATO and Partnership for Peace countries;

(4) a description of the impact of the reorganization of the Department of State made by the Foreign Affairs Reform and Restructuring Act of 1998 on the transfer of functions relating to monitoring, licensing, analysis, and policy on small arms and light weapons, including—

(A) the integration of and the functions relating to small arms and light weapons of the United States Arms Control and Disarmament Agency with those of the Department of State;

(B) the functions of the Bureau of Arms Control, the Bureau of Nonproliferation, the Bureau of Political-Military Affairs, the Bureau of International Narcotics and Law Enforcement, regional bureaus, and any other relevant bureau or office of the Department of State, including the allocation of personnel and funds, as they pertain to small arms and light weapons;

(C) the functions of the regional bureaus of the Department of State in providing information and policy coordination in bilateral and multilateral settings on small arms and light weapons;

(D) the functions of the Under Secretary of State for Arms Control and International Security pertaining to small arms and light weapons; and

(E) the functions of the scientific and policy advisory board on arms control, nonproliferation, and disarmament pertaining to small arms and light weapons; and

(5) an assessment of whether foreign governments are enforcing their own laws concerning small arms and light weapons import and sale, including commitments under the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials or other relevant international agreements.

LEAHY (AND OTHERS) AMENDMENT NO. 694

(Ordered to lie on the table.)

Mr. LEAHY (for himself, Mr. FEINGOLD, and Mr. REED, Mr. HARKIN, Mr. MCCONNELL, Mr. MOYNIHAN, Mr. KOHL, Mr. CHAFEE, Mr. KENNEDY, Mr. JEFFORDS, Mr. KERRY, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. SCHUMER, Mrs. BOXER, Mr. DURBIN, and Mr. WELLSTONE) submitted an amendment intended to be proposed by them to the bill, S. 886, supra; as follows:

At the appropriate place in the bil, insert the following:

SELF-DETERMINATION FOR EAST TIMOR

SEC. . (a) FINDINGS.—The Congress finds as follows:

(1) On May 5, 1999 the Governments of Indonesia and Portugal signed an agreement that provides for an August 8, 1999 ballot organized by the United Nations on East Timor's political status;

(2) On January 27, 1999, President Habibie expressed a willingness to consider independence for East Timor if a majority of the East Timorese reject autonomy in the August 8th ballot;

(3) Under the May 5th agreement the Government of Indonesia is responsible for ensuring that the August 8th ballot is carried out in a fair and peaceful way in an atmosphere free of intimidation, violence or interference;

(4) The inclusion of anti-independence militia members in Indonesian forces responsible for establishing security in East Timor violates the May 5th agreement which states that the absolute neutrality of the military and police is essential for holding a free and fair ballot;

(5) The arming of anti-independence militias by members of the Indonesian military for the purpose of sabotaging the August 8th ballot has resulted in hundreds of civilians killed, injured or disappeared in separate attacks by these militias who continue to act without restraint;

(6) The United Nations Secretary General has received credible reports of political violence, including intimidation and killings, by armed anti-independence militias against unarmed pro-independence civilians;

(7) There have been killings of opponents of independence, including civilians and militia members;

(8) The killings in East Timor hsould be fully investigated and the individuals responsible brought to justice;

(9) Access to East Timor by international human rights monitors and humanitarian organizations is limited, and members of the press have been threatened;

(10) The presence of members of the United Nations Assistance Mission in East Timor has already resulted in an improved security environment in the East Timorese capital of Dili;

(11) A robust international observer mission and police force throughout East Timor is critical to creating a stable and secure environment necessary for a free and fair ballot;

(12) The Administration should be commended for its support for the United Nations Assistance Mission in East Timor which will provide monitoring and support for the ballot and include international civilian police, military liaison officers and election monitors;

(b) POLICY.—The President, Secretary of State, Secretary of Defense, and the Secretary of the Treasury (acting through the United States executive directors to internaional financial institutions) should immediately intensify their efforts to prevail upon the Indonesian Government and military to—

(A) disarm and disband anti-independence militias;

(B) grant full access to East Timor by international human rights monitors, humanitarian organizations, and the press;

(C) allow Timorese who have been living in exile to return to East Timor to participate in the ballot; and

(2) the President should submit a report to the Congress, not later than 21 days after passage of this Act, containing a description of the Administration's efforts and his assessment of steps taken by the Indonesian Government and military to ensure a stable and secure environment in East Timor, including those steps described in paragraph (1).

SARBANES AMENDMENT NO. 695

(Ordered to lie on the table.)

Mr. SARBANES submitted an amendment intended to be proposed by him to the bill, S. 886, supra; as follows:

On page 116, strike ''$94,000,000 for the fiscal year 2000 and $940,000,000'' and insert ''$963,308,000 for the fiscal year 2000 and $963,308,000''.

On page 121, line 6, strike ''$215,000,000 for the fiscal year 2000 and $215,000,000'' and insert ''$235,000,000 for the fiscal year 2000 and $235,000,000''.

WELLSTONE (AND OTHERS) AMENDMENT NO. 696

(Ordered to lie on the table.)

Mr. WELLSTONE (for himself, Mr. HARKIN, Mr. KOHL, Mr. LAUTENBERG, Mr. KENNEDY, and Mr. TORRICELLI) submitted an amendment intended to be proposed by them to the bill S. 886, supra; as follows:

On page 115, after line 18, insert the following new section:

SEC. 730. SENSE OF SENATE REGARDING CHILD LABOR.

(a) FINDINGS.—The Senate makes the following findings:

(1) The International Labor Organization (in this resolution referred to as the ''ILO'') estimates that at least 250,000,000 children under the age of 15 are working around the world, many of them in dangerous jobs that prevent them from pursuing an education and damage their physical and moral well-being.

(2) Children are the most vulnerable element of society and are often abused physically and mentally in the work place.

(3) Making children work endangers their education, health, and normal development.

(4) UNICEF estimates that by the year 2000, over 1,000,000,000 adults will be unable to read or write on even a basic level because they had to work as children and were not educated.

(5) Nearly 41 percent of the children in Africa, 22 percent in Asia, and 17 percent in Latin America go to work without ever having seen the inside of a classroom.

(6) The President, in his State of the Union address, called abusive child labor ''the most intolerable labor practice of all,'' and called upon other countries to join in the fight against abusive and exploitative child labor.

(7) The Department of Labor has conducted 5 detailed studies that document the growing trend of child labor in the global economy, including a study that shows children as young as 4 are making assorted products that are traded in the global marketplace.

(8) The prevalence of child labor in many developing countries is rooted in widespread poverty that is attributable to unemployment and underemployment among adults, low living standards, and insufficient education and training opportunities among adult workers and children.

(9) The ILO has unanimously reported a new Convention on the Worst Forms of Child Labor.

(10) The United States negotiators played a leading role in the negotiations leading up to the successful conclusion of the new ILO Convention on the Worst Forms of Child Labor.

(11) On September 23, 1993, the United States Senate unanimously adopted a resolution stating its opposition to the importation of products made by abusive and exploitative child labor and the exploitation of children for commercial gain.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) abusive and exploitative child labor should not be tolerated anywhere it occurs;

(2) ILO member States should be commended for their efforts in negotiating this historic convention;

(3) the Senate should consider the new ILO Convention on the Worst Forms of Child Labor as soon as practical after submission by the President;

(4) it should be the policy of the United States to continue to work with all foreign nations and international organizations to promote an end to abusive and exploitative child labor; and

(5) ILO member States should take necessary steps to meet the standards and objectives of the new ILO Convention.

WELLSTONE AMENDMENT NO. 697

(Ordered to lie on the table.)

Mr. WELLSTONE submitted an amendment intended to be proposed by him to the bill, S. 886, supra; as follows:

At the appropriate place, insert the following—

SEC. .

Expressing the sense of Senate that the global use of child soldiers is unacceptable and that the International Community must find remedies to end this practice:

(a) FINDINGS.—The Senate makes the following findings:

(1) There are at least 300,000 children below the age of 18 who are involved in armed conflict in at least 25 countries around the world. This is an escalating international humanitarian crisis which must be addressed promptly;

(2) Children are uniquely vulnerable to military recruitment because of their emotional and physical immaturity, are easily manipulated and can be drawn into violence that they are too young to resist or understand;

(3) Children are most likely to become child soldiers if they are orphans, refugees, poor, separated from their families, displaced from their homes, living in a combat zone, or have limited access to education;

(4) Child soldiers, besides being exposed to the normal hazards of combat, are also afflicted with other injuries due to their lives in the military. Young children may have sexually related illnesses, suffer from malnutrition, have deformed backs and shoulders which are the result of carrying loads too heavy for them, as well as respiratory and skin infections;

(5) One of the most egregious examples of the use of child soldiers in the abduction of thousands of children, some as young as 8 years of age, by the Lord's Resistance Army (in this resolution referred to as the ''LRA'') in northern Uganda;

(6) The Department of State's Country Reports on Human Rights Practice for 1999 reports that in Uganda the LRA abducted children ''to be guerrillas and tortured them by beating them, raping them, forcing them to march until collapse, and denying them adequate food, water, or shelter.'';

(7) Children who manage to escape from LRA captivity have little access to trauma care and rehabilitation programs, and many find their families displaced, missing, dead, or fearful of having their children return home;

(8) A large number of children have participated and been killed in the armed conflict in Sri Lanka and the use of children as soldiers has led to a breakdown in law and order in Sierra Leone;

(9) Graca Machel, the former United Nations expert on the impact of armed conflict on children, identified the immediate demobilization of all child soldiers as an urgent priority, and recommended the establishment through an optional protocol to the Convention on the Rights of the Child of 18 as the minimum age for recruitment and participation in armed conflict; and

(10) The international community is trying to reach a consensus on how to most effectively deal with this grave problem and

among these options is the raising of the international legal age of recruitment to 18 years old;

(11) The International Committee of the Red Cross, the United Nations Children's Fund (UNICEF), the United Nations High Commission on Refugee, and the United Nations High Commissioner on Human Rights also support the establishment of 18 as the minimum age for military recruitment and participation in armed conflict;

(12) The United Nations has decided to make 18 the minimum age for its own peacekeeping forces;

(13) International organizations such as the European Parliament and the 8th Assembly of the World Council of Churches have condemned the use of child soldiers;

(14) Religious leaders such as Pope John Paul II and Nobel Peace Prize winner Arch Bishop Desmond Tutu have urged that children no longer be used as soldiers;

(15) US civic organizations drawn from the religious, peace and justice and human rights communities such as the 36 member organizations of the Washington Coalition on Child Soldiers seek US support for alleviating this crisis;

(16) The United Nations created a Working Group to negotiate language that would formulate an Optional Protocol to the Convention on the Rights of the Child, which would raise the age of recruitment of children.

(17) For the past four years the international community has been negotiating language for an Optional Protocol without reaching a consensus agreement: Now, therefore, be it *Resolved*, That the Senate hereby—

1) Joins the international community in condemning the use of children as soldiers and combatants by governmental and nongovernmental armed forces;

2) Expresses the sense of Congress that US policy should be one of permitting consensus on the language of an Optional Protocol.

3) Directs the State Department to address positively and expediently this issue in the next session of the Working Group, before this process is abandoned, resulting therefore in the protection of hundreds of thousands of children from the life of a soldier and the horrors of war;

4) Directs the State Department to study the issue of the rehabilitation of former child soldiers, the manner in which their suffering can be alleviated and the positive role that the US can play in such an effort, and to submit a report to Congress on the issue of rehabilitation of child soldiers and their families.

WELLSTONE AMENDMENT NO. 698.

(Ordered to lie on the table.)

Mr. WELLSTONE submitted an amendment intended to be proposed by him to the bill, S. 886, supra; as follows:

On page 115, after line 18, add the following new subtitle:

Subtitle C—International Trafficking of Women and Children Victim Protection

SEC. ___01. SHORT TITLE.

This subtitle may be cited as the ''International Trafficking of Women and Children Victim Protection Act of 1999''.

SEC. ___02. FINDINGS.

Congress makes the following findings:

(1) The worldwide trafficking of persons has a disproportionate impact on women and girls and has been and continues to be condemned by the international community as a violation of fundamental human rights.

(2) The fastest growing international trafficking business is the trade in women, whereby women and girls seeking a better life, a good marriage, or a lucrative job abroad, unexpectedly find themselves in situations of forced prostitution, sweatshop labor, exploitative domestic servitude, or battering and extreme cruelty.

(3) Trafficked women and children, girls and boys, are often subjected to rape and other forms of sexual abuse by their traffickers and often held as virtual prisoners by their exploiters, made to work in slavery-like conditions, in debt bondage without pay and against their will.

(4) The President, the First Lady, the Secretary of State, the President's Interagency Council on Women, and the Agency for International Development have all identified trafficking in women as a significant problem.

(5) The Fourth World Conference on Women (Beijing Conference) called on all governments to take measures, including legislative measures, to provide better protection of the rights of women and girls in trafficking, to address the root factors that put women and girls at risk to traffickers, and to take measures to dismantle the national, regional, and international networks on trafficking.

(6) The United Nations General Assembly, noting its concern about the increasing number of women and girls who are being victimized by traffickers, passed a resolution in 1998 calling upon all governments to criminalize trafficking in women and girls in all its forms and to penalize all those offenders involved, while ensuring that the victims of these practices are not penalized.

(7) Numerous treaties to which the United States is a party address government obligations to combat trafficking, including such treaties as the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, which calls for the complete abolition of debt bondage and servile forms of marriage, and the 1957 Abolition of Forced Labor Convention, which undertakes to suppress and requires signatories not to make use of any forced or compulsory labor.

SEC. ___03. PURPOSES.

The purposes of this subtitle are to condemn and combat the international crime of trafficking in women and children and to assist the victims of this crime by—

(1) setting a standard by which governments are evaluated for their response to trafficking and their treatment of victims;

(2) authorizing and funding an interagency task force to carry out such evaluations and to issue an annual report of its findings to include the identification of foreign governments that tolerate or participate in trafficking and fail to cooperate with international efforts to prosecute perpetrators;

(3) assisting trafficking victims in the United States by providing humanitarian assistance and by providing them temporary nonimmigrant status in the United States;

(4) assisting trafficking victims abroad by providing humanitarian assistance; and

(5) denying certain forms of United States foreign assistance to those governments which tolerate or participate in trafficking, abuse victims, and fail to cooperate with international efforts to prosecute perpetrators.

SEC. ___04. DEFINITIONS.

In this subtitle:

(1) POLICE ASSISTANCE.—The term ''police assistance''—

(A) means—

(i) assistance of any kind, whether in the form of grant, loan, training, or otherwise, provided to or for foreign law enforcement officials, foreign customs officials, or foreign immigration officials;

(ii) government-to-government sales of any item to or for foreign law enforcement officials, foreign customs officials, or foreign immigration officials; and

(iii) any license for the export of an item sold under contract to or for the officials described in clause (i); and

(B) does not include assistance furnished under section 534 of the Foreign Assistance Act of 1961 (22 U.S.C. 2346c; relating to the administration of justice) or any other assistance under that Act to promote respect for internationally recognized human rights.

(2) TRAFFICKING.—The term ''trafficking'' means the use of deception, coercion, debt bondage, the threat of force, or the abuse of authority to recruit, transport within or across borders, purchase, sell, transfer, receive, or harbor a person for the purpose of placing or holding such person, whether for pay or not, in involuntary servitude, or slavery or slavery-like conditions, or in forced, bonded, or coerced labor.

(3) VICTIM OF TRAFFICKING.—The term ''victim of trafficking'' means any person subjected to the treatment described in paragraph (2).

SEC. ___05. INTER-AGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established within the Department of State in the Office of the Secretary of State an Inter-Agency Task Force to Monitor and Combat Trafficking (in this section referred to as the ''Task Force''). The Task Force shall be co-chaired by the Assistant Secretary of State for Democracy, Human Rights, and Labor Affairs and the Senior Coordinator on International Women's Issues, President's Interagency Council on Women.

(2) APPOINTMENT OF MEMBERS.—The members of the Task Force shall be appointed by the Secretary of State. The Task Force shall consist of no more than twelve members.

(3) COMPOSITION.—The Task Force shall include representatives from the—

(A) Violence Against Women Office, Office of Justice Programs, Department of Justice;

(B) Office of Women in Development, United States Agency for International Development; and

(C) Bureau of International Narcotics and Law Enforcement Affairs, Department of State.

(4) STAFF.—The Task Force shall be authorized to retain up to five staff members within the Bureau of Democracy, Human Rights, and Labor Affairs, and the President's Interagency Council on Women to prepare the annual report described in subsection (b) and to carry out additional tasks which the Task Force may require. The Task Force shall regularly hold meetings on its activities with nongovernmental organizations.

(b) ANNUAL REPORT TO CONGRESS.—Not later than March 1 of each year, the Secretary of State, with the assistance of the Task Force, shall submit a report to Congress describing the status of international trafficking, including—

(1) a list of foreign states where trafficking originates, passes through, or is a destination; and

(2) an assessment of the efforts by the governments described in paragraph (1) to combat trafficking. Such an assessment shall address—

(A) whether any governmental authorities tolerate or are involved in trafficking activities;

(B) which governmental authorities are involved in anti-trafficking activities;

(C) what steps the government has taken toward ending the participation of its officials in trafficking;

(D) what steps the government has taken to prosecute and investigate those officials found to be involved in trafficking;

(E) what steps the government has taken to prohibit other individuals from participating in trafficking, including the investigation, prosecution, and conviction of individuals involved in trafficking, the criminal and civil penalties for trafficking, and the efficacy of those penalties on reducing or ending trafficking;

(F) what steps the government has taken to assist trafficking victims, including efforts to prevent victims from being further victimized by police, traffickers, or others, grants of stays of deportation, and provision of humanitarian relief, including provision of mental and physical health care and shelter;

(G) whether the government is cooperating with governments of other countries to extradite traffickers when requested;

(H) whether the government is assisting in international investigations of transnational trafficking networks; and

(I) whether the government—

(i) refrains from prosecuting trafficking victims or refrains from other discriminatory treatment towards trafficking victims due to such victims having been trafficked, or the nature of their work, or their having left the country illegally; and

(ii) recognizes the rights of victims and ensures their access to justice.

(c) REPORTING STANDARDS AND INVESTIGATIONS.—

(1) RESPONSIBILITY OF THE SECRETARY OF STATE.—The Secretary of State shall ensure that United States missions abroad maintain a consistent reporting standard and thoroughly investigate reports of trafficking.

(2) CONTACTS WITH NONGOVERNMENTAL ORGANIZATIONS.—In compiling data and assessing trafficking for the Human Rights Report and the Inter-Agency Task Force to Monitor and Combat Trafficking Annual Report, United States mission personnel shall seek out and maintain contacts with human rights and other nongovernmental organizations, including receiving reports and updates from such organizations, and, when appropriate, investigating such reports.

SEC. ___06. INELIGIBILITY FOR POLICE ASSISTANCE.

(a) INELIGIBILITY.—Except as provided in subsection (b), any foreign government identified in the latest report submitted under section ___05 as a government that—

(1) has failed to take effective action towards ending the participation of its officials in trafficking; and

(2) has failed to investigate and prosecute meaningfully those officials found to be involved in trafficking,

shall not be eligible for police assistance.

(b) WAIVER OF INELIGIBILITY.—The President may waive the application of subsection (a) to a foreign country if the President determines and certifies to Congress that the provision of police assistance to the country is in the national interest of the United States.

SEC. ___07. PROTECTION OF TRAFFICKING VICTIMS.

(a) NONIMMIGRANT CLASSIFICATION FOR TRAFFICKING VICTIMS.—Section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) is amended—

(1) by striking ''or'' at the end of subparagraph (R);

(2) by striking the period at the end of subparagraph (S) and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(T) an alien who the Attorney General determines—

''(i) is physically present in the United States, and

''(ii) is or has been a trafficking victim (as defined in section ___04 of the International Trafficking of Women and Children Victim Protection Act of 1999),

for a stay of not to exceed 3 months in the United States, except that any such alien who has filed a petition seeking asylum or who is pursuing civil or criminal action against traffickers shall have the alien's status extended until the petition or litigation reaches its conclusion.''.

(b) WAIVER OF GROUNDS FOR INELIGIBILITY FOR ADMISSION.—Section 212(d) of the Immigration and Nationality Act (8 U.S.C. 1182(d)) is amended—

(1) by inserting ''(1)'' after ''(d)''; and

(2) by adding at the end the following:

''(2) The Attorney General shall, in the Attorney General's discretion, waive the application of subsection (a) (other than paragraph (3)(E)) in the case of a nonimmigrant described in section 101(a)(15)(T), if the Attorney General considers it to be in the national interest to do so.''.

(c) INVOLUNTARY SERVITUDE.—Section 1584 of title 18, United States Code, is amended—

(1) inserting ''(a)'' before ''Whoever'';

(2) by striking ''or'' after ''servitude'';

(3) by inserting ''transfers, receives or harbors any person into involuntary servitude, or'' after ''servitude,''; and

(4) by adding at the end the following:

''(b) In this section, the term 'involuntary servitude' includes trafficking, slavery-like practices in which persons are forced into labor through non-physical means, such as debt bondage, blackmail, fraud, deceit, isolation, and psychological pressure.''.

(d) TRAFFICKING VICTIM REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Attorney General and the Secretary of State shall jointly promulgate regulations for law enforcement personnel, immigration officials, and Foreign Service officers requiring that—

(1) Federal, State and local law enforcement, immigration officials, and Foreign Service officers shall be trained in identifying and responding to trafficking victims;

(2) trafficking victims shall not be jailed, fined, or otherwise penalized due to having been trafficked, or nature of work;

(3) trafficking victims shall have access to legal assistance, information about their rights, and translation services;

(4) trafficking victims shall be provided protection if, after an assessment of security risk, it is determined the trafficking victim is susceptible to further victimization; and

(5) prosecutors shall take into consideration the safety and integrity of trafficked persons in investigating and prosecuting traffickers.

SEC. ___08. ASSISTANCE TO TRAFFICKING VICTIMS.

(a) IN THE UNITED STATES.—The Secretary of Health and Human Services is authorized and encouraged to provide, through the Office of Refugee Resettlement, assistance to trafficking victims and their children in the United States, including mental and physical health services, and shelter.

(b) IN OTHER COUNTRIES.—The President, acting through the Administrator of the United States Agency for International Development, is authorized and encouraged to provide programs and activities to assist trafficking victims and their children abroad, including provision of mental and physical health services, and shelter. Such assistance should give special priority to programs by nongovernmental organizations which provide direct services and resources for trafficking victims.

SEC. ___09. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR THE INTER-AGENCY TASK FORCE.—To carry out the purposes of section ___05, there are authorized to be appropriated to the Secretary of State $2,000,000 for fiscal year 2000 and $2,000,000 for fiscal year 2001.

(b) AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF HHS.—To carry out the purposes of section ___08(a), there are authorized to be appropriated to the Secretary of Health and Human Services $20,000,000 for fiscal year 2000 and $20,000,000 for fiscal year 2001.

(c) AUTHORIZATION OF APPROPRIATIONS TO THE PRESIDENT.—To carry out the purposes of section ___08(b), there are authorized to be appropriated to the President $20,000,000 for fiscal year 2000 and $20,000,000 for fiscal year 2001.

(d) PROHIBITION.—Funds made available to carry out this subtitle shall not be available for the procurement of weapons or ammunition.

MCCAIN AMENDMENT NO. 699

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill, S. 886, supra; as follows:

At the end of the bill, add the following new section:

Notwithstanding any other provision of law, the Inspector General of the Department of State shall serve as the Inspector General of the Inter-American Foundation and shall have all the authorities and responsibilities with respect to the Inter-American Foundation as the Inspector General has with respect to the Department of State.

ADDITIONAL STATEMENTS

SEAPLANE CREW'S BATTLE FOR RECOGNITION

• Mr. MOYNIHAN. Mr. President, I bring to the Senate's attention an excellent article written by Alan Emory, the Senior Washington Correspondent for the Watertown Daily Times, entitled ''WWII Seaplane Crew Still Battling With Navy Red Tape Over Medals.'' Mr. Emory tells the incredible story of the rescue of a U.S. Airman by the crew of the Patrol Bomber Martin from the waters off Japan in World War II. Remarkably, the crew was denied the proper recognition for this act, and they have battled over the years to right that wrong.

At the time the rescue took place, the Navy, according to those involved, promised the pilot the Navy Cross and his crew the Silver Star. When the medals were actually awarded, however, all were awarded lesser medals. The disappointed crew accepted the medals without complaint. Years later when an appeal was filed, the Navy rejected the claim on the grounds that the deadline for such appeals had passed. But, a 1997 law waived the time limitation on appeals for such heroic acts.

The Navy has denied that any promise was made to the pilot or the crew. However, a newly declassified document from six months after the rescue showed that in fact the Navy had promised the pilot, Robert H. Macgill, the Navy Cross. The crew had signed affidavits that they were promised the

Silver Star. Unfortunately no document has been found to back up their claim, but this in no way decreases the gravity of this oversight.

To date, the Department of the Navy has refused to upgrade the medal status of those involved, though the case is still under review. I thank Mr. Emory for bringing this important act of bravery and incredible oversight to our attention.

I ask that the article be printed into the RECORD.

The article follows:

[From the Watertown Daily Times, Apr. 4, 1999]

WWII SEAPLANE CREW STILL BATTLING WITH NAVY RED TAPE OVER MEDALS

(By Alan Emory)

WASHINGTON—One of the most daring exploits of World War II took place in the water off Kobe, Japan, on July 24, 1945.

The war itself ended about a month later.

For the pilot, copilot and crew of the huge Patrol Bomber Martin (PBM) seaplane that plucked a U.S. airman out of the water as Japanese boats headed for him, however, a post-war battle with Navy bureaucracy is still going on, nearly 54 years later.

The men, now all in their 70s, were promised certain medals—a Navy Cross for pilot Robert H. Macgill of Miami, Fla., and Silver Stars for the others. All agree the pilot regularly receives the highest honor because he makes the key decisions.

When medals were awarded however, Mr. Macgill received a Silver Star and the others Air Medals, which are given to any service personnel performing five flights in a combat area.

Though disappointed, the fliers accepted their downgraded decorations without complaint, but a Korean War fighter pilot heard about the situation and launched an appeal to the Navy Department with the help of the PBM copilot, David C. Quinn.

The Navy rejected the appeal, saying the deadline for such awards had expired. Last year, however, the ''Mariner/Marlin Association Newsletter'' reported that a 1997 law had waived the time limitation, and many war heroes had medal eligibility restored.

The Navy stood its ground, however, so Mr. Quinn, a North Salem, N.Y., lawyer and husband of syndicated columnist Jane Bryant Quinn, took his case to Rep. Sue W. Kelly, R-Katonah, and Sen. Daniel Patrick Moynihan D–N.Y. The evidence was reviewed, and they agreed the higher-level medals should be awarded.

Their case took on added political clout when one of the crewmen, Jerrold A. Watson, now a peach grower in Monetta, S.C., turned out to be a constituent of both Chairman Floyd Spence, R-S.C., of the House Armed Services Committee, and Sen. J. Strom Thurmond, R-S.C., former chairman of the Senate Armed Services Committee.

Sen. Moynihan called the rescue of the downed Corsair fighter pilot, Ensign Edwin A. Heck, 22, of Barrackville, W.Va., ''an act of bravery deserving of high recognition.''

Rep. Kelly said the ''extraordinary rescue,'' in the water off Japan's fourth largest city, merited ''something more than an Air Medal.''

She rejected the finding by Karen S. Heath, principal deputy to the Navy's chief of manpower and reserve affairs, that the awards were appropriate, countering that they resulted from ''errors in Navy records.''

Last September, then-Navy Secretary John H. Dalton told Sen. Moynihan that upgrading the Quinn medal was ''not warranted,'' and the Air Medal was ''appropriate and consistent'' with those awarded at the time.

The Navy argued steadily that there was no documentary proof that a Navy Cross for Mr. Macgill and Silver Stars for his crew had actually been recommended, although all involved signed affidavits that they had been promised those medals.

A declassified Navy memorandum six months after the rescue shows that Mr. Macgill had been recommended for a Navy Cross, though it does not affirm the oral recommendation for the Silver Stars for Mr. Quinn and the others.

Mr. Quinn says that, instead of a trio of ''antique, disjointed medal-beggars,'' they were bolstered by the discovery that Mr. Macgill was alive in Miami.

His address was found by a computer search, with a phone number that gave only a recorded response, but he received a forwarded letter and, last Oct. 30, phoned Mr. Quinn and confirmed the original medal recommendations.

The PBM seaplane, known in Navy slang as a Dumbo because of its size, was part of a rescue squadron stationed at Okinawa on the seaplane tender *Pine Island.* Their mission was to rescue airmen shot down while raiding Japanese installations.

Their aircraft was enormous, with a wingspread equal to the height of a 12-story building, and was very slow.

On July 24, 1945, Mr. Heck was shot down and floated in a life jacket for about five hours in Kobe harbor. A radio call asked, ''Is there a Dumbo in the area?'' and the Macgill crew answered affirmatively. Sixteen Corsair fighters formed an escort and strafed Japanese boats trying to reach Mr. Heck.

The PBM flew over the docks of Kobe at an altitude of about 400 feet, with people standing there watching, according to the Nov. 16, 1998, deposition of Mr. Macgill. The fighter escort, getting low on fuel, had to leave.

A Japanese fighter made a run at the PMB, and shore batteries opened antiaircraft fire, but, Mr. Macgill says, it was ''amazing'' that they were not shot down. More than 14 hours after they had left Okinawa, they returned, hugging the Japanese coast, with the rescued fighter pilot.

The official Navy report said, ''The Dumbo, sweating out the remaining fuel, returned to Okinawa at 300 feet altitude and approximately 10 miles offshore.''

Mr. Macgill, quoting Navy officers there, said they believed it was ''impossible'' to achieve an air-sea rescue on Japan's mainland.

''I distinctly recall,'' he said, that Squadron Commanding Officer Lt. Cmdr. William Bonvillian and Capt. William L. Erdmann, Greenburg, Ind., the officer in charge of rescue missions, had both said they were urging the Navy Cross for Mr. Macgill and Silver Stars for the others.

''My original memory was correct,'' he said, and the confusion over his own medal was never carried over to the ''unquestioned recommendation'' that the others in the crew receive Silver Stars.

Mr. Quinn maintains that an official Navy account, marked ''Secret,'' disputes the finding that his rescue occurred ''seven miles southwest of Kobe'' and therefore, should be lumped in with other missions.

A Smithsonian Institution Press book about the exploits of 28 World War II combat pilots in their own words includes the Quinn story because of the uniqueness of air-sea rescues and the high-risk Kobe flight.

One war correspondent wrote that it was ''perhaps the most daring and the most spectacular of all Pacific air-sea rescues,'' the first into the Inland Sea, with the downed pilot within the sight of people walking the streets of Kobe.

Judi Briner of St. Louis, daughter of PBM crewman Robert Briner, who has terminal cancer, told Mr. Quinn she would like to see Rep. Ike Shelton, D-Mo., an influential member of the House Armed Services Committee, brought into the case.

Ironically, Mr. Quinn found out that another St. Louis resident, whose plea for a Bronze Star for his great-uncle had been ignored for more than a year, received the medal two weeks after Rep. Jim Talent, R-Mo., got in touch with the Army. It came along with a letter entitled, ''Expedite/Congressional Interest.''

The Navy's Awards Branch has never challenged the description of the PMB crew's combat bravery. Instead, Mr. Quinn asserts, its accounts of the medal dispute are ''diametrically opposed'' and, he feels, are ''tainted and (should be) disallowed.''

A former assistant state attorney general, he says he flew Navy planes for 26 years, four in World War II, and he holds a Vietnam War Campaign Medal. He says, ''I do not easily throw in towels.''

Richard Danzig, the new Navy secretary, who is scheduled to address the National Press Club on Tuesday, told Sen. Moynihan Jan. 28 that the Navy Awards Branch was reviewing the documents.

At a March 11 Capitol Hill meeting with key lawmakers and their aides, Ms. Heath said the Navy had, since the 50th anniversary of World War II, been ''inundated with requests'' for a new look at the war's awards, and Jeane Kirk, her aide, insisted the Quinn situation was ''not all that unique.''

Congressional staffers raised the possibility of a ''bureaucratic snafu'' leading to the medal downgrades. They stressed that the PBM mission was ''different,'' but the Navy could not explain why it had not been treated that way.

The congressional pressure, however, did have an impact.

The Navy officials promised to ''reboard,'' or review, the case with a panel of four ''senior captains.''

Secretary Danzig had promised a ''careful study.''

Rep. John M. McHugh, R-Pierrepont Manor, the senior New Yorker on the House Armed Services Committee, feels that if the issue were brought before the full New York congressional delegation and, possibly, the committee, it would receive a sympathetic hearing.●

TRIBUTE TO GENERAL CHARLES C. KRULAK

● Mr. LOTT. Mr. President, I'd like to pay a special tribute today to General Charles C. Krulak, the 31st Commandant of the Marine Corps, soon to relinquish command of our nation's Corps of Marines after almost forty years in uniform. With receipt of his final orders, directing him to standdown and retire from active duty, an evolutionary change will occur—marking the first time in 70 years that a Krulak will be absent from the rolls of the United States Marine Corps. His father, Lieutenant General Brute Krulak, served as the Commanding General, Fleet Marine Forces Pacific.

From the blood stained rice fields of Vietnam, where General Krulak commanded Marines during two tours of duty, to the wind swept sands of Kuwait where General Krulak lead his men to victory, this Marine has distinguished himself time and time again.

For his devoted service to our country and for the brave Marines he led, General Krulak was awarded the Silver Star Medal; Bronze Star Medal with Combat ''V'' and two gold stars; Purple Heart with gold star; Combat Action Ribbon; and the Republic of Vietnam Cross of Gallantry.

While General Krulak's inspirational leadership has always characterized his military service, it is his tenure as the 31st Commandant of the Marine Corps that will resonate long and far into the next millennium, ensuring the Marine Corps remains the world's premier crisis response force—the Nation's 911 force. A professional force that is committed, capable, and reliable to meet any challenge, under any circumstance, anytime and anyplace in the world.

General Krulak had the wisdom and foresight to field an agile and adaptable force—a Corps of Marines who could prevail against the multifaceted threats which would challenge our Nation's security and its interests. General Krulak understood the importance of developing new concepts and techniques that would ensure decisive victory in the ''savage wars of peace.'' He forged his Corps of Marines through unrelenting sacrifice, initiative, and courage.

His many initiatives as Commandant include, the Marine Corps Warfighting Laboratory, the DoD lead in nonlethal weapons technology and the Chemical Biological Incident Response Force. He created and implemented the ''Transformation Process'' of making Marines—a holistic approach to recruiting and developing young men and women to ensure they have the skills and basic character needed to effectively meet the asymmetric 21st century threat.

Today, the Corps is meeting its recruiting requirements, forty-eight months consecutively and achieved its retention goals —a testimony to the wisdom and foresight of General Krulak.

A key contributor to the Marine Corps family and a person General Krulak owes much success to is his wife, Zandi Krulak. She gave dignity and grace to the maturation of the Marine Corps family.

In closing I want to recognize General Krulak for his uncompromising integrity to always do the right thing, for the Nation and his beloved Corps. The Marine Corps is a better institution today then it was four years ago, thanks to the sacrifice and devotion to duty by General Krulak. He has made a significant and lasting contribution to the Corps and to this Nation's security. Through his stewardship there is a renewed sense of esprit de corps.

I call on my colleagues on both sides of the aisle, to wish General Krulak, his wife Zandi and their two sons, David and Todd, fair winds and following seas as he steps down as the 31st Commandant of the Marine Corps. General Krulak's distinguished and faithful service to our country is greatly appreciated. He will be sorely missed, but surely not forgotten. Once a Marine, Always a Marine. *Semper Fi*.●

TRIBUTE TO EVE LUBALIN

● Mr. LAUTENBERG. Mr. President, as you know, this will be my last term in the Senate. My 17 years here have been exciting and challenging. And I'd like to think my work here has made a real difference in giving Americans a healthier, safer country.

But I have not done it alone. I had a lot of help from a very dedicated staff. And one staffer in particular deserves special recognition for her outstanding leadership and her commitment to the causes that have defined my career in the Senate.

That staffer is Eve Lubalin, my chief of staff, who recently announced her retirement after 17 years with my office.

Eve joined my staff as legislative director in 1983, when I was just getting to know my way around the Senate. From the start, she impressed me with her intelligence, her vision and her wit. She never lost sight of the goals that I set, and she never failed to deliver 100 percent of her talent and her energy to accomplish those goals.

In 1986, I promoted her to chief of staff. She has been our team leader ever since. And somehow, even with all the hours she has put in on the job, and there were countless hours, she has managed to maintain a full healthy relationship with her husband, Jim, and their daughter, Kendra. And I know she looks forward to spending more time with them during the years ahead.

Eve's high standards made her a star in the academic world even before she came to work for me. In 1966, she graduated summa cum laude from Syracuse University. From there, she went on to obtain a master's degree from the University of Virginia and a Ph.D. in Political Science from Johns Hopkins. She later worked in several key staff positions for Senator Birch Bayh from Indiana. After her tenure in Senator Bayh's office, she also worked as an advocate for the city of New York on legislative issues.

When she arrived in my office, Eve made my priorities her priorities. And we scored some significant victories together. The laws I authored raising the national drinking age to 21, banning smoking on domestic airplane flights, cleaning up the environment—these were battles we fought together. I could not have asked for a more loyal comrade-in-arms than Eve Lubalin.

Mr. President, I hope my colleagues will join me in wishing Eve the very best as she moves on from the Senate. And I want Eve to always remember how much I and everyone connected with my office appreciates her contributions. She is a model public servant, a spectacular leader and person. I wish her a happy and rewarding retirement.●

NATIONAL MEN'S HEALTH WEEK

● Mr. FRIST. Mr. President, as we honor our fathers, grandfathers and husbands this Fathers' Day, it is important to recognize the crisis that is taking place with regard to men's health. As highlighted by National Men's Health Week, which ends on Fathers' Day, this crisis in the health and well-being of American men is ongoing, increasing, and predominantly silent.

National Men's Health Week, which was established in 1994 under the leadership of former Senate Majority Leader Bob Dole, has helped shed light on some of the primary factors that have lead to this steady deterioration: lack of awareness, inadequate health education, and culturally-induced behavior patterns at work and at home.

Many have rightly argued, that one main cause is the cultural message that men should not react to pain. Men continue to fear the risk of appearing unmanly, or merely mortal, if they change their behavior or their environment. Unfortunately that includes visits to the doctor. On average, women on average make 6.5 visits per year while men average 4.9.

This lack of attention to health is perhaps best demonstrated by male mortality figures. In 1920, the life expectancy of men and women was roughly the same. Since that time, however, the life expectancy of men has steadily dropped when compared to women. In 1990, life expectancy for women was 78.8 years but only 71.8 years for men. Today, the life expectancy of men is a full 10 percent below that of women.

Another indicator: men have a higher death rate for every one of the top 10 leading causes of death. Men are twice as likely to die of heart disease, the nation's leading killer. In fact, one in every five men will suffer a heart attack before age 65.

Male specific cancers, testicular and prostate, and other non-gender specific cancers have also reached epidemic proportions among men. One in six will develop prostate cancer at some point in his life, and African-American men are especially at risk, with a death rate that is twice the rate of white men.

Death by suicide and violence is another predominantly male phenomenon. Men are the victims of approximately three out of four homicides, and account for approximately four out of every five deaths by suicide. Workplace accidents are also a major killer. Ninety-eight percent of all employees in the 10 most dangerous jobs are men, and 94 percent of all those who die in the workplace are men.

As demonstrated by the events this week on Capitol Hill—like the health screenings for prostate and colorectal cancer hosted by the Men's Health Network—National Men's Health Week has done much to end the silence surrounding the real state of health of American men. But much more needs to be done. This Fathers' Day let us all do everything we can to silence as well the cultural mind set that has claimed

the lives of so many of our husbands, fathers, and brothers. Let's show them how much we truly love them by making them aware of the very real—and very preventable—dangers that await them if they fail to pay attention to their health.●

TRIBUTE TO GENERAL CHARLES C. KRULAK

Mr. LOTT. Mr. President, I know a number of Senators are going to want to join me in paying tribute to a great Marine, the Commandant, General Krulak. I hope that others will come to the floor this afternoon, or on Monday, and join me in expressing our appreciation for the work he has done.

Mr. President, Marines do it all—in the air, on the land, and on the sea. With a service like the Marine Corps, sometimes people come in and say: Well, can't they go ahead and just be in charge of it all? I certainly understand that when you get to know an outstanding man like General Krulak. It is especially true when you consider that the Nation's Marines have a tremendous record of pride and history and going out and doing the job when it is the toughest. Their attitude has been exemplified by this feisty, pull-no-punches Commandant. I have really appreciated the fact that when I met with him privately and asked him direct questions, he gave me direct answers. I have appreciated the fact that when he has been before committees of Congress—particularly the Armed Services Committee—he responded in a way he thought was best for our country, as to what the marines really needed, and not necessarily what he was expected to say or even told to say. That is typical of the Marines and typical of this General and his family.

So I want to pay special tribute to General Charles C. Krulak, the 31st Commandant of the Marine Corps, soon to relinquish command of our Nation's Corps of Marines after almost 40 years in uniform. General Krulak's retirement will mark the first time in 70 years that a Krulak will be absent from the rolls of the United States Marine Corps. His father, Lieutenant General Brute Krulak, served as a Commanding General, Fleet Marine Forces Pacific.

General Krulak's illustrious career is replete with achievements from the blood-stained rice fields of Vietnam, where he commanded Marines during two tours of duty, to the wind-swept sands of Kuwait, where he commanded Marines during the Gulf War.

For his devoted service to our country and for the brave Marines he led, General Krulak was awarded the Silver Star Medal; Bronze Star Medal with Combat ''V'' and two gold stars; Purple Heart with gold star; Combat Action Ribbon; and the Republic of Vietnam Cross of Gallantry.

During his tenure as the 31st Commandant of the Marine Corps, the Senate has come to know of many of the virtues of this modern-day warrior. His accomplishments will resonate long into the next millennium, ensuring that the Marine Corps remains the world's premier crisis response force.

I remember that during a 1996 Senate Armed Services Committee hearing on the posture of our military, the service chiefs were asked what they needed most. The other service chiefs rattled off some new weapons systems. Not Chuck Krulak. The Senate always relied on his frank and honest opinion, no matter the issue. He wanted Gore-Tex cold weather gear and boots for his troops. General Krulak has always placed his Marines first. That is why he is loved as Commandant. The people came first; the men and women of the Marine Corps came first.

General Krulak is a visionary, a person who clearly understands the situation at hand. He understood the importance of developing new concepts and techniques that would ensure decisive victory in the ''savage wars of peace.'' He forged his Corps of Marines through unrelenting sacrifice, initiative, and courage.

His foresight resulted in the creation of the Marine Corps Warfighting Lab, taking the DOD lead in nonlethal weapons technology and the creation of the Chemical Biological Incident Response Force. He created and implemented the ''Transformation Process'' of making Marines—a holistic approach to recruiting and developing young men and women to ensure they have the skills and basic character needed to effectively meet the Asymmetric 21st century threat. He labored to institutionalize the Marine Corps core values of honor, courage and commitment, while maintaining, and in many cases elevating, performance standards in every aspect of the Marine Corps recruiting and development processes, be they mental, physical, or moral.

Today, the Corps has met its recruiting requirements forty-eight months consecutively and has achieved its retention goals—a testimony to the wisdom and foresight of General Krulak.

General Krulak not only pursued better Marines and asked for Marines to be capable of winning our Nation's future battles, but he also made better Americans. He promoted a focus on character development and high ethical and moral standards. He stressed the core values of honor, courage, and commitment, which exemplify the Corps. They are attributes that will serve the Marines well long after they have hung up their uniforms. In a way, I don't think Marines ever hang up their uniforms; they wear them the rest of their lives.

I remember, years ago, I had on my staff a man that worked on the Mississippi Gulf Coast, Cecil Dubuisson, a Sergeant Major. A Sergeant Major in the Marine Corps is really super-special. As we traveled around South Mississippi into Louisiana, I would run into people—young men and older men—and they always recognized him as ''Sergeant Major.'' There was a special bond between these men that the rest of us could only hope to achieve.

In closing, I want to recognize General Krulak for his uncompromising integrity to always do the right thing for the Nation and his beloved Corps, and for his unwavering conviction that exemplifies a way of life, not just a motto. It speaks powerfully to the citizens he serves. It has been my good fortune, and the Senate's good fortune, to witness the resolve of a person who believes so strongly about the institution in which he serves. General Krulak, the Marine Corps is a better institution today than it was 4 years ago.

Your sacrifice and devotion to duty have made it so. You have provided a significant and lasting contribution to your Corps and to the Nation's security. Through your leadership, there is a renewed sense of esprit de corps. Those who follow your example will be a testament to the legacy you leave behind.

I wish General Krulak, your wonderful wife Zandi, and your two sons, David and Todd, ''fair winds and following seas'' as you step down as the 31st Commandant of the Marine Corps on June 30, 1999. Your distinguished and faithful service to our country is greatly appreciated. You will be sorely missed but surely not forgotten.

Thank God for the Marines Corps, thank God for General Krulak.

The PRESIDING OFFICER. Acting in my capacity as an individual Senator from Kansas and a former marine, let me thank the majority leader and indicate what all marines would indicate were they present—''oo-yah.''

The distinguished Senator from Montana is recognized.

Mr. BURNS. Mr. President, I am pleased and honored to stand with Senator LOTT today, our majority leader, in honor of the coming change of command of the U.S. Marine Corps and the Commandant and the retirement of Gen. Charles C. Krulak.

We all share one thing, and I think the leader missed one thing the General stands for. It is written out there on the Iwo Jima Memorial. Uncommon valor was a common virtue. Every marine carries that and semper fi. As a former enlisted marine, there is no other comparable military fraternity. In fact, I credit the Marines Corps for saving my life. I remember as a young man I was sort of adrift. The Marine Corps has the habit of setting a person straight.

I share the kindred spirit that is fundamentally the heart and the soul of the Corps. It has been my pleasure to work with General Krulak in my duties as chairman of the Senate Military Construction Appropriations Committee since he assumed his duties as the 31st Commandant in 1995.

His military career extended back almost 40 years to his entry in the U.S. Naval Academy. He graduated in 1964 and went on to The Basic School in Quantico, VA. He continued to distinguish himself in command positions

too numerous to count, including two tours in Vietnam. During the gulf war, General Krulak commanded the 2nd Force Service Support Group for the Atlantic Fleet Marine Forces. If you read through his commendation list, it seems he earned almost every award and decoration possible, including the Defense Distinguished Service Medal, a Silver Star, Bronze Star, two Gold Stars, and a Purple Heart, just to make a few.

I think it goes to show every American how appropriate it was for General Krulak to be nominated for the Commandant's office. He told me the other day that when he leaves the Marines Corps this will be the first time a Krulak has not been in a marine uniform for over 80 years. What a great tradition. He knows the marines. He was raised in the society. He stood up for them and their fundamental beliefs.

In his farewell to the Corps in the June edition of Leatherneck Magazine, General Krulak reminds us of two simple qualities that define all marines. First is the Touchstone of Valor. When marines are called to battle, they suit up and go, and they fight. Winning is mandatory; losing is not an option. This has been true from the earliest days of the Revolutionary War through modern-day battles. The battle list is long and distinguished: Iwo Jima, Inchon, Danang, Kuwait, and now Kosovo. The Commandant reminds us that ''the memory of the marines who fought in these battles lives in us and in the core values of our precious Corps.''

The second quality is the Touchstone of Values. Marines have always held themselves to the highest standards. Words like ''honor,'' ''courage,'' and ''commitment'' are convictions that are embedded within the recruitment and training of all marines. Semper Fidelis is not just a Marine Corps motto; it is a heartfelt passion.

When you hear General Krulak's statement, you understand why the name U.S. Marine brings confidence to America's allies and general respect from all of our potential enemies. He was a leader by example and he will continue to be a leader by example. He stood as an anchor on the Joint Chiefs, paving the way for Congress to make some progress in military readiness. He is widely known for his openness, his honesty, and his cruel truth.

The general has the toughness of the Corps, but he has a sensitive side also, which is the quality of a leader.

I have a shirttail cousin who served in the Marine Corps and was wounded in Vietnam. Last summer, Cpl. Dan Critten and his wife visited this town and attended a dinner and we were honored to have General Krulak attend. Danny is confined to a wheelchair because of his injury sustained in Vietnam. He was at Danang. As it turned out, General Krulak was just a hill away that very day. Dan came home back to Missouri in a wheelchair, and he went right back to farming. He fixed up his tractor. He had all the hydraulic lifts and he could chase his cattle and do his farming. He never whimpered once. He, too earned the Bronze Star and has lived a life that is truly the model of an American and a marine that we all know and notice.

I remember that meeting when we went to that dinner, when the general met the corporal that evening. It was a special moment in the human experience. There was no rank, just a special feeling of two warriors who faced and survived the horrors of war. I will never forget that moment. It reminded me why this Nation, this United States, will lead the world and why the Corps is respected wherever it is assigned. It has dedicated men and women who have a sense of duty, the willingness to win but also a quality of heart.

Every change of command brings happiness and sadness. There is satisfaction and appreciation for a job well done, and there is mourning for departing the fellowship of the Corps. The good news is there is no such thing as an ex-marine. I am convinced that General Krulak will be as effective in his future position as he was a marine.

On behalf of United States, I say thank you, General, for your incredible service and your dedication to your country. We owe you and all marines a debt that can never be repaid. You have lived honorably in extraordinary circumstances and have left the Corps stronger and more capable in your wake. We say, Semper Fi.

Now we welcome a new Commandant, another marine who has stood the test on the field of battle and among his peers. I have no doubt about the future of this Nation's U.S. Marine Corps. The tradition continues.

I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Washington is recognized.

TECHNICAL REALITIES OF THE Y2K ACT

Mr. GORTON. Mr. President, earlier this week the Senate passed a bill that tries to bring some reason to the legal chaos that could result from Y2K failures and Wednesday evening the Senate appointed conferees to reconcile the differences between the House and Senate bills. I rise today to commend the Senate for doing this, and to read from an excellent memorandum underscoring the need for a quick resolution and final passage of a conference report.

A memorandum prepared by the Year 2000 Technical Information Focus Group of the Institute for Electrical and Electronics Engineers, the ''I triple E,'' provides the best analyses and explanations I have seen of the complexity of Y2K litigation; of why the argument we heard during floor debate that the bill is designed to protect ''bad actors'' and that it fails to provide sufficient incentives for remediation is generally hollow; and of why it is so important that we do what we can to minimize the economically paralyzing effects of a predictable and utterly overwhelming legal snarl.

The memorandum, sent to various members of Congress, is particularly compelling because its authors do not represent businesses that may be sued, but are members of an international non-profit association of engineers and computer scientists.

The memorandum is so good that rather than simply have it printed in the RECORD, I will read it:

TAB YEAR 2000 TECHNICAL,
INFORMATION FOCUS GROUP,
Piscataway, NJ, June 9, 1999.

To: Members, Senate Commerce, Science And Transportation Committee; Members, Special Senate Committee On The Year 2000 Technology Problem; Members, House of Representatives Committee on Science, Subcommittee on Technology; Members, Committee on Government Reform, Subcommittee on Government Management Information, and Technology; Sponsors, House Bill ''Year 2000 Readiness and Responsibility Act of 1999,'' H.R. 775.

Re: Year 2000 Liability Legislation.

From: The Institute of Electrical and Electronics Engineers (IEEE), Technical Activities Board, Year 2000 Technical Information Focus Group.

DEAR HONORABLE SENATORS, CONGRESSMEN AND CONGRESSWOMEN: As leaders of the Y2K effort of the Institute of Electrical and Electronics Engineers (IEEE), the oldest and largest international non-profit association of engineers and computer scientists in the world, we would like to offer some thoughts on the pending legislation involving Y2K liability obtained from our years of work and collective wisdom spent studying Y2K. The IEEE has drafted an Institute position on Y2K Legal Liability regarding United States federal law, to which our committee greatly contributed. We offer these additional thoughts in hopes that they may further assist your understanding as you attempt to reconcile two very valid but conflicting underlying public policy goals in structuring and passing the Year 2000 Liability Legislation currently under consideration.

Minimize Damage to the Economy and Quality of Life: minimize the overall damage to the nation's economy and quality of life by reducing the need of organizations to redirect their limited resources away from the task of maintaining their operations in the face of Y2K in order to defend themselves from lawsuits arising from alleged Y2K failures.

Maximize Incentive for Y2K Failure Prevention: maximize the incentive of every organization to prevent Y2K failures as well as preserve the legal rights and remedies available for those seeking legitimate redress for wrongs they may suffer resulting from Y2K failures.

In addressing public policy issues we have no more expertise than the literate public. However, we do possess expertise in the technical issues underlying the situation that should be considered as you weigh the conflicting public policy goals in formulating appropriate Year 2000 Liability Legislation. In particular, for your consideration we offer the following points pertaining to the technical realities of Y2K.

1. Prevention of all Y2K Failures Was Never Possible: For many large and important organizations, technical prevention of all Y2K failures has never been possible in any practical way for these reasons:

1.1 ''Y2K Compliant'' Does Not Equal ''No Y2K Failures.'' If an organization makes all of its systems ''Y2K compliant'', it does not mean that that same organization will not experience Y2K failures causing harm to itself and other organizations. In fact, efforts to become ''Y2K compliant'' in one place could be the direct cause of such failures in others. If interconnected systems are made compliant in different ways, they will be incompatible with each other. Many systems in government and industry are mistakenly being treated as if they were independent and fixed in the most expedient way for each of them. When this ''Humpty Dumpty'' is put back together again, it will not work as expected without complete testing, which is unlikely (see Complexity Kills below).

1.2 All Problems Are Not Visible or Controllable. In the best case organizations can only address those things they can see and those things they have control over. Given this reality, many Y2K failures are inevitable because some technical problems will not be discernible prior to a failure, and others, while discernible, may not be within an organizations' jurisdictional control to correct. This is especially true in large complex organizations with large amounts of richly interconnected software involved in long and complex information chains and in systems containing a high degree of embedded devices or systems purchased in whole from external parties. (The temporary lifting of certain copyright and reverse engineering restrictions for specific Y2K protection efforts should also be considered as long as copyright holders are not unduly harmed.)

1.3 Incoming Data May Be Bad or Missing. To maintain their operations many organizations require data imported from other organizations over which they have no control. Such data may have unknowingly been corrupted, made incompatible by misguided compliance efforts or simply missing due to the upstream organizations lawful business decisions.

1.4 Complexity Kills. The internal complexity of large systems, the further complexity due to the rich interconnections between systems, the diversity of the technical environments in type and vintage of most large organizations and the need to make even small changes in most systems will overwhelm the testing infrastructure that was never designed to test ''everything at once.'' Hence, much software will have to be put back into use without complete testing, a recipe, almost a commandment, for widespread failures.

2. Determining Legal Liability Will Be Very Difficult. Traditionally the makers of products that underlie customer operations are liable if those products are ''defective'' enough to unreasonably interfere with those operations resulting in damage. Y2K is different in that those customers themselves are also at risk for legal action if they fail to fulfill contractual obligations or fail to maintain their stock values and their failure to ''fix'' their Y2K problems can be shown as the cause. This customer base of technology producers cannot be overlooked in this issue. As it constitutes most of the organizations in the world, its needs and the implications of legislative actions on it considered now should not be overshadowed by undue focus on the much smaller technology producer sector. Nonetheless, even there liability is not as clear as tradition might indicate. Several factors make liability determination difficult, expensive, time consuming and not at all certain.

2.1 There Is a Shared Responsibility Between Buyers, Sellers and Users of Technology. Computer products themselves have only clocks that have dates in them. Application software products usually offer optional ways of handling dates. The customer/user organizations, especially larger, older ones, have created much of their application software in-house. When new products are introduced into the buying organization, the customer/user usually has vast amounts of data already in place that have date formats and meaning already established. These formats and meanings cannot be changed as a practical matter. The majority of, and the longest-lasting, potential system problems lay in application software and the data they process, not in clock functions. (Clock-based failures, those likely to happen early in January 2000, while potentially troublesome, will be for the most part localized and of short duration.) Various service providers can be optionally called in to help plan and apply technology for business purposes. But it is only when these are all merged together and put to actual use that failures can emerge. It is very rare that one of them alone can cause a failure that carries legal consequences.

2.2 Many Things Are Outside the Control of Any Defendant. Incoming data from external sources outside its control may be corrupted, incompatible or missing. Devices and systems embedded in critical purchased equipment may be beyond the defendant's knowledge or legal access. Non-technical goods and services the defendant depends upon may not be available due to Y2K problems within their source organizations or distribution channel.

2.3 There Will Be a Strong Defense of Impracticability. Existing large-scale systems were not made safe from Y2K long ago for good reasons. Many systems resist large-scale modernization (e.g., IRS, FAA Air Traffic Control, Medicare) for the same reasons. Wide-spread, coordinated modifications across entrenched, diverse, interconnected systems is technically difficult if not impossible at the current level of transformational technology. New products must be made to operate within the established environment, especially date data formats. Technology producers will claim, with reason, that the determining factor in any Y2K failures lay in the way the customer chose to integrate their products into its environment. It will be asserted, perhaps successfully, by user organizations that economic impracticability prevented the prevention of Y2K failures. Regardless of the judicial outcome, it will take a long time and many resources to finally resolve. And that resolution may have to come in thousands of separate cases.

3. Complexity and Time Negates Any Legal Liability Incentive. Even if making all of an organization's systems ''Y2K compliant'' would render an organization immune from Y2K failures (it will not), the size and complexity of the undertaking is such that if any but the smallest organization is not already well into the work, there is not enough time for the incentive of legal liability to have any discernible positive effect on the outcome. As an analogy, providing any kind of incentive to land a man on Mars within one year would have no effect on anyone's efforts to achieve that unless they had been already working to that end for many years. A negative effect will result from management diverting resources from prevention into legal protection.

4. The Threat of Legal Action Is a Dangerous Distraction at a Critical Time. There will be system failures, especially in large, old, richly interconnected ''systems of systems'' as exist in the financial services and government sector. The question is how to keep such technical failures from becoming business or organization failures. We should be asking ourselves how we as a society can best keep the flow of goods and services going until the technical problems and failures can be overcome. The following points bear on these questions.

4.1 Y2K Is a Long Term, Not Short Term, Problem. Irrespective of the notion of Y2K being about time, a point in time, or the fixation on the rollover event at midnight December 31, 1999, or even the name 'Year 2000' itself, Y2K computer problems will be causing computer system malfunctions and failures for years into the next decade. Y2K is much more about the dates that can span the century boundary represented in *data* that must be processed by *software* than it is about any calendar time or clock issues. Because of the vast amounts of these, the complex intertwining among them and our less than complete understanding of the whole, it will take years for the infrastructure to ''calm down'' after Y2K impacts themselves AND the impacts of the sometimes frantic and misguided changes we have made to it. The current prevention phase is only the beginning.

4.2 Rapid and Effective Organizational Adaptability Will Be a Prime Necessity. They key to an organization's ability to continue to provide the goods and services other organizations and individuals need to continue their operations will be determined by an organization's ability to adapt its practices and policies quickly and effectively in the face of potentially numerous, rapid and unexpected events.

4.3 Lawsuits, Actual or Threatened, Will Divert Requisite Resources. Preventing and minimizing harm to society from Y2K disruption is different than, and at times opposed to, protecting one's organization from legal liability. Addressing lawsuits, and even the threat of a lawsuit, will divert requisite resources, particularly management attention, from an organization's rapid and effective adaptation. This is already happening regarding technical prevention and will get worse the longer such legal threats remain. Organizational management has much more experience dealing with legal threats than they do addressing something as unique and unprecedented as Y2K. Their tendency is to address the familiar at the expense of the novel. They must be allowed to focus on the greater good.

4.4 Judicial System Overload Is Another Danger. Given the great interactive and interdependent complexity of Y2K's impact on the operations of our institutions on a national and global scale, the effort to determine exactly what happened, why it happened and who is legally responsible for each micro-event is itself a huge undertaking requiring the resolution of many questions. For the legal and judicial system to attempt to resolve the legal rights and remedies of affected parties while Y2K impacts are still unfolding will, in any case, threaten to overwhelm the legal and judicial system's capacity to assure justice in the matter, let alone its ability to continue to do its other necessary work.

For all of the reasons discussed above, we support limitations on Y2K-related legal liability. Minimizing harm and assessing blame are each formidable and important tasks, but they cannot be done simultaneously without sacrificing one for the other. Minimizing harm is more important and there is an increased threat to our welfare if assessing blame adversely interferes with our ability to minimize harm. The value of incentives at this late date is very small. We trust that the collective wisdom of Congress will find ways to reduce these threats. We have additional background material available. Please contact IEEE staff contact Paula Dunne if you are interested in this material. We have other ideas beyond the scope of this legislation of what the U.S. federal government can do to help minimize

harm throughout this crisis. We are ready to help in any way you may deem appropriate.

Respectfully,

THE INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE),
TECHNICAL ACTIVITIES BOARD, YEAR 2000
TECHNICAL INFORMATION FOCUS GROUP.

Mr. President, the bill we passed earlier this week is modest. It may very well not meet all the concerns expressed by the IEEE. The legislation may, however, at least reduce these threats. As a consequence, we must enact meaningful legislation and we must enact it quickly.

USE OF CAPITOL GROUNDS

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 105, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 105) authorizing the law enforcement torch run for the 1999 Special Olympics World Games to be run through the Capitol Grounds.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. GORTON. Mr. President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 105) was agreed to.

NATIONAL FATHER'S RETURN DAY

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 125, submitted earlier today by Senators LIEBERMAN, GREGG, and others.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 125) encouraging and promoting greater involvement of fathers in their children's lives and designating June 20, 1999, as ''National Father's Return Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. GORTON. Mr. President, I ask unanimous consent that the resolution be agreed, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 125) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 125

Whereas more than 1 out of every 3 children currently live in a household where the child's father does not reside;

Whereas approximately half of all the children born in the United States will spend at least half of their childhood in a family without a father figure;

Whereas approximately 40 to 50 percent of all marriages are predicted to end in divorce;

Whereas approximately 3 out of every 5 divorcing couples have at least 1 child;

Whereas almost half of all children aged 11 through 16 that live in mother-headed homes have not seen their father in the last 12 months;

Whereas 79 percent of people in the United States believe that the most significant family or social problem facing the country is the physical absence of fathers from the home, resulting in a lack of involvement of fathers in the rearing and development of children;

Whereas the likelihood that a young male will engage in criminal activity doubles if he is reared without a father and triples if he lives in a neighborhood comprised largely of single-parent families;

Whereas studies reveal that even in high-crime, inner city neighborhoods, over 90 percent of children from safe, stable, 2-parent homes do not become delinquents;

Whereas compared to children reared in 2-parent families, children reared in single-parent families are less likely to complete high school and thus, more likely as adults to obtain low paying, unstable jobs;

Whereas researchers have linked the presence of fathers with improved fetal and infant development, and father-child interaction has been shown to promote a child's physical well-being, perceptual abilities, and competency for interpersonal relations;

Whereas researchers have also found that both boys and girls demonstrate a greater ability to take initiative and exercise self-control when they are reared by fathers who are actively involved in their upbringing;

Whereas the general involvement of parents in the lives of their children has decreased significantly over the last generation;

Whereas a Gallup Poll indicated that over 50 percent of all adults agree that fathers today spend less time with their children than their fathers spent with them;

Whereas nearly 20 percent of children in grades 6 through 12 report that they have not had a meaningful conversation with even 1 parent in over a month;

Whereas in a broad survey of 100,000 children in grades 6 through 12, less than half of the children ''feel they have family boundaries or high expectations from parents or teachers'';

Whereas 3 out of 4 adolescents report that ''they do not have adults in their lives that model positive behaviors'';

Whereas in a widely cited study of the health risks to the young people in the United States, University of Minnesota researchers found that ''independent of race, ethnicity, family structure and poverty status, adolescents who are connected to their parents, their schools, and to their school community are healthier than those who are not'', and that ''when teens feel connected to their families, and when parents are involved in their children's lives, teens are protected'';

Whereas millions of single mothers in the United States are heroically struggling to raise their children in safe and loving environments;

Whereas promoting responsible fatherhood is not meant to diminish the parenting efforts of single mothers, but rather to increase the chances that children will have 2 caring parents to help them grow up healthy and secure;

Whereas many of this country's leading experts on family and child development agree that it is in the best interest of both children and the United States to encourage more 2-parent, father-involved families to form and endure;

Whereas in 1994, the National Fatherhood Initiative was formed to further the goal of raising societal awareness about the ramifications of father absence and father disengagement by mobilizing a national response to father absence;

Whereas the Congressional Task Force on Fatherhood Promotion and the Senate Task Force on Fatherhood Promotion that were formed in 1997, the Governors' Task Force on Fatherhood Promotion of 1998, and the Mayor's Task Force on Fatherhood Promotion of 1999 were created to work in partnership with the National Fatherhood Initiative;

Whereas on June 14, 1999, the National Fatherhood Initiative is holding a national summit on supporting urban fathers in Washington, D.C., to mobilize a response to father absence by many powerful sectors of society, including public policy, social services, educational, religious, entertainment, media, and civic groups; and

Whereas those groups are working across party, ideological, racial, and gender lines in order to reverse the trend of father absence and disengagement by encouraging and supporting responsible fatherhood and greater father involvement in children's lives: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that the creation of a better United States requires the active involvement of fathers in the rearing and development of their children;

(2) urges each father in the United States to accept his full share of responsibility for the lives of his children, to be actively involved in rearing his children, and to encourage the emotional, academic, moral, and spiritual development of his children;

(3) urges the States to hold fathers who ignore their legal responsibilities accountable for their actions and to pursue more aggressive enforcement of child support obligations;

(4) encourages each father to devote time, energy, and resources to his children, recognizing that children need not only material support, but also, more importantly, a secure, affectionate, family environment;

(5) urges governments and institutions at every level to remove barriers to father involvement and enact public policies that encourage and support the efforts of fathers who do want to become more engaged in the lives of their children;

(6) to demonstrate the commitment of the Senate to those critically important goals, designates June 20, 1999, as ''National Father's Return Day'';

(7) calls on fathers around the country to use the day to reconnect and rededicate themselves to their children's lives, to spend National Father's Return Day with their children, and to express their love and support for them; and

(8) requests that the President issue a proclamation calling on the people of the United States to observe ''National Father's Return Day'' with appropriate ceremonies and activities.

ORDERS FOR MONDAY, JUNE 21, 1999

Mr. GORTON. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon on Monday, June 21. I further ask unanimous consent that on Monday, immediately following the prayer, the Journal of proceedings be approved to date,

the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate then proceed to a period for morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each, with the following exceptions: Senator VOINOVICH, 30 minutes; Senator DURBIN, or his designee, 30 minutes; Senator ROBERTS, 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. I further ask unanimous consent that following morning business, the Senate begin consideration of S. 1233, the agricultural appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. GORTON. Mr. President, for the information of all Senators, on Monday, the Senate will convene at 12 noon and be in a period for morning business until 1 p.m. Following morning business, the Senate will immediately proceed to the agriculture appropriations bill, with amendments expected to be offered. Also, amendments to the State Department authorization bill could be debated on Monday in an attempt to complete action on that legislation. Therefore, Senators can expect multiple votes on Monday at 5:30 p.m. on amendments to the agriculture appropriations bill and/or the State Department authorization bill.

ORDER FOR ADJOURNMENT

Mr. GORTON. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator DURBIN.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded and that I be recognized in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator is recognized.

GUN CONTROL

Mr. DURBIN. Mr. President, during the course of this week we have come to the Senate floor many times to discuss pending legislation of great importance to families across America.

Last night—I guess this morning, in the early morning hours—the House of Representatives failed to pass the gun control legislation which the Senate enacted 3 weeks ago.

You may remember that Vice President GORE came to the floor, cast the deciding vote, broke the tie, and we passed a bill which would try to close the loopholes for the sales of firearms at so-called gun shows, trying to find a way—any way we can—to reduce the likelihood that guns will get into the hands of children and criminals.

America's heart was broken by Littleton, CO. Families across America, who may have heard these numbing statistics about 13 children a day dying, finally realized it could happen there—it could happen in Littleton, CO, in Conyers, GA, in Jonesboro, AR, in Pearl, MS, West Paducah, KY, Springfield, OR, or in Springfield, IL, my hometown. It could happen anywhere.

Guns are just too easy to come by in America. Troubled kids, who are always a problem, become tragedies when they take these guns into the classrooms, killing their classmates and teachers.

So we passed legislation, good legislation, bipartisan legislation, and sent it to the House of Representatives. Frankly, they decided, because of the political heat that might be generated, to call for a vote in the middle of the night, at 1:15 in the morning, to ask the House of Representatives to go on the Record, because the leadership in the House thought Americans would not notice it if it happened in the middle of the night. The National Rifle Association did not think Americans would care. They are both wrong.

America understands what happened in the dark of night. There was a shot in the dark, and it hit American families right where they live—families who worry about whether sending their kids to school anymore is a safe thing to do, families who wonder, when they say good-bye to their child in the morning, if those are the last words they will ever share with their child.

That is where we are in America. That is where gun violence has brought us. But this is not a fatal shot on the American families. They have, I guess, the hope and the confidence that this Congress will come to its senses and once and for all say no to these gun lobbies and yes to safety in our schools.

The big debate in the House was whether or not we ought to post the Ten Commandments in schools. Let me go on the Record and say I support values for families. I support strengthening families. I believe that those families who believe, as my family did, that the practice of religion is an important part of values, those families should be encouraged in every way whatsoever. We should make sure our kids grow up with values. But it is so naive to believe that simply posting the Ten Commandments in schools is going to change the climate in America.

Perhaps, though, we could post the Ten Commandments at the gun shows and underline the Commandment that says: Thou shalt not kill, saying to people who want to buy and sell these guns without any background checks, accept your moral responsibility for what is about to occur.

The Illinois State Police did a survey of the crime guns they had confiscated recently and found over 25 percent of them came out of these gun shows, sold to people who, frankly, face no background check whatsoever.

We tried to close that loophole in the Senate; the House has failed. We cannot leave this issue alone.

THE PATIENTS' BILL OF RIGHTS

Mr. DURBIN. But there is another issue that haunts American families beyond the violence in our schools and beyond the question of gun safety. It is the issue of health insurance.

Mr. President, 115 million Americans, when asked, said that either they personally or a member of their family had run into serious problems when it came to health insurance and health insurance companies.

I started speaking on the floor about this issue just this week, and I have started getting letters from my State of Illinois and across the country. People said: Yes, you are right. Let me read you two of these letters to give you an idea.

Here is one that comes from Raymond and Marianne Eberhardt. These are folks who, frankly, could be any of us. They write:

> Enclosed is a picture of Theresa, needless to say she is a very beautiful child. She was hospitalized from September 2, 1998 to February 15, 1999 due to fighting the insurance company for certain provisions we could not do without in our home. Her daddy is a police officer and [her] mommy stays at home.
>
> She most likely would not have had to be vented—

She is on a ventilator.

> if she were able to leave when the doctors had said she could go. However, we had to fight and fight with the insurance company for things that the doctors had said were needed. So we fought for 2½ months.

Can you imagine, as parents, fighting to keep this lovely little girl alive, getting up every morning and saying a prayer that she will survive, and then getting on the telephone to fight with the insurance company for the basics that the doctors say she needs to continue living? Their battle went on for 2½ months. She writes:

> We eventually did get everything that we needed, except it was a very long battle. Can you imagine having your family separated that long because the insurance company did not want to help? Seven months is a long time for a family to have to go through something like this. Theresa caught RSV in the hospital—

This is a malady which clearly is very serious.

> while we were waiting for the appeals to go through.

That is, with the insurance company.

> That is why she is now vented and has a trach. Theresa copes extremely well with what all has been done to her. It does not

fade her in the least. She has Spinal Muscular Atrophy Type 1. She is very strong willed and is a joy to be around. I hope something can be done in regards to insurance companies helping families more and be a little more compassionate. I know in my heart we would have lost her if we did not get the proper equipment. I am thankful to them that they eventually changed their minds. I just wish it did not have to take so long.

As a parent, I have sat in a waiting room at the hospital with my daughter in surgery. My wife and I have been through that several times. You will never in your life feel as helpless as that moment. You will never feel as vulnerable. You pray to God that everything turns out right. You hope those doctors and nurses and technicians who are in that operating room are the best and the brightest that could possibly be there. But you don't want to sit there and have to worry about whether you are going to have to fight with an insurance company over whether or not that surgery will go forward or whether, when that surgery is finished, your child receives the kind of treatment that is essential.

Here is another letter we received:

This letter is to introduce you to our precious angel child Roberto Antonio Cortes. He is 11 months old now and is so special to us. He was diagnosed with Spinal Muscular Atrophy Type I, the Werdnig Hoffman disease. He is currently on a home ventilator.

My husband, Rigo, is self-employed at this time and doing contract work out of our house.

They indicated they would be more than happy to talk to our office about the battles they have faced with insurance companies.

Here is another letter from Addison, IL, Dolores Pavletich:

Dear Senator DURBIN,

Just a note to thank you for taking a stand on Health Care Issues.

Last night when I returned home from work and turned on TV, I caught part of C-Span where you, Senator KENNEDY, Senator SCHUMER, Senator DASCHLE [and Senator BOXER] were asking to negotiate the Health Care Issues. When you spoke, you addressed all the issues so many of us are concerned with. I have recently had such bad experiences with Insurance Companies. I started by choosing a doctor from a book, being treated by him, and half way through treatment was told the doctor was dropped [by the insurance company] and I would have to change doctors or they would not pay [for it.] I did not think it was fair to stop treatment and start over with another doctor. I then chose a doctor only to find out that the hospital he was on staff was not [covered by my insurance company] therefore, any tests or blood workup could not be done at his hospital. Blood tests would have to be sent to a lab, and if I had to be admitted to a hospital, I would have to choose yet another doctor.

I am a 57 year old woman, on my own, and now find that the company I work for is down sizing and my job may be eliminated soon. I cannot retire yet, am not eligible for medicare and with only unemployment cannot afford Cobra [Insurance] because of it being so expensive [and I do not know if I can afford it.]

I am so interested in the Health Care Issue I would do anything to help make life easier for so many people. If there is anything I can contribute towards this issue I would gladly devote as much time as possible to assure everyone the right to choose [their doctor, their insurance company.] I wish I could speak to you in person to tell you what people are being faced with today.

Please continue to speak for the majority of people in this country. We've chosen you to do what you do best and we look forward to you to speak for us.

That is why I am here on this floor. We have a choice. We have a thing that we can do that can make a difference. There is a Patients' Bill of Rights the Democrats have introduced, which has been endorsed by over 200 major health organizations, which will finally step forward and stand up for consumers and stand up for families and say we are going to address the basics. We are going to make sure you can choose the specialist you need. We are going to make sure when you sit down in the office with the doctor that you get straight talk and honest answers. You aren't going to hear a doctor parrot some insurance company line instead of telling you the truth about your medical care and what you need.

We want to make certain that when you go to an emergency room, you go to the one you need for your family because of medical necessity. You don't fumble through the dashboard looking for the health insurance policy to figure out which hospital you can go to without paying for it out of your pocket.

These are the basics, to make sure that the women across America who trust their medical care to an OB/GYN can continue to pick that doctor they trust, the doctor they have confidence in, and not be told by the insurance company to pick up and move; to make certain that doctors, when they say surgery is necessary, won't be overruled by some clerk sitting in an insurance company office in Omaha, NE. The decision should be made by our doctors, not by insurance company clerks.

This debate is central to really giving peace of mind to families across America. Why haven't we debated it for over 2 years? Because the insurance companies do not want this issue to come to the floor of the Senate. They do not want to face the votes which we would call for on the floor of the Senate.

The Patients' Bill of Rights that the Democrats support is a bill which gives to those who are providing health care fair treatment. Right now if something happens that is wrong in medical treatment, who gets sued? The doctors and the hospitals. But what if the insurance company made the wrong decision? Under the law, they are protected. The current law protects them. They can't be held accountable. Is that fair? Is that American? I don't believe it is. We are each held accountable for our actions, as every business is held accountable. There is no reason why health insurance companies should be exempt from that responsibility.

Here is what faces us: Will we, in the closing weeks before we break for the Fourth of July or our August recess, have the political courage to bring this issue to the floor? We spent 5 days debating giving protection to computer companies against being sued for Y2K problems, 5 days. We were worried about computer companies. Well, maybe we should be. But can't we spend 5 hours on this debate to stand up for families across America who want protection when it comes to the health care that means so much?

Look at these photographs. Imagine what life is like battling every single day with the insurance company and then praying to God, as you go to sleep at night, that this beautiful little baby will be alive in the morning. That is the reality of health care in America.

I challenge the Republican leadership, challenge them to bring to the floor of the Senate within the next week the Patients' Bill of Rights. Let us have this debate. Let us face the tough votes. That is what we are here for, for goodness' sake. This is supposed to be a deliberative body where we debate and argue and come to the best conclusion for the people we represent.

I will stand behind the Democratic Patients' Bill of Rights, because I believe it is the best one. I believe it is the only one that is honest and complete and will help American families. The Republican plan, as this chart indicates, would leave over 100 million Americans behind, would not give them the protections which we believe are essential to health insurance.

It is true they protect 48 million Americans, just as we do, but they leave behind 113 million who are protected by the Democratic bill.

I think it is time to have this debate, for the good of families across America, for the Pavletichs in Addison, IL, for the Cortez family from Elk Grove Village, for the Eberhardts, who have written to me and told me their story, from Yorkville, IL.

I promise you this: As long as my voice holds out, I will be on my feet on the Senate floor saying to my colleagues, we have a responsibility. The 105th Congress left town a little over 6 months ago and did nothing. It was a do-nothing Congress. This Congress is not going to leave town without addressing this critical issue, this issue that means so much to Americans across this country and people who continue to write on a daily basis.

I will close by saying this: Keep the letters and photographs coming in. As long as you will send me your stories of your family struggling to provide quality health care, I will continue to stand on this floor and tell these stories, in the hopes that my colleagues in the Senate will address this important issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent to be able to continue as in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PATIENTS' BILL OF RIGHTS

Mr. LEAHY. Mr. President, I wish to commend the distinguished senior Senator from Illinois for his statement. The Senator from Illinois represents one of the greatest States of our country, a significant and very large State, with millions of people, ranging from one of the best known, most dynamic cities not only in this country but in the world, and also with very small rural areas. I, in turn, represent a very small State, where the largest city is 40,000 people. We go down to a town of 40 people. But I couldn't help but think, while listening to the statement of my good friend from Illinois, about some of the letters he read. The names of the towns might be different, but we might have heard similar letters from Vermont. Sometimes the problems are compounded by the fact that we are a rural State. As he knows, in the rural areas of his great State the problems are even worse because of the distances they have to travel and the lack of choices they may have. I hope he will continue to speak because he speaks not just for the people of Illinois, but for the people of Vermont and everywhere else.

THE POWERFUL GUN LOBBY

Mr. LEAHY. Mr. President, while we talk about the actions in the other body, it is fascinating to me what has happened in the dark of night. The members of the other body aren't controlling their destiny; it apparently was controlled by a powerful lobby in this country. For a while, the same thing happened in the U.S. Senate. I asked the question on the floor of the Senate: ''Who will run the Senate, the U.S. Senators or the powerful gun lobby?'' Finally, by the slimmest of margins, they answered the question and said that the U.S. Senate will represent the people of America.

I have watched how posturing and symbolism sometimes wins out over substance. Members of the other body are all sworn to uphold the Constitution of the United States. They have taken the same oath that I and every Member of the Senate have taken. They flew in the face of the Constitution, a Supreme Court decision outlined in the Constitution, and said that we, the Members of the Congress, will say the 10 commandments shall be or may be put on schoolhouse walls.

Why did the House of Representatives do this and turn against the Constitution that they are sworn to uphold? Why? So that the students seeing it would be inspired to uphold the law. That's fascinating. We say that the other body will—the House of Representatives—will turn its back on the Constitution, and in so doing will encourage children who should look to them for leadership to uphold the laws of this country. It is an example that I cannot fathom. This is what they ought to do—work harder and make it possible for the parents of these children to spend more time with them, make it possible to have an educational system that can help teach the difference between right and wrong. Perhaps, if they are going to talk about the 10 commandments, they should remind the gun lobby of the fifth commandment: Thou shalt not kill.

PENDING NOMINATION OF BILL LANN LEE

Mr. LEAHY. Mr. President, on Wednesday of this week, I was fortunate to be present during the ceremony commemorating the presentation of the Congressional Gold Medal to Mrs. Rosa Parks. What an inspiring time. I heard Mrs. Parks, Reverend Jackson, and the President each take the occasion to remind us that the struggle for equality is not over.

I heard Jesse Norman, with that incomparable voice, sing to us both our National Anthem and really the anthem of the civil rights movement. Every one of us—black or white, old or young, man or woman, Republican or Democrat, were inspired by what we saw and heard. How could you not be inspired in the magnificent rotunda of the U.S. Capitol?

But then I went back to my office and I started asking myself, have we listened? I serve as the ranking Member of the Senate Judiciary Committee, and the committee still has pending before it, waiting, the nomination of another who has dedicated his life's work to the rights of others. I asked the Judiciary Committee on Thursday, in the spirit of the Congressional Gold Medal to Rosa Parks, and in the tradition of Rosa Parks, that the committee recognize the quiet dignity and strength of Bill Lann Lee and send his nomination to the full Senate so that the U.S. Senate may, at long last, vote on that nomination and, I hope, confirm this fine American to full rank as the Assistant Attorney General for Civil Rights.

Bill Lann Lee is the first Asian American to be nominated to head the Civil Rights Division in its 42-year history. He is currently serving as Acting Assistant Attorney General for Civil Rights, as he has for almost 18 months. He has done an impressive job in enforcing our Nation's civil rights laws. Mr. Lee was originally nominated in July of 1997, almost exactly 2 years ago. Two years is too long to have to wait for a vote by the Senate on this nomination. I hope the Senate will be allowed the opportunity to vote on his nomination before the Fourth of July recess.

Six former Assistant Attorneys General for Civil Rights, from the Eisenhower administration through the Bush administration, wrote the Judiciary Committee in November of 1997 in support of this outstanding nominee: Harold Tyler, Burke Marshall, Stephen J. Pollak, J. Stanley Pottinger, Drew Days, and John R. Dunne. Nonetheless, the Senate did not vote, and Mr. Lee had to be renominated again in January of 1998 and, again, in March of 1999.

It is past time to do the right thing, the honorable thing, and report this qualified nominee to the Senate so the Senate may fulfill its constitutional duty under the advise and consent clause and vote on this nomination. In deference to the advise and consent power of the Senate, the President has not used his recess appointment power in connection with this nomination.

After consultation with the Senate in late 1997, the President chose to renominate Mr. Lee in January 1998. The Attorney General named him Acting Assistant Attorney General. When the Senate refused all last year to consider the nomination—not to vote him up or down, or not to even vote at all—the President sent that nomination to the Senate for a third time in a third succeeding year, in 1999. Now, no one can fairly contend that the Senate has not been respected. The President has gone the extra mile, and Mr. Lee has shown extraordinary patience during this extended period of Senate indifference to his nomination.

Acting Assistant Attorney General Lee is properly serving while his nomination remains pending. It is the responsibility of the Senate to vote on that nomination. I believe that in a fair and open vote on the merits of this nomination on the Senate floor, the Senate will embrace the opportunity to confirm this fine person, this dedicated public servant. They will confirm him.

If I am wrong, if the Senate were to disappoint me and all those who support this nomination, and if a majority of the Senate were to vote against the nomination, and then he could not continue to serve as Acting Assistant Attorney General—that is a mechanism Congress established by law, but it properly relies on a vote by the U.S. Senate.

Civil rights is about human dignity and opportunity. Bill Lann Lee's nomination ought to have the opportunity for an up-or-down vote on the Senate floor. Twenty-three months and 3 sessions of Congress is too long for this nomination to have to wait. He should no longer be forced to ride in the ''back of the nominations bus,'' but be given the fair vote he deserves.

When Bill Lee appeared before our committee way back in 1997, he testified candidly about his views, his work and his values. He told us why he became a person who has dedicated his life to equal justice for all, specially when he talked about the treatment his parents received as immigrants. He told us how his parents faced prejudice almost every day here in this country. But Mr. Lee told us how, in spite of his father's personal treatment, the experience of prejudice he faced, the names he was called, and the slurs he had to

hear, his father, William Lee, remained a fierce American patriot and volunteered to serve in the U.S. Army Air Corps in World War II.

He never lost his belief in America. His father, William Lee, inspired his son, Bill, just as Bill Lann Lee now inspires his own children and countless others across the land.

This is what he told us:

My father is my hero, but I confess that I found it difficult for many years to appreciate his unflinching patriotism in the face of daily indignities. In my youth, I did not understand how he could remain so deeply grateful to a country where he and my mother faced so much intolerance. But I began to appreciate that the vision he had of being an American was a vision so compelling that he could set aside the momentary ugliness. He know that the basic American tenet of equality of opportunity is the bedrock of our society.

I know that Bill Lann Lee has remained true to all that his father taught him and I hope that the ''momentary ugliness'' of people opposing his nomination based on an ideological litmus test, and of people distorting his achievements and beliefs, and of some succumbing to narrow partisanship, will not be his reward for a career of good works. Such treatment drives good people from public service and distorts the role of the Senate.

Bill Lee's skills, his experience, the compelling personal journey that he and his family have traveled, his commitment to full opportunity for all Americans—these qualities appeal to the best in us. Let us affirm the best in us. Let us confirm—or at least allow the Senate to vote on the confirmation—of this good man. We need Bill Lee's proven problem-solving abilities in these difficult times.

If the Senate is allowed to decide, I believe Bill Lann Lee will be confirmed and will move this country forward to a time when discrimination will subside and affirmative action is no longer needed; a time when each child—girl or boy, black or white, rich or poor, urban or rural, regardless of national or ethnic origin and regardless of sexual orientation or disability—shall have a fair and equal opportunity to live the American dream.

I have often referred to the Senate as acting at its best when it serves as the conscience of the Nation. In my 25 years I have seen it do that. Again I speak to the conscience of this body. I call on the Judiciary Committee of the Senate to bring this nomination to the floor. Let the Senate have an up-or-down vote on Bill Lann Lee without obstruction, without further delays, so the Senate may vote.

If we do, I am convinced that a majority of this body will confirm a fine person to lead the Civil Rights Division into the next century. Racial discrimination and harmful discrimination in all its forms remains one of the most vexing, unsolved problems in all of our society. In a country so blessed as ours, so rich, so powerful, so wonderful, we still have this cancer of discrimination that shows up randomly throughout our society. Let's not perpetuate it here in the Senate. Let the Senate move forward from the ceremony commemorating the Congressional Gold Medal for Rosa Parks by doing what is right, by voting on the nomination of Bill Lann Lee.

I yield the floor.

ADJOURNMENT UNTIL MONDAY, JUNE 21, 1999

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 12 noon, Monday, June 21, 1999.

Thereupon, the Senate, at 12:54 p.m., adjourned until Monday, June 21, 1999, at 12 noon.

EXTENSIONS OF REMARKS

TIME FOR A NATIONAL DIALOGUE ON THE GROWTH OF GAMBLING

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. ROEMER. Mr. Speaker, after two years of research and public hearings, the National Gambling Impact Study Commission has just completed its report and findings on the growth of gambling in America.

It is an eye-opening report which I hope every Federal, State, local and tribal government which sponsors gambling activities will take the time to read and consider.

At the same time, I hope this report will serve as the starting point for a national dialogue on gambling, so we can begin to make some informed decisions about gambling and its impact on people.

The NGISC made a number of major recommendations in its report. Perhaps most important of all, the commissioners unanimously recommended a ''pause,'' or moratorium, on the growth of new gambling activities, to give governments further time to research and assess the impact of gambling on society.

Mr. Speaker, this is an extraordinary recommendation. It reflects the genuine concern among the Commission members—many of whom work in the gambling industry itself—about the dangerous and unpredictable consequences of the explosive growth of gambling we have experienced in recent years.

Here are some of the Commission's other major findings:

(1) The Commission determined that unregulated growth of the gambling industry is seen as a ''dangerous course of action'';

(2) They determined that the more Americans are presented with opportunities to gamble, the more concern there is about problem and pathological gambling, and that the social, legal and financial consequences of gambling addiction are severe;

(3) They determined that technology is revolutionizing the gambling industry, and that the internet in particular poses serious legal, economic and social concerns which the nation is not prepared to deal with; and

(4) They concluded that many policy makers have been forced to make decisions about expanding gambling with virtually no credible studies to rely on and, at best, only an assessment of the perceived social impacts.

Mr. Speaker, it is not hard to find anecdotal evidence about the risks associated with gambling. In Indiana, a recent report by the Governor's Study Commission on Gambling showed that average losses among gamblers have increased by 20% in the three years since riverboat gambling was first introduced. Gambling losses now make up nearly one percent of what Indiana residents spend each year.

If National averages hold true, a disproportionate amount of these losses are coming from low-income households, the elderly and young people—those Americans most vulnerable. Clearly, we need to be concerned about this growing problem.

Just this week, the Gallup Poll surveyed Americans' views about gambling. Among the major findings, 56% of adults believe that casinos have a negative impact on family and community life in the cities in which they operate. Another two-thirds of both the adults and teens surveyed believe that betting on sports events leads to cheating or fixing of games, while 57% of adults oppose legalized betting on sports events as a way to raise state revenue.

Overall, 76% of Americans surveyed expressed the view that gambling should either stay at current levels or be reduced or banned. Clearly, the vast majority of Americans support the Commission's call for a moratorium on new gambling activities.

The NGISC has made a number of positive recommendations in its report, including:

(1) That Congress authorize a general research strategy to build a knowledge of gambling behavior, including research on the social and economic impacts of gambling, and the impacts on crime and property values;

(2) That Governors and State legislatures fund objective studies on the prevalence of problem and pathological gamblers, and undertake research, education and treatment programs for problem gamblers;

(3) That enforceable advertising guidelines be adopted for the gambling industry, particularly as they relate to youths and low-income neighborhoods; and

(4) That a strategy be developed to prohibit internet gambling within the United States;

These are just a few of the major recommendations which the commission made.

In response to this report, Congressmen FRANK WOLF, JOHN LAFALCE and I have just introduced a resolution which encourages Federal, State, local and tribal governments to review the findings of the National Gambling Impact Study Commission, and to consider the implementation of its recommendations.

The NGISC has delivered a powerful warning about the dangers of the unregulated growth of gambling. It is time now to build on this report, and develop a strategy to respond to the many concerns brought about by the rapid acceleration of gambling in our society.

LISTING MOUNTAIN PLOVER AS ''THREATENED''

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. SCHAFFER. Mr. Speaker, Colorado's farmers, ranchers, and water and property owners are under assault by the federal government. They face devastatingly low commodities prices, high equipment costs, onerous federal regulations and endangered species policy driven by Boulder-based, special-interest environmental lawsuits. My response to the proposed listing of the mountain plover as ''threatened'' under the federal Endangered Species Act of 1973 is as follows.

After reviewing the U.S. Fish and Wildlife Service's (FWS) proposal to list the mountain plover as threatened, I adamantly oppose this listing because it is scientifically flawed, would devastate the eastern plains economy, fails to adequately consider reasonable alternatives, and contradicts other federal programs benefitting the plains environment.

First, the science used to support the listing is highly suspect and lacks the degree of certainty necessary to proceed with a comprehensive, intrusive and restrictive regulatory regime. The inadequacy of the cited population data is unacceptable. Throughout the listing, extrapolated estimates are relied upon for population numbers, which lays an insufficient scientific foundation. Even if the estimates referenced had a statistical basis, we are told, ''The estimates of abundance provided for each state or area are usually from different researchers, from different times, and using different techniques. Therefore, the estimates should not be considered comparable to one another or necessarily additive.'' (64 FR 7591) Because the FWS population research methods were not compatible, the FWS relied upon dissimilar estimates. Federal regulations, especially those as pervasive as the ESA's, should never be based on approximations.

Furthermore, almost no population data from private lands is referenced. Since most of the land in the identified plover habitat range for Colorado is privately owned, and approximately 75 percent of all wildlife is found on private property, the total number of mountain plovers is certain to be significantly higher. The absence of private land surveys is also concerning because plovers prefer to nest on prairie dog colonies, at least 90 percent of which currently exist on private lands. It is beyond doubt a large number of additional plovers would be found if private land surveys were conducted. Clearly, the FWS does not have definitive evidence of the bird's actual numbers within Colorado, in other states, or as an aggregate across its range.

The FWS was involved in a similar situation with the swift fox. A federal ESA listing was proposed before comprehensive population surveys were completed, an effort abandoned after thorough surveys were conducted. The same situation could occur with the plover. The FWS must not proceed with this listing until an accurate, scientifically-based survey is conducted on both public and private lands through voluntary and confidential participation.

While the population questions are significant, there are other issues undermining the scientific basis of the listing. According to FWS biologists, drought threatens the plover. However, wet years also endanger the bird due to higher rates of grass growth. In fact, FWS biologists admit, ''The long-term effect of such naturally occurring catastrophes on

mountain plover viability is not known.'' (64 FR 7596) In addition, the Service admits to no correlation between increasing numbers of coyotes and foxes, predators of the plover, and declining bird numbers. While predators are discussed, the only conclusion offered is, ''A high rate of nest predation by swift fox . . . is not believed to be a factor in the long-term decline of the mountain plover population.'' (64 FR 7595) Yet, no hard evidence is given to support this claim.

Moreover, the effects of pesticides, especially in California, are not completely known. And, no significant data exists from wintering areas in Mexico or nesting regions in Canada. The only conclusion possible is that neither the current scientific and field research, nor the information presented in this listing, supports federal ESA protection of the bird.

Second, very little thought is given to the impacts of this listing on farmers, ranchers and private property owners. Significant hardship will be borne by landowners, and I have seen almost no attempt to address the devastating results a plover listing would inflict on traditional agricultural and non-agricultural practices on the eastern Colorado plains. The U.S. Department of Agriculture's (USDA) Natural Resource Conservation Service (NRCS) wrote that the plover listing ''may adversely impact a number of common agricultural practices in the short-grass prairie region of the United States.'' [Letter attached for the record.]

For example, the inability of farmers to plant their crops in early summer would be devastating. Most planting on the eastern plains of Colorado occurs in late April through mid-May, which coincides with the plover's nesting. According to the FWS, normal farming practices on cultivated lands would not result in an ESA section 9 violation if they took place between August 10 and April 1. (64 FR 7599) Obviously, producers must be allowed to plant during this time, or the eastern plains economy, already weakened by a national agriculture crisis, would collapse due to devalued land, unemployment, and relocation.

In addition, the listing states the decline of the bird is due, in part, to the tilling of fields between April and June, even though ''the long-term effect of tilling on mountain plover productivity and abundance is not known.'' (64 FR 7593) The land is worked during this time for a number of reasons, including weed and erosion control. While ''no-till'' and ''minimum-till'' methods are being used more often, turning the ground is usually the only option for a producer. Chemical options also exist, but they are prohibitively expensive and could impair the plover and its habitat. Consequently, this petition would reduce the value of private lands by banning land management tilling, and/or encourage an increased use of pesticides.

The FWS claims to be working on developing land use recommendations to benefit both plovers and landowners. Since I have yet to see any such suggestions, I must ask how planting during this critical time could possibly be changed, except to stop all planting and tilling? Also, how would these changes be beneficial to farmers and ranchers?

Further evidence of the listing's flawed logic is evident in the following statement: ''Grassland conversion may be considered a threat to mountain plover conservation whether or not the grasslands are presently suitable breeding habitat.'' (64 FR 7593) This contradictory conclusion is advanced because the conversion of grasslands to productive agricultural lands creates locally acceptable plover habitat. (64 FR 7593) In other words, if an area where the plover doesn't exist is developed by a farmer, and the bird subsequently nests on the newly cultivated land, then the FWS will impose regulations on the farmer and his land to protect this habitat, which was not plover habitat in the first place. So, the farmer's initiative to create new, productive farmland from non-plover grassland is rewarded by regulation, limitation and ultimately, ruination. Consequently, this listing will likely result in two unfavorable outcomes: (1) Farmers will choose not to convert grassland into productive farmland, thus limiting the bird's habitat and the farmer's prosperity, reducing food production, and hurting Colorado's economy; (2) Farmers will attempt to farm, but stop due to onerous mitigation measures, thereby causing the land to revert to non-plover habitat, limiting the farmer's prosperity, reducing food production, and hurting Colorado's economy. In other words, this listing, whether intended or not, would suppress the development of new farmland, stifle current agricultural activity, and actually reduce potential plover habitat.

Further, oil and gas development would suffer if the plover is listed as threatened. Leasing and extraction of these natural resources exists over its entire breeding range. However, since the ''development of oil and gas resources could adversely affect mountain plover habitat or cause the death of individuals,'' such activities would be heavily regulated. (64 FR 7595)

In the end, all landowners on Colorado's eastern plains stand to lose if the plover is listed. Their land will lose value due to ESA regulations prohibiting the ''taking'' of endangered species, which would restrict and/or modify how the land could be used. In fact, they will be forced to sustain plover habitat, which will substantially interfere with farming, ranching, building and/or developing natural resources.

Eastern Coloradans have successfully used, enhanced and protected the eastern Colorado plains by providing millions of dollars in agriculture products and improving water quality, soil erosion and wildlife habitat. Priority has to be given to coordination with landowners on reasonable conservation measures. Farmers and ranchers are the best stewards of the land and a friend to the plover; they should be trusted, included in the process, given incentive to collaborate, and flexibility to mitigate.

Third, states, local governments and communities have successfully demonstrated the viability of collaborative on-the-ground solutions in place of command-and-control dictates from Washington. There are a number of partnerships to preserve species, including the High Plains Partnership for Species at Risk, the Western Governor's Association Enlibra doctrine for Environmental Management, and the Upper Colorado River Endangered Fish Recovery Program, to name a few. The FWS would get better cooperation and results from states and localities if it pursued non-regulatory solutions, and I strongly advise the FWS to pursue this option if the plover is indeed threatened.

Another example of a cooperative partnership is the Memorandum of Agreement, Concerning Programs to Manage Colorado's Declining Native Species, between the state of Colorado and the U.S. Department of the Interior, which was signed on November 29, 1995. This agreement, also known as the Colorado Conservation Agreement, attempts to facilitate collaboration in conserving fish and wildlife species and habitat within Colorado, including the mountain plover. Even though the FWS listing mentions this ground-breaking partnership, there are no facts given to support either its continuation or elimination. (64 FR 7599)

Many efforts are underway to benefit this species in Colorado and throughout its range. Such endeavors ought to be allowed to produce results before they are bypassed because they could preempt the need for significant federal intervention. Therefore, I strongly disagree with the FWS conclusion that the only way to protect the plover is an ESA listing.

Fourth, a number of federal agencies and programs will have to be drastically altered to accommodate the listing. Such counter-productive, conflicting interagency relationships indicate systemic flaws in the proposal and waste the American taxpayer's hard-earned money.

The listing would impact the USDA Natural Resources Conservation Service (NRCS) assistance to producers in eastern Colorado. Affected programs could include the Environmental Quality Incentives Program (EQIP), Wildlife Habitat Incentives (WHIP), and/or the Conservation Reserve Program (CRP). These conservation programs would have to be reviewed in consultation with the FWS under section 7 of the ESA. Thousands of producers in eastern Colorado receive technical assistance from NRCS programs. A significant amount of time, money and manpower would be required to review each case for ESA compliance, which would delay the implementation of conservation practices and hurt the species and habitats currently prospering under these programs.

The USDA Conservation Reserve Program (CRP), widely considered to benefit both agriculture and the environment, encourages tall grasses for wildlife habitat and ecosystem health. The FWS asserts the plover requires habitat with little grass and/or bare ground. Should the bird be listed, it could thwart conservation efforts designed to help other species and the environment. Is one species to be saved at the expense of another? Moreover, to what extent are these and other conflicting policies contributing to the decline of the plover? The FWS should proactively address these programs, in conjunction with farmers, ranchers and other landowners, before a listing is finalized. Has, or will, the FWS take such a common-sense, initial step before listing the plover? Voluntary, collaborative arrangements would net much better results then coercive, punitive regulations.

I urge the FWS to suspend any further listing action until a comprehensive, scientifically rigorous, locally inclusive research project can be completed on the status of the mountain plover population and ecosystem. Further, the FWS must be cautious during this listing process unless the good accomplished by the people of eastern Colorado is undone and their lives irreparably harmed. Additionally, the state of Colorado and local communities ought to be given the lead role in conserving the species. Other federal agencies must also be consulted prior to listing the mountain plover to clarify contradictory land use policies. Finally, the

FWS must ensure all available information is reviewed by an objective scientific panel per the July 1, 1994 FWS Notice of Policy for ESA Peer Review and the Colorado Conservation Agreement before a determination is made.

Given these factors, the FWS must thoroughly consider whether the proposal ''presents substantial scientific and commercial information to demonstrate the petitioned action may be warranted.'' (16 USC 1531) Nothing in this listing supports the conclusion that the plover is threatened by extinction in the near future. As a result, the only decision the FWS can reach is to decline listing the mountain plover as threatened under the federal ESA. I therefore restate my opposition to this listing.

CONSEQUENCES FOR JUVENILE OFFENDERS ACT OF 1999

SPEECH OF

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1501) to provide grants to ensure increased accountability for juvenile offenders:

Mr. MEEKS of New York. Mr. Chairman, I am very disappointed that many of my colleagues voted for the McCollum amendment yesterday. However, we can right this wrong by supporting the Conyers-Scott substitute.

This substitute is fundamentally right because juvenile delinquents will not be jailed with adult criminals. In fact, when you compare New York youth who were prosecuted in adult court with youth with similar charges and prior records in New Jersey who were prosecuted in juvenile court—convictions were no more likely in adult court, punishment was imposed less swiftly, incarceration was less likely, and sentences were nearly identical.

This substitute is fundamentally right because it requires states to address the issue of minority confinement. Minority children are ⅓ of the youth population, but ⅔ of the children in long-term facilities. Studies indicate that minority youth receive tougher sentences and are more likely to be put in jail than non-minority youth for the same offenses.

The substitute is fundamentally right because it would place 20,000 crisis prevention counselors in schools and fund crisis prevention programs—which brings me to an issue that goes hand-in-hand with juvenile justice—the need for educational programs to make sure our children are not getting involved in criminal behavior in the first place.

Research has demonstrated that aggressive prevention programs and alternatives to incarceration are most effective in reducing crime.

In fact, when asked to rank the long-term effectiveness of possible crime fighting approaches, a majority of police chiefs picked ''increasing investments in programs that help all children and youth get a good start'' as ''most effective''—nearly four times as often as ''trying juveniles as adults.''

Children in the Big Brothers/Big Sisters mentoring programs showed that children participating in the program were 46% less likely to initiate drug use.

Cincinnati's violence prevention programs resulted in a 24% drop in crime.

A similar gang-reduction program in Ft. Worth, Texas, resulted in a 26% drop in gang-related crime.

We need to fight crime by putting more monies into education and crime prevention programs like the ones I mentioned and—after-school programs.

The majority of juvenile crimes take place between 3 pm to 6 pm. We need to have enough educational activities after-school to keep our youth mentally busy.

We need more after-school jobs for our youth. I would like to see the President and Congress develop AmeriCorps' programs for high school students throughout the year.

We need to invest in our youth's present so they can have a bright future—without ever facing the juvenile justice system.

CONGRATULATING THERESA SUTTON AS ILLINOIS POSTMASTER OF THE YEAR

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. SHIMKUS. Mr. Speaker, I take this time to congratulate Theresa Sutton from Brighton, Illinois for the National Association of Postmasters of the United States naming her Postmaster of the Year for the state of Illinois.

The small community postmaster responded to the award, ''I have some dedicated employees that really work hard. That makes my job a lot easier.'' Theresa Sutton will meet in Washington, D.C. along with award recipients from other states in order to meet with Representatives and Senators about postal issues.

I commend her dedication and service to the United States Postal Service. With the necessity for efficient postal services, I am comforted that the 20th District has quality postmasters like Theresa Sutton.

CENTRAL NEW JERSEY RECOGNIZES DR. ROBERT ANGELO

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. HOLT. Mr. Speaker, I rise today in recognition of the accomplishments of Dr. Robert Angelo and his contributions to the community. Over the course of the last twenty-five years, Dr. Angelo has worked as a consultant, teacher, advisor, and advocate.

Dr. Angelo served for eight years as the International Director of the AFSCME International Union, the largest public employee organization in the AFL-CIO. As director, he worked throughout the United States organizing campaigns, negotiations, and public events. Dr. Angelo continues to work as a labor arbitrator for the New Jersey State Board of Mediation, and is called upon by private and public sector management to adjudicate disputes arising from collective bargaining agreements.

An educator with a long and commendable career, Dr. Angelo received his B.A. in Economics from Colgate University, an MBA from Drexel University, and has been recently conferred with a doctorate from Rutgers University in Education. He began his career as a college administrator at Middlesex County College in central New Jersey where he was responsible for directing the nationally recognized Occupational Safety and Health training project. At Thomas Edison State College, Dr. Angelo served as a mentor and consultant in the Labor Studies and Organizational Behavior departments. He later was a lecturer and extension faculty member in the School of Management and Labor Relations at Rutgers University, where he taught graduate and undergraduate-level classes.

In 1993, Dr. Angelo founded Capitol Ideas, a multi-service consulting organization dedicated to organizational advocacy and promotion. Capitol Ideas works with a variety of private, public, and non-profit groups to design and implement political, educational, and promotional programs.

Dr. Angelo lives with his wife, Meryle, in East Brunswick, New Jersey. He currently represents SEIU State Council, SEIU Local 510, and IFPTE 195, and continues to work as the CEO of Capitol Ideas and a Professor of Labor Studies at Rutgers University.

Dr. Robert Angelo has demonstrated dedication to his goals and to the community. I ask my colleagues to join me in recognizing Dr. Angelo's accomplishments.

HONORING THE SPECIAL GRADUATES OF MIDDLE SCHOOL 88

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Ms. VELÁZQUEZ. Mr. Speaker, It is with great pride that I ask you and my colleagues to join me in congratulating special graduates of the 12th Congressional District of New York. I am certain that this day marks the culmination of much effort and hard work which has led and will lead them to continued success. In these times of uncertainty, limited resources, and random violence in our communities and schools, it is encouraging to know that they have overcome these obstacles and succeeded.

These students have learned that education is priceless. They understand that education is the tool to new opportunities and greater endeavors. Their success is not only a tribute to their strength but also to the support they have received from their parents and loved ones.

In closing, I encourage all my colleagues to support the education of the youth of America. With a solid education, today's youth will be tomorrow's leaders. And as we approach the new millennium, it is our responsibility to pave the road for this great Nation's future. Members of the U.S. House of Representatives I ask you to join me in congratulating the following Academic Achievement Award Recipients: Marilyn Li and Daniel Ortiz.

HOUSE CHAPLAIN SEARCH

HON. TOM BLILEY

OF VIRGINIA

EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. BLILEY. Mr. Speaker, as co-chairs of the chaplain search committee we are announcing to Members that we have begun our initial stages of the search. We encourage Members to recommend qualified candidates to the search committee. They may do so by forwarding applicant materials to the Speaker's office, H–232 Capitol, House of Representatives, Washington, DC 20515, Attention: House Chaplain Search Committee. Applicant materials should include a cover letter and resume.

As you know, the House Chaplain prepares and delivers the daily prayer in the House of Representatives; coordinates the use of the Prayer Room; speaks to visiting groups and gives invocations at events; assists Members in contacts with religious groups; conducts wedding ceremonies, visits hospitals and conducts memorial services; and is available at all times for pastoral counseling to Members and staff.

The chaplain is one of five elected officers of the House of Representatives. The chaplain is paid $132,100 per year.

The other members of the search committee are: LOIS CAPPS, HELEN CHENOWETH, JAY DICKEY, CAL DOOLEY, ANNA ESHOO, STEVE LARGENT, JOHN LEWIS, JOE PITTS, RALPH REGULA, CIRO RODRIQUEZ, ROBERT SCOTT, JOHN SHIMKUS, TED STRICKLAND, ZACH WAMP, HENRY WAXMAN, and DAVE WELDON.

PERSONAL EXPLANATION

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. WEINER. Mr. Speaker, on rollcall No. 212, had I been present, I would have voted ''aye.''

HONORING THE LIFE OF GOVERNOR BOB BULLOCK

HON. GENE GREEN

OF TEXAS

HON. JIM TURNER

OF TEXAS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

HON. CHET EDWARDS

OF TEXAS

HON. RALPH M. HALL

OF TEXAS

HON. LLOYD DOGGETT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. GREEN of Texas. Mr. Speaker, today, my colleagues and I and the State of Texas lost a legend. Lt. Governor Bob Bullock passed away at the age of 69.

Before coming to Congress, we served with Governor Bullock as members of the Texas State Senate. No Texan stood taller than Bob Bullock in his knowledge of Texas Government, his influence over the affairs of Texas and his deep commitment to our State.

His love for our state was legendary. Each time he spoke of Texas, the feeling of his pride was very clear. He always said, ''I have no agenda but what's good for Texas. And I have no love, but Texas.''

Governor Bullock was born in Hillsboro, Texas on July 10, 1929. He was elected to the Texas House of Representatives in 1956 and was reelected in 1958. While still in the Texas Legislature, Governor Bullock enrolled in law school. He earned a law degree from Baylor University as well as a bachelor's degree from Texas Tech University. He was also a graduate of Hill College in his hometown.

Governor Bullock also served as an assistant attorney general, heading up the first antitrust and consumer protection division in that office. He won several historic cases including a multi-million dollar recovery from five large drug companies that conspired to fix prices. Bob Bullock held other positions in Texas State government, serving on the Texas Historical Commission, on the staff of former Governor Preston Smith, and as the Texas Secretary of State.

In 1974, Bullock was elected Comptroller of Public Accounts. He would serve four terms as the state's chief tax collector. His tenure as Comptroller was marked by innovation and efficiency. He became the first elected state official to adopt an equal employment opportunity program. He was among the first elected officials to use computer technology in state government to cut costs and improve productivity. He developed a Taxpayer Bill of Rights to guarantee that Texas taxpayers were treated with fairness, courtesy and common sense.

In 1990, Bob Bullock was elected Lieutenant Governor, a job considered the most powerful in the State of Texas. In this position, he presided over the Texas Senate, made committee appointments, sat on key government boards, and controlled the flow of legislation in the Senate.

As the presiding officer of the Texas Senate, Governor Bullock overhauled the ethics laws in an effort to restore public confidence in state government. He created the Texas Performance Review to analyze spending at state agencies and recommend cost-saving alternatives. He pushed through a constitutional amendment requiring voter approval before a state personal income tax could be enacted and if the voters approved the tax, requiring the money be earmarked for education.

Governor Bullock is survived by his wife, Jan; a son, Robert D. (Bobby) Bullock, Jr. of Austin; a daughter and her husband, Lindy and Phil Ward of Austin; a grandson, Grant Bullock Robinson of Austin; a stepdaughter and her husband, Kimberly and Jeff Ader of Houston; and a brother and his wife, Tom and Jane Bullock of Brenham. He is also survived by several nieces and nephews. Two sisters, Sara Read and Louisa Bond preceded him in death. We would like to offer our sincere condolences to Jan and the rest of his family.

Governor Bullock's accomplishments were shaped by his desire to make Texas the best state in the union. Governor Bob Bullock always ended his speeches with, ''God bless Texas.'' Today, we would like to add, ''God bless Bob Bullock.''

TRIBUTE TO DR. J. DANIEL STEWART

HON. JOE SCARBOROUGH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. SCARBOROUGH. Mr. Speaker, I rise today to pay tribute to a man who has dedicated 25 years of his life to protecting the people of this great nation and ensuring the American way of life. This gentleman has distinguished himself as a community leader, a dedicated family man, and a decorated civil servant in the United States Air Force. The man I speak about today is Dr. J. Daniel Stewart, Executive Director, Air Force Development Test Center at Eglin Air Force Base, Florida.

I could praise Dr. Stewart for his many successes as an engineer, an innovative manager and leader, or his demonstrated commitment to doing what it takes to get our warfighters the weapon systems they need. I could mention his many academic accomplishments earning multiple advanced degrees from some of our most prestigious institutions. Or I could applaud his decorations including the Presidential Rank Award ranking him in the top one per cent of civil servants in recognition to his contributions to National Defense. But I'm sure Dr. Stewart would say that those accomplishments were just part of his duty.

Mr. Speaker, these accomplishments only begin to describe the caliber of a man like Dr. Stewart. Ralph Waldo Emerson once said that what people say about you behind your back is the true measure of your character. The words said about Dr. Stewart behind his back include: honest, loyal, dedicated, courageous, honorable, hard working, and a true gentleman. From the time he entered federal service at the Air Force Rocket Propulsion Laboratory at Edwards Air Force Base in 1974 until today, when he leaves Eglin AFB to assume his new responsibilities as Executive Director of the Air Force Material Command, Dr. Stewart has shown a standard of excellence and dedication to duty that made him stand out as a man of intellect, skill, and integrity.

Dr. Stewart's dedication to his country serves as a model in the lives of the hundreds of civil servants, Air Force officers and enlisted personnel he has trained, supervised, and encouraged. The legacy Dr. Stewart leaves behind at Eglin Air Force Base as Executive Director, Air Force Development Test Center, will remain an inspiration to the men and women that were fortunate enough to serve under his leadership.

TRIBUTE TO WEST POINT GRADUATE RALPH WARE

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. SCHAFFER. Mr. Speaker, today, I rise to recognize a young man dedicated to excellence in the service of his country. On May 29,

1999, Cadet Captain Ralph Ware of Aurora, Colorado, graduated from the United States Military Academy at West Point, New York.

The United States Military Academy is among the most prestigious military academies in all the world. The Academy selects only the best and brightest young people of our nation to serve and study at West Point for four years. Once admitted, the cadet must endure the most rigorous training, testing his mind, body and spirit on a daily basis. As the cadet meets each challenge, he is transformed into a new, multifaceted person, capable of serving his country in the face of any obstacle. This transformation culminates in graduation, where each cadet celebrates the achievements of the past and the possibilities of the future.

Mr. Speaker, it is my privilege to congratulate Cadet Captain Ralph Ware and all of the West Point graduates. With confidence, I look forward to their leadership in America.

MANDATORY GUN SHOW BACKGROUND CHECK ACT

SPEECH OF

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2122) to require background checks at gun shows, and for other purposes:

Mr. MEEKS of New York. Mr. Chairman, I support the McCarthy amendment because I believe that gun shows should come under the same laws as gun stores. When individuals buy a gun from a gun store, they must undergo a background check—we must have the same background check for gun shows.

This amendment will require under the Brady Law, the instant background check of up to 3 business days on all gun show transactions. This is fair. We should have no exceptions to the rule.

Imagine no background checks. According to the National Association of Arms Shows, over 5 million people attend nearly 5,200 gun shows each year in the U.S. No background checks or record keeping was done at these events.

According to Deputy Attorney General Eric Holder, if the 72-consecutive-hour rule had been in effect over the past 6 months for regular retail store purchases—more than 9,000 felons and other prohibited purchasers would have been able to buy guns because their background checks would not have been completed in time.

Now, if this could happen at gun stores—imagine if we do not have this 3 day period when purchasing a gun at a gun show? Why should we make it easier for potential criminals to purchase a gun? An increasing number of criminals—who couldn't pass a background check at a gun store—are finding gun shows to be an easy source of guns. Imagine all the people that have died—because someone bought a gun without a background check.

And let me remind you that under Mr. DINGELL'S amendment proposing a 24-hour background check—17,000 prohibited persons would have slipped through the system.

We do not want any more crimes to occur. We do not want any more children in jail. We do not want to go to any more funerals.

Let's regulate gun show sales the same way as gun store sales. Support the McCarthy amendment like the: National Alliance of Stocking Gun Dealers, American Bar Association, The Police Foundation, National Association of Black Law Enforcement Officers, and the U.S. Conference of Mayors.

RECOGNIZING CROSSROADS COMMUNITY HOSPITAL AND HILLSBORO AREA HOSPITAL

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. SHIMKUS. Mr. Speaker, I would like to take one moment to recognize Crossroads Community Hospital in Mount Vernon and Hillsboro Area Hospital in Hillsboro for being mentioned in HCIA's ''100 Top Hospitals: Benchmark for Success—1998.''

It is comforting for me and the citizens of the 20th district of Illinois to know that we are receiving some of the best health care treatment provided in the Nation today. Health Care in America today is a vital issue. The successes of these Hospitals show that Illinois has given the issue the attention it deserves.

I am proud of the quality of medical care that these hospitals have provided to my district. The excellent service provided by Crossroads Community and Hillsboro Area Hospitals are symbols of the excellence in aiding and saving the beloved residents of the 20th district.

RECOGNIZING PROJECT '99 AT SHORE REGIONAL HIGH SCHOOL

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. HOLT. Mr. Speaker, I rise today in recognition of Project '99 at Shore Regional High School, which serves West Long Branch, Sea Bright, Oceanport, and Monmouth Beach, New Jersey. Project '99 is an innovative 4-day pregraduation program that combines public service events with seminars on self-improvement.

The schedule contains activities that will be held throughout the community from June 21–24, 1999. To be eligible to participate in Project '99, students must maintain exemplary discipline and academic records, and also be involved in the planning and development of two different events.

The first three days of the project focus specifically on community service. Participants engage in dune grass planting, school beautification, and mural painting projects. In addition, students host a senior citizen breakfast, organize and run a field day at the Monmouth School for Children, and work with Habitat for Humanity.

On the final day of the program, students turn their attention towards preparation for life after high school. Events include classes in self-defense, personal finance and car maintenance, and a special health and fitness session. Project '99 concludes with a motivational speaker and a barbecue send-off.

At a time when most seniors are involved only with celebrations and awards ceremonies, it is admirable that these students are choosing to take time and rededicate themselves to helping others. The personal qualities of compassion, awareness, and a commitment to public service emphasized by the Project '99 program are essential for the next stage of the students' lives.

I urge all of my colleagues to join me in honoring the creativity of the students, teachers, administrators, and parents at Shore Regional High School who are finding ways to make even the last days of high school a valuable educational experience.

HONORING THE OUTSTANDING GRADUATES OF JOHN J. PERSHING INTERMEDIATE SCHOOL 220

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Ms. VELÁZQUEZ. Mr. Speaker, it is with great pride that I ask you and my colleagues to join me in congratulating special graduates of the 12th Congressional District of New York. I am certain that this day marks the culmination of much effort and hard work which has lead and will lead them to continued success. In these times of uncertainty, limited resources, and random violence in our communities and schools, it is encouraging to know that they have overcome these obstacles and succeeded.

These students have learned that education is priceless. They understand that education is the tool to new opportunities and greater endeavors. Their success is not only a tribute to their strength but also to the support they have received from their parents and loved ones.

In closing, I encourage all my colleagues to support the education of the youth of America. With a solid education, today's youth will be tomorrow's leaders. And as we approach the new millennium, it is our responsibility to pave the road for this great Nation's future. Members of the U.S. House of Representatives I ask you to join me in congratulating the following students from IS 220: Salutatorian, Weva Kalidahanova; Valedictorian, Carol Chan.

FAMILIES FIRST ACT

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. BLILEY. Mr. Speaker, in time for Father's Day, I have introduced the Families First Act with Representatives JAMES OBERSTAR, DAVE CAMP, BOBBY SCOTT, DAN BURTON, EARL POMEROY, and JIM DEMINT. This bill that would make adoptions more affordable and provide children with loving homes. Sadly, many families wanting to open their homes and provide love to children are unable to do so because of the extremely high costs of adoption, which

range from $8,000 to $25,000. We want to alleviate these costs so that all children are given the chance to belong to a family.

The bill would allow penalty-free withdrawals of up to $5,000 from IRAs for adoption expenses. In recent years, Congress has allowed penalty-free withdrawals for home expenses and college education. The Families First Act would allow people to save the penalty money from early IRA withdrawal and put it toward their children's education. Our bill would enable families to borrow money from themselves to start a family, as opposed to taking out a second mortgage or depleting their savings accounts.

It would also repeal the December 31, 2001 sunset for Employer-Supported Adoption benefits and make it permanent law. The Families First Act would exclude, for taxation purposes, any adoption benefits people have received from their employer. It is imperative that employers are supportive when employees decide to give a child a home, whether through adoption or birth. Many businesses provide adoption benefits to their employees, and we should do all we can to further promote these benefits.

The Families First Act is a bipartisan bill that emphasizes the importance of placing families first. When it comes to providing a child with a loving home, families must come first—not the IRS. By increasing the options for parents struggling to afford the high costs of adoption, the Families First Act will increase the number of children who will finally have a place to call home next Father's Day.

PERSONAL EXPLANATION

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. WEINER. Mr. Speaker, on rollcall No. 213, had I been present, I would have voted "no."

HONORING DR. ROCCO MARTINO ON THE OCCASION OF HIS 70TH BIRTHDAY

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to honor and pay tribute to my good friend and colleague, Dr. Rocco Leonard Martino, on the occasion of his 70th birthday. Dr. Martino is a pioneer and international authority in the planning and use of computers, as well as a member of the board of Rome's prestigious Gregorian University.

Highlights of Dr. Martino's career include graduating Summa Cum Laude from the University of Toronto in Mathematics and Finance, earning a Ph.D. from the Institute of Aerospace Studies for work in the re-entry of Space Vehicle and receiving an honorary doctorate from Neuman College in 1993 for his contributions in Information Technology. Dr. Martino served as a Professor of Mathematics and Engineering at the University of Waterloo and at New York University, is the founder and Chairman of the Board of CyberNet Group, Inc. and recently completed 25 years of service as Chairman and CEO of XRT, Inc. In his role as a board Member on Rome's Gregorian University he serves as a consultant in the designing of one of the most advanced academic computer systems in the world. A devout Catholic, Dr. Martino is a leader in his local parish, St. Katherine of Siena in Wayne, PA and was formerly president of the Fathers' Club at both St. Aloysius Academy and St. Joe's Prep. Dr. Martino has managed to find a balance between two of his passions, theology and technology, and has contributed enormously to both fields.

Dr. Martino is nothing less than a visionary whose inventions and ideas are bringing computer technology into the next millennium. Yet, even though his scholarly title abbreviations run the alphabet in length (literally 26 letters long,) Dr. Martino will be the first to tell you that the most important thing in his life is not his inventions or titles, but his family. He is the embodiment of hard work, integrity and vision and I applaud his dedication to both his work and his family. I am proud to have Dr. Martino as my constituent, but I am even more honored to have him as my friend.

HONORING MRS. MARIE CRUMP

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. HOYER. Mr. Speaker, I rise today to honor an extraordinary woman, Mrs. Marie Crump, as she celebrates a birthday and as the community celebrates her years of leadership and service to Prince George's County.

Mrs. Crump began her service to Prince George's County in the 1950s when she became active in the 14th District Democratic Club and was elected treasurer. She also became quite active with the Young Democrats and soon distinguished herself as an invaluable resource of effort and knowledge.

In addition to volunteering for campaigns, Mrs. Crump also volunteered her time in service to Prince George's County's nonprofit community. She served as the local chair for the Red Cross, The Community Chest and the March of Dimes. In 1962, Mrs. Crump was selected as the Mother's March Chair for Birth Defects of Prince George's County and served in that capacity for 5 years.

As she retired in 1979 from an illustrious career with the County Treasurer's Office, she joined the Board of Directors for the Prince George's Civic Opera and has since devoted countless hours to its development for the enrichment and enjoyment of all Prince Georgians.

Mrs. Crump has spent over 40 years working to improve Prince George's County for all her citizens. She has made a profound impact on all those with whom she has worked and her life has been an example of the noblest of ideals—that of service to others.

Today, on behalf of the citizens of Prince George's County, I offer our thanks and our deepest gratitude for Mrs. Crump's lifelong work and I wish her the best as we recognize the magnitude of the difference she has made and as she celebrates her birthday with family and friends.

TAIWAN AID INITIATIVE TO HELP KOSOVAR REFUGEES

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Ms. BERKLEY. Mr. Speaker, the President of the Republic of China recently made a statement which I believe would be of interest to my colleagues. On June 7th, President Lee Teng-hui announced that the Republic of China will donate US $300 million to help Kosovar refugees rebuild their homes.

More than 782,000 ethnic Albanians have been forced to leave Kosovo since Yugoslav troops began ethnic cleansing in the region. Among them, 443,000 refugees fled to Albania and some 247,000 swarmed to Macedonia. The aid package will include emergency supplies for Kosovar refugees and contributions to long-term reconstruction efforts by the international community in Kosovo now that a peace plan has been accepted. Moreover, it also offers to arrange for Kosovar refugees to receive short-term technical training in Taiwan.

Mr. Speaker, I commend the Republic of China as a member of the world community for their continued commitment to protecting and promoting human rights. The announcement was both timely and insightful, fully demonstrating the ROC's concern for peace in the world. I submit the text of President Lee Teng-hui's statement to be printed in the RECORD.

PRESIDENTIAL STATEMENT REGARDING ASSISTANCE TO KOSOVAR REFUGEES

The huge numbers of Kosovar casualties and refugees from the Kosovo area resulting from the NATO-Yugoslavia conflict in the Balkans have capture close world-wide attention. From the very outset, the government of the ROC has been deeply concerned and we are carefully monitoring the situation's development.

We in the Republic of China were pleased to learn last week that Yugoslavia President Slobodan Milosevic has accepted the peace plan for the Kosovo crisis proposed by the Group of Eight countries, for which specific peace agreements are being worked out.

The Republic of China wholeheartedly looks forward to the dawning of peace on the Balkans. For more than two months, we have been concerned about the plight of the hundreds of thousands of Kosovar refugees who were forced to flee to other countries, particularly from the vantage point of our emphasis on protecting human rights. We thereby organized a Republic of China aid mission to Kosovo. Carrying essential relief items, the mission made a special trip to the refugee camps in Macedonia to lend a helping hand.

Today, as we anticipate a critical moment of forth-coming peace, I hereby make the following statement to the international community on behalf of all the nationals of the Republic of China:

As a member of the world community committed to protecting and promoting human rights, the Republic of China would like to develop further the spirit of humanitarian concern for the Kosovar refugees living in exile as well as for the war-torn areas in dire need of reconstruction. We will provide a grant aid equivalent to about US $300 million. The aid will consist of the following:

1. Emergency support for food, shelters, medical care, and education, etc for the Kosovar refugees, living in exile in neighboring countries.

2. Short-term accommodations for some of the refugees in Taiwan, with opportunities of job training in order for them to be better equipped for the restoration of their homeland upon their return.

3. Furthermore, support the rehabilitation of the Kosovo area in coordination with international long-term recovery programs when the peace plan is implemented.

We earnestly hope that the above-mentioned aid will contribute to the promotion of the peace plan for Kosovo. I wish all the refugees an early return to their safe and peaceful Kosovo homes.

HONORING THE YOUTH AWARD WINNERS OF THE HISPANIC YOUNG PEOPLES ALTERNATIVE

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Ms. VELÁZQUEZ. Mr. Speaker, it is with great pride that I ask you and my colleagues to join me in congratulating the Youth Award Winners who are being honored by the Hispanic Young Peoples Alternative (HYPA). These young people are being recognized this day for the effort and hard work which has led and will lead them to continued success. In these times of uncertainty, limited resources, and random violence in our communities and schools, it is encouraging to know that they have overcome these obstacles and succeeded. And they have succeeded not only for themselves, but for their community as well.

These students have learned that community service is an important part of their education. They have exhibited great maturity and responsibility by taking on the personal challenge of working to make the community a better place. Their contributions are priceless. They understand that—along with education—community service is an important part of gaining new opportunities and going on to greater endeavors. Their success is not only a tribute to their strength but also to the support they have received from their parents and loved ones.

In closing, I encourage all my colleagues to join me in congratulating the young people of HYPA and all of the youth of America who are engaged in community service. These young people we honor today will be the leaders of tomorrow. And as we approach the new millennium, it is our responsibility to pave the road for this great Nation's future. Members of the U.S. House of Representatives I ask you to join me in recognizing the following Youth Award winners: Rosalie Nuñez, Peter J. Ramos, Emanuel Hernández, Peter M. Ramos, George Lozado, Steven Amenula, Thomas Nuñez, Paticio Cacho Jr., and Jessica Garcia.

PERSONAL EXPLANATION

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. WEINER. Mr. Speaker, on rollcall No. 214, had I been present, I would have voted ''aye.''

H.R. 1070, BREAST AND CERVICAL CANCER TREATMENT ACT

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Ms. PELOSI. Mr. Speaker, I rise today in strong support of the bipartisan Breast and Cervical Cancer Treatment Act, H.R. 1070. This important legislation will help women beat back the ravages of breast and cervical cancer and save lives.

Every year, Cervical cancer kills 4,400 women and breast cancer kills over 46,000 women and is the leading cause of death among women between 40 and 45. This bill builds on a current program which covers screening services, but does not cover treatment for women who are detected with cancer. The bipartisan Breast and Cervical Cancer Treatment Act takes the vital next step to offer lifesaving treatment to cancer victims.

The medical community has the technology to detect and treat breast and cervical cancer. This bill will strengthen the existing ad hoc patchwork of providers, volunteers, and local programs that often results in unpredictable, delayed, or incomplete. The bill will offer consistent, reliable method of treatment for uninsured and underinsured women fighting breast or cervical cancer.

Mr. Speaker, I am pleased to say that H.R. 1070 has 248 co-sponsors. I want to compliment Representative ESHOO on her work on this issue. However, I am not pleased with the Republican leadership which has given inadequate attention to this bill. The Republican controlled House has not even held a Committee hearing on the ''Breast and Cervical Cancer Treatment Act''. This bill has enough co-sponsors to pass. We should pass this legislation and help save the lives of women.

PERSONAL EXPLANATION

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. KOLBE. Mr. Speaker, on June 17, 1999 the House debated the Consequences for Juvenile Offenders Act (H.R. 1501). Following the vote, I was dismayed to see that I was listed as not voting on rollcall vote No. 223. I was on the floor and am positive I put my card in the voting device. Had my vote been recorded, it would have been ''nay.''

H.R. 2015

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. GONZALEZ. Mr. Speaker, I introduced H.R. 2015 on June 7, 1999. This legislation would reauthorize the Welfare to Work Tax Credit and the Work Opportunity Tax Credit programs for five years. Both of these tax credits are set to expire on June 30th of this year.

Mr. Speaker, for the last seven years America has experienced an historic level of economic growth. The unemployment rate is at a 29 year low, and over 18 million jobs have been created. But, despite this spectacular success there still are many pockets of poverty and of unemployment or underemployment in our country. Mr. Speaker, the Welfare to Work tax credit and the Work Opportunity Tax Credits are specifically targeted to increasing employment amongst the hardest to hire worker groups in this country. These credits reward work, and their tax benefits accrue to the private firms that hire from these at-risk groups. If we are serious about moving millions of welfare recipients as well as unemployed and underemployed Americans into full time jobs in the private sector, Congress must act now to fully reauthorize the Welfare to Work and Work Opportunity Tax Credits.

The Welfare to Work Tax Credit was established as part of the Taxpayer Relief Act of 1997. This tax credit is intended for long term Temporary Assistance to Needy Families (TANF) recipients. A private firm that hires a member of a family that has received TANF benefits for at least 18 consecutive months can apply for the credit. The Welfare to Work Tax Credit counts against a firm's federal income tax liability for an amount up to 35% of the first $10,000 earned during the individual's first year of employment, and 50% for the first $10,000 earned during the second year of employment. An employer must retain eligible workers for at least 400 hours or 180 days in order to receive the credit. In the first two quarters of FY 1999, over 47,000 Welfare to Work certifications were issued.

The Work Opportunity Tax Credit was initially authorized as part of the Small Business Job Protection Act of 1996. This tax credit is intended for several hard to hire groups other than long term welfare recipients. Groups eligible for the Work Opportunity Tax Credit are: Members of families receiving TANF benefits for any 9 months during the 18 month period before starting employment; 18 to 24 year-olds whose principal place of abode in an empowerment zone or an enterprise community; 18 to 24 year-olds who are members of families receiving food stamp benefits for the 6-month period ending on the hiring date; 16 to 17 year-olds hired for summer work for any 90 day period between May 1 and September 15 whose principal place of abode is an empowerment zone or an enterprise community.

Veterans who are members of families that have received food stamps for at least a 3 month period during the 15 month period ending on the hiring date.

Individuals with physical or mental disabilities that have been referred by their state's vocational rehabilitation program.

Economically disadvantaged ex-felons.

Supplemental Security Income (SSI) recipients.

For eligible hires who remain on a firm's payroll at least 400 hours, an employer can apply a Work Opportunity Tax credit against the firm's federal income tax for an amount equal to up to 40 percent of the first $6,000 in wages paid during the worker's first year of employment. For eligible hires who remain employed from 120 hours to 399 hours the Work Opportunity Tax Credit rate is 25 percent for the first $6,000 in wages. With regards to summer youth employees, the Work Opportunity Tax Credit is applied against the first $3,000 earned in any 90 day period between May 1 and September 15. During Fiscal

Year 1998, 285,322 Work Opportunity Tax Credit certifications were issued. For the first two quarters of FY 1999, 157,850 such certifications were issued.

Both the Welfare to Work and Work Opportunity Tax Credits are set to expire this year on June 30th. H.R. 2015 would reauthorize both credits for five years. Mr. Speaker, I believe it is important that this Congress take a firm stand in favor of economic development and reduce the remaining pockets of unemployment and underemployment in this country by fully reauthorizing both the Welfare to Work and the Work Opportunity Tax Credits for 5 years. Both these credits have minimal impact on the federal budget. The Joint Committee of Taxation estimated that currently issued credit certifications for the Work Opportunity Tax Credit would cost $445 million between fiscal year 1999 and fiscal year 2004, and Welfare to Work credits would cost $25 million for the same period. We cannot afford to put these programs at risk each year during the annual budget process. We need to reauthorize them for at least a full 5 year period. Mr. Speaker, I encourage may colleagues to join me in support of H.R. 2015.

HONORING THE SPECIAL GRADUATES OF MIDDLE SCHOOL 136

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Ms. VELÁZQUEZ. Mr. Speaker, it is with great pride that I ask you and my colleagues to join me in congratulating special graduates of the 12th Congressional District of New York. I am certain that this day marks the culmination of much effort and hard work which has lead and will lead them to continued success. In these times of uncertainty, limited resources, and random violence in our communities and schools, it is encouraging to know that they have overcome these obstacles and succeeded.

These students have learned that education is priceless. They understand that education is the tool to new opportunities and greater endeavors. Their success is not only a tribute to their strength but also to the support they have received from their parents and loved ones.

In closing, I encourage all my colleagues to support the education of the youth of America. With a solid education, today's youth will be tomorrow's leaders. And as we approach the new millennium, it is our responsibility to pave the road for this great Nation's future. Members of the U.S. House of Representatives I ask you to join me in congratulating the following Academic Achievement Award Recipients: Andrew Caceres and Fi Lan Ho.

PERSONAL EXPLANATION

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. WEINER. Mr. Speaker, on rollcall No. 215, had I been present, I would have voted ''aye''.

IN SUPPORT OF AMERICAN AGRICULTURE

HON. RONNIE SHOWS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. SHOWS. Mr. Speaker, today I stand before my colleagues and the American people to discuss the American farmer. I have done so before and am more than happy to stand up for the American Farm Family again.

My district, in Mississippi, is largely supported by agriculture. Family farmers, and I was once a farmer, are our neighbors, friends and community leaders. They provide a foundation of sound American values and a strong work ethic to communities all across our nation. When you get right down to it, they are good people who work read hard to make a living and raise their families.

There's more, much more, to say about our farmers, though. The American family farmer is the most successful and efficient farmer in the world. Our agricultural industry feeds and clothes more people than any other system of agriculture on the planet. The American farmer is one of America's greatest success stories. They have excelled through the best and worst of times.

Our farmers fed a hungry nation during the Great Depression, sustained our great army during World War II. And, when the soldiers came home, our farmers went to work with new and dynamic technologies and machinery. They have helped feed, clothe, fuel and grow our economy without ever looking back.

We cannot turn our backs on our farmers when they need our help. We cannot afford too.

Our farmers and ranchers are feeling financial and emotional stress. Prices of commodities have been spiraling downward over the past year. Many of our farm families have seen prices for their hard work hit decade lows over the recent months. We must continue to act in support of our American farm families.

Let's fight for the farmers as they work to meet the demands of the EPA. Let's give them the time and support they need in the Farm Quality Protection Act.

Let's continue supporting the Conservation Reserve Program. Mississippi's very own Jamie Whitten realized this monumental piece of legislation that has added millions of acres in needed pine trees. This program needs our continued support. Dairy Farmers in Mississippi and across America need the USDA to enact Option 1A. Let me say that again. America's Dairy Farmers need option 1A and I urge the USDA to do the right thing.

Let's support our farmers because they support us everyday.

TRIBUTE TO STOCKTON MORRIS, PENNSYLVANIA DELEGATE TO THE FIRST JUVENILE DIABETES CONGRESS IN WASHINGTON, DC

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to pay tribute to Stockton Morris, a 9 year old student at the Coopertown Elementary School who has just completed the third grade. On Sunday, June 20, Stockton will be traveling to Washington, DC as a Pennsylvania delegate to the First Juvenile Diabetes Congress to raise the awareness of the Congress and the country about diabetes.

Diabetes is a devastating disease which affects over 16 million Americans. Even though 1,700 people are diagnosed with diabetes each day, half of those who have this disease do not even know it. Unlike many other chronic and potentially deadly diseases, there is so much more that we can do to tackle diabetes—much of it simply through education and awareness. Most important, however, is the need for increased funding for diabetes research at NIH and CDC so that we may someday discover a cure to eradicate this disease.

I have heard from many of Stockton's friends and teachers. All of them applaud him for his character and courage. Susan Mingey, a teacher in Stockton's school, wrote to me saying, ''As a teacher in Stockton's school, I have watched him for almost four years carry himself with dignity and honor as he accepts the day to day routine of 'highs and lows' with needles. I have listened to him explain his disease to peers, teachers, and Coopertown's youngest students with the knowledge and authority of one who is in control of his disease.'' Karen Brimer, Stockton's Learning Support Teacher, wrote to say, ''I have seen Stockton grow into such a wonderful young person. He is full of knowledge, wisdom, and zest for life. I often look at him as my teacher when it comes to learning about diabetes.''

Stockton has worked patiently, quietly, and courageously to raise the awareness of his schoolmates regarding this disease. He has even raised money for research to find a cure. On Sunday, Stockton will be taking his efforts to a new level, traveling to Washington, DC to raise the awareness of the country and the Congress about the need for increased research dollars.

Three years ago, I myself was diagnosed with adult-onset diabetes, a disease in which the body does not produce or properly use insulin—a hormone which breaks down sugar and converts it to energy. I was diagnosed after I underwent a diabetes screening test after former Speaker Newt Gingrich urged me and my colleagues to become more involved with fighting diabetes. I have type II diabetes, the most common form, and can easily treat and control my condition through medication, exercise, and diet. Since then I have worked as a leading Member of the House diabetes caucus to do what Stockton has been so successful at—teach others about the disease, and raise awareness about the need for increased research dollars.

In April of this year, I introduced legislation that will help us to fight this deadly disease by raising public awareness and provide increased funding for research. This innovative legislation, called the Stamp Out Diabetes Act, would create a new first-class postage stamp to raise funds for diabetes research. Under my legislation, supporters of diabetes research would voluntarily pay between 34 cents and 41 cents for the special stamp. The additional penny to eight cents would be earmarked for diabetes research at the National Institutes of Health, after the administrative costs incurred by the postal service are subtracted.

My hope is that Americans will realize the importance of funding this type of research and will show their support by paying a few extra pennies to mail a letter. With millions of Americans taking part in this program, it is my hope that we can raise as much as $10 million in additional funding for diabetes research. As we struggle to balance the budget and reduce the national debt, we have to come up with new and innovative ways to fund research in critical areas like diabetes. By allowing individuals to voluntarily help the cause of diabetes research, my legislation will help to fund this life-saving research.

Not only will the stamp help to raise much-needed funding for diabetes research—at no expense to taxpayers—but it will also help to raise the public's awareness about the disease. Perhaps it will even prompt some individuals to undergo diabetes screenings and catch the disease in its early stages. With innovative projects such as the diabetes stamp, combined with the work and support of young leaders like Stockton Morris, we will indeed be able to find a cure for diabetes as we enter the new Millennium.

And so I rise today to applaud this extraordinary young man. He is a tribute to his family, his school, and his community. His continuing advocacy on behalf of the diabetes community is an immeasurable benefit to our common cause—finding a cure for diabetes. In conclusion, I would like to thank Stockton for all of his work on behalf of the diabetes community. I would also like to thank the Juvenile Diabetes Foundation for holding this important event. The work that they have done has indeed made a difference.

IN MEMORY OF ROD AND BRAD BURNSIDE, JIM AYRE, AND HOWARD SWIFT

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. CAMP. Mr. Speaker, today, I rise to honor and remember three men and one young boy who lost their lives in a tragic accident.

On November 11, 1995, after setting out for a duck hunt, Rod Burnside, his son Brad, Jim Ayre and Howard Swift were swept up by inclement weather. I know them well. Their presence is missed not only by their families and friends, but by the whole Midland County community as well.

While no one could have foreseen the tragedy that took these gentle souls from their loved ones, the community came together in the spirit of fellowship to help the family and friends through these difficult times.

The community has united to build a tribute to their departed friends. On June 24, 1999, a ceremony will be held to dedicate the memorial. It will stand near the Pere Marquette Rail Trail and will serve as a testament to the honor in which each man lived his life and it will be a solemn monument for their loved ones.

Mr. Speaker, I know you will join me and my colleagues in a moment of silence to honor those for whom this memorial is being dedicated.

MANDATORY GUN SHOW BACKGROUND CHECK ACT

SPEECH OF

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

The House in Committee of the Whole House on the State of the Union had under consideration this bill (H.R. 2122) to require background checks at gun shows, and for other purposes;

Mr. FARR of California. Mr. Chairman, it is a travesty that our society tolerates the death of 13 children every single day by guns.

I just don't understand why we aren't outraged and ashamed.

The gun violence provisions purposed by the Republican leadership prove they don't ''gets it.''

One of my local communities 3,000 miles away ''gets it.'' They recognizes that ''a mere reduction in the availability of guns and ammunition would decrease the lethality and injury associated with violence.''

The Senate ''gets it.'' They passed some modest gun safety measures: to require mandatory background checks of buyers at gun shows to prohibit juveniles from privately purchasing assault weapons banning the importation of large ammunition clips requiring the sale of a gun lock or storage box with each gun restricting unlicensed sales at gun shows.

One of my local sheriffs ''gets it.'' He said yesterday, ''There needs to be tangible change around the issues of gun use and ownership. In my opinion the Senate language is not unreasonable.

But instead of encouraging responsible gun safety measures, the House leadership has proposed weakening the Senate provisions by watering down the background checks at gun shows.

In 1997 an ATF study traced firearms used in youth crimes in one of my communities and found that most of the weapons were bought from gun traffickers and small dealers.

Without adequate background checks, we can't prevent guns from getting into the hands of gun traffickers and being sold to juvenile offenders.

While I recognize the rights of law abiding citizens to purchase guns for hunting and collecting, as a parent I have to ask myself ''how many more children have to die because of gun violence before ''enough is enough.''

PERSONAL EXPLANATION

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. WEINER. Mr. Speaker, on rollcall No. 216, had I been present, I would have voted ''aye.''

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. PASCRELL. Mr. Speaker, I was granted a leave of absence for today, Friday, June 18, 1999 after 12 noon. At that time, I received word of a family emergency at home in New Jersey and immediately left Washington D.C. Following are the votes I missed and how I would have voted:

Representatives Sessions and Frost amendment (No. 8) to H.R. 2122, the Mandatory Gun Show Background Check Act: On rollcall No. 239, I would have voted ''nay''.

Representative Goode Amendment (No. 9) to H.R. 2122, the Mandatory Gun Show Background Check Act: On rollcall No. 240, I would have voted ''nay''.

Representative Hunter Amendment (No. 10) to H.R. 2111, the Mandatory Gun Show Background Check Act: On rollcall No. 241, I would have voted ''nay''.

Representative Rogan Amendment (No. 11) to H.R. 2122, the Mandatory Gun Show Background Check Act: On rollcall No. 242, I would have voted ''yea''.

Representatives Conyers and Campbell Amendment (No. 12) to H.R. 2122, the Mandatory Gun Show Background Act: On rollcall No. 243, I would have voted ''yea''.

On Passage of H.R. 2122: On rollcall vote No. 234, I would have voted ''nay''.

PERSONAL EXPLANATION

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Ms. CARSON. Mr. Speaker, I was unavoidably absent on Thursday, June 17, 1999, missing rollcall votes 220 through 235. Had I been present, I would have voted ''no'' on rollcall 220, ''no'' on rollcall 221, ''yes'' on rollcall 222, ''no'' on rollcall 223, ''no'' on rollcall 224, ''yes'' on rollcall 225, ''yes'' on rollcall 226, ''no'' on rollcall 227, ''yes'' on rollcall 228, ''yes'' on rollcall 229, ''yes'' on rollcall 230, ''no'' on rollcall 231, ''yes'' on rollcall 232, ''no'' on rollcall 233, ''no'' on rollcall 234, and ''yes'' on rollcall 235.

TRIBUTE TO AKA's BETA ALPHA OMEGA CHAPTER

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. PAYNE. Mr. Speaker, I rise to bring your attention to an organization that has made quite an impact on its surrounding community. I speak of the Beta Alpha Omega Chapter of the Alpha Kappa Alpha Sorority. The Alpha Kappa Alpha Sorority is the oldest Greek-letter organization for African American women. Founded on the Howard University campus in Washington, DC on January 15, 1908, it has grown from a membership of 9 to over 150,000.

New Jersey's oldest chapter is Beta Alpha Omega. It was chartered on January 30, 1934 in Newark. For the past 65 years this chapter has continuously provided invaluable community services in the City of Newark and surrounding area. As a result of their unwavering dedication to the improvement of their community, the Beta Alpha Omega Chapter will be honored by the Kappa Alpha Sorority on Saturday, June 19, 1999.

Mr. Speaker, I ask that we too join in honoring this fine organization; an organization rich in both history and service. Once again, I extend my praises to the Beta Alpha Omega, and wish them another 65 years of continued success.

PERSONAL EXPLANATION

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. WEINER. Mr. Speaker, on rollcall No. 217, had I been present, I would have voted ''aye.''

FIGHTING HUNGER FOR A QUARTER OF A CENTURY: COMMEMORATING BREAD FOR THE WORLD'S 25TH ANNIVERSARY

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. HALL of Ohio. Mr. Speaker, I rise to salute and congratulate Bread for the World on their 25th anniversary, and welcome Bread for the World members from across the country as they convene in Washington, D.C. for their National Gathering, Silver Anniversary Celebration, and Annual Lobby Day.

For 25 years, Bread for the World has worked to end hunger and seek justice for the poor, the hurting, and the oppressed. When people of faith come together around the common conviction that hunger can be defeated, great things happen. And great things have happened over the years, as Bread for the World has won many victories, large and small, on behalf of the hungry and voiceless. It has been my privilege to work with Bread for the World on many issues over the years, and I've often drawn inspiration from the energy, dedication, and tenacity of Bread for the World Members and staff. This organization represents our finest traditions of living faith and civic duty, and its efforts have never been more important.

Despite a booming economy, hunger is on the rise, and millions of low-income Americans are having trouble putting food on the table. Rosy economic statistics are masking real hardship and a deepening of poverty for many working people and others. Across the nation, the number of people turning to food banks and soup kitchens for help is up substantially. And here in the richest nation on earth, we still have a disgracefully high child poverty rate, with one in five of our children living in poverty.

And despite tremendous progress in this fight over the past 25 years, hunger still threatens 800 million of the world's people. Large populations in Africa's Great Lakes Region, Angola, Liberia, Somalia, Sudan, the former Yugoslavia, Afghanistan, Iraq, and North Korea require assistance to survive. World estimates of people requiring emergency food aid to escape hunger now exceed 26 million.

We know that debt relief is hunger relief, and that is why Bread for the World's Debt Relief for Poverty Reduction initiative is so timely. This year, Bread for the World joined together with hundreds of other organizations working internationally to ease crippling debt burdens that keep poor nations from investing in the well-being of their citizens. Payments on past debt are, on average, twice the amount that many poor countries receive in aid. In sub-Saharan Africa, nations are making payments of $12 billion each year on old debt—six times the amount it would take to school all African children. That is wrong, and I am pleased to join with Bread for the World in seeking to change it.

I give thanks for Bread for the World and its members and staff for their contributions to fighting hunger in the United States and overseas, and wish them continued blessings in the years ahead, as they seek justice and an end to hunger.

TRIBUTE TO DISCOVER CARD SCHOLARSHIP WINNERS OF SOUTH CAROLINA

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to the recipients of the Discover Card Tribute Award scholarships. The winners were selected from over 10,000 applications nationwide.

The Discover Card Tribute Award program honors outstanding high school juniors across the United States and overseas. The Tribute Award program not only recognizes the students scholastic achievement, but also their community service, leadership skills, unique talents, and goal attainment. The winners may use their scholarships for any form of post high school education, including trade schools and two year colleges.

The scholarships are awarded in three categories of study: Arts and Humanities, Trade and Technical or Science, Business and Technology. Students can receive a gold (2,500), silver (1,750), bronze (1,250), and merit (1,000) Tribute Award scholarship.

The winners from South Carolina are: Melanie Almonte, Goose Creek—bronze; Shawnta Bolden, North Charleston—bronze; Reis Coggins, Fort Mill—silver; KoJillitta Griffin, Charleston—silver; Kiti Kajana, Columbia—gold; Anisa Kintz, Conway—silver; Courtney Sandifer, Barnwell—gold; Snehal Sarvate, Charleston—bronze; Krista Shirley, Gilbert—gold; and Mellisa Tanner, North Charleston—silver.

Mr. Speaker, it is my honor to recognize the young scholarship winners from the Palmetto State, and I ask my colleagues to join me in congratulating these students for their current achievements, and encourage them to continue their contributions as our nation's young leaders.

HILLSBORO HIGH SCHOOL TEAM WINS REGION FOUR (SOUTHEASTERN STATES) IN WE THE PEOPLE . . . THE CITIZEN AND THE CONSTITUTION PROGRAM

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. CLEMENT. Mr. Speaker, I rise today to recognize my alma mater, Hillsboro High School, for their victory in Region Four (Southeastern States) of the We the People . . . The Citizen and the Constitution program. On May 1–3, 1999, more than 1,200 students from across the United States came to Washington, D.C. to compete in the national finals of this program. Through their hard work and diligence, and led by teacher Mary Catherine Bradshaw, State Coordinator Judy Cannizzaro, and District Coordinator Holly West Brewer, these young scholars gained a profound knowledge and understanding of the fundamental principles of our constitutional democracy.

The We the People . . . The Citizen and the Constitution program is the most extensive educational program in the country developed specifically to educate young people about both the Constitution and the Bill of Rights. The three-day national competition was modeled after hearings in the U.S. Congress, consisting of oral presentations by the students before a panel of adult judges. The students testified as constitutional experts, and their testimony was followed by a period of questioning during which the judges probed the students for both the depth of their understanding and the ability to apply their knowledge to constitutional dilemmas.

Twenty-seven students from Hillsboro competed in the competition, including Suchie Brattacharyya, Rachel Bloomekatz, Kate Caldwell, Tua Chaudahari, Lauren Collett, Doug Conway, Rion C. Taylor, Cara Doidge, Sarah Ettinger, Carmen Germino, Lee Griggs, Emma Groce, Kyle Hatridge, Sarah Henn, Rebecca Hunter, Emeily Leiserson, Meredith Lorber, Ana Mallett, Judson Merrell, Carley O'Shea, Rachel Roberts, J.P. Schuffman, Ashley Smiley, Ashley Thompson, Ayne Wallace-Swiggart, and Mary Williams.

Administered by the Center for Civic Education, the We the People . . . program has provided curricular materials at upper elementary, middle, and high school levels for more than 26.5 million students nationwide. A 1994 evaluation of the program found it successful in promoting both the toleration of dissenting views and active participation in our political system. I commend the students from Hillsboro High School, as well as their teachers and administrators, for their impressive performance and wish them the best of luck in their efforts to reach the 2000 national finals.

EXPANDED NUTRITION PROGRAM

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. ORTIZ. Mr. Speaker, I rise today to ask my colleagues to join me in observing the 30th

anniversary of the Expanded Nutrition Program. On Monday, I will be with the Expanded Nutrition Program of the Texas Agricultural Extension Service at Texas A&M University—Corpus Christi to celebrate this all-important anniversary.

We are all fortunate enough to know how very important, how very fundamental, nutrition is to each of us. Each one of us, for better or worse, is a product of what we began to eat when we were younger. I am so very proud of the work South Texans have done to learn more about nutrition.

I am so grateful for the vision in association with the Expanded Nutrition Program (ENP) in Texas. ENP has been providing nutrition education to poor families and children since 1968, and it is easily one of our most productive programs.

ENP teaches an assortment of things all of us need in order to be productive, healthy citizens: life skills, self-sufficiency, better health and nutrition, careful budgeting, commitment, responsibility and personal success. All in all, ENP leads the way to a healthier way of life. Better still, EPN saves us money; each dollar spent on ENP is $10 saved on health care costs.

ENP teaches lessons about food and nutrition in a supportive environment. The ''Kids in the Kitchen'' program provides leadership development for young people who need esteem or leadership skills. Young people who help prepare family meals learn valuable lessons about sharing workload and responsibility.

Through the Texas Agricultural Extension Service, Texans have learned about basic nutrition, managing a food budget, food safety and food preparation. Women who are returning to work can learn to prepare quick and easy, yet nutritious, meals to ease the family's adjustment to the change. Positive, productive activities may reduce the chance of risky behavior.

I want to ask all my colleagues to join me today in observing the 30th anniversary of the Expanded Nutrition Program.

PERSONAL EXPLANATION

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. WEINER. Mr. Speaker, on rollcall No. 218 had I been present, I would have voted ''no.''

SAN ANTONIO WATER SYSTEM RECYCLING PROJECT

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. RODRIGUEZ. Mr. Speaker, I am pleased today to introduce legislation to promote water conservation and recycling in San Antonio, Texas. This legislation enjoys the bipartisan support of the other members of the San Antonio congressional delegation who join as original co-sponsors.

Like many places across the Nation, San Antonio and the entire central Texas region faces the challenge of providing adequate supplies of water for human consumption, agriculture, industry, and recreation. Unlike other areas, San Antonio depends on a sole source for its drinking water—the Edwards Aquifer.

This legislation would authorize the San Antonio Water System (SAWS) Water Recycling Project Phase III. SAWS has embarked on an ambitious project to recycle water that can then be used for a host of industrial and non-potable uses. Upon completion of the project, SAWS expects to save 35,000 acre feet of water, roughly equivalent to 31.2 million gallons per day. As a result, more than 11 billion gallons a year of aquifer water will be available for potable use. This saving will free up an amount equal to approximately twenty percent of the City of San Antonio's current withdrawals from the Edwards Aquifer.

The SAWS recycling project meets federal goals for Bureau of Reclamation water projects under Title XVI of the Reclamation Wastewater and Groundwater Study and Facilities Act of 1992, as amended (PL 102–575). Specifically, the San Antonio Recycled Water Project will: reduce demand on and use of the Edwards Aquifer water supply and will help protect federally-protected endangered species dependent on spring flows originating in the Edwards Aquifer; reduce and postpone San Antonio's need to develop new water resources; foster a region-wide perspective in addressing usage issues across the Edwards Aquifer area, as well as the San Antonio and Guadalupe Rivers watersheds; and provide economic benefits to a community with significantly economically disadvantaged sectors. Phase III is expected to cost approximately $20 million, and the federal share would be $5 million.

The FY 1998 Energy and Water Appropriation Bill contained a $200,000 ''earmark'' for the Bureau to conduct a review of San Antonio's environmental assessment and feasibility study of the reuse program. Staff of the Bureau of Reclamation are currently working in coordination with staff of the San Antonio Water System to perform this review. The SAWS project authorization was included in S. 901 in the 104th Congress, a bill reported favorably by the Senate Committee on Energy and Natural Resources. Unfortunately, that version of the bill did not become law.

We face a continuing challenge to use our natural resources more efficiently so that we can meet our communal obligation to provide high quality drinking water to all of our neighborhoods and to maintain a supply of water for economic growth and expansion. In San Antonio, our five military installations will benefit from the recycling project, reducing their need to rely on Edwards Aquifer water. Other large water consumers will also switch to recycled water for non-potable uses, helping us better manage our water supply. SAWS has stepped up to the plate to find long-term solutions, and this recycling project is part of that plan. I am honored to join with my colleagues from San Antonio, Congressman LAMAR SMITH, Congressman HENRY BONILLA, and Congressman CHARLES GONZALEZ, as original co-sponsors of this legislation.

BETHESDA FALCONS WIN RECORD SEVENTH MARYLAND SOCCER TITLE

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mrs. MORELLA. Mr. Speaker, it is my great pleasure to congratulate the Bethesda Soccer Club Falcons for their victory in the U–16 girls Maryland State Cup championship. Their defeat of the Soccer Club of Baltimore Force on Saturday, June 5, by the score of 11–0, marked the Falcon's seventh consecutive title, a Maryland record. The Falcons have won the title each year since they have been eligible to compete for the State Cup. The team will travel to Rhode Island next month to compete in the U.S. Youth Soccer Association Eastern Regional Championships.

The Force battled throughout the game and never relented, but the Falcons' stout defense, anchored by defenders Caitlin Curtis, Amy Salomon, Alison West, and goalies Anna Halse-Strumberg, and Kerry York, limited the Force to just a handful of shots. On offense, the Falcons were led by three goal performances from Audra Poulin and Jenny Potter. Jenna Linden contributed two goals with Christi Bird, Stephanie Sybert, and Allison Dooley tallying the remaining scores. The Falcon midfielders, Beth Hendricks, Tara Quinn, Jennifer Fields, Susannah Empson, and Tanya Hahnel, played a key role in transition between offense and defense. The Falcon defense did not allow a goal in the five games of the 1999 State Cup tournament while the offense recorded 29 goals. On Sunday, the Falcons ended their regular season with a first place finish in the Washington Area Girls Soccer Association U–17 Premier Division. The team was guided by coach Richie Burke.

MANDATORY GUN SHOW BACKGROUND CHECK ACT

SPEECH OF

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2122) to require background checks at gun shows, and for other purposes:

Mr. BARCIA. Mr. Chairman, I rise in support of the Dingell, Oberstar, Stenholm, Tanner, Cramer, John amendment.

The amendment addresses several concerns that are important to my constituents in the Fifth District of Michigan. H.R. 2122, as written would allow a 72-hour delay at Gun Shows if the instant check is not approved. In my district, many of my constitutents purchase their firearms at Gun Shows because of the rural nature of this area and access to firearms for hunting or self-protection is not readily available. The Dingell Amendment would not strike the instant check at gun shows, but would lower the 72-hour delay to 24 hours. In many cases, a gun show is only in an area for 2 days. The three-day delay would prevent many law-abiding citizens from purchasing

legal firearms. With more than 92 percent of the delays approved, this would be a severe restriction for those law-abiding citizens who want to exercise their Second Amendment Rights. Under current law, in a majority of cases, if the purchaser of the firearm is latter to be found in violation of state of federal law, the police were able to recover the firearm with little difficulty.

I strongly believe that we should support every effort to protect the rights of law-abiding citizens and punish those who ignore the law—particularly those who use a firearm and injure or kill their victim. This Amendment increases the penalty for criminals who use a banned assault weapon in conjunction with a crime.

A 72-hour check is a back door effort to stop otherwise legal gun sales. We can do it instantly with today's technology. If you want to ban gun sales then say so. If you want reasonable safety check, then a 24-hour delay is enough. I urge adoption of the Dingell Amendment.

LEGISLATION TO PROTECT SENSITIVE CALIFORNIA LANDS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. FARR of California. Mr. Speaker, I rise today to give notice to my colleagues that I am introducing three pieces of legislation to help protect sensitive California lands. The first bill is the California Coastal Rocks and Islands Wilderness Act of 1999. I am pleased to be able to offer this bill with bipartisan support and want to thank my colleagues, Messrs. GALLEGLY, WAXMAN, CAMPBELL, STARK, BILBRAY, Ms. ESHOO and Mrs. CAPPS for joining me in this effort.

Mr. Speaker, the purpose of this bill is to recognize the ecological significance of the tens of thousands of small rocks, islands and pinnacles off the California coast, by designating them as part of the National Wilderness Preservation System. These small islands and rocks provide important resting sites for California sea lions, Steller's sea lions, elephant seals and harbor seals, as well as providing a narrow flight lane in the Pacific Flyway.

An estimated 200,000 breeding seabirds of 13 different species use these rocks and islands for feeding, perching, nesting and shelter. Birds that use these areas include three threatened and endangered species: the brown pelican, the least tern and the peregrine falcon.

The Wilderness designation afforded by this act would apply to all rocks, islands and pinnacles off the California coast from the Oregon border to the U.S. Mexico border, which are currently under the jurisdiction of the Bureau of Land Management (BLM). This includes nearly all of the federally-owned lands above the mean high tide and within three geographical miles off the coast.

The designation would afford the highest protected status and highlight the ecological importance of all of the small rocks, islands and pinnacles off the California coast, which together comprise approximately 7,000 square acres. Adding these areas would also further the Wilderness Act's goal of including unique, ecologically representative areas to the System.

Rocks and islands which are already patented or reserved for marine navigational aids, National Monuments, or state parks will not be affected by the legislation.

I am pleased to be able to introduce this bill and look forward to its swift passage, so that these unique areas of California's ecosystem can be preserved and protected for generations to come.

Mr. Speaker, the second piece of legislation that I am introducing today is the ''Pinnacles National Monument Boundary Adjustment Act of 1999''. This legislation transfers land that is currently under the jurisdiction of the Bureau of Land Management to the National Park Service at the Pinnacles National Monument in California.

This ''no cost'' land exchange will also designate the additional land acquired by the National Park Service as a component of the National Wilderness Preservation System. I would like to point out that this will not change the current management practices that have been conducted by the Bureau of Land Management.

Finally, this legislation authorizes the Secretary to acquire additional lands depicted on the map through purchase, donation, or a combination thereof.

Mr. Speaker, the third piece of legislation that I am introducing will require the National Park Service to conduct a feasibility study regarding options for the protection and expanded visitor enjoyment of nationally significant natural and cultural resources at Fort Hunter Liggett, California.

Under BRAC several historic buildings are now being transferred to the National Park Service from the United States Army. In addition, other cultural sites, cultural landscapes, buildings, and the natural resources of the entire 165,000 acre fort area merit evaluation for future protection and visitor enjoyment, either in concern with military activities or in the event of future military downsizing.

Fort Hunter Liggett and the surrounding areas have a deep and storied history. Serving as hunting grounds, for more than 10,000 years, archaeologists have found artifacts throughout the San Antonio Valley and the Santa Lucia Mountains. In 1771, construction began on Mission San Antonio, the third mission established in California which is a working inholding that can still be visited.

To quote Wendell Berry ''To cherish what remains of the Earth and to foster its renewal is our only legitimate hope of survival,'' Mr. Speaker, I urge you and our colleagues to join me in supporting these three pieces of legislation that will help to protect our coasts, lands and history. If we lose this opportunity we will not get another chance once damage has occurred.

A TRIBUTE TO THE HISTORIC ANDERSON COTTAGE—SUMMER WHITE HOUSE TO THREE PRESIDENTS

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Ms. NORTON. Mr. Speaker, on the grounds of the U.S. Soldiers' and Airmen's Home (USSAH) in Northwest Washington, D.C., sits one of our country's most historic buildings, the Anderson Cottage. Rarely visited and virtually unknown, it was the summer White House of three U.S. presidents: Chester Arthur, Rutherford B. Hayes,and, most notably, Abraham Lincoln. President Lincoln spent a quarter of his presidency living at the Soldiers' Home and it was in Anderson Cottage where he wrote the last draft of the Emancipation Proclamation.

The building is in need of restoration, and the USSAH has been working with the National Trust for Historic Preservation to find funding to restore the building and open it up as an historic site. Anderson Cottage also is listed as one of the First Lady's ''Save America's Treasures'' sites. The following article illustrates the importance of this home, as well as the equally historic Soldiers' and Airmen's Home on which it sits.

[From the Washington Times, March 18, 1999]

LIVING LINK TO LINCOLN HIDDEN IN PLAIN SIGHT

(By Catherine Watson)

I went to Washington recently to look for links to one of the country's heroes. I wanted to explore the city that Abraham Lincoln knew, the Washington of the Civil War.

Because I had only a few days, I thought I should choose the big names. But the highlight was a place I had never heard of—one of the least-visited of Lincoln sites and arguably the most important: Anderson Cottage. (See? I didn't think you had heard of it.)

The cottage lies off North Capitol Street, on the grounds of what Lincoln knew as the Soldiers' Home, now the U.S. Soldiers' and Airmen's Home, a handsome, 320-acre campus on high ground in the Northwest quadrant of the city. About 1,100 retired enlisted personnel live there, veterans from World War II through Vietnam.

I parked near the house, walked up the wooden porch steps and entered a large room that would be familiar instantly to anyone who knows military posts. There was that same smell of governmental dust, the same kind of linoleum alternating with Veterans Affairs gray paint on the floor, even the same sickly pale green on some of the walls. I liked it.

But there didn't seem to be much to see. Just how important is it historically?

Very, said Kerri Childress, public affairs director for the home, whose office is in Anderson Cottage. This is where Lincoln finished the Emancipation Proclamation.

Ms. Childress, a tall, slim woman with bright blond, short-cropped hair, has a contagious enthusiasm for the Soldiers' Home, its residents and Anderson Cottage.

''This really is a well-kept secret,'' she said. ''Even the Lincoln buffs are sometimes surprised.''

More surprising is how rarely it's visited: At most, 100 tourists a year find their way to the cottage.

''If this building were any place else, it would be a national shrine,'' Ms. Childress said. ''We make such a big deal out of Ford's Theater. Nothing happened there except that he died. This was where he lived. This was where he created. This was where he became Abraham Lincoln.''

Like many presidents, Lincoln had a summer White House, though I had never associated that plain man with such a luxury. This was it—a getaway that may have been the only place in Washington where he and his family had a semblance of normal life or anything approaching happiness.

It's still fresh and countrylike, but now the Soldiers' Home is an island awash in city

streets. During Lincoln's summers, it was well outside of smelly, muddy, crowded, insect-ridden Washington—a genuine country estate built for a local banker in 1840.

The government purchased the property in 1850 to create one of the nation's first homes for veterans. The cottage was renamed at the start of the Civil War to honor Maj. Robert Anderson, the Union Commander of Fort Sumter, the bastion off the South Carolina coast where the first official shots were fired.

Anderson Cottage was the first infirmary at the Soldiers' Home, the first guest house and, in 1954, the first dormitory for female veterans, Ms. Childress said.

The gray-stucco cottage also served as summer White House for presidents Rutherford B. Hayes and Chester A. Arthur. President James Buchanan had his summer residence across the street.

But it's the Lincoln connection that matters most.

''Secretary of War Edwin Stanton did not want Lincoln up here,'' Ms. Childress said. ''He felt they could not protect him out here.'' Stanton probably was right.

From late June to early November, starting in 1862, Lincoln commuted virtually daily by horseback between the cottage and the White House, accompanied by 20 to 30 cavalrymen with their swords drawn. He didn't much care for the escort.

Even so, Ms. Childress said, one night he arrived at the cottage without his stovepipe hat. It had been shot off his head.

Anderson Cottage also is where John Wilkes Booth's first plot against the president was supposed to have been carried out. It was a kidnapping plan that later was abandoned in favor of a bullet.

There, too, Mary Todd Lincoln held seances, trying to connect with the spirit of her son, Willie, who had died in the White House just three months before the Lincolns first came to Anderson Cottage.

This also is where Mrs. Lincoln spent two months recuperating from an 1863 carriage accident. Some historians believe the carriage had been tampered with in an attempt on Lincoln's life, Ms. Childress said.

Mrs. Lincoln refused to be taken to the White House after the accident. ''There was an open-door policy at the White House'' during the war, Ms. Childress said. ''I can only imagine the chaos.''

Besides, ''Mrs. Lincoln wasn't set up to be a politician's wife, especially a president's wife. What comforted her was this place.''

At Anderson Cottage, ''Lincoln did not entertain and did as little business as possible,'' Ms. Childress said. ''There is very little doubt in my mind that some of Lincoln's greatest thoughts and greatest writings took place in this house. This is the only place he would have had the solace and the quietude to do that.''

As the afternoon deepened into the winter twilight, Ms. Childress walked me across the drive to an ancient copper beech, a gigantic tree with a knobby trunk and a ring of low branches touching the ground. Where each touched, a young tree had sprung up.

''In summer,'' Ms. Childress said, ''it is like a big canopy.''

Lincoln took refuge in there, she said. When aides couldn't find him anywhere else, they would look for him under the swooping branches, where he often went to read.

Sometimes he even played there. He climbed this tree a couple of times, she noted—once with his son Tad, another time with Stanton's children.

I was awed. This tree knew Abe Lincoln—it's one of the few living things in this world that did.

Back inside, I saw that the cottage was bigger than it looked—it's a ''cottage'' only if you compare it with a mansion such as the White House. The style is Gothic revival, and it still has its lacy white trim, big front porch and heavy interior moldings.

Except for modern furniture and a few partitions, the layout of the house is about the way it was when the Lincolns knew it. The White marble mantelpieces are original. So is the simple wooden banister leading up the stairs from the entry hall. And the shutters folded into the window frames. And the sliding pocket doors on the ground floor—painted shut now, but still there.

I wandered upstairs on my own and easily found the large second-floor room at the front of the house that had been Lincoln's bedfront. This was where he wrote the final draft of the Emancipation Proclamation.

The room is sparely furnished—a Victorian dresser, a contemporary dining-room table ringed with modern chairs. But its appeal lies in its silence, not its furniture. It was dead quiet there the day I visited—genuinely peaceful. The only sound from outside was a plaintive bugle call as veterans lowered the flag for the day.

I could imagine the tall, gaunt president leaning against the fireplace mantel or looking out the windows at the green lawn that still surrounds the cottage. He probably even looked through the same panes of glass.

It hit me then: This place has more to do with Lincoln the president than any other shrine. More than his well-preserved home in Springfield, ILL. More than the frontier hamlet of New Salem, ILL. More than the White House itself.

Here he was not only commander in chief, but also husband, father and human being. No wonder he would take risks to ride out here every chance he got.

The house is structurally sound—always has been and always will be, Ms. Childress said: ''We will always take care of it.'' It's not restored, so it's not pretty, but it could be.

Unfortunately, the Soldiers' Home doesn't have the money to do it. The home has been funded from its beginning by small deductions from enlisted men's pay—now 50 cents a month, plus any fines and forfeitures from disciplinary actions. It has never been supported by taxpayer dollars.

But with the downsizing of the military, less money is coming in because there are fewer soldiers to fund the deductions. The effect has been ''devastating,'' Ms. Childress said, ''just devastating.''

A rescuer may be coming, however. The United States Soldiers' and Airmen's Home is negotiating with the National Trust for Historic Preservation to have the trust take care of the cottage.

Rather than having it become just another Victorian house with antique furniture. Ms. Childress said she hopes it can be used as a learning center for an array of related topics: the Civil War, the effects of the Emancipation Proclamation, Lincoln himself. But all that, she said, is still a long way off.

PERSONAL EXPLANATION

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. WEINER. Mr. Speaker, on rollcall No. 219, had I been present, I would have voted ''aye.''

CONSEQUENCES FOR JUVENILE OFFENDERS ACT OF 1999

SPEECH OF

HON. RICK HILL

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1501) to provide grants to ensure increased accountability for juvenile offenders:

Mr. HILL of Montana. Mr. Chairman, people own guns for many reasons. They use them for hunting. They use them for recreational shooting. And they use them for self defense.

About 2 million times a year, people use guns to defend themselves, their families and businesses.

So what does this have to do with trigger locks?

It requires that guns be sold with trigger locks. That doesn't seem unreasonable. In fact about 80% of guns sold today are sold with trigger locks. That seems pretty reasonable.

What's wrong with the amendment is that it requires gun owners to keep a trigger lock on their guns.

It accomplishes this by saying that gun owners are liable for the criminal use of a stolen gun that was stored without a trigger lock.

Someone breaks into your home, steals your gun, robs or kills with it, and you are held responsible.

Mr. Chairman, I hold here a trigger lock. In the small print it says ''don't use on a loaded gun.''

So what the practical implications of this amendment are:

You can no longer keep a loaded gun in your night stand to defend your family.

When the armed intruder enters your home, here is what you will have to do

Find the key. Unlock the trigger. Remove the trigger lock. Load the gun.

If that crook is armed, you have no chance of defending yourself.

Mr. Chairman, there are two groups who really support this amendment:

Crooks who would invade our homes and harm our families and trial lawyers who would be enriched.

The losers are honest, law abiding citizens who want to defend themselves.

Mr. Chairman, I urge the defeat of this amendment.

COMMEMORATING THE SERVICE OF SANDRA K. HOGAN

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. POMBO. Mr. Speaker, I rise today to acknowledge and pay tribute to Ms. Sandra K. Hogan, Director of the Legislative and Regulatory Review Office of USDA's Agricultural Marketing Service (AMS). Ms. Hogan will retire, July 3rd after 37 years of service to AMS. For 33 of those years, she has not only served 13 AMS Administrators, but has also been a valuable asset to Congress in her role as the Congressional Liaison for AMS.

Ms. Hogan's breadth of knowledge about the extensive programs which AMS administers and her professionalism have always been greatly appreciated by all who have worked with her. You always knew that when you needed to get a clear explanation about a complicated AMS issue or quick assistance in drafting legislation, Ms. Hogan would be able to handle the job. AMS issues certainly do not make that job easy. Ms. Hogan has had to be proficient in issues from Federal Milk Marketing Orders, commodity grading, plant patents, agricultural transportation concerns, commodity purchases for the federal feeding programs, the Perishable Agricultural Commodities Act (PACA), Organic Certification, and the ever increasing number of commodity checkoff programs, to name a few. To illustrate the breadth of her career, about the same time Ms. Hogan started in the job of Congressional Liaison, Congress passed the first industry funded commodity checkoff legislation for the cotton industry, the Cotton Research and Promotion Act. Ms. Hogan has since supervised the enactment of 19 individual checkoff statutes and the most recently enacted ''generic statute.''

Ms. Hogan is an exceptional breed of public servant who has always put customer service first and luckily for us, she considered Congress to be one of her most important customers. Ms. Hogan's graciousness, professionalism and extensive knowledge of the multitude of AMS programs and history will be sorely missed. I commend her on her distinctive career and wish her well as she returns to her native West Virginia.

MANDATORY GUN SHOW BACKGROUND CHECK ACT

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2122) to require background checks at gun shows, and for other purposes:

Mrs. MALONEY of New York. Mr. Chairman, guns are out of control.

Tonight, this House should not turn a deaf ear to the families and victims of Littleton, Colorado.

This Congress should strengthen the bipartisan Brady Bill by passing the McCarthy amendment to expand background checks to gun shows.

Five and a half years ago, this body debated the Brady Bill.

The gun lobby and its supporters in this body said it wouldn't work. It wouldn't work, they said, because criminals didn't buy their guns in stores.

Well, they were wrong.

Since that time, over 400,000 illegal gun sales were prevented.

Thanks to the Brady Bill, 400,000 fewer guns are on our streets and in the hands of criminals.

Thankfully, we will never know how many lives would have been lost if those guns had been sold. We will never know how many children would have died if this Congress have failed to take action and pass the Brady Bill.

Mr. Chairman, some have suggested that the waiting period should be changed from three business days to only 24 or 72 hours. But the vast majority of gun buyers complete their checks in a few hours. It is only those who are convicted of felony charges, or have a record of domestic violence or drug abuse who are denied their guns, and we need those extra days to conduct a thorough check.

So now, when the NRA comes back to Congress to argue that we shouldn't close the gun-show loophole, that we shouldn't subject gun buyers at gun shows to the same background check as gun buyers in stores, I urge my colleagues not to be swayed by their deception.

If we accomplish nothing else in the name of gun safety, we must close the gun-show loophole.

I applaud my colleague from New York for her courage and her determination, and I urge my colleagues to support the McCarthy amendment, and Mr. CONYERS' substitute.

A TRIBUTE TO JOYCE GAINES

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. GEORGE MILLER of California. Mr. Speaker, I rise to pay tribute to Joyce Gaines and her family, from Vallejo, California in my congressional district. Joyce is an amazing mother who believes higher education is a necessity for her children. In order to pay for the enormous expense of her daughter Tieaesha's college education, she worked 3 jobs and commuted 200 miles a day, despite the chronic pain of five ruptured disks in her back from a previous work related injury. Due to her mother's tremendous sacrifices, Tieaesha is the first in her family to receive a college education, with a degree in sociology from Grambling State University. Congratulations to Joyce and Tieaesha Gaines for all your accomplishments.

I have the highest respect for this single mother of four, who put the needs of her daughter and her education ahead of her own. She is a role model for her children and for young people everywhere. It is unfortunate, however, that she had to make such tremendous sacrifices just to pay the price of her child's education. We must do more to make higher education accessible and affordable to all who choose it.

I am not the only one to praise this amazing woman. President Clinton paid tribute to Joyce Gaines in his commencement speech at Grambling State University in Louisiana. I am submitting the following article which appeared in the Vallejo Times-Herald so all of my colleagues can read this inspiring story.

[From the Vallejo Times-Herald, June 3, 1999]

PRESIDENTIAL PRAISE

(By Mary M. Leahy)

For five years, Tieaesha Gaines of Vallejo prayed daily that she and her mother would be recognized at her college graduation for the sacrifices they'd made.

Gaines had no idea God would use the leader of the Free World to answer her.

At her graduation from Grambling State University in Louisiana last week, President Clinton, in a commencement address, asked 22-year-old Gaines to stand. He then acclaimed her as ''a tribute to her mother's love and sacrifice.''

''Listen to this,'' Clinton told the crowd. ''Even through the pain of five ruptured disks in her back, Joyce Gaines (Tieaesha's mother) worked three jobs and commuted 200 miles a day to put her daughter, Tieaesha, through Grambling.''

Clinton, who used the address to promote a broader pro-family agenda, continued, ''Stories like this remind us what people can achieve when they set their minds to it, but they also remind us of how hard it can be to raise a child right, especially today in our very busy society with its very demanding economy.''

Tieaesha was videotaping the president from the second row of graduates when she heard him say her name.

''I was thinking, 'That's me! That's me!' '' she said. ''I was astonished, amazed. I didn't even know he knew who I was. When he said 'five ruptured disks' I knew automatically, 'That's my mom.' When he pointed at me, I got so excited, I jumped up and screamed, 'I love you Mom.' I guess I got in the way of the camera because someone saw it on CNN.''

Vallejoan Joyce Gaines was sitting in the stands surrounded by family when she heard Clinton mention her.

''Chills went up and down my spine.'' she said. ''It was so phenomenal having my name mentioned by the President of the United States.''

Joyce Gaines had been interviewed three days earlier by a Grambling official, who had heard about the sacrifices she made for her daughter. Although she was told the president might use the information in his speech, she was also told many other parents were interviewed. She put it out of her mind. Surely someone else would be chosen, she thought.

''Exciting things like that never happen to me,'' she said. ''I'm a quiet person who's usually in the background. I didn't tell my daughter because I didn't want her to be disappointed when he didn't mention me.''

Joyce Gaines is a single mother of four who endured much to send Tieaesha to Grambling. Tieaesha is the first in her family to get a college education.

Twenty years ago, Joyce Gaines injured her neck and back while pulling cable lines for PG&E. Despite permanent spinal problems, she gave up part of her disability benefits so she could work around the clock and pay Tieaesha's college expenses.

One of Joyce's three jobs required driving 200 miles a day to the outskirts of Sacramento and back. She worked the graveyard shift at a residence facility for Alzheimer's patients. Another job included cleaning up after exotic birds.

''There were a lot of nights I sat up spraying anesthetic spray on my neck to numb the pain. I took anti-inflammatory medication and pain pills. I gave up buying clothes for myself to send her money.'' she recalled.

When Joyce and Tieaesha talk about it, they inevitably end up crying.

''I knew I'd been through a lot and my mother had been through a lot'', Tieaesha said. ''When you graduate, you get cards and the dinner and everybody says you did a great job. But nobody really recognizes the nights you stayed up all night typing papers or the nights you couldn't eat because you were waiting on the Western Union to come through.

''Grambling barely has a post office,'' Tieaesha said. ''So if you miss getting the mail Friday, you miss eating on the weekend. You go through so much being away from your family, hoping everybody's thinking about you as much as you're thinking about them.''

For Joyce Gaines, just seeing Clinton was ''a dream come true,'' let alone becoming the recipient of his praise.

''It was like a mirage having the President there. I was so excited just to be in his presence. He's such a fantastic President, the best the United States has ever had. He's done so much for the country,'' Joyce said.

If Clinton's speech wasn't divinely inspired, Tieaesha doesn't know what is.

''Sometimes you pray and pray and wonder, 'Is this a sign or is that a sign?'' Tieaesha said.

''But that was a clear, Tieaesha Gaines, here you go. Do what you were put here, what you were destined to do,'' said Tieaesha, who plans to one day open the home for abused children she's dreamed of since age 11.

''You can be something, no matter where you come from,'' she said.

CONSEQUENCES FOR JUVENILE OFFENDERS ACT OF 1999

SPEECH OF

HON. JOHN B. SHADEGG

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1501) to provide grants to ensure increased accountability for juvenile offenders:

Mr. SHADEGG. Mr. Chairman, first, I want to thank my colleagues from Florida, Mr. GOSS and Mr. MCCOLLUM for bringing this important issue before the House today. I strongly support the amendment to H.R. 1501, Consequences for Juvenile Offenders Act, to increase the number of District Court judges for Arizona, Florida, and Nevada.

The need for additional judgeships for the U.S. District Court of Arizona can be best demonstrated by a letter sent from District of Arizona Chief Justice Robert C. Broomfield to the Honorable Proctor Hug, Jr., Chief Justice of the U.S. Court of Appeals for the Ninth Circuit. In this letter, Chief Justice Broomfield mentions that in the same week as the letter was dictated, one of the eight senior judges died and two more were hospitalized, leaving the District of Arizona courts literally paralyzed under an unmanageable caseload with only five justices able to hear cases.

This issue is of particular interest to citizens of Arizona due to the dramatic increase in drug-related crimes in our state and the tremendous burden currently facing the sitting judges of the U.S. District Court for Arizona. Over the last several months, Arizona has been plagued with a series of massive drug seizures totaling hundreds of pounds of marijuana, methamphetamine, and cocaine, and millions of dollars in drug money.

Most recently, on May 13th, federal and state law enforcement officials in Phoenix confiscated $3 million worth of drugs and seized 9 kilograms of cocaine, 11.25 kilograms of methamphetamine, 636 grams of heroin and 36 kilograms of marijuana, along with illegal firearms and stolen vehicles. All those arrested were indicted in federal district court on charges that include distribution of controlled substances, possession of controlled substances with the intent to distribute, possession of firearms, and money laundering.

In February of this year, authorities seized 22 pounds of marijuana and 3 pounds of methamphetamine, and five weapons from a suspected drug dealer in Arizona. Furthermore, Border Patrol Agents assigned to the Tucson Border Sector of the U.S./Mexico border have found in recent months several intricate systems of tunnels used to smuggle illegal drugs into Arizona.

The Federal Bureau of Investigation (FBI) has identified 28 drug trafficking groups believed to be major drug trafficking organizations within Arizona. Large quantities of drug money, over $2 million in 1998, have been seized by the Phoenix Police Department Commercial Interdiction Unit.

Arizona law enforcement reports that powder and crack cocaine are readily available in the region's metropolitan areas. Arizona is a primary drug shipment corridor for movement of drugs from Mexico to the many areas of the United States. The more sophisticated, modern highway system of metropolitan Phoenix and the convenience of Phoenix's Sky Harbor International Airport make Phoenix an ideal drug transport city to other major cities around the country.

In an effort to battle the ever-increasing presence of drugs in our community, Arizona has been designated as a High Intensity Drug Trafficking Area, or ''HIDTA''. This designation has provided law enforcement the ability to commit resources to respond to the drug trafficking problems in Arizona. Law enforcement agencies including the Phoenix and Tucson Police Departments, the Maricopa and Pinal County Sheriff's Departments, and the Arizona Department of Public Safety work in conjunction with the FBI, the Drug Enforcement Administration (DEA), and the U.S. Customs Service to coordinate interdiction efforts.

These efforts have resulted in a 429% increase in methamphetamine arrests and a 52% increase in cocaine arrests in the last decade. Since 1992 alone, arrests for possession of dangerous drugs have doubled while arrests for the sale or manufacture of methamphetamine have increased 251%.

As evidenced by these figures, attempts to crack down on organized drug trafficking groups have been successful. Unfortunately, the increased attention on law enforcement has not been accompanied with an increased focus on our federal court system and the judges needed to prosecute and convict these drug offenders.

Arizona's justice system has continued to grow through the years while the number of judgeship appointments have remained the same. The last time the District of Arizona was granted additional permanent judgeships was 1978—twenty-one years ago! Chief Justice Broomfield has cited several factors to justify the need for an increase in permanent judgeships, including:

The large increase in criminal cases filed is permanent in nature. There has been an increase of 764 permanent federal law enforcement officers in Arizona, leading to a significant increase in caseloads and filings.

Since 1994 Arizona has added an additional 600 new border patrol agents which also have made a significant increase in caseloads and filings.

The U.S. Attorney's Office in Arizona (which contributes a major portion of the District Court caseload) continues to expand. Since 1978 the U.S. Attorney's Office has grown from 30 attorneys to 103, an increase of 243%. That office is now the 13th largest among the 94 districts; yet with the current complement of 8 judges, the Arizona District Court ranks 29th.

There has been a substantial population shift to the West and the Southwest in the last several decades. For example, the City of Phoenix is now the sixth largest city in the country, having grown from 106,818 in 1950 to 1,205,285 in 1997.

The District of Arizona criminal felony filings have increased by 10 percent since 1993. Currently, Arizona is ranked third in the nation for criminal felony filings. These filings range from possession of drugs with the intent to sell to violent criminal acts such as assault with a deadly weapon, and murder.

Along with the increase of criminal felony filings District of Arizona judges are burdened with a sharp increase in the number of cases. Each judge currently assigned to the District of Arizona has a caseload of roughly 834 cases, the fourth highest among the nation's 94 districts.

Arizona is a state which is growing significantly and it does not have the judicial system to keep up with its growth. Without a strong judicial system we will continue to have the unbalance that our judges are currently experiencing today.

For these reasons, I believe the three additional judgeships for the District of Arizona created by Mr. GOSS's amendment to H.R. 1501 are desperately needed to effectively address the abundant caseload, and more importantly the high number of criminal felony filings in Arizona.

PERSONAL STATEMENT TO JACQUELYN ISABEL SPINELLO ANDREWS AND JOSEPHINE CAROLYN ANDREWS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. ANDREWS. Mr. Speaker, there are times in our public careers when the obligations of office require us to forego the immediate interests and needs of those whom we love most. Because it is my duty to attend to our business here in the Capitol, I am unable to attend a special Father's Day celebration with my oldest daughter, Jacquelyn Isabel Spinello Andrews, at her kindergarten class (Mrs. Esler's class) at the Atlantic Avenue School in Haddon Heights, New Jersey. Six year olds do not readily understand the absence of their fathers at important events.

The pain of separation is further compounded by the fact that a voting session last week required me to miss an end of the year celebration for my youngest daughter, Josephine Carolyn Andrews, age 4, at the Beechwood School's pre-kindergarten class (Mrs. Rutkowski and Mrs. Provens). I hope that my children will understand that the exercise of duty does not negate the intense love I feel for them and pride my wife Camille and I draw from their lives and progress.

In the instance of Jacquelyn's Father's Day celebration, duty took on a special meaning, because we were debating proposals to protect her and all children from school violence

like the nightmare parents around this country have felt too often in the last few years. My absence was necessary for me to support a cause in which I believe. But my absence should not confuse the fact that my beautiful children—God's greatest gift to me ever—are more important than any cause. I hope, Mr. Speaker, that my children and the children of all who serve in public life will understand that our motivation is to provide our children and all children with a loving and supportive community free of violence. Although no gift can replace our presence with those we love, I hope that our legislative efforts produce the gifts of a community worthy of the sweetness and innocence of our children.

I thank my family for understanding that I must perform these duties and I reaffirm my love for Jacquelyn and Josie and their mother, in gratitude for the sacrifices they make.

A TRIBUTE TO PASTOR WALTER J. KEISKER, OF CAPE GIRARDEAU COUNTY, MISSOURI, IN CELEBRATION OF A CENTURY OF BLESSINGS

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mrs. EMERSON. Mr. Speaker, on July 9, 1999, Reverend Walter J. Keisker will celebrate his 100th birthday. As an active member of his community, Reverend Keisker is as well known in Cape Girardeau County, Missouri as many of the founding fathers of the towns of Jackson and Cape Girardeau.

Pastor Keisker started his life in 1899 on a farm four miles outside of Hillsboro, Missouri where his father ran a small creamery and, later, raised dairy herd and hogs. To this day, the Reverend remembers the words to ''A Surrey With the Fringe on Top'' because his family actually traveled in one.

The Reverend attended high school and junior college at St. Paul College in St. Louis, graduating in 1919. He then continued his education at Concordia Lutheran Seminary from which he graduated in 1923. He lead his first parish at Trinity Church in Flat River, now Park Hills, Missouri where he devoted 15 years of service. In the fall of 1938 Pastor Keisker took on a new parish at the St. Paul Lutheran Church in Jackson, Missouri. He gave his parish his full attention for the next 30 years. As Pastor Keisker eased into retirement, he continued serving St. Paul Lutheran Church as a pastoral assistant from 1968 until 1984. The Reverend continued to be actively involved in the church until 1993 when he moved to the Lutheran Home in Cape Girardeau.

Reverend Keisker and the former Mae Fikuart of Farmington, Missouri, married and had two daughters, Ruth Illers of Jackson, Missouri, and Virginia Goodwin of Cape Girardeau, Missouri. The Reverend and Mrs. Keisker had seven grandchildren and as of this spring, Pastor Keisker has ten great grandchildren. Mrs. Keisker passed away in 1992.

Because he believes that a pastor should be active in their communities as well as over his congregation, Pastor Keisker remains active today. He continues to be a member of the Cape Girardeau Historical Society and the Jackson Chamber of Commerce, and he attends Circuit meetings and other events in his community.

When asked about his secret for longevity, Pastor Keisker gives the following pieces of advice: ''I think the Lord intended for us to enjoy life, so keep yourself occupied; Don't go out with the owls at night. They don't keep the right kind of company anyway; always be grateful for what you have; Be yourself and don't try to imitate someone you think is doing a good job. Try to do the job yourself, but please don't mimic.

These are sage words of advice from a centenarian who has lived a life devoted to God, family, and community, who has seen and reflected on a century of change in our nation and the world, and who has selflessly given of himself to all he has known. I would like to extend a heart-felt thank you to Pastor Keisker for all that he has done and continues to do for our communities. He is truly an inspiration to us all.

PERSONAL EXPLANATION

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. DEFAZIO. Mr. Speaker, I requested a leave of absence for June 22 and 23, 1999. As ranking member on the House Coast Guard Subcommittee, I have been invited to participate in a global shipping conference in the Netherlands to discuss shipping safety issues.

PERSONAL EXPLANATION

HON. HOWARD P. (BUCK) McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. MCKEON. Mr. Speaker, on rollcall No. 221, I was present, but was not recorded as voting. I should have been recorded as voting ''yea.''

PERSONAL EXPLANATION

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. MOORE. Mr. Speaker, on June 14, 1999, due to a line of powerful, late afternoon thunderstorms that knocked out power to almost 40,000 homes in northern Virginia and caused the closure of Reagan National Airport runways, the airplane on which I was traveling was diverted to Richmond, Virginia, for refueling. As a result, my arrival in Washington, D.C., was delayed by over two hours and I missed rollcall vote #204 on the Bond Price Competition Act. Had I been present, I would have voted ''aye.''

PARENTING IS KEY

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. BACHUS. Mr. Speaker, recently the Birmingham News published an article by three faculty members from the University of Alabama at Birmingham. This article, written by Bill Crunk, associate professor of counseling, and by Solange Ribeiro and Julie Russell, who are both counselors at UAB's Office of Professional Services, is insightful and worthy of attention. That's why I want to share it now with my colleagues in Congress and place it in the RECORD. Their research confirms that parenting is the key to raising good children. Additionally, they have found four common components necessary to raise a child in today's often violent environment: Spirituality, Ability, Fairness and Encouragement.

There have been several high profile tragedies involving children recently, and we read so many of the headlines in today's newspapers and ask, ''Why?'' Many are quick to fix the blame for these tragedies on guns or on the media. The hard truth is that parenting is the core of a child's moral and social development. That is the point of the article written by these three members of UAB's faculty and it is one we should remember, again and again. I thank Professor Crunk and Counselors Ribeiro and Russell for their work and for their perceptive article, which I now place in the RECORD in its entirety.

[From The Birmingham News, May 2, 1999]

AFTER THE MOURNING—ARE WE REALLY COMMITTED TO WHAT IT TAKES TO IMPROVE PARENTING SKILLS FOR RAISING BETTER CHILDREN?

(By Bill Crunk, Solange Ribeiro and Julie Russell)

Far too frequently, headlines give accounts of children in trouble. Potentially delinquent behavior appears at earlier and earlier ages. Judges demand that parents get their children off the streets at night but fail to point out how to do it. Nationwide research in juvenile delinquency brings forth volumes of papers but few indications for possible solutions.

There is something deeper that is wrong. Underneath it all is the fact that we don't know what to do with our children, because the traditional methods of child-raising no longer work and we have not learned new methods which can take their place.—Rudolf Dreikurs, noted psychiatrist and author of Children: The Challenge, in 1964.

Parents today are faced with the challenge of raising a capable child in a violent society. With the tragic events in Colorado, the news media, educators, religious groups and other social institutions are all looking to find answers to the perplexing question, ''How did this happen?''

Blame is being placed on the media, guns and schools, however, the fact remains that parenting is at the core of a child's moral and social development.

Research has shown that a child's behavior is a reflection of the home. Unfortunately, all too many families create an atmosphere in which a child has a strong belief of entitlement and a weak sense of responsibility.

Our research in the Birmingham community found that parents overwhelmingly feel a lack of communication between parents and children contribute to violence. We found that parents feel that an inability to

set limits, failure to teach empathy and compassion, failure to connect consequences to behavior, and a lack of moral education were all indicators of poor parenting.

Interestingly, parents realize that exposure to media violence desensitizes other children to violence but felt that their children could distinguish make-believe from real violence. Parents felt that they could help prevent exposure to violence but on the other hand were overwhelmed with raising children in today's society. All agreed that better parenting skills were needed, yet only half of the parents felt they should spend more time with their children.

On the other hand, our experiences in working with parents indicates that parents have given their parenting responsibilities to schools, day cares, government programs and others. Unbridled TV watching and computer use have put distance between the parent and his/her child. Parents are confused and worried, particularly when children seem to defy rules and mistake license to do whatever they please for freedom. They have a sense of losing control of their children. Dreikurs talked about this in 1964. More than 30 years have passed and we are still dealing with the same issues. Why?

Parenting takes time, effort and an understanding of children. Four components necessary in raising a capable child in today's environment are spirituality, ability, fairness and encouragement. These are the foundation of our SAFE parenting program.

SENSE OF EMPATHY

Spirituality, the most important task, is where a child learns values, empathy, purpose and morality. One consistent finding is that children who commit acts of violence lack a sense of empathy, respect and compassion for others.

The parent's task is to create a home environment that fosters belonging and a connection to the community through our sense of spirituality. If we avoid this parenting task then we raise a child with a ''self-centered me behavior.''

Children also need to know that they have the ability to make decisions, and that along with these decisions come responsibilities. If parents fail to teach their children what freedom really means (choice, responsibility and consequence), then we foster children who take no responsibility for their actions and tend to blame others for their circumstances.

Fairness in the home creates a respect for order and cooperation. If children fail to learn fairness they develop a license to behave without respect for others.

Our fourth component of effective parenting, encouragement, teaches parents how to better communicate to their children that they have worth and ability to master life's challenges. Parents tend to lack skills in communication with their children. From our experience we know parents agree that communication with their children. From our experience we know parents agree that communication is extremely important in raising capable children.

Unfortunately, most communication is discouraging and directed at correcting or pointing out, a child's inability to meet expectations. Without encouragement, children become discouraged and find life tasks hopeless.

Dreikurs said it back in 1964: ''Far too frequently, headlines give accounts of children in trouble.'' Are we, as a community, even interested in making an effort to reach parents? How many corporations are serious about their employees' families and the community that they support?

PARENTING CLASSES

Aon, a Chicago-based consulting firm, found that the most loyal employees worked for employers that encouraged a balance between family and job demands. How many places of business offer parenting classes during the workday? Government and school systems say they want to do more, but do they?

How many school counselors are allowed to offer parenting classes at school or in the community as part of their duties? Shouldn't parents whose child is in trouble with family court or at school be required to take parenting classes to pay back to the community for having to take over the parents' responsibilities?

If we care about the child's welfare, why are divorcing parents not made to go to classes to understand the impact of such a decision on the child and how to develop parenting skills to offset some of the trauma?

How many churches require parents to participate in parenting courses? If we are all so concerned, how could parents refuse? Print and TV media have made millions off the tragedy in Colorado. Have you read or seen any sponsorship of efforts to improve parenting by the media?

And we ask the question, why? Will we be asking these questions 30 years from now? Hopefully these violent situations don't have to continue, but our responsibilities as parents do. We have a responsibility to our children to be good parents, and blaming the media, guns and schools won't accomplish what only we as parents can.

PERSONAL EXPLANATION

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. WEINER. Mr. Speaker, on rollcall No. 220, had I been present, I would have voted ''no.'

Friday, June 18, 1999

Daily Digest

HIGHLIGHTS

Senate passed Emergency Steel Loan Guarantee and Emergency Oil and Gas Guaranteed Loan Program Act.

Senate

Chamber Action

Routine Proceedings, pages S7247–S7285

Measures Introduced: Three bills and two resolutions were introduced, as follows: S. 1242–1244, S. Res. 125, and S. Con. Res. 41. **Page S7266**

Measures Passed:

Emergency Steel Loan Guarantee and Emergency Oil and Gas Guaranteed Loan Program Act: By 63 yeas to 34 nays (Vote No. 176), Senate passed H.R. 1664, providing emergency authority for guarantees of loans to qualified steel and iron ore companies and to qualified oil and gas companies, as amended. **Pages S7247–50**

Law Enforcement Torch Run: Senate agreed to H. Con. Res. 105, authorizing the Law Enforcement Torch Run for the 1999 Special Olympics World Games to be run through the Capitol Grounds. **Page S7281**

National Father's Return Day: Senate agreed to S. Res. 125, encouraging and promoting greater involvement of fathers in their children's lives and designating June 20, 1999, as ''National Father's Return Day''. **Page S7281**

State Department Authorization: Senate began consideration of S. 886, to authorize appropriations for the Department of State for fiscal years 2000 and 2001; to provide for enhanced security at United States diplomatic facilities; to provide for certain arms control, nonproliferation, and other national security measures; to provide for the reform of the United Nations, taking action on the following amendments proposed thereto: **Pages S7250–62**

Pending:

Sarbanes Amendment No. 689, to revise the deadlines with respect to the retention of records of disciplinary actions and the filing of grievances within the Foreign Service. **Pages S7255–57**

A unanimous-consent agreement was reached providing for certain amendments to be proposed to the bill. **Page S7260**

Steel Import Limitation: Senate began consideration of a motion to proceed to the consideration of H.R. 975, to provide for a reduction in the volume of steel imports, and to establish a steel import notification and monitoring program. **Page S7260**

A motion was entered to close further debate on the motion to proceed to the consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur at 12:15 p.m., on Tuesday, June 22, 1999. **Page S7260**

Subsequently, the motion to proceed was withdrawn. **Page S7260**

Agricultural Appropriations—Agreement: A unanimous-consent agreement was reached providing for the consideration of S. 1233, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2000, on Monday, June 21, 1999. **Page S7282**

Communications: **Pages S7264–66**

Statements on Introduced Bills: **Pages S7266–69**

Additional Cosponsors: **Pages S7269–70**

Amendments Submitted: **Pages S7271–75**

Additional Statements: **Pages S7275–78**

Record Votes: One record vote was taken today. (Total—176) **Pages S7248–49**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 12:54 p.m., until 12 noon on Monday, June 21, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7282.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Bills Introduced: 13 public bills, H.R. 2277–2289; and 1 resolution, H. Con. Res. 137, were introduced. **Pages H4664–65**

Reports Filed: Reports were filed today as follows:

H.R. 1659, to reinforce police training and reestablish police and community relations, and to create a commission to study and report on the policies and practices that govern the training, recruitment, and oversight of police officers, amended (H. Rept. 106–190);

H.J. Res. 33, proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States (H. Rept. 106–191); and

H.R. 1658, to provide a more just and uniform procedure for Federal civil forfeitures, amended (H. Rept. 106–192). **Page H4664**

Mandatory Gun Show Background Check: The House failed to pass H.R. 2122, to require background checks at gun shows, by a recorded vote of 147 ayes to 280 noes, Roll No. 244. **Pages H4619–57**

Agreed to:

The Dingell amendment, offered and agreed to on the legislative day of June 17, that specifies 24 hour consecutive hours for instant background check elapsed time period purposes; allows dealers to transfer inventories in person; and increases the penalties for using a large capacity ammunition magazine during crimes of violence or drug trafficking (agreed to by a recorded vote of 218 ayes to 211 noes, Roll No. 234);

The Hyde amendment, offered and agreed to on the legislative day of June 17, that bans the import of large capacity ammunition magazines or clips that hold more than 10 rounds of ammunition;

The Davis of Virginia amendment that mandates the transfer of secure gun storage or safety devices with the transfer of any handgun and establishes liability criteria for damages resulting from the criminal or unlawful misuse of the hand gun by a third party (agreed to by a recorded vote of 311 ayes to 115 noes, Roll No. 236); **Pages H4619–24, H4628–29**

The Cunningham amendment that exempts qualified law enforcement officers and retired officers from State laws prohibiting the carrying of concealed firearms (agreed to by a recorded vote of 372 ayes to 53 noes, Roll No. 237); **Pages H4624–29**

The McCollum amendment, offered on the legislative day of June 17, that prohibits juveniles under the age of 18 from possessing semi-automatic assault weapons and large capacity ammunition magazines (agreed to by a recorded vote of 354 ayes to 69 noes, Roll No. 238); **Pages H4629–31**

The Sessions amendment that requires a background check for guns pawned for more than one year before the gun is returned to its owner (agreed to by a recorded vote of 247 ayes to 181 noes, Roll No. 239); **Pages H4631–32, H4640–41**

The Hunter amendment that allows law-abiding residents of the District of Columbia to keep a handgun in the home (agreed to by a recorded vote of 213 ayes to 208 noes with 3 voting ''present'', Roll No. 241); and **Pages H4635–37, H4641–42**

The Rogan amendment that prohibits persons who commit an act of violent juvenile delinquency from possessing firearms as adults (agreed to by a recorded vote of 395 ayes to 27 noes, Roll No. 242). **Pages H4637–40, H4642–43**

Rejected:

The McCarthy of New York amendment, offered and rejected on the legislative day of June 17, that sought to regulate firearms transfers at gun shows and require criminal background checks to prevent the sale of guns to minors and felons (rejected by a recorded vote of 193 ayes to 235 noes, Roll No. 235);

The Goode amendment that sought to repeal the law that prohibits Washington, D.C. residents from owning firearms (rejected by a recorded vote of 175 ayes to 250 noes, with 2 voting ''present'', Roll No. 240); and **Pages H4632–35, H4641**

The Conyers amendment in the nature of a substitute, as modified, that sought to extend Brady background checks to gun shows, regulate firearms

transfers at gun shows, prohibit firearms possession by violent juvenile offenders, and specify penalties for weapons transfers to juveniles and unlawful acts by juveniles (rejected by a recorded vote of 184 ayes to 242 noes, Roll No. 243). **Pages H4643–54**

Rejected the Obey motion to rise and report the bill back with a recommendation to strike the enacting clause. **Page H4643**

H. Res. 209, the rule that provided for consideration of both H.R. 1501 and H.R. 2122 was agreed to on June 16.

Juvenile Justice Reform Act of 1999: Agreed that in the engrossment of H.R. 1501, as passed the House on June 17, the Clerk be authorized to make changes in the placement of the table of contents; combine duplicative sections; and correct section numbers, punctuation, and cross references and make such other technical and conforming changes as may be necessary to reflect the actions of the House. Further agreed to amend the title pursuant to the amendment numbered 36 printed in H. Rept. 106–186 offered by Mr. Goodling and agreed to on June 17. **Page H4657**

Legislative Program: The Majority Leader announced the Legislative Program for the week of June 21. **Pages H4657–58**

Meeting Hour—Tuesday, June 22: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Tuesday, June 22 for morning-hour debates. **Page H4658**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business on Wednesday, June 23. **Page H4658**

Senate Messages: Message received from the Senate appears on page H4619.

Referrals: S. Con. Res. 40 was referred to the Committees on International Relations and Armed Services. **Pages H4663–64**

Quorum Calls—Votes: Nine recorded votes developed during the proceedings of the House today and appear on pages H4628–29, H4629, H4630–31, H4640, H4641, H4641–42, H4642–43, H4653–54, and H4656–57. There were no quorum calls.

Adjournment: The House met at 9:00 a.m. and adjourned at 3:07 p.m.

Committee Meetings

No committee meetings were held.

CONGRESSIONAL PROGRAM AHEAD

Week of June 21 through June 26, 1999

Senate Chamber

On *Monday,* Senate will begin consideration of S. 1233, Agricultural Appropriations, and expects to resume consideration of S. 886, State Department Authorization.

On *Tuesday,* Senate will resume consideration of the motion to proceed to the consideration of H.R. 975, Steel Import Limitation, with a vote on the motion to close further debate on the motion to proceed to occur at 12:15 p.m.

During the balance of the week, Senate will consider appropriation bills, when available, and any other cleared legislative and executive business.

(On Tuesday, Senate will recess from 12:30 p.m. until 2:15 p.m., for their respective party conferences.)

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: June 24, to hold hearings on agricultural trade issues, focusing on agricultures role in the World Trade Organization negotiations with China, and the European Union regulation of genetically modified agriculture products, 9:30 a.m., SR 328A.

Committee on Appropriations: June 22, Subcommittee on Labor, Health and Human Services, and Education, to hold hearings on issues relating to juvenile diabetes, 9 a.m., SH–216.

June 22, Full Committee, with the Special Committee on the Year 2000 Technology Problem, to hold joint hearings on federal agency Y2K spending issues, 9:30 a.m., SD–192.

June 22, Subcommittee on Treasury and General Government, business meeting to mark up proposed legislation making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, 10 a.m., SD–116.

Committee on Armed Services: June 22, with the Select Committee on Intelligence, and with the Committee on Energy and Natural Resources, and with the Committee on Governmental Affairs, to hold joint hearings on the President's Foreign Intelligence Advisory Board's report to the President: Science at its Best; Security at its Worst: A Report on Security Problems at the U.S. Department of Energy, 9:30 a.m., SD–106.

Committee on Banking, Housing, and Urban Affairs: June 22, to hold hearings on the nomination of Lawrence H. Summers, of Maryland, to be Secretary of the Treasury, 10 a.m., SD–608.

June 23, Full Committee, to resume hearings on proposed legislation authorizing funds for programs of the Export Administration Act, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: June 23, business meeting to mark up pending calendar business, 9:30 a.m., SR–253.

June 24, Subcommittee on Aviation, to hold hearings the on Federal Aviation Administration's research and development programs, 2:15 p.m., SR–253.

Committee on Energy and Natural Resources: June 22, with the Select Committee on Intelligence, and with the Committee on Armed Services, and with the Committee on Governmental Affairs, to hold joint hearings on the President's Foreign Intelligence Advisory Board's report to the President: Science at its Best; Security at its Worst: A Report on Security Problems at the U.S. Department of Energy, 9:30 a.m., SD–106.

June 22, Full Committee, to hold hearings to explore the effectiveness of existing federal and industry efforts to promote distributed generating technologies, including solar, wind, fuel cells and microturbines, as well as regulatory and other barriers to their widespread use, 2:30 p.m., SD–366.

June 23, Full Committee, business meeting to consider pending calendar business, 9:30 a.m., SD–366.

June 23, Subcommittee on Forests and Public Land Management, to hold hearings on S. 953, to direct the Secretary of Agriculture to convey certain land in the State of South Dakota to the Terry Peak Ski Area; S. 503, designating certain land in the San Isabel National Forest in the State of Colorado as the ''Spanish Peaks Wilderness''; S. 977, to provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a county park and certain adjacent land; S. 1088, to authorize the Secretary of Agriculture to convey certain administrative sites in national forests in the State of Arizona, to convey certain land to the City of Sedona, Arizona for a wastewater treatment facility; H.R. 15, to designate a portion of the Otay Mountain region of California as wilderness; and S. 848, to designate a portion of the Otay Mountain region of California as wilderness, 2:15 p.m., SD–366.

June 24, Full Committee, to hold oversight hearings to examine the implications of the proposed acquisition of the Atlantic Richfield Company by BP Amoco, PLC, 9:30 a.m., SD–366.

Committee on Environment and Public Works: June 23, business meeting to mark up S. 1090, to reauthorize and amend the Comprehensive Environmental Response, Liability, and Compensation Act of 1980 (Superfund), 9 a.m., SD–406.

June 23, Subcommittee on Fisheries, Wildlife, and Drinking Water, to hold hearings on issues relating to salmon recovery, 1:30 p.m., SD–406.

June 24, Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety, to hold hearings on NO_X/State Implementation Plans, 9 a.m., SD–406.

Committee on Finance: June 22, business meeting to mark up the proposed Generalized System of Preferences Extension Act, the proposed Trade Adjustment Assistance Reauthorization Act, the proposed U.S. Caribbean Basin Trade Enhancement Act, and the proposed Sub-Saharan African Growth and Opportunity Act, 10 a.m., SD–215.

June 23, Full Committee, to hold hearings to examine adding a prescription drug benefit to the Medicare program, 10 a.m., SD–215.

June 24, Full Committee, business meeting to mark up the proposed Medicare Subvention Demonstration for Veterans Act, to create a three year program that will allow veterans who are eligible for Medicare to receive their health care at a Veterans Affairs (VA) facility, 10 a.m., SD–215.

Committee on Foreign Relations: June 22, Subcommittee on Western Hemisphere, Peace Corps, Narcotics and Terrorism, to hold hearings to examine confronting threats to security in the Americas; to be followed by a full committee hearing on the nomination of Gwen C. Clare, of South Carolina, to be Ambassador to the Republic of Ecuador, 10 a.m., SD–562.

June 22, Full Committee, to resume hearings on the nomination of Richard Holbrooke, of New York, to be the Representative of the United States of America to the United Nations with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations, 2:30 p.m., SH–216.

June 23, Subcommittee on Near Eastern and South Asian Affairs, to resume hearings to examine the United States policy towards Iraq, 10 a.m., SD–562.

June 23, Full Committee, to hold hearings on the nomination of David B. Sandalow, of the District of Columbia, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, 4 p.m., SD–562.

June 24, Full Committee, to hold hearings on the nomination of Richard C. Holbrooke, of New York, to be the Representative of the United States to the United Nations with the rank and status of Ambassador, and the Representative in the Security Council of the United Nations, 10 a.m., SH–216.

June 24, Full Committee, to hold hearings to examine U.S. satellite controls and the domestic production/launch capability, 2:45 p.m., SD–562.

Committee on Governmental Affairs: June 22, with the Select Committee on Intelligence, and with the

Committee on Armed Services, and with the Committee on Energy and Natural Resources, to hold joint hearings on the President's Foreign Intelligence Advisory Board's report to the President: Science at its Best; Security at its Worst: A Report on Security Problems at the U.S. Department of Energy, 9:30 a.m., SD–106.

June 23, Full Committee, to hold hearings on interagency Inspectors General report on the export control process for dual-use and munitions list commodities, 10 a.m., SD–342.

June 24, Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia, to hold hearings on H.R. 974, to establish a program to afford high school graduates from the District of Columbia the benefits of in-State tuition at State colleges and universities outside the District of Columbia; and S. 856, to provide greater options for District of Columbia students in higher education, 10:30 a.m., SD–342.

Committee on Health, Education, Labor, and Pensions: June 22, to resume hearings on proposed legislation authorizing funds for programs of the Elementary and Secondary Education Act, focusing on professional development, 9:30 a.m., SD–628.

June 22, Subcommittee on Aging, to hold hearings to examine the Older Americans and a National Family Caregiver Support Program, 2:30 p.m., SD–628.

June 23, Full Committee, to resume hearings on proposed legislation authorizing funds for programs of the Elementary and Secondary Education Act, focusing on Title VI, 9:30 a.m., SD–628.

Committee on Indian Affairs: June 23, to hold oversight hearings on National Gambling Impact Study Commission report, 9:30 a.m., SR–485.

Select Committee on Intelligence: June 22, with the Committee on Armed Services, and with the Committee on Energy and Natural Resources, and with the Committee on Governmental Affairs, to hold joint hearings on the President's Foreign Intelligence Advisory Board's report to the President: Science at its Best; Security at its Worst: A Report on Security Problems at the U.S. Department of Energy, 9:30 a.m., SD–106.

June 23, Full Committee, to hold closed hearings on pending intelligence matters, 3 p.m., SH–219.

June 24, Full Committee, to hold closed hearings on pending intelligence matters, 2 p.m., SH–219.

Committee on the Judiciary: June 22, to resume hearings on S. 952, to expand an antitrust exemption applicable to professional sports leagues and to require, as a condition of such an exemption, participation by professional football and major league baseball sports leagues in the financing of certain stadium construction activities, 2 p.m., SD–226.

June 23, Full Committee, to hold hearings on issues relating to religious liberty, 10 a.m., SD–226.

June 23, Subcommittee on Immigration, to hold hearings on enforcement priorities against criminal aliens, 2:30 p.m., SD–226.

June 24, Full Committee, business meeting to consider pending calendar business, 10 a.m., SD–226.

United States Senate Caucus on International Narcotics Control: June 21, to hold hearings to examine the black market peso exchange, focusing on how U.S. companies are used to launder money, 9 a.m., SH–216.

Committee on Veterans' Affairs: June 23, business meeting to mark up pending calendar legislation, 2 p.m., SR–418.

Special Committee on the Year 2000 Technology Problem: June 22, with the Committee on Appropriations, to hold joint hearings on federal agency Y2K spending issues, 9:30 a.m., SD–192.

House Chamber

Monday, The House is not in Session.

Tuesday, Consideration of suspensions; and

Consideration of H.R. 659, Patriot Act (open rule, one hour of general debate).

Wednesday, Thursday, and Friday: Consideration of the following measures subject to rules being granted:

H.R. 2084, Department of Transportation Appropriations Act;

H.R. 1658, Civil Asset Forfeiture Reform;

H.J. Res. 33, Proposing an Amendment to the Constitution of the United States Authorizing the Congress to Prohibit the Physical Desecration of the Flag of the United States; and

H.R. 1802, Foster Care Independence Act.

Any Further Program Will Be Announced Later.

House Committees

Committee on Agriculture, June 23, hearing on the Administration's preparation for the 1999 World Trade Organization Ministerial, 10 a.m., 1300 Longworth.

June 24, Subcommittee on Livestock and Horticulture, hearing to review H.R. 1402, to require the Secretary of Agriculture to implement the Class I milk price structure known as Option 1–A as part of the implementation of the final rule to consolidate Federal milk marketing orders, 10 a.m., 1300 Longworth.

Committee on Appropriations, June 22, Subcommittee on the District of Columbia, on DC Public Schools, 2 p.m., H–144 Capitol.

June 23, Subcommittee on the District of Columbia, on DC Budget, 10 a.m., H–144 Capitol.

Committee on Armed Services, June 24, hearing on the security problems at the U.S. Department of Energy, 1 p.m., 2118 Rayburn.

Committee on Banking and Financial Services, June 22, Subcommittee on Domestic and International Monetary Policy, hearing on GAO Report on IMF Lending Policies, 10 a.m., 2128 Rayburn.

Committee on the Budget, June 22, Social Security Task Force, hearing on Social Security Disability Insurance, 12 p.m., 210 Cannon.

Committee on Commerce, June 22, hearing on the Rudman Report: Science at its Best, Security at its Worst, 10 a.m., 2123 Rayburn.

June 22, Subcommittee on Oversight and Investigations, hearing on Worker Safety at DOE Nuclear Facilities, 2 p.m., 2322 Rayburn.

June 23, Subcommittee on Health and Environment, to continue hearings on America's Health, 2 p.m., 2123 Rayburn.

June 24, Subcommittee on Finance and Hazardous Materials, hearing on H.R. 1714, Electronic Signatures in Global and National Commerce Act, 10 a.m., 2123 Rayburn.

June 24, Subcommittee on Telecommunications, Trade, and Consumer Protection, hearing on Deployment of Data Services, 10 a.m., 2322 Rayburn.

Committee on Education and the Workforce, June 22, Subcommittee on Oversight and Investigations, hearing on Review and Oversight of the Department of Education's Office of Civil Rights, 2 p.m., 2175 Rayburn.

June 23, full Committee, to mark up the following bills: H.R. 987, Workforce Preservation Act; and H.R. 1381, Rewarding Performance in Compensation Act, 10:30 a.m., 2175 Rayburn.

June 24, Subcommittee on Early Childhood, Youth, and Families, hearing on Examining the Bilingual Education Act, 9:30 a.m., 2175 Rayburn.

Committee on Government Reform, June 23, Subcommittee on Criminal Justice, Drug Policy, and Human Resources, hearing on Getting Away With Murder, Is Mexico a Safe Haven for Killers?: The Del Toro Case, 10 a.m., 2154 Rayburn.

June 23, Subcommittee on Government Management, Information, and Technology, hearing on H.R. 1599, Year 2000 Compliance Assistance Act, 10 a.m., 2203 Rayburn.

June 23, Subcommittee on National Security, Veterans Affairs and International Relations, oversight hearing on Combating Terrorism: Role of the National Guard Response Teams, 10 a.m., 2247 Rayburn.

June 24, full Committee, hearing on Retaliation at the Departments of Defense and Energy: Do Advocates of Tighter Security for U.S. Technology Face Intimidation? 10 a.m., 2154 Rayburn.

Committee on House Administration, June 22, to consider pending business, 2 p.m., 1310 Longworth.

Committee on International Relations, June 22, Subcommittee on International Operations and Human

Rights and the Subcommittee on Western Hemisphere, joint hearing on Human Rights in Cuba, 1:30 p.m., 2172 Rayburn.

June 23, Subcommittee on Asia and the Pacific, to mark up the following bills: H.R. 1152, Silk Road Strategy Act of 1999; and H.R. 1794, concerning the participation of Taiwan in the World Health Organization (WHO), 2 p.m., 2255 Rayburn.

June 23, Subcommittee on International Economic Policy and Trade, hearing on Y2K, Customs Flows and Global Trade: Are We Prepared to Meet the Challenges of the New Millennium? 1:15 p.m., 2172 Rayburn.

Committee on the Judiciary, June 22, hearing on H.R. 1304, Quality Health-Care Coalition Act of 1999, 9:30 a.m., 2141 Rayburn.

June 22, Subcommittee on Immigration and Claims, to mark up the following bills: H.R. 456, for the relief of the survivors of the 14 members of the Armed Forces and the one United States civilian Federal employee who were killed on April 14, 1994, when United States fighter aircraft mistakenly shot down 2 United States helicopters over Iraq; H.R. 1788, Nazi Benefits Termination Act of 1999; and H.R. 2184, Keeping America Safe Act of 1999, 1 p.m., 2237 Rayburn.

June 23, full Committee, to continue mark up of H.R. 1691, Religious Liberty Protection Act of 1999; and to mark up the following bills: H.R. 1218, Child Custody Protection Act; and H.R. 2014, to prohibit a State from imposing a discriminatory commuter tax on nonresidents, 10 a.m., 2141 Rayburn.

June 24, Subcommittee on Commercial and Administrative Law, oversight hearing on franchising: the franchise relationship, mutual rights and obligations of franchisees and franchisors, and assessing the need for more regulation, 10 a.m., 2237 Rayburn.

June 24, Subcommittee on the Constitution, hearing on H.R. 2260, Pain Relief Promotion Act of 1999, 10 a.m., 2226 Rayburn.

June 24, Subcommittee on Courts and Intellectual Property, oversight hearing on the Report of the U.S. Copyright Office on Copyright and Digital Distance Education; and Intellectual Property Security Registration, 2 p.m., 2141 Rayburn.

June 24, Subcommittee on Crime, oversight hearing on the United States Secret Service, 9:30 a.m., 2141 Rayburn.

Committee on Resources, June 22, Subcommittee on Fisheries Conservation, Wildlife and Oceans, to mark up the following bills: H.R. 1444, to authorize the Secretary of the Army to develop and implement projects for fish screens, fish passage devices, and other similar measures to mitigate adverse impacts associated with irrigation system water diversions by local governmental entities in the States of Oregon, Washington, Montana, and Idaho; H.R. 1934, Marine Mammal Rescue Assistance Act of 1999; and H.R. 2181, Fisheries Survey Vessel Authorization Act of 1999, 2 p.m., 1334 Longworth.

June 22, Subcommittee on National Parks and Public Lands, oversight hearing on Franchise Fee Calculation for Ft. Sumter Tours, 10 a.m., 1324 Longworth.

June 24, Subcommittee on National Parks and Public Lands, oversight hearing on Noxious Weeds and Invasive Plants, 10 a.m., 1324 Longworth.

June 24, Subcommittee on Water and Power, oversight hearing on the Role of the Power Marketing Administration's in a Restructured Electric Industry, 2 p.m., 1334 Longworth.

Committee on Rules, June 22, to consider the following: H.R. 1658, Civil Asset Forfeiture Reform Act; and H.R. 2084, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, 1 p.m., H–313 Capitol.

Committee on Science, June 22, Subcommittee on Basic Research, hearing on Nanotechnology: The State of Nano-Science and Its Prospects for the Next Decade, 3 p.m., 2318 Rayburn.

June 23, Subcommittee on Space and Aeronautics, hearing on Range Modernization Part II, 1:30 p.m., 2318 Rayburn.

June 24, Subcommittee on Technology, hearing on Federal Agencies Under Attack: Why Are Government Websites Vulnerable? 10 a.m., 2318 Rayburn.

Committee on Small Business, June 24, Subcommittee on Tax, Finance, and Exports, hearing on ''Do Unilateral Economic Trade Sanctions Unfairly Penalize Small Business?'' 2 p.m., 311 Cannon.

Committee on Transportation and Infrastructure, June 22, Subcommittee on Water Resources and Environment, hearing on Clean Water Infrastructure and Wet Weather Flows legislation, 1 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, June 23, to mark up pending business, 10 a.m., 334 Cannon.

June 24, Subcommittee on Oversight and Investigations, hearing on the effectiveness of federal grants to community based organizations with regard to homeless veterans, 10 a.m., 334 Cannon.

Committee on Ways and Means, June 22, Subcommittee on Oversight, hearing on the complexity of the Current U.S. International Tax Regime, 1 p.m., 1100 Longworth.

June 23, full Committee, to continue hearings on Reducing the Tax Burden: II, Providing Tax Relief to Strengthen the Family and Sustain a Strong Economy, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, June 24, briefing on World Developments: A Global Update, 2 p.m., H–405 Capitol.

Next Meeting of the SENATE

12 noon, Monday, June 21

Senate Chamber

Program for Monday: After the recognition of certain Senators for speeches and the transaction of any morning business (not to extend beyond 1 p.m.), Senate will begin consideration of S. 1233, Agricultural Appropriations. Also, Senate expects to resume consideration of S. 886, State Department Authorization.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Tuesday, June 22

House Chamber

Program for Monday: The House is not in session.

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