

to "do justice, love mercy, and ever walk humbly with You." Amen.

THE JOURNAL

The SPEAKER pro tempore. 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.

Mr. GIBBONS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

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

Mr. GIBBONS. 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. Pursuant to clause 5, rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio (Mr. TRAFICANT) come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT 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.

BUILDING A NATIONAL MISSILE DEFENSE SYSTEM

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

Mr. BALLENGER. Mr. Speaker, there are a few issues which separate liberals and conservatives in dramatic fashion. Taxes, of course, is one, and crime is another. But defense and national security issues also illustrate two sharply different visions, different world views, which distinguish conservatives from liberals.

Liberals just love arms control agreements. They put almost boundless faith in a piece of paper between America and countries which are hostile to everything we hold dear, and they take great comfort in the ability of these agreements to keep America safe. Conservatives, on the other hand, look at all human history and are skeptical of such agreements, instead placing greater faith in a strong and secure defense.

Given these two world views, it is time to reexamine our current vulnerability to ballistic missile attack.

There is a piece of paper that exists to assure us that America is safe from

ballistic attack. But this deliberate policy of vulnerability to ballistic missile attack is foolish, and dangerous. It is time that conservatives act with prudence and demand that Americans be protected by building a national missile defense system.

GOING FROM "SPEAK SOFTLY AND CARRY A BIG STICK" TO "TAKE THE FIFTH AND CARRY A TOOTHPICK"

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

Mr. TRAFICANT. Mr. Speaker, China blocks access to our products, sells missiles to our enemies, and, if that is not enough to tax your migraine, the President now wants to reward them with permanent most-favored-nation trade status.

I think it is time to tell it like it is. When it comes to China, we have gone from "speak softly and carry a big stick" to "take the Fifth and carry a toothpick."

Beam me up.

I yield back now all of the new trucks that General Motors will be building in China.

Unbelievable.

ESTABLISH PROGRAM TO REDUCE VIOLENCE AND SUBSTANCE ABUSE AMONG YOUTH

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

Mr. GIBBONS. Mr. Speaker, as a Nation we can no longer sit idly by and watch while the violence in our schools continues to rise. That is why I will be holding a town forum on school violence in my district on July 7th, 1998.

Recently, acts of school violence have taken place all across this country, such as the nationally publicized incidents in Arkansas, Ohio, Pennsylvania and Oregon. Our children's lives and their promising future are at stake.

It is important to realize that this battle will not be won from Washington, but from the streets, neighborhoods and schools in the communities where our children live.

I encourage all Members to hold a town forum on school violence in their districts, and establish a program that supports and encourages local communities to create a comprehensive, long-term plan that will reduce violence and substance abuse among our youth.

This is the only way we are going to get to save our children from a growing deadly cycle of drugs and violence in our schools and communities.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule

I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 5 p.m. today.

DEPARTMENT OF JUSTICE APPROPRIATION AUTHORIZATION ACT, FISCAL YEAR 1999, 2000, AND 2001

Mr. HYDE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3303) to authorize appropriations for the Department of Justice for fiscal years 1999, 2000 and 2001; to authorize appropriations for fiscal years 1999 and 2000 to carry out certain programs administered by the Department of Justice, to amend title 28 of the United States Code with respect to the use of funds available to the Department of Justice; and for other purposes, as amended.

The Clerk read as follows:

H.R. 3303

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 "Department of Justice Appropriation Authorization Act, Fiscal Year 1999, 2000, and 2001".

TITLE I—AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEARS 1999, 2000, AND 2001

Subtitle A—Specific Provisions

SEC. 101. SUMS AUTHORIZED TO BE APPROPRIATED.

There are authorized to be appropriated for fiscal years 1999, 2000, and 2001, to carry out the activities of the Department of Justice (including any bureau, office, board, division, commission, or subdivision thereof), the following sums:

(1) For General Administration, salaries and expenses: \$238,085,000 for fiscal year 1999, \$249,989,000 for fiscal year 2000, and \$262,489,000 for fiscal year 2001.

(2) For Administrative Review and Appeals: \$144,863,000 for fiscal year 1999, \$152,106,000 for fiscal year 2000, and \$159,712,000 for fiscal year 2001, for administration of pardon and clemency petitions and for immigration related activities.

(3) For the Office of Inspector General: \$34,610,000 for fiscal year 1999, \$36,341,000 for fiscal year 2000, and \$38,158,000 for fiscal year 2001, which shall include—

(A) not to exceed \$10,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, and to be accounted for solely on the certificate of the Attorney General; and

(B) funds for the purchase, lease, maintenance, and operation of motor vehicles without regard to the general purchase price limitation.

(4) For General Legal Activities: \$485,506,000 for fiscal year 1999, \$509,781,000 for fiscal year 2000, and \$535,270,000 for fiscal year 2001, which shall include—

(A) not less than \$4,000,000 for each fiscal year for the investigation and prosecution of denaturalization and deportation cases involving alleged Nazi war criminals; and

(B) not to exceed \$20,000 for each fiscal year to meet unforeseen emergencies of a

confidential character to be expended under the direction of the Attorney General and to be accounted for solely on the certificate of the Attorney General.

(5) For the Antitrust Division: \$102,845,000 for fiscal year 1999, \$107,987,000 for fiscal year 2000, and \$113,386,000 for fiscal year 2001.

(6) For United States Attorneys: \$1,106,993,000 for fiscal year 1999, \$1,162,343,000 for fiscal year 2000, and \$1,220,460,000 for fiscal year 2001.

(7) For the Federal Bureau of Investigation: \$3,014,654,000 for fiscal year 1999, \$3,164,679,000 for fiscal year 2000, and \$3,322,913,000 for fiscal year 2001, which shall include—

(A) not to exceed \$14,146,000 for each fiscal year—

(i) for construction, acquisition, or renovation of buildings (including equipment for such buildings) and sites, by purchase or as otherwise authorized by law;

(ii) for conversion or extension of federally owned buildings; and

(iii) for preliminary planning and design of projects;

to remain available until expended; and

(B) not to exceed \$70,000 for each fiscal year to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General and to be accounted for solely on the certificate of the Attorney General.

(8) For the United States Marshals Service: \$529,143,000 for fiscal year 1999, \$554,785,000 for fiscal year 2000, and \$582,525,000 for fiscal year 2001, which shall include—

(A) not to exceed \$6,300,000 for each fiscal year—

(i) for construction, acquisition, or renovation of buildings (including equipment for such buildings) and sites, by purchase or as otherwise authorized by law;

(ii) for conversion or extension of federally owned buildings; and

(iii) for preliminary planning and design of projects;

to remain available until expended; and

(B) \$10,000,000 for each fiscal year for administrative expenses of the Justice Prisoner and Alien Transportation System to remain available until expended.

(9) For the Drug Enforcement Administration: \$1,193,102,000 for fiscal year 1999, \$1,252,358,000 for fiscal year 2000, and \$1,314,994,000 for fiscal year 2001, which shall include—

(A) not to exceed \$8,000,000 for each fiscal year—

(i) for construction, acquisition, or renovation of buildings (including equipment for such buildings) and sites, by purchase or as otherwise authorized by law;

(ii) for conversion or extension of federally owned buildings; and

(iii) for preliminary planning and design of projects;

to remain available until expended;

(B) not to exceed \$70,000 for each fiscal year to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General and to be accounted for solely on the certificate of the Attorney General or the Deputy Attorney General; and

(C) not to exceed \$15,000,000 for each fiscal year for diversion control.

(10) For the Immigration and Naturalization Service: \$2,727,490,000 for fiscal year 1999, \$2,839,756,000 for fiscal year 2000, and \$2,981,544,000 for fiscal year 2001, which shall include—

(A) not to exceed \$118,170,000 for each fiscal year—

(i) for construction, acquisition, or renovation of buildings (including equipment for

such buildings) and sites, by purchase or as otherwise authorized by law;

(ii) for conversion or extension of federally owned buildings; and

(iii) for preliminary planning and design of projects;

to remain available until expended;

(B) not to exceed \$50,000 for each fiscal year to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General and to be accounted for solely on the certificate of the Attorney General; and

(C) not to exceed \$4,000,000 for each fiscal year to establish and operate—

(i) a district office in Memphis, Tennessee, for the States of Tennessee, Arkansas, and Kentucky, and the portion of the State of Mississippi north of the city of Jackson;

(ii) a district office in San Jose, California, for the counties of Monterey, Santa Clara, San Benito, and Santa Cruz of the State of California;

(iii) a suboffice in Nashville, Tennessee, for the counties of Anderson, Blount, Campbell, Cannon, Carter, Cheatham, Claiborne, Clay, Cocke, Cumberland, Davidson, DeKalb, Dickson, Fentress, Grainger, Greene, Hamblen, Hancock, Hawkins, Houston, Humphreys, Jackson, Jefferson, Johnson, Knox, Loudon, Macon, Monroe, Montgomery, Morgan, Overton, Pickett, Putnam, Roane, Robertson, Rutherford, Scott, Sevier, Smith, Stewart, Sullivan, Sumner, Trousdale, Unicoi, Union, Washington, White, Williamson, and Wilson of the State of Tennessee; and

(iv) a district office in Charlotte, North Carolina, for the States of North Carolina and South Carolina.

(11) For Fees and Expenses of Witnesses: \$95,000,000 for fiscal year 1999, \$99,750,000 for fiscal year 2000, and \$104,738,000 for fiscal year 2001, which shall remain available until expended and which shall include not to exceed \$6,000,000 for each fiscal year for planning, construction, renovation, maintenance, remodeling, and repair of buildings, and the purchase of equipment incidental thereto, for protected witness safesites.

(12) For Interagency Crime and Drug Enforcement: \$304,014,000 for fiscal year 1999, \$319,215,000 for fiscal year 2000, and \$335,176,000 for fiscal year 2001, for expenses not otherwise provided for, for the investigation and prosecution of individuals involved in organized crime drug trafficking, except that any funds obligated from appropriations authorized by this paragraph may be used under authorities available to the organizations reimbursed from such funds.

(13) For the Federal Prison System, including the National Institute of Corrections: \$4,508,480,000 for fiscal year 1999, \$4,733,900,000 for fiscal year 2000, and \$4,970,595,000 for fiscal year 2001.

(14) For the Foreign Claims Settlement Commission: \$1,335,000 for fiscal year 1999, \$1,402,000 for fiscal year 2000, and \$1,472,000 for fiscal year 2001.

(15) For the Community Relations Service: \$8,899,000 for fiscal year 1999, \$9,344,000 for fiscal year 2000, and \$9,812,000 for fiscal year 2001.

(16) For the Assets Forfeiture Fund: \$23,000,000 for fiscal year 1999, \$24,150,000 for fiscal year 2000, and \$25,358,000 for fiscal year 2001, as may be necessary for the payment of expenses as authorized by section 524 of title 28, United States Code.

(17) For Support of United States Prisoners in Non-Federal Institutions: \$450,858,000 for fiscal year 1999, \$473,401,000 for fiscal year 2000, and \$497,072,000 for fiscal year 2001, which shall remain available until expended. Such sums may be expended to reimburse appropriate health care providers for the care,

diagnosis, and treatment of United States prisoners and individuals adjudicated in Federal courts as not guilty by reason of insanity, but only at rates that do not exceed the actual cost of such care, diagnosis, and treatment. Not to exceed \$20,000,000 for each fiscal year shall remain available until expended for the purpose of entering into contracts for only the reasonable and actual cost to assist the government of any State, territory, or political subdivision thereof for purposes of renovating, constructing, and equipping any facility that confines Federal detainees, in accordance with regulations to be issued by the Attorney General comparable to the regulations issued under section 4006 of title 18, United States Code.

(18) For the United States Parole Commission: \$7,621,000 for fiscal year 1999, \$8,002,000 for fiscal year 2000, and \$8,402,000 for fiscal year 2001.

SEC. 102. FEDERAL PRISON INDUSTRIES.

Notwithstanding section 4129 of title 18, United States Code, not to exceed \$3,266,000 for fiscal year 1999, and not to exceed \$3,429,000 for fiscal year 2000, and not to exceed \$3,601,000 for fiscal year 2001, of the funds available to Federal Prison Industries may be used for—

(1) administrative expenses; and

(2) services authorized by section 3109 of title 5, United States Code;

to be computed on an accrual basis in accordance with the current prescribed accounting system of Federal Prison Industries. Such funds shall be exclusive of depreciation, payment of claims, and expenditures that such accounting system requires to be capitalized or charged to the cost of commodities acquired or produced (including selling and shipping expenses) and expenses incurred in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property of Federal Prison Industries.

Subtitle B—General Provisions

SEC. 151. APPOINTMENT OF ADDITIONAL ASSISTANT UNITED STATES ATTORNEYS; REDUCTION OF CERTAIN LITIGATION POSITIONS.

(a) APPOINTMENTS REQUIRED.—Not later than September 30, 2000, the Attorney General may exercise authority under section 542 of title 28, United States Code, to appoint 200 assistant United States attorneys in addition to the number of assistant United States attorneys serving on the date of the enactment of this Act.

(b) SELECTION OF APPOINTEES.—Individuals first appointed under subsection (a) shall be appointed from among attorneys who are incumbents of 200 full-time litigation positions in divisions of the Department of Justice and whose official duty station is at the seat of Government.

(c) TERMINATION OF POSITIONS.—Each of the 200 litigation positions that become vacant by reason of an appointment made in accordance with subsections (a) and (b) shall be terminated at the time the vacancy arises.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for fiscal years 1999 and 2000 to carry out this section.

TITLE II—AUTHORIZATIONS OF APPROPRIATIONS FOR PROGRAMS

SEC. 201. AMENDMENTS TO THE CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994.

(a) EXPEDITIOUS DEPORTATION FOR DENIED ASYLUM APPLICANTS.—Section 130005(c) of the Violent Crime Control and Law Enforcement Act of 1994 (8 U.S.C. 1158 note) is amended—

(1) in paragraph (3) by striking “and” at the end,

(2) in paragraph (4) by striking the period at the end and inserting a semicolon, and

(3) by adding at the end the following:

“(5) \$90,000,000 for fiscal year 1999; and

“(6) \$90,000,000 for fiscal year 2000.”.

(b) AMENDMENTS TO VIOLENCE AGAINST WOMEN ACT OF 1994.—Section 40114 of the *Violence Against Women Act of 1994 (Public Law 103-322; 108 Stat 1910)* is amended—

(1) in paragraph (2) by striking “and” at the end,

(2) in paragraph (3) by striking the period at the end and inserting a semicolon, and

(3) by adding at the end the following:

“(4) \$500,000 for fiscal year 1999; and

“(5) \$500,000 for fiscal year 2000.”.

(c) IMPROVING BORDER CONTROLS.—Section 130006(a) of the *Violent Crime Control and Law Enforcement Act of 1994 (8 U.S.C. 1101 note)* is amended—

(1) in paragraph (3) by striking “and” at the end,

(2) in paragraph (4) by striking the period at the end and inserting a semicolon, and

(3) by adding at the end the following:

“(5) \$200,000,000 for fiscal year 1999; and

“(6) \$200,000,000 for fiscal year 2000.”.

(d) EXPANDED SPECIAL DEPORTATION PROCEEDINGS.—Section 130007(d) of the *Violent Crime Control and Law Enforcement Act of 1994 (8 U.S.C. 1252 note)* is amended—

(1) in paragraph (3) by striking “and” at the end,

(2) in paragraph (4) by striking the period at the end and inserting a semicolon, and

(3) by adding at the end the following:

“(5) \$2,000,000 for fiscal year 1999; and

“(6) \$2,000,000 for fiscal year 2000.”.

(e) TRAINING PROGRAMS.—Section 40152(c) of the *Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13941(c))* is amended by striking paragraphs (1) and (2), and inserting the following:

“(1) \$1,000,000 for fiscal year 1999; and

“(2) \$1,000,000 for fiscal year 2000.”.

(f) MISSING ALZHEIMER'S DISEASE PATIENT ALERT PROGRAM.—Section 240001(d) of the *Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14181(d))* is amended—

(1) in paragraph (2) by striking “and” at the end,

(2) in paragraph (3) by striking the period at the end and inserting a semicolon, and

(3) by adding at the end the following:

“(4) \$900,000 for fiscal year 1999; and

“(5) \$900,000 for fiscal year 2000.”.

(g) MOTOR VEHICLE THEFT PREVENTION PROGRAM.—Section 220002(h) of the *Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14171(h))* is amended—

(1) in paragraph (2) by striking “and” at the end,

(2) in paragraph (3) by striking the period at the end and inserting a semicolon, and

(3) by adding at the end the following:

“(4) \$750,000 for fiscal year 1999; and

“(5) \$750,000 for fiscal year 2000.”.

(h) RURAL DOMESTIC VIOLENCE AND CHILD ABUSE ENFORCEMENT ASSISTANCE ACT.—Section 40295(c)(1) of the *Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13971(c)(1))* is amended—

(1) in subparagraph (B) by striking “and” at the end,

(2) in subparagraph (C) by striking the period at the end and inserting a semicolon, and

(3) by adding at the end the following:

“(D) \$15,000,000 for fiscal year 1999; and

“(E) \$15,000,000 for fiscal year 2000.”.

SEC. 202. AMENDMENTS TO THE ANTITERRORISM AND EFFECTIVE DEATH PENALTY ACT OF 1996.

The *Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132; 110 Stat. 1214)* is amended—

(1) in section 819(b) by striking “for fiscal” and all that follows through “section”, and

inserting “to carry out this section \$5,000,000 for fiscal year 1999 and \$5,000,000 for fiscal year 2000”, and

(2) in section 821 by striking “not more than \$10,000,000 for fiscal year 1997” and inserting “\$10,000,000 for fiscal year 1999 and \$10,000,000 for fiscal year 2000”.

SEC. 203. AUTHORITY TO TRANSFER PROPERTY OF MARGINAL VALUE.

Section 524(c)(9)(B) of title 28, *United States Code*, is amended—

(1) by striking “year 1997” and inserting “years 1999 and 2000”; and

(2) by adding at the end the following:

“Such transfer shall be subject to satisfaction by the recipient involved of any outstanding lien against the property transferred.”.

SEC. 204. COMMUNICATIONS ASSISTANCE.

The *Communications Assistance for Law Enforcement Act (47 U.S.C. 1001-1021)* is amended—

(1) in section 108(c)(3) by striking “on or before January 1, 1995” and inserting “before October 1, 2000”,

(2) in section 109—

(A) in subsection (a)—

(i) in the heading by striking “JANUARY 1, 1995” and inserting “OCTOBER 1, 2000”, and

(ii) by striking “January 1, 1995” and inserting “October 1, 2000”,

(B) in subsection (b)—

(i) in the heading by striking “JANUARY 1, 1995” and inserting “OCTOBER 1, 2000”,

(ii) in paragraph (1)—

(I) in the matter preceding subparagraph (A) by striking “January 1, 1995” and inserting “October 1, 2000”, and

(II) in subparagraph (J) by striking “January 1, 1995” and inserting “October 1, 2000”, and

(iii) in paragraph (2) by striking “January 1, 1995” and inserting “October 1, 2000”, and

(C) in subsection (d)—

(i) in the heading by striking “JANUARY 1, 1995” and inserting “OCTOBER 1, 2000”, and

(ii) by striking “January 1, 1995” and inserting “October 1, 2000”,

(3) in section 110 by striking “and 1998” and inserting “1998, 1999, and 2000”, and

(4) in section 111(b) by striking “on the date that is 4 years after the date of enactment of this Act” and inserting “October 1, 2000”.

SEC. 205. CRIMINAL ALIEN ASSISTANCE.

Section 241(i)(5) of the *Immigration and Nationality Act (8 U.S.C. 1231(i)(5))* is amended by striking subparagraphs (A) through (F) and inserting the following:

“(A) \$750,000,000 for fiscal year 1999;

“(B) \$800,000,000 for fiscal year 2000; and

“(C) \$850,000,000 for fiscal year 2001.”.

TITLE III—PERMANENT ENABLING PROVISIONS

SEC. 301. PERMANENT AUTHORITY.

(a) AMENDMENT.—Chapter 31 of title 28, *United States Code*, is amended by adding at the end the following:

“§ 530B. Authority to use available funds

“(a) PERMITTED USES.—Except to the extent provided otherwise by law applicable to funds available to carry out the activities of the Department of Justice (including any bureau, office, board, division, commission, or subdivision thereof) and in addition to authority provided in subsections (a) and (b) of section 524 of this title, the Attorney General may use such funds as follows:

“(1) GENERAL PERMITTED USES.—Such funds may be used for the following:

“(A) The purchase, lease, maintenance, and operation of passenger motor vehicles, or police-type motor vehicles for law enforcement purposes, without regard to general purchase price limitation for the then current fiscal year.

“(B) The purchase of insurance for motor vehicles, boats, and aircraft operated in official Government business in foreign countries.

“(C) Services of experts and consultants, including private counsel, as authorized by section 3109 of title 5, and at rates of pay for individuals not to exceed the maximum daily rate payable from time to time under section 5332 of title 5.

“(D) Not to exceed \$200,000 for each fiscal year for official receptions and representation expenses, in accordance with distributions, procedures, and regulations established by the Attorney General.

“(E) Unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General and accounted for solely on the certificate of the Attorney General.

“(F) Miscellaneous and emergency expenses authorized or approved by the Attorney General, the Deputy Attorney General, the Associate Attorney General, or the Assistant Attorney General for Administration.

“(G) In accordance with procedures established and regulations issued by the Attorney General—

“(i) attendance at meetings and seminars;

“(ii) conferences and training; and

“(iii) advances of public moneys under section 3324 of title 31.

Travel advances of such funds to law enforcement personnel engaged in undercover activity shall be considered to be public money for purposes of section 3527 of title 31.

“(H) For the conduct of its activities, including for contracting with individuals for personal services abroad, except that such individuals shall not be regarded as employees of the United States for the purpose of any law administered by the Office of Personnel Management.

“(I) Payment of interpreters and translators who are not citizens of the United States, in accordance with procedures established and regulations issued by the Attorney General.

“(2) SPECIFIC PERMITTED USES.—

“(A) AIRCRAFT AND BOATS.—Funds available for United States Attorneys, for the Federal Bureau of Investigation, for the United States Marshals Service, for the Drug Enforcement Administration, and for the Immigration and Naturalization Service may be used for the purchase, lease, maintenance, and operation of aircraft and boats, for law enforcement purposes.

“(B) PAYMENT OF REWARDS; PURCHASE OF EVIDENCE.—Funds available for the Federal Bureau of Investigation, for the Drug Enforcement Administration, for the Immigration and Naturalization Service, and for the Federal Prison System may be used for the payment of rewards, for the purchase of evidence, and for payment for information in connection with law enforcement.

“(C) PURCHASE OF AMMUNITION AND FIREARMS; FIREARMS COMPETITIONS.—Funds available for United States Attorneys, for the Federal Bureau of Investigation, for the United States Marshals Service, for the Drug Enforcement Administration, and for the Immigration and Naturalization Service may be used for—

“(i) the purchase of ammunition and firearms; and

“(ii) participation in firearms competitions.

“(3) UNIFORMS.—Funds available for the Immigration and Naturalization Service and for the Federal Prison System may be used for expenses or allowances for uniforms as authorized by section 5901 of title 5 but without regard to the general purchase price limitation for the then current fiscal year.

"(4) FEES AND EXPENSES OF WITNESSES.—Funds available for Fees and Expenses of Witnesses may be used for expenses, mileage, compensation, and per diem in lieu of subsistence, of witnesses as authorized by law (including advances of public money), but no witness may be paid more than 1 attendance fee for any 1 calendar day.

"(5) FEDERAL BUREAU OF INVESTIGATION.—(A) Funds available to the Federal Bureau of Investigation may be used for the conduct of its activities, including for—

"(i) expenses necessary for the detection and prosecution of crimes against the United States;

"(ii) protection of the person of the Attorney General;

"(iii) investigations regarding official matters under the control of the Department of Justice and the Department of State, as may be directed by the Attorney General;

"(iv) the confidential lease of surveillance sites for law enforcement purposes; and

"(v) acquisition, collection, classification, and preservation of identification and other records and their exchange with, and for the official use of, the duly authorized officials of the Federal Government, of States, of cities, and of such other institutions, as authorized by law, such exchange to be subject to cancellation if dissemination is made outside the receiving departments or related agencies.

"(B)(i) The Federal Bureau of Investigation may establish and collect fees for the processing of noncriminal employment and licensing fingerprint records. Such fees shall represent the full cost of furnishing the service.

"(ii) Such fees collected shall be credited to the Salaries and Expenses, Federal Bureau of Investigation appropriation without regard to section 3302(b) of title 31 and, to the extent specified in appropriations Acts, shall be available until expended for salaries and other expenses incurred in processing such records.

"(iii) No fee shall be assessed in connection with the processing of requests for criminal history records by criminal justice agencies for criminal justice purposes or for employment in criminal justice agencies.

"(6) IMMIGRATION AND NATURALIZATION SERVICE.—Funds available for the Immigration and Naturalization Service may be used for the administration and enforcement of laws relating to immigration, naturalization, and alien registration, including for—

"(A) acquisition of land as sites for enforcement fences, and construction incidental to such fences;

"(B) cash advances to aliens for meals and lodging en route;

"(C) refunds of maintenance bills, immigration fines, and other items properly returnable, except deposits of aliens who become public charges and deposits to secure payment of fines and passage money; and

"(D) expenses and allowances incurred in tracking lost persons, as required by public exigencies, in aid of State or local law enforcement agencies.

"(7) FEDERAL PRISON SYSTEM.—Funds available for the Federal Prison System may be used for the conduct of its activities, including for—

"(A) the administration, operation, and maintenance of Federal penal and correctional institutions, including inmate medical services and inmate legal services, within the Federal prison system;

"(B) planning, acquisition of sites, and construction of new facilities, including—

"(i) the purchase and acquisition of facilities, and remodeling and equipping of such facilities, for penal and correctional institutions; and

"(ii) the payment of United States prisoners for work performed in the activities described in this subparagraph;

which shall remain available until expended;

"(C) construction of buildings at prison camps and acquisition of land as authorized by section 4010 of title 18;

"(D) the labor of the United States prisoners performed in the construction, remodeling, renovating, converting, expanding, planning, designing, maintaining, or equipping of prison buildings or facilities; and

"(E) the purchase and exchange of farm products and livestock.

"(b) RELATED PROVISIONS.—

"(1) LIMITATION OF COMPENSATION OF INDIVIDUALS EMPLOYED AS ATTORNEYS.—None of the funds available to the Attorney General may be used to pay compensation for services provided by an individual employed as an attorney (other than an individual employed to provide services as a foreign attorney in special cases) unless such individual is duly licensed and authorized to practice as an attorney under the law of a State, a territory of the United States, or the District of Columbia.

"(2) REIMBURSEMENTS PAID TO GOVERNMENTAL ENTITIES.—Funds available to the Attorney General that are paid as a reimbursement to a governmental unit in the Department of Justice, to another Federal entity, or to a unit of State or local government may be used under the authority applicable to such unit or such entity that receives such reimbursement."

(b) TECHNICAL AMENDMENT.—The table of sections for chapter 31 of title 28, United States Code, is amended by adding at the end the following:

"530B. Authority to use available funds."

SEC. 302. PERMANENT AUTHORITY RELATING TO ENFORCEMENT OF LAWS.

(a) AMENDMENT.—Chapter 31 of title 28, United States Code, as amended by section 301, is amended by adding at the end the following:

"§ 530C. Report on enforcement of laws

"(a) REPORT REQUIRED.—The Attorney General shall transmit a report to each House of the Congress in any case in which the Attorney General—

"(1) establishes a policy to refrain from enforcing any provision of any Federal statute whose enforcement is the responsibility of the Department of Justice, because of the position of the Attorney General that such provision is not constitutional; or

"(2) determines that the Department of Justice will contest, or will refrain from defending, in any judicial, administrative, or other proceeding, any provision of any Federal statute, because of the position of the Attorney General that such provision is not constitutional.

"(b) DEADLINE FOR REPORT.—Any report required by subsection (a) shall be transmitted not later than 30 days after the Attorney General establishes the policy specified in subsection (a)(1) or makes the determination specified in subsection (a)(2). Each such report shall—

"(1) specify the provision of the Federal statute involved;

"(2) include a detailed statement of the reasons for the position of the Attorney General; and

"(3) in the case of a determination specified in subsection (a)(2), indicate the nature of the proceeding involved.

"(c) DECLARATION.—In the case of a determination specified in subsection (a)(2), the representative of the Department of Justice participating in the proceeding shall make a declaration in such proceeding that the position of the Attorney General on the constitutionality of the provision of the Federal

statute involved is the position of the executive branch of the Federal Government."

"(b) TECHNICAL AMENDMENT.—The table of sections for chapter 31 of title 28, United States Code, as amended by section 301, is amended by adding at the end the following:

"530C. Report on enforcement of laws."

SEC. 303. PROTECTION OF THE ATTORNEY GENERAL.

Section 533(2) of title 28, United States Code, is amended by inserting "or the person of the Attorney General" before the semicolon at the end.

TITLE IV—MISCELLANEOUS

SEC. 401. REPEALERS.

(a) OPEN-ENDED AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL INSTITUTE OF CORRECTIONS—Chapter 319 of title 18, United States Code, is amended—

(1) by striking section 4353; and

(2) in the table of sections for such chapter by striking the item relating to section 4353.

(b) OPEN-ENDED AUTHORIZATION OF APPROPRIATIONS FOR UNITED STATES MARSHALS SERVICE.—Section 561 of title 28, United States Code, is amended by striking subsection (i).

SEC. 402. TECHNICAL AMENDMENT.

Section 542(c)(5) of title 28, United States Code, is amended by striking "Fund" the 2nd place it appears and inserting "Fund,".

SEC. 403. APPLICABILITY OF TITLE III.

The amendments made by title III shall not apply with respect to funds available for any fiscal year ending before fiscal year 1999.

SEC. 404. RULE OF CONSTRUCTION.

Nothing in this Act or the amendments made by this Act shall be construed to modify or supersede the application or operation of the Public Buildings Act of 1959 (40 U.S.C. 601-619).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

GENERAL LEAVE

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3303.

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

There was no objection.

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

Mr. Speaker, I rise today to urge my colleagues to support H.R. 3303, the Department of Justice Appropriation Authorization Act for fiscal years 1999, 2000 and 2001. This important bipartisan legislation, which I introduced with the gentleman from Michigan (Mr. CONYERS) in March, is a comprehensive 3-year authorization of the Justice Department's activities and programs.

On April 29, 1998, the Committee on the Judiciary reported the bill as amended by voice vote.

As you know, authorization is the process by which Congress creates, amends and extends programs in response to national needs. It is perhaps the most important oversight tool that Congress can employ. Through authorization, legislative committees establish program objectives and they set

ceilings on the amounts that may be appropriated for them. Once a Federal program has been authorized, the Committee on Appropriations recommends the actual budget authority, which allows Federal agencies to enter into obligations and actually spend the money that is authorized.

With respect to the Department of Justice, the law requires that all money appropriated must first be authorized by an act of Congress. Notwithstanding this obligation to authorize, Congress has not properly reauthorized the department's activities since 1979. Since that time, several attempts have failed, either because of bad timing or because the reauthorization bills were loaded with controversial amendments.

This 19-year failure to properly reauthorize the department has forced the appropriations committees in both houses to reauthorize and appropriate money. This reauthorization money endeavor is both an attempt to improve the efficiency of the department and an opportunity to reaffirm the authority and responsibility of the Committee on the Judiciary.

Let me say, the passage of this bill today does not mean the end of the Committee on the Judiciary's oversight of the department. To the contrary, it is my intention that, with the assistance of recently approved additional staff and resources, the committee will take an even closer look at the operations and policies of the department in the coming months.

Let me briefly summarize H.R. 3303. The bill contains four titles.

Title I authorizes appropriations to carry out the work of the various components of the department for fiscal years 1999, 2000 and 2001. Title I largely adheres to the department's budget request for fiscal year 1999 by providing nearly \$15.5 billion, and it would authorize a 5 percent increase for fiscal years 2000 and 2001.

The proposed increases for fiscal years 2000 and 2001, though an approximation of the department's actual budgetary requirements, are the result of consultations with the department and an analysis of the historical trend. I have a high degree of confidence that the H.R. 3303 appropriation authorizations for fiscal years 2000 and 2001 are accurate.

Section 151 of title I would authorize, but not require, the Attorney General to transfer 200 lawyers from among the six litigating divisions at Justice Department headquarters in Washington, D.C. to the U.S. Attorneys. The provision is intended to raise the productivity of Washington-based lawyers who litigate criminal and civil cases for the department across the Nation by moving them to the field.

Title II reauthorizes for two additional years a number of successful programs whose authorizations will expire at the end of fiscal year 1998. These reauthorized programs will, for example, expedite the deportation of

aliens who have been denied asylum, combat violence against women, and fund specialized training for and equipment to enhance the capability of metropolitan fire and emergency service departments to respond to terrorist attacks.

Section 204 of title II would amend the Communications Assistance for Law Enforcement Act, also known as CALEA, by changing the effective date for purposes of compliance enforcement and the grandfathering of telecommunications carrier equipment facilities and services. This amendment does not alter the substance or effect of CALEA, and it enjoys widespread bipartisan support.

Title III would grant permanent authorization for certain inherent and non-controversial functions of the department. The department has requested permanent authorizing authority in the past, and proposed authority has appeared in several reauthorization bills since the last reauthorization in 1979.

Title III largely mirrors the language of these earlier bills, except to the extent it has been updated to meet the changing needs of Federal law enforcement in the 1990s. I believe the department should have, for example, permanent authority to purchase aircraft and police-type motor vehicles, as well as firearms, ammunition and uniforms, for its employees. This permanent authority would be subject to available appropriations.

Title IV would, among other things, repeal the permanent open-ended authorization of the United States Marshals Service. The service's permanent authorization is an anomaly among the department's components that immunizes it from congressional scrutiny. It should be subject to the same oversight that other department components of the departments are.

H.R. 3303 would grant the Marshals Service narrower permanent authority in line with the permanent authority to be granted the rest of the department.

Mr. Speaker, H.R. 3303 reaffirms the role of Congress in the oversight of the Justice Department. Through this reauthorization endeavor and our continuing oversight, we will enhance the department's efficiency and increase public confidence in all of its many missions. I urge my colleagues to support the passage of this important legislation.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I want to commend the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on the Judiciary, for bringing this legislation to the floor. I do want to state that the gentleman

from Michigan (Mr. CONYERS), the ranking Democrat of the committee, is necessarily not here with us because of transportation problems from his home district.

Mr. Speaker, this bill marks the first time in 19 years that the Committee on the Judiciary has sought to reauthorize the Department of Justice. In putting this legislation together, the gentleman from Illinois (Mr. HYDE) and I principally relied on the recommendations of the Department of Justice. It was a rare opportunity for bipartisan participation, and the bill was voted on out of committee by voice vote.

The responsibilities of the Department of Justice are wide-ranging and the department, by and large, has done a good job in enforcing laws to protect American citizens.

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Not only does the department have the responsibilities of apprehending, prosecuting, and incarcerating criminal offenders, it must also uphold the civil rights of all Americans, enforce the laws to protect the environment, ensure competition of business in the private sector by fighting potential monopolies, fight against fraud, terrorism, and drug trafficking, and enforce the immigration and naturalization laws.

Mr. Speaker, the department has been extremely successful in reducing the incidence of violent crime, particularly in the area of hate crimes, in reducing juvenile violence, and enforcing our laws at the border to prevent migrant trafficking.

Mr. Speaker, this legislation is an important piece of legislation, and certainly deserves the full support of the Members of this House. Again, I thank the chairman, the gentleman from Illinois, for his leadership on this bill, and I urge my colleagues to support H.R. 3303.

Mr. Speaker, yield 6 minutes to the distinguished gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I thank our friend from American Samoa for stepping in when the Committee on the Judiciary was, on our side, temporarily absent. I appreciate his doing this and yielding me this time.

Mr. Speaker, I am not going to oppose this bill. I am not going to support it very enthusiastically, but I do not expect my lack of enthusiasm seriously to disturb anybody at this point. But I do take the floor to make the point that I am disappointed that we are making so little progress on the reform of the prison industry system.

We have a paradox in this country. We have strong laws against the importation of goods that are made by prison labor overseas, and many of the Members who are concerned about human rights point to prison labor as an example of a violation of human rights.

But for some reason that principle appears to dissolve when it hits salt

water. It is a very important principle for us overseas, but for reasons I have not been able to discover, because no one who supports the policy will tell me, we ignore it domestically. We employ prison labor.

I am in favor of prisoners being usefully employed. I am in favor of whatever rehabilitative effects come from prison labor. But I do not understand that part of the rehabilitation of prisoners is sending them out to take orders. Prisoners do not do a great deal of marketing. Indeed, there have even been concerns to the extent to which they have been able to do some telemarketing.

I say that because I am very much in favor of inmates being given useful work, but it does not seem to me that we should be selling their product in competition with things made by citizens and others working in the free market.

The current prison labor system not only sends some things out into competition, but reserves certain areas of that market for prison labor and does not even allow the free market to compete. That seems to me wholly inappropriate. We would object if this was done internationally.

An insistence on reforming these sets of rules which lock out free enterprise from the prison labor system in fact unites the National Federation of Independent Businesses and the AFL-CIO.

I have worked with the gentleman from Michigan (Mr. HOEKSTRA), the gentleman from North Carolina (Mr. COBLE), and others to try to reform that system. I believe we could have a system in which prisoners are employed, but in which they do not get this competitive advantage over others.

Indeed, I believe we should be exploring the extent to which we can have prisoners make things and give them away, donate them to various groups that are insufficiently funded to be in the market. That is, I think there is a demand in day care centers, in homeless shelters and in other places so that furniture, clothing, curtains, things that are made in prison industries could in fact be distributed. I hope we will look at this.

Many of us have been frustrated, and I and others have been pushing for a look at this. When this bill came up in committee we raised the issue, and offered an amendment tentatively, and withdrew it because we were assured by the chairman of the subcommittee there would be some progress.

The progress has been very slow. I am pleased that we now have a hearing set up for this week on alternatives. There is a bill that the subcommittee chairman has drafted that many of us who have been trying to change the system do not like. We have our own version.

I hope that we will, after this hearing, be able to proceed to some committee consideration of this, ultimately getting it to the floor. We are

late in the year. I do not have high hopes that we are going to pass a bill this year, but why should this bill be any different? We are not passing a lot of anything this year.

On the other hand, I would hope we would get a fair enough start in this process so we could assure people who are concerned that we are serious about that and that, frankly, realistically, early next year we would be dealing on the floor with some legislation.

I see the chairman there. Mr. Speaker, I ask the subcommittee chairman, who I see approaching the microphone. I hope he would give me some assurance.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Florida.

Mr. MCCOLLUM. Mr. Speaker, the gentleman has very cordially been involved with us in trying to move a product towards the floor and ultimately get a chance for it.

Mr. FRANK of Massachusetts. Reclaiming my time, Mr. Speaker, I am reaching the point where I am behaving more cordially than I feel.

Mr. MCCOLLUM. If the gentleman will continue to yield, Mr. Speaker, we always understand that, I say to the gentleman from Massachusetts (Mr. FRANK).

At any rate, as the gentleman well stated, we do have a hearing set this Thursday. It would be my hope that when we get back from the recess that we will have at least one more hearing, and then mark the bill up in subcommittee. I, as the gentleman, do not know the progress that will be made all the way through, but it would be nice to have that bill through the Committee on the Judiciary, and maybe the whole House would be able to vote on a product with the gentleman.

I share with him, and want to put it on the record, I share with the gentleman that the current structure of the Federal prison industries is not appropriate. I do not think the mandatory source rule is a good idea to continue. I do think we may differ on some of the details, but we need to find a way to have prisoners not only meaningfully engaged in work, but find some way where labor and small business can participate.

Mr. FRANK of Massachusetts. I thank the gentleman. I wonder if the chairman of the full committee might indicate what his view is on what the chairman of subcommittee has just said.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Illinois.

Mr. HYDE. I thank the gentleman for yielding.

Mr. Speaker, I associate myself completely with the remarks of the gentleman from Florida.

Mr. FRANK of Massachusetts. I thank the chairman of the full committee.

Mr. Speaker, given the importance of this and the fact that we are making some progress, I thank my friend from American Samoa. I look forward to our being able to begin the serious process of making some changes in the prison system.

Mr. GOODLATTE. Mr. Speaker, I rise today in support of H.R. 3303, the Department of Justice Authorization Act. I would like to comment briefly on provisions in Section 204 (Communications Assistance).

The original purpose of the Communications Assistance for Law Enforcement Act of 1994 (CALEA) was to preserve the government's ability, pursuant to a court order, to intercept communications which utilized advanced telecommunications technology, while protecting the privacy of communications and without impeding the introduction of new technology, features, and services. CALEA was intended to refine the telecommunication's industry's existing duty to cooperate in the conduct of electronic surveillance and to establish procedures based on public accountability and industry standard-setting.

CALEA permitted the telecommunications industry itself to develop technical standards to implement the requirements of the Act, and established a process for the Attorney General to identify law enforcement's capacity requirements for electronic surveillance. Unfortunately, these standards have been delayed due to a dispute over their breadth and scope, and are now under review by the Federal Communications Commission (FCC). CALEA also required the FBI, on behalf of the Attorney General, to issue its notice of electronic surveillance capacity in 1995. However, this notice was not provided to the industry until March, 1998.

The Act requires the federal government to reimburse telecommunications carriers for their just and reasonable costs to develop and implement the assistance capability requirements of CALEA. Existing carrier networks were to be "grandfathered" unless the government agreed to pay for their retrofitting. Increases in carrier network capacity to accommodate law enforcement's electronic surveillance needs were to be paid for by the government. To date, however, virtually no funds have been expended to implement CALEA.

Mr. Speaker, delays in the implementation of CALEA have prevented the telecommunications industry and law enforcement from complying with its provisions. It is appropriate to recognize the effect of the delays of the implementation of CALEA by moving both its effective and "grandfather" dates. H.R. 3303 recognizes the reality of the delays of implementing this important crime-fighting legislation and gives both the telecommunications industry and law enforcement additional time to prepare for CALEA's implementation.

Mr. BLILEY. Mr. Speaker, section 204 of H.R. 3303 contains an amendment to the Communications Assistance for Law Enforcement Act (Public Law 103-414), commonly referred to as "CALEA." Specifically, the provisions would extend the authorization for the Attorney General to provide reimbursements to certain telecommunications carriers that comply with the provisions of CALEA.

CALEA was enacted into law at the end of the 103rd Congress. The purpose of the law is sound: prevent the curtailment of legal wiretaps by our nation's law enforcement community as communications technology advances.

The digital age and digitalization of the telecommunications industry makes legal interception of communications more difficult and time consuming. In addition, making digital telecommunications equipment capable of wiretapping is costly and complex as much of the equipment must be altered or modified. CALEA was intended to set up a mechanism whereby the Federal government would reimburse telecommunications carriers for certain qualifying equipment costs caused by complying with the provisions of CALEA.

It is clear that there has been significant disagreement between portions of the U.S. Government and the telecommunications industry regarding the implementation of CALEA. I am hopeful that all parties can work out any differences. I ask that everyone involved redouble their efforts to come to an acceptable resolution. I am hopeful that Congress does not have to revisit this issue again, but we will if necessary.

Section 204 is a simple extension of the authorization of the Attorney General to provide payments to telecommunications carriers with certain qualifications beyond the original statutory deadline. Without this provision, much of the initial \$500,000 provided for under the bill would not be authorized to be disbursed. To date, only about \$100,000 has been disbursed by the Attorney General. It is important that all of the tools designed to foster telecommunications equipment compliance with the goals of CALEA be available to the relevant parties.

Under an agreement worked out in the 103rd Congress, jurisdiction over issues contained in CALEA are split between the House Committees on the Judiciary and Commerce. While title II of CALEA contains provisions relating to jurisdiction common to the House Judiciary Committee and title III of the law contains provisions common to the Commerce Committee's jurisdiction, title I contains provisions that are traditionally shared between the two committees. As section 204 is an amendment to title I of CALEA, specifically section 110, it falls within the shared jurisdiction category.

I will not object to section 204 of H.R. 3303 and I will not seek a referral of the bill to the Commerce Committee because this important provision should move forward as quickly as possible. However, I plan to continue to closely monitor the implementation of the CALEA provisions. Further, the Commerce Committee intends to fully exercise its rights and jurisdiction over CALEA matters in the future, especially if this issue or other CALEA-related matters need further Congressional attention.

Ms. JACKSON-LEE of Texas. Mr. Speaker, the United States Department of Justice is the premier law enforcement institution in the world. With more than 108,000 employees, the Department has primary responsibility for protecting American citizens from crime, ensuring the healthy competition of businesses in our free enterprise system, safeguarding the consumer, and for enforcing our nation's drug, immigration and naturalization laws.

The Justice Department does an outstanding job in carrying out its mission. DOJ's accomplishments are impressive. They have taken us one step closer to answering the concerns of all Americans—to make our streets safer, eliminate the scourge of drugs, reduce youth violence, strengthen our borders against illegal immigration, protect our environment, ensure our civil rights, combat violence

against women, and ensure equal justice for all.

Last year, the national violent crime rate dropped for the fifth year in a row, marking the longest period of decline in 25 years.

Between 1994 and 1995, violent crime dropped 12.4 percent—the largest drop since the Department's survey of such statistics began in 1973.

The juvenile violent crime arrest rate increased 69 percent between 1987 and 1994. Between 1994 and 1996, the violent crime rate decreased by 11.9 percent.

The COPS program has awarded grants to increase the number of police on the streets by 57,500, more than halfway to the goal of 100,000 community police officers by the year 2000.

The Department of Justice awarded grants totalling \$184.6 million for Violence Against Women programs and \$46 million to 336 communities to help make police organizations more responsive to domestic violence.

The Department of Justice has deported criminal aliens in record numbers. Last year, over 37,000 criminal aliens were deported.

DOJ continues to play a lead role in the enforcement of the nation's civil rights laws, which define and prohibit unlawful discrimination in a wide range of areas, including employment, housing, voting, and education.

I am pleased that Chairman HYDE has sought to rekindle the relationship between this Committee and the Justice Department and I congratulate him on the efforts he has made to work in cooperation with DOJ in drafting H.R. 3003, the legislation reauthorizing the Department of Justice.

As I review this legislation there are two points upon which I would like to comment. The first is funding for the Department over the next three years. The Department of Justice has expanded rapidly over the last 15 years. In 1981, DOJ had a budget of \$2.3 billion. In response to DOJ's growing responsibilities in enforcing the nation's criminal and civil laws, the Department's budget request for Fiscal Year 1999 has increased exceeds \$20 billion.

H.R. 3303 reflects that request and authorizes a 5 percent increase in each of the Fiscal Years 2000 and 2001. This will allow the Department to expand as necessary to fulfill its role as the nation's premier law enforcement agency.

Secondly, I was pleased to see the reauthorization of the Rural Domestic Violence and Child Adult Enforcement Assistance Act. As an advocate for women's and children's issues, I strongly support reauthorization of these important programs.

Domestic violence is a horror and tragedy that should have no place in our society, but instead it is an all too common reality. Domestic violence is a public and personal health problem that affects the lives of millions of women and their families. Two million to four million women each year become victims of violence at the hands of an intimate—a husband, ex-husband, boyfriend, or ex-boyfriend. There is a 20–30% lifetime risk for a woman to be battered.

In 1995, almost 1 million children—2,700 a day—were abused or neglected. This number was up almost 25 percent since 1990. The number of children seriously injured by abuse nearly quadrupled between 1986 and 1993, according to interviews with child-serving professionals.

Reauthorizing the Rural Domestic Violence and Child Adult Enforcement Assistance Act is critical in our nation's battle to stamp out the abuse of these most vulnerable of its citizens.

Ms. LOFGREN. Mr. Speaker, I am extremely pleased that we were able to work in a bipartisan manner to include my amendment to this legislation to extend some of the deadlines for telecommunications carriers to comply with requirements under the Communications Assistance for Law Enforcement Act (CALEA). I offered this amendment at full Judiciary Committee markup, where it garnered support from Members on both sides of the aisle, but withdrew it with assurances from Crime Subcommittee Chairman MCCOLLUM that he would introduce and push for enactment of legislation to address these and other issues related to CALEA. We have yet to see action on CALEA-related legislation, so it is necessary to address the matter in this bill.

Mr. Speaker, the CALEA implementation process has not gone as Congress had expected when CALEA was enacted in 1994. While all parties—the Administration, the telecommunications industry, and privacy and civil liberties organizations—have negotiated in good faith, clearly a resolution is not close at hand.

In fact, the parties have now petitioned the Federal Communications Commission (FCC) to break the impasse.

Certainly, all involved can share some of the blame, but I do not think that the telecommunications industry and our civil liberties should be made to suffer for the lack of an agreement. My amendment merely creates a "safety valve" to remove the pressure from the impending October 1 deadline, and recognizes the reality of the delays in the negotiating process. The Justice Department has already admitted that CALEA-compliant solutions will not be "available" from manufacturers until 1999–2001, regardless of what transpires. It is not fair to punish industry for failing to provide this technology faster than even the Justice Department has deemed possible.

Therefore, like Congressman BARR's bill (H.R. 3321), my amendment postpones deadline for compliance with CALEA from this October until October 1, 2000. This should provide the parties and the FCC time to come to an agreement, and to test and deploy agreed-upon solutions.

It is also unfair to force industry to pay for recent upgrades made to their "embedded base" that do not conform to nonexistent CALEA standards. The original Act provided that all upgrades made after January 1, 1995 would be the responsibility of telecommunications carriers, and they would bear the cost of modifying their equipment to conform with CALEA after that date. It has obviously been necessary for industry to upgrade their equipment in the last three and a half years, and no one in Congress believed that so much time would be necessary to complete this process. Therefore, it is not appropriate to place the cost burden of anticipated equipment modifications on telecommunications companies and their customers.

My amendment, also like the Barr bill, would grandfather in all equipment deployed and installed before October 1, 2000. Industry would be responsible for retrofitting noncompliant equipment installed after that date.

This is a narrow fix to an immediate and critical problem. If an agreement is not

reached by October 1, industry would be liable for fines and for the costs of upgrading much of their equipment. The FBI has been using this as a bargaining tool in their discussions with industry and civil liberties groups, but this is not the atmosphere in which these discussions were supposed to take place.

This amendment will merely give a reprieve to the negotiators, and allow for a full and deliberate resolution of this critical issue. Congress will have greater leeway to monitor the FCC's attempts to break the impasse and to ratify or alter any proposed compromise. Even with enactment of this provision, many other contentious issues will remain, but this legislation is not the proper vehicle for resolving those issues.

Mr. Speaker, I am glad that we were able to include my amendment in this important legislation, and I look forward to working with my colleagues on continued efforts to implement CALEA.

Mr. BARR of Georgia. Mr. Speaker, I rise today in support of the Department of Justice Appropriation Authorization Act for Fiscal Years, 1999, 2000, and 2001. As the original author of the CALEA Implementation Amendment of 1998, H.R. 3321, the Department of Justice Appropriation Authorization Act, H.R. 3003, contains language in Section 204 which embodied the principles of my bill. I believe it is incumbent on us in Congress to recognize the delays that have occurred in the implementing of the Communications Assistance to Law Enforcement Act of 1994 (CALEA), by extending the time for compliance, and to clarify the "grandfathered" status of existing telecommunication network equipment facilities and services during the time period the CALEA-compliant technology is developed.

The purpose of CALEA is to preserve the federal government's ability, pursuant to a court order or other lawful authorization, to intercept communications involving advanced telecommunication technologies, while protecting the privacy of communications and without impeding the introduction of new technologies, features, and services. CALEA further defined the telecommunication industry's duty to cooperate in the conduct of electronic surveillance, and to establish procedures based on public accountability and industry standard setting.

CALEA necessarily involved a balancing of interests of the telecommunications industry, law enforcement, and privacy groups. The law allowed the telecommunication industry to develop standards to implement the requirements of CALEA and establish a process for the U.S. Attorney General to identify capacity requirements for electronic surveillance. The law required the federal government to reimburse carriers their just and reasonable costs incurred in modifying existing equipment, services or features necessary to comply with the assistance capacity requirements of the law. The CALEA law also required the federal government pay for delays in the implementation of the law that have prevented the telecommunication industry and law enforcement from complying with its provisions.

The development and adoption of industry technical standards have been delayed, and these standards are now being challenged before the Federal Communications Commission by both law enforcement and privacy groups. The release of the federal government's capacity notice for electronic surveillance needs

was over two and a half years late. It is clear from the telecommunication's equipment manufacturers that no CALEA-compliant technology will be available for purchase and implementation by telecommunication carriers by the effective date, currently set for October 25, 1998. Further, since the enactment of CALEA, substantial changes have occurred in the telecommunication industry, such as the enactment of the Telecommunication Act of 1996, which resulted in many new entrants in the industry and other changes in the competitive marketplace. Finally, during the four year, "transition period" initially contemplated by Congress for the implementation of CALEA, the telecommunication industry has installed and continued to deploy technology and equipment which is not compliant with assistance capacity requirements of CALEA, since "CALEA technology" has not been fully developed or designed into such equipment.

Mr. Speaker, House of Representatives Report No. 103-827 makes it clear the Federal Government intended to bear the costs of CALEA implementation during the four-year transition period between the enactment and the effective dates. Congress recognized it was much more economical to design new telecommunications switching equipment, features, and services the necessary assistance capacity requirements, rather than to retrofit such equipment, features, and services after the fact. Congress recognized some retrofitting would nonetheless be necessary, provided that carriers would be in compliance with CALEA absent a commitment by law enforcement to reimburse the full and reasonable costs of carriers for such modifications to their existing equipment.

The Department of Justice Appropriation Authorization Act recognizes during the four year transition virtually no federal government funds have been expended to reimburse the telecommunication industry for its implementation costs of CALEA. During the first year transition period, virtually all telecommunications carrier equipment which has been installed or deployed is based on pre-CALEA technology and does not include those features necessary to implement the assistance capacity requirements of CALEA.

It is therefore necessary to extend the time of compliance to enable the industry to complete the standard setting and development processes required to implement CALEA in an economical and efficient fashion, and to recognize existing telecommunications carrier equipment, features, and services should be grandfathered during the interim.

On the completion of the development of CALEA compliant technology, the federal government can decide which carrier equipment it chooses to retrofit at Federal Government expense and the manufacturers can then design CALEA capabilities and services to be deployed in carrier networks in the future.

Thus, it is necessary to move both the effective and the "grandfather" dates of CALEA to recognize the delays in CALEA implementation and to ensure its implementation continues as intended by Congress.

Mr. Speaker, it is also necessary to clarify the meaning of several terms in the cost reimbursement provisions of CALEA. The use of the terms "installed" and "deployed" in CALEA are intended to make clear Congress intended separate and distinct meanings of these terms as they are used in CALEA. The

term, "installed," refers to equipment actually in place and operable to the network of carriers. The term, "deployed," relates to equipment, facilities or services that are commercially available within the telecommunication industry, to be utilized by a carrier whether or not equipment, facilities or services were actually installed or utilized within the network of the carrier. The term, "deployed," is also intended to refer to technology available to the industry.

The use of these terms recognizes Congress clearly intended to retrofit the federal government expenses, or grandfather the existing networks of carriers to the extent they were installed or deployed prior to the development of CALEA-compliant technology based on industry standards developed to meet assistance capacity requirements of CALEA. The terms, "significantly upgraded" or "otherwise undergoes major modifications," were intended to mean the carriers' obligations to assume the costs of implementing CALEA technology in a particular network switch, is not triggered until a particular network switch is fundamentally altered, such as by upgrading or replacing it with a new fundamentally altered switch technology. For example, changing from digital to asynchronous transfer mode (ATM) switching technology.

Thus, once CALEA-compliant technology is developed and can be designed into switches deployed in carrier networks, the costs of such deployment shift to the industry. Prior to that time, however, existing carrier networks are "grandfathered" unless retrofitted at federal government expense as intended by Congress. In addition, switch upgrades or modifications performed by carriers to meet federal or state regulatory mandates or other requirements, such as number portability requirements, are not to be considered a "significant upgrade" or a "major modification" for purposes of CALEA.

Mr. Speaker, these provisions should make clear that existing carrier networks are grandfathered, unless retrofitted at federal government expense. The effective date for compliance with CALEA has been extended for approximately two years to provide additional time for industry development of CALEA-compliant technology in response to industry technical standards to meet the assistance capacity requirements of CALEA.

I support this important legislation and ask my colleagues to support the Department of Justice Appropriation Authorization Act, H.R. 3303.

Mr. FALEOMAVAEGA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HYDE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. NETHERCUTT). The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and pass the bill, H.R. 3303, as amended.

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

A motion to reconsider was laid on the table.