

Latham Nussle Shays
LaTourette Oberstar Sherman
Leach Obey Shimkus
Lee Oliver Sisisky
Levin Ortiz Skaggs
Lewis (CA) Owens Skeen
Lewis (GA) Oxley Skelton
Livingston Pallone Slaughter
Lowey Parker Smith (OR)
Lucas Pastor Smith, Adam
Luther Paxon Snyder
Maloney (CT) Payne Spratt
Maloney (NY) Pease Stabenow
Manton Peterson (MN) Stark
Manzullo Petri Stenholm
Markey Pickering Stokes
Martinez Pickett Sununu
Mascara Pomeroy Tanner
Matsui Portman Tauscher
McCarthy (MO) Poshard Taylor (MS)
McCrery Price (NC) Taylor (NC)
McDermott Pryce (OH) Thomas
McHale Ramstad Thompson
McHugh Rangel Thurman
McInnis Redmond Tierney
McIntosh Reyes Velazquez
McKeon Rodriguez Visclosky
McKinney Roemer Walsh
Meehan Rogan Watkins
Meek (FL) Rothman Watt (NC)
Mica Roukema Waxman
Millender- Roybal-Allard Weldon (PA)
McDonald Rush Weller
Miller (CA) Sabo Wexler
Minge Salmon Weygand
Mink Sandlin White
Moakley Sanford Wicker
Mollohan Sawyer Wilson
Moran (KS) Schumer Wise
Moran (VA) Scott Woolsey
Morella Sensenbrenner Wynn
Murtha Serrano Yates
Nethercutt Shaw Young (AK)

NOT VOTING—11

Burr McDade Smith, Linda
Gonzalez Neal Towns
Istook Rahall Young (FL)
Linder Riggs

□ 1609

Messrs. FOLEY, RANGEL, SPRATT, LEWIS of Georgia, and Ms. LEE changed their vote from "yea" to "nay."

Ms. ROS-LEHTINEN, Mrs. KELLY, and Messrs. SMITH of Michigan, NORWOOD, MCCOLLUM, PETERSON of Pennsylvania, TORRES, and COLLINS changed their vote from "nay" to "yea."

The joint resolution was not passed.

The result of the vote was announced as above recorded.

PROVIDING SPECIAL INVESTIGATIVE AUTHORITY FOR THE COMMITTEE ON EDUCATION AND THE WORKFORCE

The SPEAKER pro tempore (Mr. SHIMKUS). The pending business is the vote de novo on agreeing to the resolution, House Resolution 507, as amended, on which further proceedings were postponed.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution, as amended.

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

RECORDED VOTE

Mr. HALL of Ohio. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 222, noes 200, not voting 13, as follows:

[Roll No. 357]

AYES—222

Aderholt Gilchrist Packard
Archer Gillmor Pappas
Army Gilman Parker
Bachus Gingrich Paxon
Baker Goode Pease
Ballenger Goodlatte Peterson (PA)
Barr Goodling Petri
Barrett (NE) Goss Pickering
Bartlett Graham Pitts
Barton Granger Pombo
Bass Greenwood Porter
Bateman Gutknecht Portman
Bereuter Hall (TX) Pryce (OH)
Bilbray Hansen Quinn
Bilirakis Hastert Radanovich
Bliley Hastings (WA) Ramstad
Blunt Hayworth Redmond
Boehlert Hefley Regula
Boehner Herger Riley
Bonilla Hill Rogan
Bono Hilleary Rogers
Brady (TX) Hobson Rohrabacher
Bryant Hoekstra Ros-Lehtinen
Bunning Horn Roukema
Burton Hostettler Royce
Buyer Houghton Ryun
Callahan Hulshof Salmon
Calvert Hunter Sanford
Camp Hutchinson Saxton
Campbell Hyde Scarborough
Canady Inglis Schaefer, Dan
Cannon Jenkins Schaffer, Bob
Castle Johnson (CT) Sensenbrenner
Chabot Johnson, Sam Sessions
Chambliss Jones Shadeegg
Chenoweth Kasich Shaw
Christensen Kelly Shays
Coble Kim Shimkus
Coburn King (NY) Shuster
Collins Kingston Shuler
Combest Klug Smith (MI)
Cook Knollenberg Smith (NJ)
Cooksey Kolbe Smith (OR)
Crane LaHood Smith (TX)
Crapo Largent Smith, Linda
Cubin Latham Snowbarger
Cunningham LaTourette Solomon
Davis (VA) Lazio Souder
Deal Leach Spence
DeLay Lewis (CA) Stearns
Diaz-Balart Lewis (KY) Stump
Dickey Livingston Sununu
Doolittle LoBiondo Talent
Dreier Lucas Tauzin
Duncan Manzullo Taylor (MS)
Dunn McCollum Taylor (NC)
Ehlers McCrery Thomas
Ehrlich McHugh Thornberry
Emerson McInnis Thune
English McIntosh Tiahrt
Ensign McKeon Upton
Everett Metcalf Walsh
Ewing Mica Wamp
Fawell Miller (FL) Watkins
Foley Moran (KS) Watts (OK)
Fossella Morella Weldon (FL)
Fowler Myrick Weldon (PA)
Fox Nethercutt Weller
Franks (NJ) Neumann White
Frelinghuysen Ney Whitfield
Gallegly Northup Wicker
Ganske Norwood Wilson
Gekas Nussle Wolf
Gibbons Oxley Young (AK)

NOES—200

Abercrombie Borski Conyers
Ackerman Boswell Costello
Allen Boucher Coyne
Andrews Boyd Cramer
Baesler Brady (PA) Cummings
Baldacci Brown (CA) Danner
Barcia Brown (FL) Davis (FL)
Barrett (WI) Brown (OH) Davis (IL)
Becerra Capps DeFazio
Bentsen Cardin DeGette
Berman Carson Delahunt
Berry Clay DeLauro
Bishop Clayton Deutsch
Blagojevich Clement Dicks
Blumenauer Clyburn Dingell
Bonior Condit Dixon

Doggett Lampson Poshard
Dooley Lantos Price (NC)
Doyle Lee Rangel
Edwards Levin Reyes
Engel Lewis (GA) Rivers
Eshoo Lipinski Rodriguez
Etheridge Lofgren Roemer
Evans Lowey Rothman
Farr Luther Roybal-Allard
Fattah Maloney (CT) Rush
Fazio Maloney (NY) Sabo
Filner Manton Sanchez
Forbes Markey Sanders
Ford Martinez Sandlin
Frank (MA) Mascara Sawyer
Frost Matsui Schumer
Furse McCarthy (MO) Scott
Gejdenson McCarthy (NY) Serrano
Gephardt McDermott Sherman
Gordon McGovern Sisisky
Green McHale Skaggs
Gutierrez McIntyre Skelton
Hall (OH) McKinney Slaughter
Hamilton McNulty Smith, Adam
Harman Meehan Snyder
Hastings (FL) Meek (FL) Spratt
Hefner Meeks (NY) Stabenow
Hilliard Menendez Stark
Hinchey Millender Stenholm
Hinojosa McDonald Stokes
Holden Miller (CA) Strickland
Hooley Minge Stupak
Hoyer Mink Tanner
Jackson (IL) Moakley Tauscher
Jackson-Lee Mollohan Thompson
(TX) Moran (VA) Thurman
Jefferson Murtha Tierney
John Nadler Trafficant
Johnson (WI) Oberstar Turner
Johnson, E. B. Obey Velazquez
Kanjorski Olver Vento
Kaptur Ortiz Visclosky
Kennedy (MA) Owens Watt (NC)
Kennedy (RI) Pallone Waxman
Kennelly Pascrell Wexler
Kildee Pastor Weygand
Kilpatrick Paul Wise
Kind (WI) Payne Woolsey
Klecza Pelosi Wynn
Klink Peterson (MN) Yates
Kucinich Pickett
LaFalce Pomeroy

NOT VOTING—13

Burr McDade Towns
Cox Neal Waters
Gonzalez Rahall Young (FL)
Istook Riggs
Linder Torres

□ 1627

So the joint resolution, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1630

PROVIDING FOR CONSIDERATION OF H.R. 4276, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, FY 1999

Mr. MCINNIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 508 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 508

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4276) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and

related agencies for the fiscal year ending September 30, 1999, 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 2(1)(6) of rule XI, clause 7 of rule XXI, or section 401(a) 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 or 6 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, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. 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 6 of rule XXIII. 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. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such further 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.

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Colorado (Mr. MCINNIS) is recognized for 1 hour.

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

Mr. Speaker, House Resolution 508 is an open rule providing for consideration of H.R. 4276, the Commerce, Justice, State, the Judiciary and Related Agencies Appropriations bill for fiscal year 1999.

The rule waives points of order against consideration of the bill for failure to comply with clause 2(1)(6) of rule 11, requiring a 3-day layover of the committee report, and clause 7 of rule 21, requiring relevant printed hearings and reports to be available for 3 days prior to the consideration of a general

appropriations bill. The report has been available for the required time, but a printing mistake necessitates the rules waivers.

The rule also waives section 401(a) of the Budget Act, prohibiting consideration of legislation, as reported, providing new contract, borrowing or a credit authority that is not limited to amounts provided in the appropriations acts. This is simply a technical waiver.

House Resolution 508 provides for one hour of general debate, divided equally between the chairman and ranking minority Member of the Committee on Appropriations.

The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule 21, prohibiting unauthorized appropriations and legislative provisions in an appropriations bill, and clause 6 of rule 21, prohibiting reappropriations in a general appropriations bill.

House Resolution 508 provides for the consideration of the amendments printed in the report of the Committee on Rules, which may only be offered 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, and shall not be subject to further amendment or to a demand for a division of the question. The rule also waives all points of order against amendments printed in the Rules Committee report.

The rule also accords priority and recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD, and allows the chairman to postpone recorded votes and reduce to 5 minutes the voting time on any postponed question, provided voting time on the first in any series of questions is not less than the traditional 15 minutes. These provisions will facilitate consideration of amendments and guarantee the timely completion of the appropriation bills.

House Resolution 508 also provides for one motion to recommit, with or without instructions.

H.R. 4276 appropriates a total of \$70.89 billion for fiscal year 1999. The bill provides ample funding for the Departments of Justice, State, and local law enforcement, the Violence Against Women Act, and restores Local Law Enforcement block grant funding.

I am also pleased to say that the bill provides \$533 million to combat juvenile crime, including \$283 for juvenile crime prevention programs, \$5 million more than President Clinton has requested.

Mr. Speaker, House Resolution 508 is an open rule, an open rule, Mr. Speaker, providing Members with every opportunity to amend this appropriations bill.

In addition, the Committee on Rules has made three additional amendments in order. The rule makes in order an amendment offered by the gentleman from Alabama (Mr. CALLAHAN) dealing with fisheries and enforcement.

In addition, we have made in order the Hefley amendment, that will prevent funds from being implemented to enforce Executive Order 13087 and Executive Order 13083. I am concerned, frankly, Mr. Speaker, that the President has decided to use executive order strategy to incrementally implement portions of an agenda.

One of the President's advisers has recently put it best when he described the President's intent with this flurry of executive orders, which I think is causing an immense problem for this Congress: "The stroke of the pen, the law of the land. Kinda cool." Mr. Speaker, it is Congress' sole authority to make law. We must restrain the abuse of executive orders.

The Committee on Rules has made in order an amendment to be offered by the gentleman from West Virginia (Mr. MOLLOHAN) dealing with the Census. In this bill, the gentleman from Kentucky (Chairman ROGERS) has crafted a plan to ensure that Congress and the administration jointly decide how to conduct the 2000 Census.

Unfortunately, the amendment says that the U.S. Congress has no role to play in the 2000 Census, and the administration can move forward with a risky new plan that uses statistical sampling methods. Let me read the current law: "Except for the determination of population for purposes of apportionment of Representatives in Congress among the several States, the Secretary shall, if he considers it feasible, authorize the use of the statistical method known as 'sampling'." The law is clear, sampling is illegal for the purposes of reapportionment.

Mr. Speaker, every American must be counted. We should not allow the government bureaucrats to guess. We should not jeopardize the 2000 Census with an idea that the GAO and President Clinton's Commerce Inspector General call "high risk."

In addition, we cannot gamble with the trust the American people have in a successful Census. In the past, by naturalizing criminal aliens in time for the 1996 election, the Clinton administration has proven they will abuse power for political purposes. President Clinton should not be allowed just to delete certain American citizens from being counted.

Our plan will safeguard the Census. This bill provides \$956 million for the Census, including \$4 million for the Census Monitoring Board, an increase of almost \$600 million over fiscal year 1998, and \$107 million over the President's request. This Congress is insisting that we pay whatever it takes to do a good job counting every American, just as the United States Constitution requires us to do.

It is not a poll, it is not guesswork, it is an enumerated count of the American people. We cannot afford to let this administration guess about the official Census count. We will fulfill our constitutional duty to count the people in full. We must make sure we count every American.

H.R. 4276 was favorably reported out of the Committee on Appropriations, as was the open rule by the Committee on Rules. I urge my colleagues to support the rule so we may proceed directly to the general debate.

Mr. Speaker, I ask unanimous consent that during the consideration of H.R. 4276, pursuant to House Resolution 508, debate on the amendment offered by the gentleman from West Virginia (Mr. MOLLOHAN) printed in House Report 105-641 be extended to 2 hours.

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

There was no objection.

Mr. MCINNIS. Mr. Speaker, it is our understanding that this agreed-to increase in debate time on that particular amendment is premised on the understanding that this would be the only amendment offered with respect to the Census.

Is that the understanding of the gentleman from Texas (Mr. FROST)?

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

Mr. MCINNIS. I yield to the gentleman from Texas.

Mr. FROST. Yes, that is my understanding, Mr. Speaker.

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

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

Mr. Speaker, I rise in reluctant support of House Resolution 508. This rule is a mixed bag. While it provides for the consideration of the appropriations for the important functions of the Departments of State, Justice, and Commerce, it also makes in order an amendment which overturns an executive order which prohibits discrimination in employment in the Federal Government based on sexual orientation.

While the rule makes in order an amendment by the subcommittee ranking member to allow full debate on the issue of the manner in which the year 2000 Census will be conducted, the Committee on Rules did not allow for an amendment which would have aided in the hiring of Census enumerators, who will be necessary to ensure that an accurate count is made of all the residents of this country.

While the bill provides \$20 million for programs to combat school violence, the Republican majority did not allow an amendment which would have earmarked \$100 million for specific programs which would give schools and communities even greater opportunities to reduce violence in our public schools.

I hope the bill can be improved and that amendments which may trigger a veto can be defeated. I would also like to address the three issues I have just outlined.

To begin, Mr. Speaker, the provisions in the committee bill relating to the year 2000 Census are unreasonable and, quite frankly, unacceptable to Democratic members and to the administra-

tion. The committee has only provided for 6 months of funding for this massive and constitutionally required project, and has placed restrictions on planning that will result in delays and disruption in the management of the project.

The Republican majority, in their quest to force a political showdown with the administration over the issue of sampling, is risking not only a veto of this bill, but also a failed Census. The Republican majority's insistence on denying the Census Bureau the option of using statistical sampling as a means to aid in the gathering of an accurate and complete count of the number of individuals who are residing in this country is dangerous.

I am pleased that the rule will allow for the consideration of an alternative amendment to be offered by the gentleman from West Virginia (Mr. MOLLOHAN) which will remove these restrictions on funding, to allow planning for this enormous undertaking to go forward so that the count will be as accurate as possible. Mr. Speaker, we must allow the Census Bureau to go forward in its planning for the year 2000 Census. It is incumbent on the Members of this body to support the Mollohan amendment.

Secondly, Mr. Speaker, it is unfortunate that the Republican majority has seen fit to include in the rule the amendment offered by the gentleman from Colorado (Mr. HEFLEY). The Hefley amendment seeks to reverse Executive Order 13087, which was issued on May 28 by the President. As Members are very well aware, this executive order prohibits discrimination against individuals in Federal hiring because of their sexual orientation.

Mr. Speaker, this amendment is nothing but veto bait, and it is unfortunate that the Republican majority must use this issue as material for campaign brochures and speeches. I am sorry that the extreme agenda of the ultraconservative wing of the Republican Party must use the civil rights of gays and lesbians as a way to hold up funding for the important functions of the Departments of State, Justice, and Commerce.

There are other amendments which, if adopted, could trigger a veto. I urge my colleagues to resist adding language or reducing funding which would jeopardize the timely enactment of this bill.

If this bill is vetoed, Mr. Speaker, we risk providing timely funding for important Justice Department programs, such as providing \$25 million to help State and local law enforcement agencies provide bulletproof vests for police officers, which is funded as part of the total \$1.4 billion for the hugely successful COPS program.

To date 76,771 additional police have been put on the beat on the streets of our cities and towns since this program began in fiscal year 1994. The funding in this bill will allow for an additional 17,000 officers to be hired. COPS is a

successful program, and has played a large part in the reduction of violent crime in this country. Its funding should not be jeopardized.

Mr. Speaker, this bill also includes an important earmark of \$20 million for the unobligated balances of the COPS program, to be used for grants to policing agencies and schools for programs aimed at preventing violence in our public schools. This is a fine beginning as we struggle with the issue of violence in our schools. I commend the committee for including these funds.

In June I met with about 30 school administrators and schoolteachers in my congressional district to talk about what can and should be done to instill discipline in the classroom and to combat violence. The times have changed since I grew up in Fort Worth. Listening to these dedicated educators drove home that point.

Mr. Speaker, I was shocked to learn that more than 6,000 students were expelled from schools across the country last year for bringing a firearm to school, just as I had been shocked and deeply saddened by the violence that has taken the lives of 14 students and teachers and injured 47 others since last October.

But I came away from that meeting with a concrete idea of what we can do here in Washington to help schools in our home towns deal with disruptive students, gangs, drugs, and guns, because those concerned educators told me that one of their most pressing needs was more uniformed police officers in schools. They told me that having law enforcement officers in a school not only cuts down on crime, but also gives the students the opportunity to talk to an authority figure about what is happening on campus.

I have introduced H.R. 4224, the Safe Schools Act of 1998, as a follow-up to this forum. My bill would provide \$175 million in funding to allow local communities to hire sworn law enforcement officers to patrol in and around their schools. This money will allow up to 7,500 police to be hired, in addition to the 100,000 new police who have been or will be hired under the COPS program.

While these funds are not part of this bill, it is my intention to work to see them included in next year's appropriation.

Mr. Speaker, some schools already have uniformed law enforcement officers. In fact, a number of school districts in my own congressional district already do. I would like to quote Sergeant James Hawthorne of the Arlington Texas Police Department, who has endorsed the continuation and expansion of this idea.

□ 1645

"It is worth every penny. You cannot put a price on a child's life. And above and beyond that, you hope to be a positive influence on kids throughout their lives." I could not agree more, Mr. Speaker.

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

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

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. SAWYER).

Mr. SAWYER. Mr. Speaker, I rise in support of the rule specifically because it includes the Mollohan amendment to restore full, uninterrupted funding for the 2000 Census preparations.

Opponents of the Census Bureau's plans for 2000 say that we ought to take the census the same way we have for the last 200 years. They call the plan a "radical new approach to conducting the census." Nothing could be further from the truth.

The truth is that the census has changed immensely throughout its history because it has had to keep pace with a Nation that itself is changing. Counting the population in 2000 the same way we did in 1960, much less the way we did in 1790, would be simple folly.

In 1790, U.S. Marshals, 600 of them, went out on horseback and counted and tabulated information for about 4 million people in the new Nation. They missed about 100,000. They added enumerators over the year, but by 1850, the number of Americans had quadrupled, far too much information for census takers to add up on their own. So, for the first time, they sent the forms to Washington to count.

Thousands of clerks in hot, sticky rooms leafed through millions of forms by hand, while the population doubled again. By then it took 8 years to tabulate the 1880 census. Fortunately, the punch card arrived in 1890, allowing for automated tabulation. A radical new approach, but it saved time and money.

Our population would nearly triple over the next 50 years. By 1940, punch cards could not keep up and by 1950, crude computers took over the job.

In response to Americans' impatience with the growing response burden, the Bureau developed sampling techniques to gather vital data on everything from education to veterans status. But compiling the numbers was not the only problem. There were too many people in too many households spread out across four times more land area than in 1790. Workers knocking on every door were making more mistakes than the Nation could tolerate.

So, in 1970, the census underwent perhaps the most radical change in its history: counting people by mail, not by enumerator. That worked fairly well for a while. In 1970, 80 percent of the people returned their forms, but by 1990, only 65 percent did. That meant a half a million census workers had to knock on 35 million doors. The cost of the census skyrocketed, while the results worsened badly.

The 1990 census missed more than 8 million Americans, counting 4 million people twice and millions more in the wrong place; not because the Census Bureau did not know how to do its job, but because the methods it developed to count the country in previous decades were outdated by 1990.

So once again in 2000, the Census Bureau will make changes. It will make forms more widely available, pay for first-class advertising, and use widely accepted scientific methods to include all Americans this time around.

Take the census the same way we have done for 200 years? There is no "same way." The census has been changing from its beginning, just as the country has.

A radical new approach in 2000? Nope, just trying to keep up with a growing, changing, and moving Nation, the same way they always have.

Mr. MCINNIS. Mr. Speaker, I yield 6 minutes to the gentleman from Kentucky (Mr. ROGERS) who is not only chairman of the committee, but also the sponsor of the bill.

Mr. ROGERS. Mr. Speaker, I thank the gentleman from Colorado (Mr. MCINNIS) for yielding me this time.

Mr. Speaker, I rise in support, obviously, of this rule. It is an open rule, as is usual with appropriations bills. It waives all points of order against the bill as reported.

The important fact, I think I need to say, is that we need to take action on this bill as quickly as we can. This is the bill that provides the funding for our Federal law enforcement agencies: all of the Justice Department agencies, the FBI, the Drug Enforcement Administration, most all of the law enforcement agencies of the Federal Government.

We provide funding to our State and local law enforcement agencies; all of our sheriffs, all of our police departments, all of the local law enforcement folks out there who need the Federal assistance is in this bill.

We fund, of course, the Federal courts, from the Supreme Court all the way down, and most of the agencies that work with the courts, such as the Marshals Service.

We provide the funding for the National Weather Service and the modernization efforts of the National Weather Radar System that is increasingly providing advanced warning to our constituents of dangerous weather.

We provide, of course, in the State Department portion of the bill, all of our diplomacy operations around the globe. We provide assistance to small businesses in our communities and a host of other vital and necessary functions.

So, Mr. Speaker, it is important that this bill proceed and be passed and be signed and become law.

There are some controversial matters in the bill, but let us not lose sight of the fact, Mr. Speaker, that this bill is vitally necessary in so many areas of our national life.

If we set one priority in this bill, it is to provide increased funding for the fight against crime and to empower Federal, State, and local law enforcement with the resources they need to enforce our laws and prevent crime.

Mr. Speaker, thanks to this Congress and the work of this subcommittee and the full Committee on Appropriations, but most importantly the Congress, over the last several years we have fun-

damentally increased the funding for the law enforcement agencies, which I think is having a major impact on crime. We are seeing reductions of crime for the first time in many years in this Nation, a lot of which I think can be attributable to the fact that we have provided the funding in this bill, not just for the Federal agencies, but perhaps more importantly for the local law enforcement agencies by the billions of dollars. Now, over the last couple of years, we have funded the fight against juvenile crime and juvenile delinquency and juvenile crime prevention in this bill.

We provide in the bill that is before us an increase of over a half billion dollars for the Department of Justice crime programs.

We provide \$4.9 billion for State and local law enforcement, \$400 million more than was requested by the White House and \$47 million more than the current spending.

We restore the Local Law Enforcement Block Grant to give local law enforcement agencies monies to spend for their specific needs. We give them maximum flexibility to spend according to their requirements. That figure is \$523 million.

Mr. Speaker, we provide also a juvenile crime block grant to allow States and localities for their needs to prevent juvenile crime, a quarter of a billion dollars. The President proposed to eliminate this in his budget request. We restore it to the bill.

We provide \$283 million also for juvenile crime prevention, most important in this era, a \$44 million increase over current levels. And for the first time, Mr. Speaker, the Congress passed a bill recently authorizing bulletproof vests for our local police. This bill for the first time provides the money to buy and pay for the bulletproof vests that protect the lives of the people that protect us. That is in this bill.

We provide \$104 million in new funding to help States and localities raise their level of preparedness for chemical and biological terrorism. First time funding, first time we have done this so that our local fire departments, rescue squads and local responders now have funds in this bill to train, to educate, to equip themselves to help fight off the awful things that may happen in our cities or localities that we would call terrorism. In this building, we know now what that really means.

We provide more than \$8.4 billion for the war on drugs, including a \$95 million increase for the Drug Enforcement Administration, \$31 million more than they requested. We put \$10 million more into the drug courts in localities which are doing wonderful work throughout the country, and \$10 million for a new program to help small businesses create drug-free workplaces.

We provide a thousand new Border Patrol agents to guard the border, \$216

million more than they have now for controlling illegal immigration. The bill provides a \$47 million Interior enforcement initiative to force the INS to respond to State and local police in every State when they find suspected illegal aliens. Now, the INS simply does not answer the phone when the State police calls and says they have a vanload of illegals, and they are turned loose. We put money in here to respond to that, to give State and local police a way to have the INS assist in the removal of the illegal aliens they watch.

This rule will allow us to move forward. I am very appreciative of the Committee on Rules. They have done a wonderful job.

Mr. Speaker, I urge adoption of the rule to allow us to move ahead with this vitally important bill, vitally important to every Member and every district in the country.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

Mr. Speaker, I rise in support of the rule. I would like to take this opportunity to thank the distinguished gentleman from New York (Mr. SOLOMON), chairman of the Committee on Rules, for his fair consideration of our requests. I also want to thank my good friend, the distinguished gentleman from Massachusetts (Mr. MOAKLEY), the ranking member, for his guidance and advocacy of our interests in the development of the rule.

Mr. Speaker, let me first say that I am pleased that the Committee on Rules recommended an open rule for the consideration of this bill, for the same reasons our chairman just mentioned. It allows for all Members on both sides of the aisle to debate the issues thoroughly.

Mr. Speaker, I am also pleased that this rule makes in order my 2000 Census amendment, the "Let's Count Everybody Amendment," and allows 2 hours of debate on the issue. It is a very complicated matter, and any less time would not have allowed for a meaningful debate.

First, the 2000 Census is just around the corner, and what does this bill do? It cuts off funding for the census preparation in the middle of the year, putting at risk funding for the census preparation for the rest of the year. That is no way to do business. We cannot plan for a professionally run census with that kind of a funding scheme. My amendment fixes that. It guarantees funding for the whole fiscal year.

Second, I must note the seriousness with which the administration takes its duty to make sure that the 2000 Census is as accurate as possible in accounting for everyone in America: the urban and the rural, majorities and minorities, adults and children, especially the children.

During the 1990 failed census, one-half of those people who were never

counted, the missed, the overlooked, the forgotten, were children. The administration is committed to veto this measure unless the Census Bureau is allowed to incorporate the recommendations of the National Academy of Sciences by employing scientific sampling in the conduct of the 2000 Census, so that those who were left out of the 1990 Census will be included in the 2000 Census. Everyone in our country.

If the language contained in the bill is not amended, we will end up with a census that is not credible to anyone. I believe my amendment provides an equitable approach to this issue, and hope that it represents a compromise that at the end of the day, everyone can support.

Our chairman, the distinguished gentleman from Kentucky (Mr. ROGERS) obviously disagrees with the merits of my amendment, but to his credit, he argued for my right to offer the amendment. The gentleman's friendship and bipartisan nature have made working on this subcommittee a pleasure and an honor and we thank him.

The open rule, of course, also allows for consideration of an additional amendment I intend to offer to increase funding for the Legal Services Corporation by \$109 million. For the last 2 years, the subcommittee has recommended funding the Legal Services Corporation at \$141 million. Consequently, the gentleman from Pennsylvania (Mr. FOX) and I have offered an amendment in each of the last 2 years to increase funding to \$250 million. We again find ourselves in a similar situation and I urge my colleagues to vote for that amendment.

Finally, Mr. Speaker, I would like to express my disappointment that this rule makes in order an amendment to be offered by the gentleman from Colorado (Mr. HEFLEY). This amendment would in part prevent funds from being used to enforce an executive order prohibiting employment discrimination based on sexual orientation.

Mr. Speaker, I think the gentleman's amendment is misguided. It plays to fears and prejudices, and I hope the debate on this amendment will not degenerate as it has on similar amendments in the past. In any event, this bill is certainly not the appropriate vehicle for this kind of an amendment.

□ 1700

Additionally, I would like to note that my colleague, the gentleman from Colorado (Mr. HEFLEY), testified before the Committee on Rules on two separate and unrelated amendments, and I regret that the rule makes them in order together.

In conclusion, I think that this is a fair rule, and I urge its support.

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

First of all, to respond to the previous speaker, this is a very fair rule. We appreciate his support. We have made it fair because we want open de-

bate on this in regards to the Hefley amendment. This is not where that debate should take place. That debate should take place in the general debate. We are prepared to debate it, but the key here is openness and open debate by the Members of this body.

The gentleman from Colorado (Mr. HEFLEY) is entitled to that open debate, just the same as I am entitled to that debate, just the same as anyone on that side of the aisle is entitled to that debate, so that is why that is in order.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I rise in support of this rule, and I thank the committee for ruling the Mollohan amendment in order.

I would like to take this opportunity to thank the gentleman from West Virginia (Mr. MOLLOHAN) for his extraordinary leadership in working towards achieving an accurate census for 2000. The Nation needs an accurate census of our population, one that includes everybody. The Census Bureau has a modern, comprehensive plan for 2000 to eliminate the undercounting of the population and produce a more accurate census.

We should not be satisfied with a census which underrepresents millions of people, as the census did in 1990. Only with modern improvements in the census will we be able to achieve this.

We should not be satisfied with a census which underrepresents people. The Mollohan amendment allows the Census Bureau to move forward with the census by striking a provision in the bill that fences off half of the 1999 fiscal year appropriation. Americans in every community benefit from having a more accurate census. Census data helped direct Federal spending for schools, health care. Programs for seniors and children, businesses, industry, local governments and local communities all rely on accurate census data to make decisions. Without an accurate census, local communities will not receive their fair share.

We need to fund the census for the whole fiscal year. We cannot cut off funding in the middle of the year. They will not be able to do their job. We owe it to our country to ensure that we have the most fair and accurate census of all of our people that we can produce.

Let us put politics aside and allow the professionals at the Census Bureau to do their job. Let us fund it properly. Let us move forward. Let us support the Mollohan amendment.

Mr. MCINNIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in support of the rule for the Commerce, Justice, State appropriations bill. I most especially want to thank the gentleman from Kentucky (Mr.

ROGERS) for his leadership in bringing forth a bill that is very beneficial to all of the agencies that are affected by this appropriations bill and a bill that is going to be positive for the country.

One of the aspects of the bill that I am proud of is the funding that the gentleman from Kentucky (Mr. ROGERS) has provided for Radio and TV Marti, especially TV Marti. Because year after year this program comes under attack by those who are grabbing at straws, trying to find anything that they can to excuse their long-standing history of supporting excessive government spending and wasting taxpayer funds, and they come and use this bill in order to hide from these attacks. And year after year their target, unfortunately and unfairly, is TV Marti, which is one part of a two-prong strategy to reach the Cuban people, to inform them about the world outside their island prison, and to educate them about the democratic principles through the implementation of some of democracy's most important liberties, which is freedom of expression and freedom of the press, which are denied to them daily in Cuba.

TV and Radio Marti are reaching the Cuban people. If it were not, the Castro regime would not be obsessed with its demise. If it were not effective, Castro officials would not be roaming the halls of Congress lobbying for an end to these transmissions.

I ask my colleagues to remember the immortal words of a leader like Martin Luther King who said, Let freedom ring. Let the Cuban people then hear and see TV and Radio Marti. Let the echoes of democracy reach the enslaved Cuban people. Let them witness firsthand what it means to be free. Through these transmissions they can see what is going on in our country and in other free countries.

The United States has the tools to accomplish these lofty goals, and one of those tools is Radio and TV Marti. If we are truly committed to bringing all of the countries in our hemisphere into our democratic fold, if we are truly committed to helping the Cuban people free themselves from the enslavement, then we must render our full support for the rule and the bill, Commerce, State, Justice appropriations.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Speaker, I want to commend the gentleman from West Virginia (Mr. MOLLOHAN) for bringing forth this amendment and also the gentleman from Ohio (Mr. SAWYER) for his work on the census and my colleague, the gentlewoman from New York (Mrs. MALONEY).

The fact of the matter is that the Mollohan amendment made in order by the rule will affect the future of everyone living in this country. We can either choose to miss the 8.4 million people residing in the United States, as we did in 1990, or we can make the best effort possible to count them. That is the

choice that will be presented to us after the rule. Five percent of Latinos, 4 percent of African Americans and 2.3 percent of Asian Americans were not counted in the last census, and that is simply not right.

The Census Bureau wants to do the best it can to count every American, but this bill, as it exists, does not allow it. Instead, it ties the Census Bureau's hands and renders them ineffective. When some Americans are not counted, all Americans are diminished.

Undercounts affect the decision-making of 100 Federal programs that dispense over \$100 billion in funds to our communities. Undercounts negatively affect economic empowerment and the decisions that flow from that undercount. Undercounts negatively affect political enfranchisement and political empowerment. Undercounts negatively affect business decisions, where to invest, what markets to pursue. The lasting effects of undercounts to communities, to Hispanic Americans, to African Americans are devastating in the long run.

So let us count every American in the new millennium. We do that by providing the appropriate resources to the census and by adopting the Mollohan amendment. That is why it is important to vote for the Mollohan amendment. We want to ensure that every American gets counted in this next census, the next census of the new century. It will be important to all of our communities.

Mr. MCINNIS. Mr. Speaker, I yield 6 minutes to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Speaker, I rise in support of the rule and the Commerce, Justice and State appropriation bill that the gentleman from Kentucky (Mr. ROGERS) is presenting and we will be debating next week.

I commend the gentleman from Kentucky (Mr. ROGERS) for the handling of the census issue in this bill. The gentleman from Kentucky (Mr. ROGERS) provides over \$100 million more than was provided, requested in the President's budget. Over \$100 million more has been provided because we want to count everyone. It is going to cost money to do this. We are going to spend \$4 billion.

This is not something we should play around with on polling to do that. We are talking about \$4 billion of real money. We are providing \$100 million more this year. And we all agree, Republicans and Democrats, that we want to count everybody. We should not miss anyone. It is hard work to do the census. We are prepared to put the resources in there to do the hard work.

This has to be done in a nonpartisan fashion. This should not be a partisan issue. We agree it should not be a partisan issue. There should not be a Democratic census. There should not be a Republican census. There should not be a Clinton census. There should not be a Newt Gingrich census. This has to be done in a bipartisan fashion.

It is very unfortunate that the President interjected politics on to this and said, it is going to be done my way or no way. That Congress is irrelevant in the issue, the President is, in effect, saying. Actually, the Mollohan amendment says the same thing, because he says, only let the President make that decision, that we in Congress have no input to the decision. It is only \$4 billion. Let the President decide how to spend that money. Let the President decide whether he wants to have a failed census or not.

Hey, the Constitution says it is Congress' responsibility to design how the census is done. And now the gentleman from West Virginia (Mr. MOLLOHAN) says, no, no, no, no, Congress, you are not relevant anymore. We want to decide, and we are going to do it our way.

What the gentleman from Kentucky (Mr. ROGERS) has proposed is that we are going to make a decision next March. The Census Bureau agrees the decision should be made in March of next year. The President's own budget talks about a March 1 date. At hearings, under oath, they said, we can decide by March 1 of next year. So let us make the decision together then.

And the reason that date was chosen is partly because we have that much time. The other reason is, we will have dress rehearsals. We will not know the results of the dress rehearsals until the end of this year or the first of next year. The monitoring board will give their results, and we will have a report from them early next year. Some court cases will be heard, and maybe we will have some results from them by then.

So there is no reason the decision has to be made today, and there is no reason we should give the President total choice of the plan he wants to do. Why? Because the plan he has proposed is moving towards failure. It is based on this polling idea.

I know the President loves polling. He makes all his decisions on polling. But this is serious business. We all agree this is serious business. This is a basic democratic system which is dependent on this census. It is a trust in our system of government. Most elected officials in America are dependent on the census, whether it is a school board member, a city council person, State legislators and, yes, the House of Representatives, are going to be impacted by the census.

If we do not have a census we can trust, and that means a bipartisan census, it has got to be done together, then we are not going to have one that is going to be trusted by the American people. We must work together to get a census that is not based on polling, that says this will work out best for me.

We have to do everything we can to count everybody, everyone. Let us put the resources into counting everyone, and we are committed to doing that, as the gentleman from Kentucky (Mr. ROGERS) put over \$100 million more into the appropriation for the Census Bureau this year alone.

We are moving towards failure. This idea of polling was attempted in the 1990 census. It was a failure in 1990. And now the administration says, we want to totally rely on this failed idea. That is irresponsible, in my opinion.

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

Mr. MILLER of Florida. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Speaker, I know the gentleman is chairman of the House Subcommittee on the Census, in charge of authorization and oversight on the census. Before he came to this body, did the gentleman have any expertise in this field? I know the gentleman does not like to brag. If I may say so, is the gentleman not a professor of statistics?

Mr. MILLER of Florida. Well, I taught at Georgia State University Atlanta, taught statistics for many years. It was the Department of Quantitative Methods up there. I taught at the graduate and undergraduate level, and the MBA. I have taught statistics for years at LSU, University of South Florida, Georgia State University.

I respect statistics. Polling has a relevant role. We all use polling all the time, especially if we do not have the time or money to do something else.

But statistics is a very dangerous thing. My first lecture, whenever I taught statistics, was based on a book, *How to Lie with Statistics*, because you can use statistics to achieve your point. People use it all the time. The way graphs are designed, what base years are used, there is a whole variety of ways.

Mr. ROGERS. Mr. Speaker, if the gentleman will continue to yield, well, if the Constitution says, as it does, that we have to have an actual enumeration for the purposes of reapportionment of this body, not for business decisions, not for finding out how many people have blue eyes on the third Sunday of every month, but for the reapportionment of the House of Representatives, as a doctor of statistics, what is your opinion that the drafters of the Constitution meant when they said, you must have an actual enumeration?

□ 1715

Mr. MILLER of Florida. We need to have actual counts. We should not use polling. And we need to work together to trust the system of government. It is too important to play politics with this issue. The President is playing politics with it. It is very clear. We need to count everybody. We need to put the resources in. There are a lot of good ideas, from paid advertising this time, and working in outreach programs, whether we need to use the WIC program. Why do we not use the WIC program to help count kids? Why do we not use Medicaid records? We can provide the resources to do that. We can come together and get a good census.

Mr. ROGERS. Does the gentleman say we should do away with this vote

board up here and just guess on how the vote is going to go?

Mr. MILLER of Florida. That is right.

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. BLAGOJEVICH).

Mr. BLAGOJEVICH. I thank the gentlewoman for yielding time to me.

Mr. Speaker, I am pleased that the Committee on Rules has brought forth an open rule for consideration of the Commerce, Justice, State appropriations bill and I am happy to say that I plan to support that bill. But as a member of the Subcommittee on Census, I would like to express some of my concerns about the portion of the bill which places restrictions on the funding for the Census Bureau.

Withholding or conditioning funds for the Census Bureau places the 2000 census at risk. An inaccurate census affects everyone. More than \$100 billion annually in Federal aid is allocated using census data. And when it comes to the census, the fact is if you are not counted, you do not count. You do not count when it comes to Federal dollars for road repair and mass transit. You do not count when it comes to helping public schools or for using Federal funds to fight juvenile crime. Everyone has a stake in making sure that the 2000 census is counted in a way that is fair and accurate. Just as we do when we determine unemployment statistics and the gross domestic product, just as we do when we determine labor statistics and statistics regarding our economy, we need to use the most modern statistics and methods possible. Let us put politics aside and let the professionals at the Census Bureau do their job. The Mollohan amendment helps us do this. I hope that my colleagues will join me in supporting the Mollohan amendment to remove these restrictions and fully fund the Census Bureau.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. I thank the gentlewoman for yielding time.

Mr. Speaker, I would like to thank the chairman of the Committee on Rules for making this rule in order and I would like to thank the gentleman from West Virginia (Mr. MOLLOHAN) for his leadership on this issue. Mr. Speaker, I rise to express my support for the rule which makes in order the Mollohan decennial census amendment. The debate on this amendment will say volumes about the People's House's desire to conduct the census in a fair, accurate, cost-effective and scientifically based way. It will also send a message to the low-income people living in socially and economically isolated urban and rural areas, especially people of color, women and their children, children who were undercounted by 50 percent. They want to know where they stand and whether they count. If you support a census that is fair, that is ac-

curate, and that is inclusive, then support the Mollohan census amendment. I urge its passage for the sake of all the American people.

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentlewoman for yielding time.

My father used to tell us that half a loaf is better than none. I would say that that is all right, except we are not talking about bread, we are talking about the census. And we are talking about counting all of the people. I can tell Members when it comes to counting the people, one-half is not enough. Three-fifths is not enough. None is not enough. Somebody is going to be miscounted, disenfranchised and left out. I wonder who those are going to be. It is already clear. They are going to be the poor, those in big urban centers, those in rural America, those who need every dime, every cent, every penny, those communities that are on the verge of collapse, who need all of their entitlement moneys, all of their entitlement programs, but even need representation more than they do anything else. We can cure this defect and we can cure it with the Mollohan amendment. We can cure it because we want to say to every American citizen that your dream of citizenship rights does not need to be deferred.

I know what it means to be uncounted, three-fifths of a person. Women know what it means not to count, not to be able to vote, not to be looked at on the landscape. I would urge that we vote for the Mollohan amendment and count all of the American people so that they will know that they do indeed count.

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, this is a very important subject we are talking about. To set aside sampling and the science is to guess at what the population is.

Let me repeat. In Paterson, New Jersey, in 1995, with two other communities throughout the United States, \$30 million was spent by this Congress, the gentlemen here, the ladies here, to absolutely do sampling and test other methodologies. Are you going to have us conclude, after the science has been supported by the National Academy of Sciences, that what the results were in those three tests are to be put aside so we can really go to the methodology that has been chosen by the other side, to guess?

You cannot count every nose in a census. You know it and everybody else on this side of the aisle knows it. We need to come together on this issue. It is critical. There are too many people out there who do not respond to the census questionnaire as it is. What you

are going to do is establish even more questions and more anxiety. Do you want to have wasted \$30 million? That is not including what we are spending right now to go through dress rehearsals. This is wrong. We need to accept the science, we need to understand that it was acceptable in 1995 where we prepared for the sampling, where we prepared for the testing and methodology. It was not done helter-skelter. Stop the guessing and support sampling.

Mr. MCINNIS. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Speaker, the test in Paterson, New Jersey is a good illustration of why polling does not work. We have got real problems with polling, especially when you get down to census block level. When you get down to census blocks and census tracks, the error rates are too great. We need to count everyone and we need to put the resources into it. It is hard work to count people. You do not count homeless people from 9 to 5 Monday through Friday. You may have to count them at 2 o'clock in the morning on a weekend. You work through homeless shelters. We are willing to put the resources in so everyone should be counted. Everyone should be counted. We should do it in the best way possible, working together. There are a lot of good ideas that have come out of past census tests and we can do that. But sampling or polling is the dangerous one and it will not be trusted by the American people.

Ms. SLAUGHTER. Mr. Speaker, I yield 30 seconds to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, the National Academy of Sciences just turned over. To compare sampling with guessing or to compare sampling with any other methodology, they each are very different. It does not mean polling. Polling is a very different kind of situation. Sampling is science. Polling is not. You show me the definition where they both mean the same thing. What you have done is confused those definitions, on purpose, so that we in arguing sampling are going to fall into your trap about guessing and polling. They are very different.

Mr. MCINNIS. Mr. Speaker, I yield 30 seconds to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Speaker, polling is based on sampling. We use polling all the time as based on sampling. President Clinton was down in Houston here a couple of months ago saying how great polling is for the purposes of the census. He is the one that used the comparison in Houston, Texas and some of your colleagues were right there in Houston when President Clinton specifically used the analogy of polling. Polling is based on sampling. Sampling is very appropriate where you do not have the time and money to go out and do an actual count. This is a \$4 billion thing. This should not be the largest statistical experiment in

history. That is what we are talking about, the largest statistical experiment in history. This is not an experiment we should test.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Mrs. MEEK).

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Speaker, in one short minute I just want to say to my colleagues, let us not fool ourselves. You cannot count everyone.

Now, you say, "Well, the Constitution says enumeration." The Constitution did not define enumeration. It did not say that you could not use a sampling technique. It is going to be difficult and almost impossible for you to count everyone. Show me how you are going to not have the undercount you had in the last two censuses. You overlooked a great proportion of the African-American community and the Hispanic community. Do you want to do that again? Do you want to send that message to this country that we want an undercount? If you look at this chart, you will see that the census had a big undercount in African-Americans. We do not want that again. We want a good count. Let us be real. You cannot do it by counting every head. That is just impossible. Last of all, you cannot count every head. And because you cannot count every head, let us use some scientific methodology that has been proven and approved by the scientific world so there will not be any more of this guessing. Let us have an accurate census. We are tired of inaccurate censuses.

Mr. Speaker, I include the following table for the RECORD:

MORE BLACKS THAN NON-BLACKS MISSED IN THE CENSUS (Percent missed)		
	Blacks	Non-Blacks
Census:		
1940	8.4	5.0
1950	7.5	3.8
1960	6.6	2.7
1970	6.5	2.2
1980	4.5	0.8
1990	5.7	1.3

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I rise today in strong support of the Mollohan amendment which provides full funding for the 2000 census, including the use of statistical sampling. Fundamental to our democracy is the notion that everyone counts. In 1990 the census missed millions of people. The Bureau believes it missed 1.8 million Americans. Most of those who were not counted were low-income people living in cities, in rural communities, African-Americans, Latinos, Asian Americans, immigrants and children. Almost 50 percent of the individuals not counted in the 1990 census were children. Are they not a part of this country? Funding for many of our school programs

depends on an accurate count of our children. The goal of the Census Bureau is to achieve the most accurate count possible using the most up-to-date scientific methods and the best technology available. We are not talking about polling as you do in political campaigns. The use of statistical sampling will ensure that people who have historically been left out are counted and are included. Our responsibility is to ensure that every American counts. If you are not counted, you are irrelevant. No one in this country should be rendered irrelevant.

I urge passage of the Mollohan amendment.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume. Addressing the previous speaker, I am a little surprised by her comments. She says fundamental to our democracy, and I am quoting, everyone counts.

That is exactly why we are going out and counting everybody. That is exactly the benefit. I take it from her comments that she supports our position. So I welcome that. I also would hope that she supports the rule.

In fact, during this debate today, Mr. Speaker, I have not heard anyone say they are going to vote against the rule. That is what we are debating right here. We are going to have, and in fact the Committee on Rules was generous to allocate two full hours to this debate, so I think it is about time that we move rapidly to a vote on the rule. Let us get into the debate.

□ 1730

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. SAWYER).

Mr. SAWYER. Mr. Speaker, we have heard a good deal of reference to polling. The fact is that the plan for this 2000 census is very different from a poll.

It starts with an effort to contact personally and count virtually every single person in every single household in the country. Sampling is then used to further improve the results, but with a far larger sample than is ever used in political polls.

Sampling would be used to supplement that basic count in two ways. One is in following up on households that do not respond; and, second, sampling would be used to help check on those who might still have been missed even with these new procedures.

A very large, scientifically-selected sample of blocks would be drawn, 125,000 of them across the country, with approximately 750,000 households. If a poll were taken this way, with a major effort to contact everyone in the district, followed by a very large sample to account for those who did not respond, followed by another large sample of the whole district to further account for nonrespondents and errors, the results would be extremely accurate indeed, vastly more accurate than the failed techniques employed in the 1990 census.

Mr. MCINNIS. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of California. Mr. Speaker, let me correct what is being proposed this year by this polling plan of the President.

He is intentionally not going to count 10 percent of the people initially. He is not going to go out and count everyone.

In 1990, they tried to count everyone. They got 98.4 percent of the people. And, yes, we are not going to count everyone, we are going to miss a few people, but we need to do everything that we can to reach that 100 percent level.

But this time around they are only going to count 90 percent of the people intentionally. They are intentionally going to not count 10 percent of the people. Then they are going to do this second sample. That is correct. They are going to count 90 percent of the people.

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

Mr. MILLER of California. I yield to the gentleman from Ohio.

Mr. SAWYER. Mr. Speaker, I appreciate the gentleman's courtesy. Every effort will be made to reach 100 percent of the people more times than ever done in the past.

Mr. MILLER of California. No, that is not true. Reclaiming my time, that is absolutely not true. They are intentionally, intentionally going to not count 10 percent of the people and then use this ICM, this sample, to try to impute what the numbers are. That is where the problem of sampling is. They are going to have 60,000 separate samples to get to that 90 percent number. It is extremely complex. GAO, Inspector General are both saying it is a high-risk plan.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in strong support of the Mollohan amendment because it restores full funding for a fair and an accurate Year 2000 census.

The goal is to count 100 percent of the people. That is what we are talking about here on our side of the aisle, and let me just tell my colleagues what census data does:

It determines the distributions of 170 billion Federal dollars every single year. The dollars go to basic programs: Social Security, Medicare, better roads, child care for low-income families and middle-income families, school lunches. An accurate census will ensure sufficient funds to protect the well-being of American families, to protect child care, healthy meals for kids and security for our seniors in their golden years.

This should not be a political issue, but my Republican colleagues do not seem to get the message. Instead, they declare war against accuracy.

These tactics are not surprising. They have played politics with cam-

paign finance, with tobacco, with health care and now with the census.

Stop the political games. Put families in this country first. Vote for a fair and accurate census with a hundred percent of the people counted in this country.

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

Mr. Speaker, it is interesting to hear the preceding speaker make the statement we are declaring war against accuracy by saying that we want to count everyone. It kind of does not make much sense, and the statement, I think, would probably would be appropriate if it were clarified.

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

Mr. MCINNIS. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Speaker, on the last gentlewoman's statement:

They can sample all they want on all of the decisions that they just talked about, such as for Social Security, funding for States and localities—sample all they want. All we are talking about here is not sampling for purposes of the reapportionment of the House of Representatives. We are only talking about prohibiting sampling on the apportionment of who represents whom in this body. We are not limiting sampling on all of the other aspects of the census. Only on the decennial census for the purposes of the apportionment of the House of Representatives do we require actual enumeration.

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

Ms. SLAUGHTER. Mr. Speaker, I yield the balance of my time to the gentleman from West Virginia (Mr. MOLLOHAN).

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from West Virginia is recognized for 2 minutes.

Mr. MOLLOHAN. Mr. Speaker, I thank the gentlewoman for yielding this time to me.

Mr. Speaker, I would like to engage the gentleman from Florida if I might. I am very impressed with his credentials, and I appreciate his position in this argument and his learned debate. It does puzzle me, though, how the gentleman, and he is a member of the American Statistical Association?

Mr. MILLER of Florida. Mr. Speaker, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentleman from Florida.

Mr. MILLER of Florida. Mr. Speaker, I taught statistics in the School of Business at Georgia State University on quantitative methods, MBA program.

Mr. MOLLOHAN. I am sorry. I misunderstood that.

It puzzles me how he can develop a position with his learned background that is so at odds with not only the National Academy of Sciences, which has had three panels look at this issue and in a very scientific way with lots of, I think the gentleman would concede, learned people, had a lot of learned

people look at this and conclude after the 1990 failed census, when the Congress asked the National Academy of Sciences to look at it and come up with a better technique and they recommended scientific sampling, how the gentleman's position can line up against the National Academy of Sciences' three panels and about six or seven scientific statistic organizations on the issue, all of whom recommended using this new science in trying to count everyone in this country.

Mr. MILLER of Florida. If the gentleman would yield further, I respond there is real division within the academic community, and we have had academics, prominent academics, before our committee, and we are going to have another hearing in September.

Mr. MOLLOHAN. Reclaiming my time on that point, indeed I am sure we can get individual academicians and statisticians to come up with any view. The thing that impresses me so much is that these associations have come up with a consensus position supporting sampling.

I yield to the gentleman from Florida.

Mr. MILLER of Florida. The Academy of Sciences is a respected organization, but not beyond politics, and sadly I think they have been used.

The SPEAKER pro tempore. All time of the gentlewoman from New York (Ms. SLAUGHTER) has expired.

Mr. MCINNIS. Mr. Speaker, it is my understanding that I have about 4½ minutes remaining.

The SPEAKER pro tempore. The gentleman is correct.

Mr. MCINNIS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Speaker, the Academy of Sciences is generally a respected organization, but it has been politically used. It was a hand-picked panel. For example, the chairman of the panel was a very partisan Democrat, Mr. Schultz, who, as my colleagues know, was head of the Council of Economic Advisors under Jimmy Carter and Lyndon Johnson.

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

Mr. MILLER of Florida. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Which organization is that?

Mr. MILLER of Florida. The Academy of Sciences study. It was a very partisan Democrat that led the study. There is a division within the academic community, and if I was a statistician looking at this, I would say, wow, the largest statistical experiment in history? Statisticians love to have experiments; statisticians love to play around with numbers. This is their opportunity, this is a golden opportunity for them to run some tests. That is what they are in favor of.

But let us run a test, and let us conduct a count of everyone to start with. At least use the model of 1990 as a minimum where we try, as the gentleman

from Ohio (Mr. SAWYER) was saying, count everyone and then do a study on a statistical sample for test purposes or an ICM of some type.

So there are ways to do that, but we have to start basically with counting everyone first, and I yield.

Mr. MOLLOHAN. The gentleman, Mr. Speaker, is suggesting that the one panel was compromised in some political way. Is he suggesting that the other two at the National Academy of Sciences was politically compromised? And what about all these other organizations?

Mr. MILLER of Florida. Reclaiming my time, they were a hand-picked panel. We can create a panel of prestigious academics, will come up with a different study.

Mr. MOLLOHAN. It is quite a conspiracy.

Mr. MILLER of Florida. I have the time, if I might say, so the thing is we need to trust the system. It has to be done where we work together, Republican and Democrats, and we should not delegate it. It is something we do not delegate to some hand-picked group of academics over at the Academy of Sciences. It is our responsibility, not their responsibility.

It is our responsibility to do that. We need the input and advice of all the sources, but it is not going to be trusted if we turn it over to a group of academics who want to have this great statistical experiment, and I think I am excited for them to have this great statistical experiment, but let us just count everyone.

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

It is obvious from the discussion we are going to have a lively evening, and we have got some real substance here as we have two very well-educated gentlemen going back and forth.

I think, in regards to the census part of this rule, I think it was best summarized by the gentlewoman from California (Ms. LEE), and that is, as my colleagues know, it is fundamental, and I quote her again because I think it was an excellent quote, fundamental to our democracy that everyone counts.

That is exactly the point that the gentleman from Florida is making, and that is this is not the time for a census experiment. This is not the time to put experimental aircraft in the side of this count. This aircraft has to fly and has to fly for a long time. Let us do it, and let us do it right. Sure, it is going to cost a little more money, sure we have got to count everybody, but that is what the Constitution demands.

That issue aside, the issue of the gentleman from Colorado (Mr. HEFLEY):

His amendment is certainly to bring up some lively debate that it is in order that that debate be allowed on this floor.

And finally, in conclusion, Mr. Speaker, it is important to note that throughout the number of speakers that we have had today in regards to this rule I have not heard anyone that

objects to the rule. The gentleman from Texas (Mr. FROST), my good friend from the Committee on Rules, said, I think, and I quote that he reluctantly supported it. We have got the support for the rule. It is time to move the rule. It is time to get on with the general debate.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3736, WORKFORCE IMPROVEMENT AND PROTECTION ACT OF 1998

Mr. MCINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 105-660) on the resolution (H. Res. 513) providing for consideration of the bill (H.R. 3736) to amend the Immigration and Nationality Act to make changes relating to H-1B non-immigrants, which was referred to the House Calendar and ordered to be printed.

BIPARTISAN CAMPAIGN INTEGRITY ACT OF 1997

The SPEAKER pro tempore (Mr. MCINNIS). Pursuant to House Resolution 442 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2183.

□ 1744

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, with Mr. SHIMKUS (Chairman pro tempore) in the chair.

□ 1745

The Clerk read the title of the bill.

The CHAIRMAN pro tempore (Mr. SHIMKUS). When the Committee of the Whole House rose on Monday, July 20, 1998, the request for a recorded vote on the amendment by the gentlewoman from Washington (Mrs. LINDA SMITH) to the amendment in the nature of a substitute No. 13 by the gentleman from Connecticut (Mr. SHAYS) had been postponed.

AMENDMENT OFFERED BY MR. SALMON TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. SALMON. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment to the amendment in the nature of a substitute.

The text of the amendment is as follows:

Amendment offered by Mr. SALMON to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end the following new title:

TITLE _____—POSTING NAMES OF CERTAIN AIR FORCE ONE PASSENGERS ON INTERNET

SEC. 01. REQUIREMENT THAT NAMES OF PASSENGERS ON AIR FORCE ONE AND AIR FORCE TWO BE MADE AVAILABLE THROUGH THE INTERNET.

(a) IN GENERAL.—The President shall make available through the Internet the name of any non-Government person who is a passenger on an aircraft designated as Air Force One or Air Force Two not later than 30 days after the date that the person is a passenger on such aircraft.

(b) EXCEPTION.—Subsection (a) shall not apply in a case in which the President determines that compliance with such subsection would be contrary to the national security interests of the United States. In any such case, not later than 30 days after the date that the person whose name will not be made available through the Internet was a passenger on the aircraft, the President shall submit to the chairman and ranking member of the Permanent Select Committee on Intelligence of the House of Representatives and of the Select Committee on Intelligence of the Senate—

(1) the name of the person; and

(2) the justification for not making such name available through the Internet.

(c) DEFINITION OF PERSON.—As used in this Act, the term "non-Government person" means a person who is not an officer or employee of the United States, a member of the Armed Forces, or a Member of Congress.

The CHAIRMAN pro tempore. Pursuant to the previous order of the House, the gentleman from Arizona (Mr. SALMON) and a Member opposed each will control 5 minutes.

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore. The gentleman from Connecticut may state his parliamentary inquiry.

Mr. SHAYS. Mr. Chairman, I just need to know what list we are following in terms of order. I am not suggesting that the gentleman is out of order. I just do not know.

I thought we were going from the Smith amendment to the Rohrabacher amendment, which is the amendment which eliminates the individual contribution limits. I thought that was the next amendment in order. Is there an order that we are following?

The CHAIRMAN pro tempore. The Chair believes The Committee is following the order under the previous order of the House.

Mr. SHAYS. Right. Do we have that order available so that we could see what that order is?

The CHAIRMAN pro tempore. The order on July 17 was accompanied by a list of amendments in a prescribed order.

Mr. SHAYS. Mr. Chairman, I believe it has the gentleman from California (Mr. ROHRBACHER), which is unanimous consent No. 16 to be followed by the gentleman from Texas (Mr. PAUL), which is unanimous consent No. 17,