| | | |
|---|---|---|
| Smith (TX) | Taylor (NC) | Walsh |
| Smith (WA) | Terry | Watt (NC) |
| Snyder | Thomas | Watts (OK) |
| Souder | Thompson (CA) | Waxman |
| Spence | Thornberry | Weiner |
| Spratt | Thune | Weldon (FL) |
| Stearns | Thurman | Weldon (PA) |
| Stenholm | Tiahrt | Weller |
| Strickland | Toomey | Wexler |
| Stump | Towns | Weygand |
| Stupak | Traficant | Whitfield |
| Sununu | Turner | Wicker |
| Sweeney | Udall (CO) | Wilson |
| Talent | Udall (NM) | Wise |
| Tancredo | Upton | Wolf |
| Tanner | Velazquez | Woolsey |
| Tauscher | Vento | Wynn |
| Tauzin | Vitter | Young (AK) |
| Taylor (MS) | Walden | Young (FL) |

NAYS—43

| | | |
|---|---|---|
| Abercrombie | Forbes | Rangel |
| Andrews | Goode | Sanders |
| Bachus | Green (TX) | Saxton |
| Baldwin | Hinchey | Schakowsky |
| Barcia | Hoyer | Shows |
| Bartlett | Hunter | Slaughter |
| Bonior | Kanjorski | Stabenow |
| Brown (OH) | Kaptur | Stark |
| Capuano | Kucinich | Tierney |
| Chenoweth | Lee | Visclosky |
| Davis (IL) | McGovern | Wamp |
| DeFazio | Mink | Waters |
| Dingell | Moakley | Wu |
| Duncan | Owens | |
| Filner | Paul | |

NOT VOTING—14

| | | |
|---|---|---|
| Archer | Lantos | Rothman |
| Bilbray | McDermott | Roukema |
| Cox | Miller, George | Thompson (MS) |
| Fattah | Peterson (PA) | Watkins |
| Jefferson | Radanovich | |

□ 1111

Messrs. VISCLOSKY, BARCIA, SAXTON, and Ms. STABENOW changed their vote from ''yea'' to ''nay.''

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ROUKEMA. Mr. Speaker, on roll call No. 368 I was inadvertently detained. Had I been present, I would have voted "yes."

## PROVIDING FOR CONSIDERATION OF H.R. 2670, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 273 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 273

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2670) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4 of rule XIII and section 306 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. The amendments printed in the report of the Committee on Rules accompanying this resolution may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. During consideration of the bill, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1115

The SPEAKER pro tempore (Mr. SUNUNU). The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H.R. 273 is an open rule providing for consideration of H.R. 2670, the Commerce, Justice, State, Judiciary and related agencies appropriation bill for fiscal year 2000. The rule provides for 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations. The rule waives clause 3 of rule XIV which requires a 3-day layover of the committee report and the 3-day availability of printed hearings on a general appropriations bill. The rule also waives clause 2 of rule XXI which prohibits unauthorized or legislative provisions in the appropriations bill. Section 306 of the Congressional Budget Act which prohibits consideration of legislation within the Committee on the Budget's jurisdiction unless reported by the Committee on the Budget is also waived. The rule makes in order the amendments printed in Committee on Rules report which may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be debatable for the time specified in the report, equally divided and controlled between the proponent and an opponent and shall not be subject to an amendment.

The rule waives all points of order against the amendment printed in Committee on Rules report. In addition the rule waives all points of order against all amendments to the bill for failure to comply with clause 2(e) of rule XXI which prohibits non-emergency designated amendments to be offered to an appropriations bill containing an emergency designation. This rule also accords priority and recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. This simply encourages Members to take advantage of the option to facilitate consideration of amendments and to inform Members of the details pending amendments. The rule also provides that the chairman of the Committee of the Whole may postpone recorded votes on any amendment and that the chairman may reduce the voting time on a postponed question to 5 minutes provided that the vote immediately follows another recorded vote and that voting time on the first in a series of votes is not less than 15 minutes. This will provide a more definite voting schedule for all Members and hopefully will help guarantee the time of the completion of appropriations bills.

House Resolution 273 also provides for one motion to recommit with or without instructions as is the right of the minority Members of the House. Mr. Speaker, H. Res. 273 is a typical open rule to be considered for the general appropriations bills. This rule does not restrict the normal open amending process in any way, and any amendments that comply with the standing rules of the House may be offered for consideration.

Mr. Speaker, as I mentioned earlier, H. Res. 273 specifically makes in order three amendments printed in the Committee on Rules report. I am pleased that this open rule also grants necessary waivers to permit consideration of the following amendments on the House floor.

Amendment No. 1 offered by the gentleman from New Hampshire (Mr. BASS) directs the FCC to enact measures that relieve the area code and phone number shortage problem and gives the FCC until March 31, 2000, to develop and implement a plan to address this problem. Amendment No. 2 offered by the gentleman from Kansas (Mr. TIAHRT) and the gentleman from

Indiana (Mr. SOUDER) prohibits the expenditure of funds for education materials and counseling programs if promoted by the Justice Department's Office of Juvenile Justice of Delinquency Prevention which undermine or denigrate the religious beliefs of minor children or adults participating in such programs.

And finally, Amendment No. 3 offered by the gentleman from Georgia (Mr. DEAL) will prevent any funds appropriated under the bill from being used to process or provide visas to those countries that refuse to repatriate their citizens or nationalists.

The Committee on Appropriations has for the fourth straight year had to balance a wide array of interests and make tough choices of scarce resources. I commend the gentleman from Kentucky (Mr. ROGERS) and the gentleman from New York (Mr. SERRANO) for the work on this legislation. In particular, I want to briefly comment on the crime immigration and anti-drug provisions included in the underlying text of H.R. 2670.

First, I am pleased that the bill provides 2.82 billion for State and local law enforcement assistance so that local officials can successfully continue their efforts to fight crimes against our citizens. This provision is 1.2 billion more than requested by the administration including 523 million for the local law enforcement block grant program, 552 million for Edward Byrne Memorial State and Local law Enforcement Assistance Grant program and 686 million for the Truth in Sentencing State Prison Grant program and 283 million for Violence Against Women programs.

I am also pleased that the committee has provided 3 billion in direct funding, a $484 million increase to enforce our immigration laws. The committee recommendation includes an increase of 100 million to enforce border control including 1,000 new border control agents, 140 support personnel and increased detention of criminal and illegal aliens.

Finally I want to point out the good work by the committee in providing 1.3 billion for the Drug Enforcement Administration to continue the fight against drugs in our neighborhoods. This $73 million increase over the last year indicates our commitment to win the war on drugs, and I commend the committee for this increase in funding enhancements to bolster the Caribbean enforcement strategy and drug intelligence capabilities.

Mr. Speaker, H.R. 2670 was favorably reported out of the Committee on Appropriations, as was this open rule by the Committee on Rules. I urge my colleagues to support the rule so we may proceed with the general debate and consideration of this legislation.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume. I want to thank the gentleman from Georgia (Mr. LINDER) for yielding me this time.

This rule will allow for consideration of H.R. 2670. This is the bill that makes appropriation in fiscal year 2000 for Commerce, Justice and State Departments, Federal Judiciary and related agencies. As my colleague from Georgia explained, this rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. Under the rule germane amendments will be allowed under the 5-minute rule, which is the normal amending process in the House.

The underlying bill is an inadequate piece of legislation which will probably be vetoed by the President. This rule provides an insufficient opportunity to improve the bill. Therefore, I will oppose the rule, and I also intend to oppose the previous question.

The bill makes deep cuts in the President's request for numerous Federal law enforcement agencies, and this is not frivolous spending. These programs help preserve law, reduce violence, make our streets and homes safe from crime. The bill cuts funding for international organizations by 14 percent below last year's level of funding. It reduces funding for the Legal Services Corporation to less than half of its current level, and of course that is the organization that provides legal help to the poor. The bill cuts the National Oceanic and Atmospheric Administration by 10 percent below last year's level. Included in this cut is critical weather research that can help save lives and protect property. The bill cuts $1 billion from the COPS program intended to put 100,000 new police officers on the street. The list goes on and on and on.

I am pleased that the bill does provide $244 million as a down payment on the back dues the United States owes the United Nations. But once again this bill holds that money hostage to the authorization bill, and as we all know, that bill does not stand much chance of passage.

During Committee on Rules consideration yesterday, I offered a motion to make a free and clear appropriation to pay our U.N. dues back, or back dues. This amendment was defeated on a straight party-line vote. Later today I will offer the amendment on the House floor.

Mr. Speaker, it is a disgrace that we have not paid our back dues to the United Nations; it is an absolute disgrace. This is not optional spending. We made a promise; we owe them money. The faith and the credit of the United States is on the line. Do not take my word. Here is what seven former U.S. Secretaries of State have said. In a letter earlier this year to the House and Senate leaders, former State Secretaries Henry Kissinger, Alexander Haig, James Baker, Warren Christopher, Cyrus Vance, George Schultz, and Lawrence Eagleburger said our great Nation is squandering its moral authority, leadership and influence in the world. It is simply unacceptable that the richest Nation on Earth is also the biggest debtor to the United Nations.

Yesterday the Committee on Rules considered granting waivers to make in order 11 amendments that were submitted to the committee. Six were Democratic amendments, and five were Republicans. One of the amendments was offered by the ranking minority member of the Subcommittee on Commerce, Justice, State, and Judiciary, the gentleman from New York (Mr. SERRANO).

Another was offered by the ranking minority member of the full Committee on Appropriations, the gentleman from Wisconsin (Mr. OBEY). Three Republican amendments were made in order, but not one Democratic amendment was made in order, not one, not even the amendment by the ranking minority member of the committee or subcommittee.

Mr. Speaker, this is not a bipartisan cooperation. Therefore, I must oppose the rule and ask my colleagues to vote against it.

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

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, I thank my friend from Atlanta for yielding this time to me and congratulate him on this handling of this rule.

I rise to begin by complimenting my very good friend and classmate, the gentleman from Kentucky (Mr. ROGERS), for the work that he has done on this bill. It has been, as we all know, a very difficult measure dealing with the constraints that have been imposed by the 1997 Budget Act, and I believe that he has done a superb job, and I am happy to report, as Mr. ROGERS well knows, that we in the Committee on Rules have done exactly what he requested of him; we provided an open rule plus. We, in fact under this open amendment process, will have every germane amendment allowable to be debated and considered, and we added three additional legislative amendments which address some concerns that a number of Members had raised to it.

So I believe that this is a very, very fair and appropriate way in which to deal with this important issue.

I also want to congratulate the gentleman from New York (Mr. SERRANO) of the minority who came forward and made the exact same request of us that the gentleman from Kentucky (Mr. ROGERS) did in his testimony before the Committee on Rules.

Let me talk about the bill itself and a couple of provisions that I think are very important.

Last week we had a very rigorous debate here in the House on the issue of whether or not to maintain normal

trading relations with the People's Republic of China, and during that debate I was happy to briefly raise an issue which is very important in our quest for political pluralism and democratization of the People's Republic of China, and that is the support of the village election process.

Now more than 2 decades ago, Mao Tze Tong was a supporter of the idea of village elections, and yet at that time there were only 9 Communist candidates in the People's Republic of China who were running. Today through the efforts of the National Endowment for Democracy, which is funded in this bill and the work of the International Republican Institute, one of the core groups associated with the NED, the National Endowment for Democracy, and I am privileged to serve on their board, we have been very, very key to promoting those village elections in the People's Republic of China.

□ 1130

I am happy to say that today, over 500 million people in China have been able to participate in local village elections. That is why I think that while it is a relatively small amount in the big picture, the support for the National Endowment for Democracy is very important, because we have the private sector involved with this and, as I said, several other core groups. So I congratulate my friend from Kentucky for putting that in the bill and maintaining strong bipartisan support for it.

I also want to mention one other issue that is of very great importance, and I see my colleague, the gentleman from California (Mr. CONDIT) to us, and it is dealing with what is known as SCAAP funding. We have in California a problem with the tremendous cost burden imposed on California's taxpayers for the incarceration of illegal immigrant felons, people who are in this country illegally and commit crimes.

In fact, one of every five prisoners in state prisons in California happens to be someone who is in this country illegally. So we all recognize that it is not the responsibility of a single state to protect the international borders, it is the responsibility of the Federal Government to do that.

That is one of the reasons we have said when we have problems protecting the boarders, the responsibility for the consequences of that should not be shouldered by the State taxpayers of one particular State. That is why this SCAAP funding provision is very important, and, again, it enjoys bipartisan support, and I am very pleased it is included in this bill.

So, once again, this is an open rule-plus that we have. All germane amendments will be made in order for consideration. I hope my colleagues on both the Republican and Democratic side of the aisle will join in enthusiastic support of it.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking minority member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, this rule is one of the most important items to come before the House in this Congress. It would permit the wholesale breach of the budget caps under the pretense that the decennial census is an emergency and, as it is currently crafted, it would even deny the House a vote on whether that designation is appropriate.

What is at stake here is more important than this bill or the $4.5 billion it spends off budget. What is at stake is the total abandonment of any pretense of orderly decision making on the budget.

If the decennial census can be classified as an ''unforeseen emergency,'' then any item in the appropriation bills is fair game. At that point, we have returned to the era of totally ad hoc budgeting, we have thrown away the budget resolution that was adopted this spring, and we are striking out with no end game and no plan for how much we will spend or what we will spend it on.

We will continue to make daily adjustments based on the Republican whip meetings and complaints delivered to the Speaker's office. That is not a process that is acceptable to the American people, whether they hope to sustain existing services or whether they wish for deep tax cuts. It is a prescription for chaos.

Equally important, this would devastate Congress' credibility in using the discretion provided in the Budget Act to deal with real emergencies. If we permit this wholesale abuse of emergency spending powers in the Budget Act, we will end up having those powers challenged and we will find that Congress is unable to meet its fundamental responsibility in confronting future emergencies.

Whether we face a question of war or peace or whether we face a great domestic disaster, our ability to act without rewriting the funding levels agreed to over the arduous course of the previous appropriations cycle will likely depend on how responsibly we act at this moment.

I urge the House to defeat this rule and adopt a rule that will permit the House to at least vote on the emergency designation.

I would urge Members to take note of the letter from Taxpayers for Common Sense, which indicates that this is an extremely shaky way in which to proceed if we are interested in responsible budgeting.

Mr. LINDER. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I listened with great interest to my friend from Wisconsin (Mr. OBEY), the ranking member on the Committee on Appropriations, and I agree with him that the wholesale use of the emergency designation would not be too smart, but then this is not the smartest place in the world. The emergency designation in our budget process was created in 1990. That was a long time before the Republicans became the majority party in the Congress.

Since 1990, when the Democrats created this emergency provision, it has been used many times, not necessarily by the Republican majority that exists today. I would be happy to provide for the record and for Members who would like to see it, a very long list of times and events when the emergency designation was actually used.

Now, let me say something about the census, which is the issue before us today that the gentleman from Wisconsin (Mr. OBEY) mentioned. The problem here is we are dealing with the 1997 balanced budget agreement. I am not sure who the players were at that time, but when that decision was made, when those conferences were held, when the give and take was over, there was no money in the 1997 balanced budget agreement for the census, although everybody knows that the Constitution says there shall be a census every 10 years.

Of course, the Supreme Court did rule just recently in a ruling that requires that we do an actual census count in the year 2000 plus the sampling that the Administration wants to do. But, anyway, the 1997 balanced budget agreement did not provide the funding to take care of the census for the year 2000.

Now, when the House did the budget resolution for fiscal year 2000 this year, again there was no provision made for the census. So here we are trying to keep the budget balanced, trying to stay at or below last year's level of spending on all of these bills, except for national defense, trying to protect all of the receipts to the Social Security Trust Fund for Social Security recipients. We are doing all of those things, but we still have to do the census. So that is the reason that the committee decided and determined that we would use the emergency designation, similar to the way that this administration has used it without a lot of regard for what the balanced budget situation was and the way this Congress has used it many, many times.

I would hope that we would order the previous question, adopt the rule, and get on to the bill.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. SERRANO), the ranking member on the Subcommittee on Commerce, Justice, State and the Judiciary of the Committee on Appropriations.

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

Mr. Speaker, let me first explain what I will be doing here today. I will be voting for this bill, because I believe

it is the proper position for me to take to move this process along in the hope we can get a better bill and because it fully funds the census, which is important not only for my district, but for every district throughout this country.

However, I rise today in opposition to the rule. At first glance this is a fine rule. It is an open rule providing for procedures that would help the House consider the Commerce, Justice, State appropriations bill in a fine manner.

If the Committee on Rules had simply granted the Committee on Appropriations' requested rule, this debate would be over with a voice vote. However, Mr. Speaker, Committee on Rules Republicans once again chose to stiff the Democrats on amendments. They made in order and protected from points of order three Republican amendments by the gentleman from New Hampshire (Mr. BASS), the gentleman from Kansas (Mr. TIAHRT), and the gentleman from Georgia (Mr. DEAL). But of at least seven Democratic amendments requested at the Committee on Rules hearing, not one was made in order.

I asked the committee to make in order an amendment based on my bill, H.R. 1644, the Cuban Food and Medicine Security Act of 1999, which would permit sales of U.S. food and agricultural products, including seeds and medicine and medical equipment to Cuba, without the cumbersome licensing procedures now in effect.

I argued that the time has come for the United States, on moral grounds, to relieve the suffering of the Cuban people and that American business, agriculture in particular, could benefit greatly from entering the Cuban market. USDA lists more than 25 agricultural products that Cuba imports, and farm advocates say that the U.S. could reasonably expect to provide 70 percent of Cuba's agriculture imports, earning in excess of $1 billion a year, and $3 billion by the second year.

The committee did not see fit to make my amendment in order.

Now, my amendment might be controversial in some quarters. Indeed, one Member of the Committee on Rules was heard to say ''baloney,'' which is not on the chart, as I was discussing it. But the committee did not even protect the bipartisan amendment to name the main Justice Building after former Senator and Attorney General Robert F. Kennedy. The amendment based on legislation introduced by the gentleman from Florida (Mr. SCARBOROUGH), was requested by the gentleman from Indiana (Mr. ROEMER), the gentleman from New York (Mr. QUINN), and the very eloquent gentleman from Georgia (Mr. LEWIS). Even Mr. LEWIS' eloquence did not move the Committee on Rules to let the House consider the amendment.

In short, Mr. Speaker, the needless partisanship of the Republicans on the Committee on Rules has turned a good rule as requested by my chairman, the gentleman from Kentucky (Mr. ROGERS), into a slap in my caucus's face, and I urge my colleagues to vote against the rule.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS), the chairman of the subcommittee whose bill we are about to take up.

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

Mr. Speaker, this is a fair rule. This rule is like practically all the other rules that have been brought before this body on an appropriations bill. This is an open rule. Offer any amendment you want. There are no limitations. The Committee on Rules says take it to the floor and let anybody on the floor say whatever they want, offer any amendment they want. So there you are.

Now, what you want over here, you want to offer legislation on an appropriations bill. There are legislative committees all over this Congress, all over Capitol Hill, meeting just this moment considering legislation, authorizing programs, deauthorizing programs and the like.

We do not do that on the Committee on Appropriations. Members know that. We appropriate funds. If you want to get your legislation passed, go to the appropriate committee and get it passed. I will probably vote for it. But not on an appropriations bill. That is not what we do.

This is a fair rule, and I urge its immediate adoption. This bill is a major bill that is restrained beyond any bill that I have brought to the floor in my experience. We actually cut spending from current levels by $833 million, and we do maintain the critical agencies at their current levels. We do not cut the FBI, the DEA, the Weather Service. We increase the Border Patrol. But practically everything else is frozen. It is a responsible bill written under very tough spending caps that you imposed on us 3 years ago. You voted for the caps. I am here to tell you now that you have had your good time, the piper is at the door waiting to be paid, and that is this bill. It is restrained, and we had to restrain ourselves because of the caps.

But if you want to legislate on my bill, I am going to oppose you. Go to the appropriate committee. Make your fight. Make your case. Bring it to the floor in the right way and we will probably pass it, but not on this bill.

So I urge Members to support this fair rule. There is nothing the Committee on Rules could have done under the gentleman from California (Chairman DREIER) better than this rule I think, because it is open. It is like all the other rules. It precludes legislation, because that is what this Congress is all about.

So I urge, Mr. Speaker, a strong vote for the rule, so that we can get to the bill.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. STABENOW).

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

Ms. STABENOW. Mr. Speaker, I rise today to oppose the Commerce, Justice, State appropriations rule and the bill. While there are many reasons to do so, I am especially disappointed in the committee's decision to eliminate totally the funding for the Advanced Technology Program known as ATP. This means that not only is there no money for new research awards, but the research currently being supported will be terminated. In other words, current research contracts, current commitments, will not be kept. And who gets hurt by this cut? The hundreds of small businesses involved with ATP projects. Fifty-five percent of all ATP projects are led by small businesses, and they participate in 70 percent of all of the ATP projects.

In fact, small businesses receive about half of all ATP funding, and because Federal funds are limited to know more than 50 percent of the research project's cost, small businesses will be on the hook for the investment dollars. They have committed to the research.

Also hurt are more than 100 universities that take part in this important project, including several in Michigan that are very involved in pre-competitive research and technology efforts. This bill will terminate 240 research projects in 30 States representing a private sector investment of $931.5 million in private research dollars to create jobs.

This is matched by $926.4 million in Federal funds. In other words, this shortsighted bill wastes almost $2 billion in public-private investment that will lead to real jobs for Americans. This bill is shortsighted at best.

We know if we want to keep our strong economy going, we must continue to create cutting-edge technologies for the future. In Michigan we are doing that, and I would rise today to ask for a ''no'' vote on the rule and on the bill.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, let me start by saying that I have the utmost respect for the chairman of the subcommittee, but when he mentioned that Democratic amendments were seeking to impose legislation on the appropriations bill, the bottom line is that the rule makes in order 3 Republican amendments with special waivers that really are legislative, and also the bill itself has all kinds of legislative language. So I think that saying that the Democratic amendments were not made in order because they were legislative is really not accurate.

The bottom line is that the Republican leadership makes in order whatever amendments they please, as long as they are Republican, but they denied each of the Democratic amendments that were requested.

One of those amendments was mine, and it was an amendment that really was very bipartisan. It was important to ensure that Holocaust victims who were U.S. citizens at the time they were persecuted are justly compensated for their sufferings at the hands of Nazi Germany.

I just have to say, if I can, Mr. Speaker, that I wanted to thank, first of all, the committee and particularly the gentlewoman from New York (Ms. SLAUGHTER) for her help on this. This was a recorded vote, and essentially what the Republicans did in voting against this amendment was to put themselves on record opposing the opportunity, if you will, the opportunity to provide compensation for Holocaust victims.

Over the years, many people are not aware, but over the years if you were a U.S. citizen and you happened to find yourself in Nazi Germany at the time of the Holocaust, the German government would refuse to give you any compensation or any reparations.

I found my own constituent, Hugo Prince, a few years ago in this situation, and I worked on a bipartisan basis with Senators, Republican Senators and Republicans in this House to put in place a plan whereby a compensation could be provided to these U.S. citizens that happened to be in Nazi Germany, suffered in the concentration camps and were not able to get compensation.

What we found in putting this provision in place was that over the years the money ran out, the German government was providing the money, not the taxpayers, this was money coming from the German government, and the money ran out and there were a number of claimants who did not have an opportunity, if you will, because of the law, to raise their claims.

All we are trying to do with this amendment is to make that opportunity there again. The amendment simply says that if you fail to meet the notification period, that you can now put your claim forward in a timely fashion, and if the State Department finds that your claim is legitimate, they will then negotiate with the German government to find more money to compensate these victims of the Holocaust.

□ 1145

Again, I have no idea what is going on here today and why it is that the Republicans would refuse to allow this amendment. It has been bipartisan; it is clearly something that should be done, and there is a need for it right now. This time has expired. This is not something that we can wait a year or 2 years for. A lot of these people are older, and they are dying off. So there is an immediate need for it; it is almost an emergency. I would characterize it as an emergency more in the sense than some of the ''emergencies'' that I have heard on the other side.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, listening to these excuses this morning from our Republican colleagues, I cannot help but think how far this great Republican revolution has sagged. My colleagues claimed they wanted to change everything, and yet they justify this morning's adventure in fiscal responsibility on the grounds that we ought to keep doing things the same old way it has been done in the past.

Last year, this Congress managed to pack in billions of dollars of pork into a weighty bill, weighing in at 40 pounds to be exact, something called the Omnibus Spending bill. Some of us called it the ''Octopus Spending'' bill, because of the strange reach of its long tentacles. Labeling projects as ''emergencies'' that did not have any genuine emergency associated with them at all was done for the sole purpose of avoiding the limitations of the Balanced Budget Act. Again this spring, billions of dollars of projects that did not have anything to do with Kosovo were given that very valued appellation ''emergency'' as a way of increasing defense spending while pretending to comply with the Balanced Budget Act. Apparently, getting away with such charades only whetted the appetites of those who come to this floor and preach fiscal restraint and then proceed to engage in this kind of gamesmanship.

In this bill, they designate almost $5 billion for the 2000 Census. That is the same ''emergency'' that our Founding Fathers required us to do every decade in the United States Constitution. It is the same ''emergency'' that we have had every 10 years since the year 1790. This is not an emergency, it is just another example of Republicans cooking the books.

Republicans say they want to get all of this money out of Washington with an irresponsible tax cut. Apparently, they just want protection from themselves. They really cry out, keep us from taking more money from Social Security for purposes that have nothing to do with Social Security at all. That is what they are doing this morning to pay for their phony ''emergency.''

Webster's dictionary defines an ''emergency'' as ''an unforeseen combination of circumstances.'' Certainly, the census is not that, but the second definition is applicable. It is ''an urgent need for assistance or relief.'' That is what America needs relief from this kind of Republican fiscal irresponsibility. It is urgent. It is an emergency in that context.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. FOLEY).

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

Mr. FOLEY. Mr. Speaker, I thank the gentleman from Georgia for bringing this rule to the floor, and I obviously support the underlying initiative, the bill on Commerce, Justice, and State.

Mr. Speaker, I support the additional $20 million being allocated to the Department of Justice for border patrols, but I must tell my colleagues that I am frustrated and outraged by the pitiful amount of funding for Florida. People are literally dying on our shores. They are victims of illegal smuggling operations that take advantage of desperate, innocent people, trying to leave the rapidly deteriorating conditions in Haiti and Cuba and other impoverished or politically oppressive countries.

These countries treat human beings like cargo. This past March, 40 people died off of south Florida shores while the boat they were being smuggled in sank, 40 people died. A similar tragedy in mid-December when as many as 13 people died in another illegal smuggling attempt. Mr. Speaker, 300,000 illegal immigrants enter the United States each year. In the short period between January 1 and March 10, there were 45 illegal landings, 31 interdictions, and 34 identified smuggling activities, resulting in over 400 illegal alien entrants by sea. These entrants by sea are all coming to Florida. Florida is shortchanged while all of the funding goes to other States.

Florida is the weak link and the focal point of current smuggling operations. While the number of immigration criminal agents has more than doubled during the past 5 years to over 8,000, Florida has not seen an increase of agents in 10 years. In Florida, 52 Border Patrol agents are trying to stop an estimated 12,000 illegals who come into Florida by sea each year. Because of their few numbers, the Border Patrol and Coast Guard together are only capable of catching a mere 10 percent of them.

The mechanisms designed to nab the illegal aliens that slip in is also failing. The INS has now decided to change their enforcement tactics and has suspended most surprised workplace inspections that would identify illegal workers and the employers who hire them. The switch sends a clear message to illegal aliens and to smugglers that they are okay unless they get caught committing a crime. Enforcement standards are going down just when illegal immigration is on the rise.

Florida Governor Jeb Bush wrote to Attorney General Janet Reno following our most recent tragedy requesting additional efforts. We need, and I would ask this House to consider in the future, and I specifically ask the administration to listen: greater interdiction efforts along the U.S. coast; increased Federal resources to make the prevention of illegal smuggling a top priority with an increased focus on south Florida; expanded hold capacity for the Krome detention facility located in Miami, County so that officials will be able to retain larger numbers of illegal aliens after the raids. Even one of my own counties, Glades County, Florida has offered to construct the facility for

INS, to lease on a per diem basis, bed space to make available for the excess illegals that are coming and being arrested. This request goes unanswered by members of the administration.

Again, let us think about the human tragedy here. People are smuggling innocent people to this country and oftentimes throwing them overboard miles offshore so they will not get caught, yet they have taken the money from the person hoping to come to America.

Mr. Speaker, we must support increased funding for Border Patrol. I recognize that, and that is why the base bill I support. But I want everybody to listen here today, because I believe Florida has been shortchanged. I have repeatedly asked the administration, I have repeatedly asked my colleagues in the House, and I would hope that the rest of the Florida delegation will support us in our effort for several things: Coast Guard, Border Patrol, INS and Customs.

Florida is a growing State with growing tourism, growing needs, and we would certainly hope that this Congress would be receptive to assisting us in meeting those needs and demands, and let not one more person perish on Florida seas or on Florida's coast without this being addressed.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. ROEMER).

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

Mr. ROEMER. Mr. Speaker, I thank my friend from Ohio for yielding me this time.

If one is in a school and one is seen carrying around a host of books and one uses those books, and one's arguments are reflective of the study of those books, one is probably seen as an academician and scholarly. But if one is an accountant and one has two books, one is kind of known as cooking the books, keeping two sets of accounting on one's budget. And that is not known as a particularly good practice.

Now, I urge my colleagues to defeat this rule because this bill includes $4.5 billion of money that is in the second book. It is not accounted for. It is declared emergency funding that breaks the budget caps, that is not accounted for in the way that we should be accounting for the money as fiscally responsible Democrats and fiscally responsible Republicans.

□ 1200

Now, many Republicans came here in 1994 under the Republican revolution to revolutionize the way we did the budget around here, not to cook the books and keep two sets of books for a routine measure of spending. We are talking about $4.5 billion. That is as much as many States have for their entire yearly budget. Yet, it is okay in this practice to declare this emergency spending.

Thomas Jefferson, John Adams, James Madison, knew about it. We knew in 1991, in 1992, 1993, we were going to have to spend this money. Our American families know before they go on a vacation that they have to sit down and plan out what they are going to do with that budget, and plan backwards; if it is going to take them $1,500 for their vacation, that they may not have the opportunity to do other things. But in this budget, we go forward and spend $4.5 billion on census funding that we have known for years was coming that is routine spending, and we declare it emergency spending.

My second argument, other than fiscal responsibility for encouraging defeating the rule, is a fairness argument.

In addition to the fiscal responsibility argument, the gentleman from Florida (Mr. SCARBOROUGH), the gentleman from New York (Mr. QUINN), the gentleman from Georgia (Mr. LEWIS), and myself, a Democrat from Indiana, went before the Committee on Rules to ask for a rule to simply give us the waiver, the same waiver they have given three Republican amendments, no Democratic amendment; to simply rename the Justice Department building after Robert Kennedy.

This is, of course, the Commerce-State-Justice bill. It is not major legislation. It is not redoing U.N. funding. It is not major legislation on a new policy. Three Republican amendments were in order, no Democratic amendments in order.

So for fiscal responsibility and $4.5 billion being cooked in two sets of books on this bill, and for a rule that reflects a six-vote difference in the majority and minority for fairness for rules, I urge my colleagues to defeat this rule and send it back. Let us get a fair rule.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KASICH).

Mr. KASICH. Mr. Speaker, I want to just take a moment, because as many in the House know, I have been, along with a number of my colleagues, fighting a battle against corporate welfare. Corporate welfare is defined as those governmental programs that cost the taxpayers more than the benefits they derive from the subsidies.

The fact is that we have a breakthrough today in corporate welfare, and we need to celebrate the victories that we have. The chairman of the committee, the gentleman from Kentucky (Mr. ROGERS) should receive large praise for his elimination of the advanced technology program. That is a program where government uses taxpayers' dollars to pick winners and losers without any relationship at all to the marketplace.

It is not the job in a free market system for the government to engage in the picking of winners and losers, particularly when the picking of winners and losers results in a bigger cost to the taxpayer than the benefit it brings to society.

No one should be confused about what this term ''corporate welfare'' is all about. Many of my friends on the other side do not like the notion of tax cuts. Frankly, lowering the corporate tax burden works to the benefit of job creation. The creation and extension of making permanent the research and development tax credit is a system that will allow businesses to have the incentives to do the research that they should do for themselves that exists in the real world.

Legal reform, a system that would set businesses free from the entanglements of lawsuits that in many cases make no rhyme nor reason to the kind of justice system that we all hope for, or simple regulatory reform that my friend, the gentleman from Indiana (Mr. ROEMER) who just spoke has supported, the efforts to try to make more common sense as it applies to business.

Those are the answers in terms of the way in which our businesses should be expanded, not through a government program that costs taxpayers more and provides very little benefit to the taxpayers who pay the bill.

The picking of winners and losers by government should end, and frankly, I think this is a very good day when it comes to the effort to try to reduce the level of corporate welfare that we find in the budget of the United States.

I want to praise the chairman for his good work, and hope we can hold this all the way through conference.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. UDALL).

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I oppose this rule and have many serious concerns about the bill itself. For one thing, as it stands, the bill will hurt, not help, our efforts to make our communities safer and to afford equal justice to all of our citizens.

Let me give a few examples. Terminating the COPS program will be bad for communities like those that I represent, where residents are struggling to cope with the increased crime that too often comes with population growth.

Secondly, cutting funding for the Legal Services Corporation calls into question our commitment to assuring that lower-income citizens can have access to our courts.

Finally, number three, failing to adequately fund the enforcement of our civil rights laws will make it harder to protect the rights of all of our American citizens.

The bill is also very bad for small business. In fact, it would cut back the Small Business Administration by forcing the SBA to lay off over 75 percent of its work force. It provides no funding for the new markets initiative, which will promote business investment in underserved areas like our urban centers and our Indian reservations.

Just as troubling is the way the bill would affect the Commerce Department's National Oceanographic and Atmospheric Administration and the National Institute of Standards and Technology, two agencies that have important research facilities in Colorado.

The bill does provide for funds for some important NOAA projects, including the hyperaircraft. However, cuts in other NOAA funding are still troublesome, particularly as they affect the oceanic and atmospheric research programs.

These programs support vital research, both in NOAA's own labs and through cooperation with universities like the University of Colorado. The bill's cuts in their funding are counterproductive to our efforts to understand and respond to climate change and global warming, and would set back needed progress in the ability of the Weather Service to predict severe events that threaten lives and property, like the destructive tornadoes in the State of Oklahoma this spring.

As for the National Institute of Standards and Technology, I asked that agency how the bill would affect them. To sum it up, the effects would be terrible. The bill would delay construction of the Advanced Measurement Laboratory, which is essential to allow NIST to conduct research that is sorely needed by American science and American industry, and would require NIST to continue to cope with deteriorating physical facilities that are a serious impediment to its ability to carry out its mission.

Mr. Speaker, I include for the RECORD a more detailed explanation of how the bill would affect NIST, which was provided to me at my request. I do not want to read it all, but I will sum it up. In short, the bill threatens to make it impossible for NIST to properly carry out its job of promoting technological progress and helping American industry to compete effectively.

These are just a few of the serious problems with the bill, Mr. Speaker, so I cannot support the bill. We can do better. We must do better.

The material referred to is as follows:

DEPARTMENT OF COMMERCE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

House Appropriations Bill impacts on NIST's Construction of Research Facilities:

The House Committee allowance bill freezes funding at the FY 1999 level and delays construction of the Advanced Measurement Laboratory (AML). The AML is the major step in a long-term plan to remedy the technical obsolescence of the NIST facilities.

NIST's mission requires it to perform world-class research, which requires world-class laboratories. NIST's outdated and deteriorating laboratory facilities are undermining its ability to promote U.S. economic growth and international competitiveness.

Delay will move the estimated completion of the AML to 2005 and could add as much as $6M to the cost. A delay in construction also means a delay in the planned renovations of our current facilities, which are in a state of continuous deterioration.

Below are just a few examples of how NIST's deteriorating physical facilities are hampering its mission.

The semiconductor and chemical processing industries need subnanometer level reference materials for measuring silicon wafer contamination and for studying catalytic surface reactions. NIST has the instrumentation available to make these measurements but cannot develop them due to poor temperature, vibration, and air quality control in its laboratories.

Nuclear facilities, pharmaceutical companies, aerospace industries, and others are pressing NIST to improve the accuracy of its mass calibrations. The lack of good environmental controls in NIST's current General Purpose Laboratories causes NIST's precision mass calibrations to be four to 10 times less accurate than they should be.

The aerospace, semiconductor, pharmaceutical, and other high tech industries need high quality pressure calibrations from NIST. Many of these measurements are delayed in delivery due to poor temperature and vibration control that prevent NIST's best calibration instrument from being used about one third of the time.

NIST's research on ferroelectric oxide thin films important in lightwave communications networks and next generation optical computing is frequently set back by dust particles that ruin delicate samples and is limited by temperature and vibration control problems.

As these examples illustrate, many NIST researchers in advanced technology areas currently must throw out or delay 10 to 30 percent of their measurements due to unacceptably large variations environmental conditions.

Mr. LINDER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman for yielding time to me.

I listened with great interest, Mr. Speaker, to several comments from the other side. Let us begin with my good friend, the gentleman from Colorado (Mr. UDALL), an Arizona native whose subsequent life's journey took him to another State. We welcome him in this body.

He mentioned his concern about the elimination of the new markets initiative as a reason why he would oppose the rule, and I surmise, the general bill. I think it is important to actually take a look at what the President proposed in his so-called new markets initiative.

Like many programs that come from the administration, it was heavy on overhead. Indeed, the new markets initiative, posturing as a program to help Indian reservations and those who live in the inner city who are economically disadvantaged, only worked to the advantage of government bureaucrats.

Indeed, what the President asked to happen was to have the taxpayers underwrite some $100 million in loans, or actually provide some $45 million in cash for a modest loan program, when instead, in our tax bill that passed on this floor in the proper jurisdiction, the Committee on Ways and Means, we incorporated a bipartisan plan that did more through tax relief for the inner cities and distressed areas than the new markets initiative could ever hope to do.

To my friend, the gentleman from Indiana (Mr. ROEMER) who talked about keeping two sets of books, I would simply commend the rest of the story. Part of it goes back to the wise words of our good friend, the committee chairman, who will offer his appropriations legislation.

We need to understand this, Mr. Speaker, that sadly, when it comes to the analogy of two sets of books, we would do well to look at the policy of the director of the Census, who, in apparent irreverence for existing law and the Constitution, this administration and this Census Bureau says that actual enumeration is not good enough when it comes to the Census, that we need to project.

We should oppose the rule. Not two sets of books, one set of facts. Support the rule and support the underlying legislation.

Mr. HALL of Ohio. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Speaker, I want to make it clear, I have only the highest respect for my friend and colleague, the gentleman from Kentucky (Mr. ROGERS), the chairman of the committee. I rise against this rule but not against my colleague and the untenable situation that he and the chairman of the full committee have been put in.

I rise in opposition to the rule because it is not a fair rule. If they had allowed three Democratic votes to have waivers of the rules, then it would be a fair rule and open, and I would be supporting the rule. But someone chose not to do that.

The primary reason that I rise against the rule and against the bill is this continued charade that my friends on this side of the aisle are using regarding the caps. Everyone knows this bill, by declaring $4.5 billion as an emergency for the Census, breaks the caps. Everyone in this body knows that. If someone here does not know that, please stand up and challenge me at this time. Everyone knows we are breaking the caps.

We are spending social security trust funds for purposes of declaring an emergency on a Census that everyone has known for 220-plus years we do every 10 years.

The gentleman from Arizona was making a point a moment ago, and I could get into that, too, because I happen to believe that we do better in this country when we allow sound science to determine our policies. We could have saved $1.7 billion, $1.7 billion, had we chosen to use sound science instead of political rhetoric.

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

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

Mr. HAYWORTH. Mr. Speaker, does my friend, the gentleman from Texas, actually favor sampling over actual enumeration and counting?

Mr. STENHOLM. I absolutely do. I take back my time. I absolutely do, because based on sound science, as I argue in the Committee on Agriculture every day, including yesterday, when we had a ruling by EPA that chose not to follow sound science, it hurts consumers, it hurts producers in Arizona, and I find myself consistent in that.

Let me just say again in closing, my reason for opposing this today is, as Members heard, no one challenged me when I said that we are spending $4.5 billion out of social security trust funds. That is why we all should oppose this rule and send it back until we can get bipartisanly accurate.

Let us start shooting straight with the American public. If we are going to spend their social security dollars, let us tell them. If they are going to break the caps, let us tell them. If we are going to give a tax cut from a fictitious surplus that is not there, let us tell them.

Let us start being honest, and we will find there will be bipartisan support for honesty, in opposition to what is going on in this rule.

Mr. LINDER. Mr. Speaker, I yield 3 minutes to my colleague, the gentleman from Florida (Mr. DIAZ-BALART), on the Committee on Rules.

(Mr. DIAZ-BALART asked and was given permission to revise and extend his remarks.)

Mr. DIAZ-BALART. Mr. Speaker, I thank the gentleman from Georgia for yielding time to me.

I want to thank the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Florida (Mr. YOUNG) and the gentleman from Texas (Mr. DELAY), and all the people who worked so hard on the Committee on Appropriations, for bringing this bill forward. It is a good bill.

The rule we brought forth to bring it to the floor is a fair rule. It is an open rule. We brought more open rules than any time before in the history of this Congress to the floor. We are very proud of that.

Someone spoke before, a colleague, and talked about the fact that he was opposed to the fact that we in the House are not going to lift sanctions on the Castro dictatorship until the three conditions that are within U.S. law are met, very simple conditions: the liberation of all political prisoners; the legalization of all political parties, labor unions, and the independent press; and the scheduling of three elections, internationally supervised.

Since we are going to insist on that, I think it is important to remind our colleagues and the American people through C-Span that we have those conditions. We do not have sanctions on that dictatorship 90 miles from our shores of people who have been suffering 40 years of oppression simply for the sake of having sanctions, but rather, because we are going to insist on a democratic transition that we know is going to come. Cuba is going to be free.

We also do not want, at this point, to give Castro access to American agricultural products and financing, and further exacerbate the plight of the American farmer. Do we want Castro to be able to dump citrus and rice and tobacco and sugar on the American market, exacerbate the condition of the American farmer with U.S. financing? I do not think we should do that. The House is not going to do that.

□ 1215

I also want to talk about four reasons why we maintain our sanctions. Rene Gomez Manzano, Marta Beatriz Roque, Vladimiro Roca, and Felix Bonne, distinguished professionals all. They wrote an article 2½ years ago called ''The Homeland Belongs To All,'' where they called for that great crime in the eyes of Castro, the right to free elections. They were thrown in the dungeon where they are today, languishing along with thousands of other political prisoners in a rodent-infested dungeon and 120-degree heat without access to health care or even light.

Those are reasons. We have many reasons. What we will say, until Cuba is free, no access to the U.S. market, and the Cuban people will forever remember, and that will be glory and dignity and honor, it will mean, for the generous American people.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. HASTINGS).

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman from Ohio for yielding me this time.

Mr. Speaker, I would like to associate myself with those who expressed concern about the funding levels of many of the important programs in this bill. I associate myself with the remarks of the gentleman from Florida (Mr. FOLEY), with reference to the inadequate funding of customs, INS, and the Coast Guard.

But more specifically of concern to me is the cut in funding for the Dante B. Fascell North-South Center at the University of Miami as well as the East-West Center in Hawaii.

Created in response to the post-Cold War power vacuum, the Dante Fascell North-South Center has served as an incubator of innovative ideas to promote better relations among the United States, Canada, and the nations of Latin America and the Caribbean for the past 10 years.

The Center produces nonpartisan, policy-relevant analysis on issues such as trade, investment, competitiveness, security, corruption, institutional reform, drug trafficking immigration, and the environment. As the only research and public policy study center dedicated to finding practical responses to hemispheric challenges affecting the United States, the center provides a valuable service.

Zeroing out this center and zeroing out the East-West Center is irresponsible. Although I have no hope of altering the bill on the floor today, I do hope to work with the conferees to raise their conscious level with reference to the need for funding for this particularly important program.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I have never really understood why our Republican colleagues are so opposed to COPS, the Community Oriented Policing Services. It works. It gets more law enforcement officers on our streets. It reduces crime. It involves a minimum, of administrative expense and delay and a maximum amount of crime prevention. The only reason I can think of that they oppose the COPS program is that they did not think of it first.

Through COPS, we have added in my home area of Travis County, Texas, the equivalent of almost 300 new law enforcement officers in our neighborhoods and on our roads. Chief Knee, Chief Buesing, and Sheriff Frazer who are outstanding local law enforcement officers. Through the COPS program, we say to them and to crime fighters across America, ''keep up the good work.'' We provide them the additional tools that they need to provide law enforcement that is highly visible and extremely effective.

Some of these new officers in my hometown are helping to prevent school violence; some are addressing domestic violence. Some are combatting drugs and gang violence. Together, they are not only making our community safer, they are making all of us feel safer in our community.

This week, I expect further announcements of the Troops to COPS program that permits some of our veterans who have gained skills in the military and need jobs the opportunity to transition into law enforcement, an excellent program. Yet, our Republican colleagues come forward today in this bill and propose to slash the COPS program by a billion dollars.

I would say that, with this bill, the Republicans are not only cooking the books in a fiscally irresponsible manner, but neither set of the budget books that they use contain the priority for law enforcement that I think American families have a right to demand.

This rule and this bill should be rejected.

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

Mr. Speaker, before I yield back the balance of my time, I would just like to say that we oppose the rule for a number of reasons. I would say in response to what the gentleman from Kentucky (Mr. ROGERS) said a few minutes ago, I note that, especially in the last few years, that we have lots of problems and difficulties in passing authorization bills.

This bill, in effect, becomes almost an authorization bill, even though it is

an appropriation bill. It is critically important to permit legislative amendments on these bills. All three amendments that were accepted on this rule were Republican, and not only in nature; but there were Democrat amendments offered in the Committee on Rules, and none of them were permitted that were of legislative provisions.

I will just read from the Committee on Rules put out by the gentleman from Georgia (Mr. LINDER) relative to what we have in this bill: ''The waiver of clause 2 of rule XI is necessary because the bill contains at least 67 legislative provisions and over 75 unauthorized programs in the bill.'' So for that reason and many others, we oppose the rule.

Mr. LINDER. Mr. Speaker, I am pleased to yield the remaining 3½ minutes to the gentleman from Texas (Mr. DELAY), the majority whip of the House.

Mr. DELAY. Mr. Speaker, I rise to support the rule and the bill. I want to give my heartfelt thanks to the chairman of the subcommittee for all the hard work under very difficult circumstances that he has done on this bill and finally crafting a bill that maintains a strategy of fiscal responsibility that the majority has been on the path of for all this summer.

I also want to commend the gentleman from Florida (Mr. YOUNG), chairman of the full committee, who has been working so hard to carry out a strategy that was laid out by the Speaker of the House early in this year.

That strategy was basically that we would lock up Social Security and not spend one dime of the Social Security surplus, unlike the Democrats for so many years has taken the surplus to spend on bigger government; that we would maintain the balanced budget that we brought because of a Republican Congress in the Balanced Budget Act of 1997; and we would work as hard as we could to stay under the budget cap. We have been able to do that so far through this bill.

Now I wish the gentleman from Texas (Mr. STENHOLM) was still here, because I am standing here challenging him, as he asked me to do when he made the comment that, with this bill, we are breaking the cap and spending Social Security. Nothing could be farther from the truth.

If we just can add, we take all of the 11 bills after this bill is passed and add them up, we are actually cutting spending from last year, real cuts to real spending, something the Democrat Congress has not been able to do in my lifetime. Real cuts and real spending.

Now, we did make a mistake in 1997, and I am here to admit it. In the Balanced Budget Act of 1997, we did not contemplate and did not put in the money to do the census, and we have to deal with that. But in declaring this an emergency, we do not break the cap, although, if someone votes to remove the emergency designation, they will be voting to break the cap.

What we did was we are spending the on-budget surplus, not Social Security surplus, the on-budget surplus of $4.5 billion. That is reality. That is the real thing that we are doing here.

Now, the underlying reality here is that the Democrats, the do-nothing Democrats, because we know what their strategy is, they are trying to make sure we do nothing and trying to stop all of the good things that we have been able to do this year. They want to spend more money. They are crying out to spend more money.

The administration has already put out four statements of administration policies saying that the appropriations bills that we have been passing are too low in spending. The other side of the aisle, Members have been here during this debate saying there is not enough spending, there is not enough spending.

They want to break the cap. They want to spend Social Security surplus. They want more spending. That has been their legacy for nigh on these 30 or 40 years. They want to spend more money. We are keeping fiscal responsibility. We are keeping the balanced budget. We are not going to spend one dime of the Social Security surplus.

Overall, there is only one essential thing to remember about this situation. If my colleagues vote to defeat this rule or offer an amendment that undermines this rule, they are collaborating with the forces for increased spending. Vote for the rule and vote for the bill.

Mr. LINDER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SUNUNU). The question is the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HALL of Ohio. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 221, nays 205, not voting 8, as follows:

[Roll No. 369]

YEAS—221

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—205

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Coburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
LaFalce
Lampson
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey

| | | |
|---|---|---|
| Martinez | Pascrell | Smith (WA) |
| Mascara | Pastor | Snyder |
| Matsui | Payne | Spratt |
| McCarthy (MO) | Pelosi | Stabenow |
| McCarthy (NY) | Peterson (MN) | Stark |
| McGovern | Phelps | Stenholm |
| McIntyre | Pickett | Strickland |
| McKinney | Pomeroy | Stupak |
| McNulty | Price (NC) | Tanner |
| Meehan | Rahall | Tauscher |
| Meek (FL) | Rangel | Taylor (MS) |
| Meeks (NY) | Reyes | Thompson (CA) |
| Menendez | Rivers | Thurman |
| Millender-McDonald | Rodriguez | Tierney |
| Miller, George | Roemer | Towns |
| Minge | Rothman | Turner |
| Mink | Roybal-Allard | Udall (CO) |
| Moakley | Rush | Udall (NM) |
| Moore | Sabo | Velazquez |
| Moran (VA) | Sanchez | Vento |
| Murtha | Sanders | Visclosky |
| Nadler | Sandlin | Waters |
| Napolitano | Sawyer | Watt (NC) |
| Neal | Schakowsky | Waxman |
| Oberstar | Scott | Weiner |
| Obey | Serrano | Wexler |
| Olver | Sherman | Weygand |
| Ortiz | Shows | Wise |
| Owens | Sisisky | Woolsey |
| Pallone | Skelton | Wu |
| | Slaughter | Wynn |

NOT VOTING—8

| | | |
|---|---|---|
| Bilbray | Jefferson | Peterson (PA) |
| Deal | Lantos | Thompson (MS) |
| Ehrlich | McDermott | |

□ 1246

Mr. CALLAHAN and Mr. SANFORD changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 2670) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

## DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore. Pursuant to House Resolution 273 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2670.

□ 1248

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2670) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Kentucky (Mr. ROGERS) and the gentleman from New York (Mr. SERRANO) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS. Mr. Chairman, I yield myself 12 minutes.

Mr. Chairman, H.R. 2670, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for fiscal year 2000, provides funding for programs whose impact ranges from the safety of people in their homes, to the conduct of diplomacy around the world, to predicting the weather from satellites in outer space.

Mr. Chairman, this bill requires a very delicate balancing of needs and requirements, from ongoing activities and operations of the departments and regulatory agencies, to new areas of concern like preparing to respond to the threat of domestic terrorism or beefing up worldwide security for our embassies overseas, to special funding requirements like the decennial census.

This year, our capacity to respond to all of these needs is tempered by the fiscal restraint under which we are forced to operate. The 1997 budget act for 5 years imposed spending restraints in each of those 5 years, in other words, budget caps, spending caps, beyond which we cannot exceed. We all went home after we passed that Budget Act of 1997, most of us voted for it, both sides of the aisle, and we crowed about how we were saving America's fiscal integrity, and we did.

Mr. Chairman, the piper is at the door waiting to be paid for that party, and this bill represents the piper. This is a very, very austere bill. We are having to live with those budget caps and yet maintain some very, very critical agencies of this government, a little bit like as I told in the full committee, the old drunk back home that was arrested for setting his bed on fire at the rooming house where he lived, he came into court and the judge asked for his plea, and the old fellow said, ''Well, your honor, I plead guilty to being drunk, but that doggone bed was on fire when I got in it.'' I am telling my colleagues that these budget caps are with us. We have to live with it. And we will.

We have had to carefully prioritize the funding in this bill and make very hard judgments about how to spend these limited resources.

The bill before the Committee today recommends a total of $35.8 billion in discretionary funding that comes from three places: $27.1 billion is general purpose discretionary funds; $4.2 billion is from the violent crime trust fund; and $4.5 billion is emergency funding.

Leaving aside the Census, and oh, how I wish I could leave aside the Census, the bill is $833 million below current spending and $1.3 billion below the CBO's freeze level for fiscal year 2000.

For the Department of Justice, the bill provides $18.1 billion, $6 million above current spending. Increases are provided to maintain current operating levels of key law enforcement agencies. FBI, DEA, U.S. Attorneys, U.S. Marshals, U.S. Bureau of Prisons all are maintained at their current operating level. And we address a severe detention space shortfall in the Bureau of Prisons and the INS with this bill.

These increases are offset by a decrease in funding for COPS, from $1.4 billion to $268 million. I would point out that that $268 million is the full authorization level set in law for the final year of the current program. That is all we are allowed by law to appropriate, and we did.

Local law enforcement and criminal justice block grants are maintained at or near last year's level, $1.3 billion more than the administration requested. That assures that your State and local law enforcement agencies, your sheriffs, your police departments, continue to have the resources to fight crime in your districts.

The major program increases in the bill can be counted on two fingers, and they are both in Justice, $100 million for 1,000 new border patrol agents, which the administration refused to request, and $22 million for the Drug Enforcement Administration, equaling the administration's budget request.

I would point out and remind Members that the latest statistics on violent crime in the United States show that America is now suffering the least number of violent crimes since we have been keeping records. I would like to say to my subcommittee members over those years, and the full committee members, and the full Congress, a big thank you on behalf of the American people for staying with funding for these law agencies over these years to enable America now to have the lowest crime rate in recorded history.

For the Immigration and Naturalization Service, we continue to provide resources for the naturalization backlog reduction initiative, for the detention shortfall, and for the border patrol, and we continue to hope against hope that the most mismanaged and unmanageable agency of the Federal Government, the INS, will dig its way out of its continuing state of crisis. They cannot claim money as a cause, because we have given them all the money they can spend and more, to be frank. We have doubled this agency's budget in 5 years, tripled it in the last 10 years, and yet it manages now to perform crisis after crisis.

In the Department of Commerce, we provide full funding for the 2000 decennial census. All the money is there.