

I have strongly supported tough prison sentences for criminals who use firearms in the commission of a crime. I believe that this is the correct way to deal with gun violence—punish the criminals.

H.R. 424 imposes increasingly stiff penalties for crooks with guns, depending on how the weapon is used in the crime. The bill mandates a 10-year jail term for possessing a firearm in the commission of a crime. If a gun is brandished, the criminal will face a 15-year sentence. If a gun is discharged during the crime, he will receive a 20 year prison term. In addition, the bill provides 20, 25, and 30-year sentences, respectively, for subsequent convictions of the three categories of crimes. Furthermore, the bill prohibits courts from weakening these sentences by eliminating the possibility for probation as well as allowing the sentences to be served concurrently.

Gun control laws prevent law-abiding citizens from owning guns, not criminals. Rather than laws which do not discriminate between peaceful gun owners and gun toting crooks, H.R. 424 gets tough on the right people, criminals.

I urge my colleagues to join me in supporting H.R. 424.

Mr. CUNNINGHAM. Mr. Speaker, I rise today in support of HR 424, which increases the mandatory minimum penalty for possessing a firearm while committing a crime, and imposes tough, new penalties based on how a firearm is used in the commission of a crime.

The Second Amendment of our Constitution protects the right of law-abiding Americans to bear arms. It does not extend this solemn right to criminals. Nor does it extend this right to those individuals who use firearms in the commission of crimes.

In response to Americans' concern with violent crime, the Federal government, and several States, have pursued policies which fail to distinguish between two widely disparate interests: the law-abiding citizens who wish to acquire firearms for protection, hunting, recreation or any other lawful purpose; and criminals, who, by definition, seeking to obtain firearms for purposes contrary to the law, and who are dangerous to our communities. Unfortunately, this policy of targeting both law-abiding citizens and criminals is not succeeding. Criminals can be relied upon to obtain firearms outside lawful channels. Americans understand that waiting periods and other hindrances to the acquisition of firearms that fail to differentiate between law-abiding citizens and criminals simply do not reduce crime, and do not make our communities safer. Such policies do injustice to our Constitutional liberty for citizens to bear arms. Just as importantly, such policies do not target the cause of violent gun crimes. The cause of violent gun crimes is violent gun criminals.

In the best interests of crime victims, and of men, women and children who want safe communities, let us send a strong message to the criminals: If you use a firearm in the commission of a crime, you will go to jail for a long time.

I am pleased today to support HR 424 because this important legislation targets firearms crimes by targeting criminals who use firearms, while protecting the Constitutional rights of lawful firearms owners. It is based on a simply, easily-understood principle: penalty escalation. If an individual commits a crime while possessing a firearm, he gets 10 years

in jail. If he brandishes that weapon in such a way that it aids in the criminal act, that's a 15-year sentence. If he discharges that weapon, count on 20 years in jail. And those penalties are for the first offense. Second or subsequent offenses demand greater penalties. Additional penalties are provided if the crime was committed with a machine gun, or a firearm with a silencer or muffler.

My congratulations go to my colleague, Rep. SUE MYRICK (R-NC), who wrote this bill, and to Chairmen BILL MCCOLLUM and HENRY HYDE for reporting HR 424 to the floor today. I also want to express my appreciation to the leadership of this Republican Congress, which is thoroughly and fully committed to making every American community safer for families and for freedom.

I encourage my colleagues to stand for safer communities, to stand for the rights and liberties of law-abiding citizens who are gun owners and those who are not, and to stand against the criminal element in this country, by voting in favor of HR 424. I hope that the Senate and the President will follow through as well, by promptly adopting this important anti-crime measure.

Mr. MCCOLLUM. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MCCOLLUM) that the House suspend the rules and pass the bill, H.R. 424, as amended.

The question was taken.

Mr. MCCOLLUM. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### APPOINTMENT OF CONFEREES ON S. 1150, AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM ACT OF 1998

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on the Senate bill (S 1150) to ensure that federally funded agricultural research, extension, and education address high-priority concerns with national multistate significance, to reform, extend, and eliminate certain agricultural research programs, and for other purposes:

Messrs. SMITH of Oregon,

COMBEST,

BARRETT of Nebraska,

STENHOLM, and

DOOLEY of California.

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair will now put the question on the motion to suspend the rules on which further proceedings were postponed earlier today.

#### INCREASED MANDATORY MINIMUM SENTENCES FOR CRIMINALS POSSESSING FIREARMS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 424, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MCCOLLUM) that the House suspend the rules and pass the bill, H.R. 424, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 350, nays 59, not voting 21, as follows:

[Roll No. 18]

YEAS—350

Abercrombie	Danner	Hobson
Ackerman	Davis (FL)	Hoekstra
Aderholt	Davis (VA)	Holden
Allen	Deal	Hooley
Andrews	DeFazio	Horn
Archer	DeLauro	Hostettler
Armey	DeLay	Houghton
Bachus	Deutsch	Hoyer
Baesler	Diaz-Balart	Hulshof
Baker	Dickey	Hunter
Baldacci	Dicks	Hutchinson
Ballenger	Dingell	Hyde
Barcia	Doggett	Inglis
Barr	Dooley	Istook
Barrett (NE)	Doolittle	Jefferson
Barrett (WI)	Doyle	Jenkins
Bartlett	Dreier	John
Barton	Duncan	Johnson (CT)
Bass	Dunn	Johnson (WI)
Bateman	Edwards	Johnson, E. B.
Becerra	Ehlers	Johnson, Sam
Bentsen	Ehrlich	Jones
Bereuter	Emerson	Kanjorski
Berry	Engel	Kaptur
Bilbray	English	Kasich
Bilirakis	Ensign	Kelly
Bishop	Eshoo	Kennedy (MA)
Blagojevich	Etheridge	Kennedy (RI)
Bliley	Evans	Kennelly
Blumenauer	Everett	Kildee
Blunt	Ewing	Kim
Boehlert	Farr	Kind (WI)
Boehner	Fawell	King (NY)
Bonilla	Foley	Kingston
Borski	Forbes	Klecza
Boswell	Fossella	Klug
Boucher	Fowler	Knollenberg
Boyd	Fox	Kolbe
Brady	Frank (MA)	Kucinich
Bryant	Franks (NJ)	LaHood
Bunning	Frelinghuysen	Largent
Burr	Frost	Latham
Burton	Gallegly	LaTourrette
Buyer	Ganske	Lazio
Callahan	Gejdenson	Leach
Calvert	Gekas	Levin
Camp	Gephardt	Lewis (CA)
Campbell	Gibbons	Lewis (KY)
Canady	Gilchrest	Linder
Cannon	Gillmor	Livingston
Cardin	Goodlatte	LoBiondo
Castle	Goodling	Lowe
Chabot	Gordon	Lucas
Chambliss	Goss	Luther
Chenoweth	Graham	Maloney (CT)
Christensen	Granger	Maloney (NY)
Clement	Green	Manton
Clyburn	Greenwood	Manzullo
Coble	Gutknecht	Markley
Coburn	Hall (OH)	Mascara
Collins	Hall (TX)	Matsui
Combest	Hamilton	McCarthy (NY)
Condit	Hansen	McCollum
Cook	Harman	McCrery
Cooksey	Hastert	McDade
Costello	Hastings (WA)	McGovern
Cox	Hayworth	McHale
Cramer	Hefley	McHugh
Crane	Herger	McInnis
Crapo	Hill	McIntosh
Cubin	Hilleary	McKeon
Cunningham	Hinojosa	Meehan

Menendez	Regula	Spence
Metcalf	Reyes	Spratt
Mica	Riggs	Stabenow
Miller (CA)	Riley	Stark
Miller (FL)	Rivers	Stearns
Moran (KS)	Rodriguez	Stenholm
Moran (VA)	Roemer	Strickland
Morella	Rogan	Stump
Murtha	Rogers	Sununu
Myrick	Rohrabacher	Talent
Neal	Ros-Lehtinen	Tanner
Nethercutt	Rothman	Tauscher
Neumann	Roukema	Tauzin
Ney	Royce	Taylor (MS)
Northup	Ryun	Taylor (NC)
Norwood	Salmon	Thomas
Nussle	Sanchez	Thompson
Obey	Sanders	Thornberry
Ortiz	Sandlin	Thune
Owens	Sanford	Thurman
Oxley	Saxton	Tiahrt
Packard	Schaefer, Dan	Tierney
Pallone	Schaffer, Bob	Torres
Pappas	Schumer	Towns
Parker	Sensenbrenner	Trafigant
Pascrell	Sessions	Turner
Pastor	Shadegg	Upton
Paxon	Shaw	Velazquez
Pease	Shays	Visclosky
Peterson (PA)	Sherman	Walsh
Petri	Shinkus	Wamp
Pickering	Shuster	Watkins
Pickett	Sisisky	Weldon (FL)
Pitts	Skeen	Weldon (PA)
Pombo	Skelton	Weller
Pomeroy	Slaughter	Wexler
Porter	Smith (MI)	Weygand
Portman	Smith (NJ)	White
Price (NC)	Smith (OR)	Whitfield
Pryce (OH)	Smith (TX)	Wicker
Quinn	Smith, Adam	Wise
Radanovich	Snowbarger	Wolf
Rahall	Snyder	Woolsey
Ramstad	Solomon	Young (FL)
Redmond	Souder	

## NAYS—59

Berman	Jackson (IL)	Paul
Bonior	Kilpatrick	Payne
Brown (FL)	LaFalce	Peterson (MN)
Carson	Lewis (GA)	Rangel
Clay	Lofgren	Roybal-Allard
Clayton	Martinez	Sabo
Conyers	McDermott	Sawyer
Coyne	McKinney	Scarborough
Cummings	McNulty	Scott
Davis (IL)	Meek (FL)	Serrano
DeGette	Meeks (NY)	Skaggs
Delahunt	Millender	Smith, Linda
Dixon	McDonald	Stokes
Fattah	Minge	Vento
Fazio	Mink	Waters
Filner	Moakley	Watt (NC)
Goode	Mollohan	Watts (OK)
Hastings (FL)	Nadler	Waxman
Hilliard	Oberstar	Wynn
Hinche	Oliver	Yates

## NOT VOTING—21

Brown (CA)	Jackson-Lee	Pelosi
Brown (OH)	(TX)	Poshard
Ford	Klink	Rush
Furse	Lampson	Schiff
Gilman	Lantos	Stupak
Gonzalez	Lipinski	Young (AK)
Gutierrez	McCarthy (MO)	
Hefner	McIntyre	

□ 1735

Mrs. LINDA SMITH of Washington changed her vote from "yea" to "nay."

Ms. ESHOO, Ms. SLAUGHTER, Mr. THOMPSON, Mr. TIAHRT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TIERNEY, Mrs. CUBIN, and Messrs. CLYBURN, DEFazio, STARK, and OWENS changed their vote from "nay" to "yea."

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.

## PERSONAL EXPLANATION

Ms. MCCARTHY of Missouri. Mr. Speaker, on rollcall no. 18, passage of H.R. 424, I was detained in transit on US Airway Flight #6 out of Pittsburgh which had multiple mechanical problems. Had I been present, I would have voted aye.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2181, WITNESS PROTECTION AND INTERSTATE RELOCATION ACT

Mr. MCINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 105-419) on the resolution (H. Res. 366) providing for consideration of the bill (H.R. 2181) to ensure the safety of witnesses and to promote notification of the interstate relocation of witnesses by States and localities engaging in that relocation, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1544, FEDERAL AGENCY COMPLIANCE ACT

Mr. MCINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 105-420) on the resolution (H. Res. 367) providing for consideration of the bill (H.R. 1544) to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescence in, and re-litigation of, precedents established in the Federal judicial circuits, which was referred to the House Calendar and ordered to be printed.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3073

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3073.

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

There was no objection.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE RESOLUTION 358

Mr. DOGGETT. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of House Resolution 358.

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

There was no objection.

## COMMUNICATION FROM THE HONORABLE HARRIS W. FAWELL, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. SHAW) laid before the House the following communication from the Honorable Harris W. Fawell, Member of Congress:

WASHINGTON, DC,

February 18, 1998.

Hon. NEWT GINGRICH,  
Speaker of the House, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena issued by the United States District Court for the Northern District of Illinois seeking the right to inspect and copy documents in a file of two constituents maintained by my congressional office.

After consultation with the General Counsel, I have determined that compliance with the subpoena to allow inspection and copy of such file is appropriate.

Sincerely,

HARRIS W. FAWELL,

Member of Congress.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1748

Mr. WATTS of Oklahoma. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 1748.

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

There was no objection.

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## TRIBUTE TO U.S. NAVY ASIATIC FLEET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Mr. Speaker, I am pleased to rise today in recognition of the sailors and marines who served in the United States Navy Asiatic fleet and in support of legislation that Senator JOHN WARNER and I have introduced in their honor.

Although many of my colleagues may not be familiar with the efforts waged by the Asiatic fleet, these brave men played a critical role in protecting American security interests.

From the early 1900s until just after Pearl Harbor, the Fleet sailed courageously across the coastal waters between China and the Philippines as well as in Russian waters and in the straits and narrows of Malaysia and Indonesia during the very dynamic period in history.

The Asiatic fleet had originally been established in August of 1910 as a successor of the Asiatic station to protect American lives and property in the Philippines and in China.

□ 1745

It sailed the seas in defense of American interests and in Southeast Asian waters until 1942.

In the final years of the Asiatic Fleet operations, these sailors and marines