

a fairness issue. It will impact upon the people we are concerned about the most.

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

Mr. TRAFICANT. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, I thank the gentleman for yielding to me.

As someone who opposed NAFTA and Bosnia, opposed money for Bosnia, I appreciate the gentleman's comments. I do wish the RECORD to show that it is tough to be eliminating 7,000 jobs, since the money has not been spent yet. It may keep us, in the gentleman's opinion, from creating those jobs.

Secondly, this is not a cut, it is a reduction of the increase.

Mr. TRAFICANT. Reclaiming my time, Mr. Chairman, I did vote against NAFTA, I did vote against GATT. I say to the gentleman, I am going to stone cold vote no against the gentleman's amendment.

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

Mr. TRAFICANT. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I would note that it is a bit of technicality to suggest it is not a cut because it already has not passed. This legislation is about become law, and if the gentleman's amendment were passed, it would be a significant cut in the 1999 appropriation.

Mr. TRAFICANT. Reclaiming my time, Mr. Chairman, there are a lot of bills with a lot of discussion on this floor. There are 13 bills to become law. This is one of them. If this amendment passes, it will ultimately cut 14,000 jobs, pursuant to the hearings we held.

The CHAIRMAN. The Committee will now rise informally to receive a message.

The SPEAKER pro tempore (Mr. PETERSON of Pennsylvania) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4103. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 4103) "An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. MCCONNELL, Mr. SHELBY, Mr. GREGG, Mr. HUTCHISON, Mr. INOUE, Mr. HOLLINGS, Mr. BYRD, Mr. LEAHY, Mr. BUMPERS, Mr. LAUTENBERG, Mr. HARKIN, and Mr.

DORGAN to be the conferees on the part of the Senate.

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, AND JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

The Committee resumed its sitting.

The CHAIRMAN. For what purpose does the gentleman from Oklahoma rise?

Mr. COBURN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, Will Rogers said that government programs have three things in common: a beginning, middle, and no end. That is true of the EDA.

I will include for the RECORD a letter from Mr. Orson Swindle, who was Assistant Secretary of Commerce for Economic Development under President Reagan from 1985 to 1989. I will enter this entire document in the RECORD, but I will quote from it, that the findings of many people would be as follows:

EDA's development functions duplicate the activities of programs within the Departments of Agriculture, Defense, Housing and Urban Development, and Interior, as well as the Appalachian Regional Commission, Small Business Administration, Federal Emergency Agency, and Tennessee Valley Authority. On these grounds alone, the program ought to be eliminated.

We are not proposing to eliminate the program. As a matter of fact, we are proposing to limit the increase to that which is adjusted for inflation. We also are very much opposed to a 19 percent increase in administrative overhead for this program, where in fact this agency has not proved its need for that.

Let us be clear what this amendment is about. It is not about cutting EDA, it is about increasing EDA, just not increasing it as much. It is about limiting the increase in the overhead for the administration of EDA. Why would we want to do that? Because we know that our discussions on appropriations bills are about priorities. We know where the savings are.

The other thing we might also know is that as far as EDA's charge, we seem to have been in this past year in one of the greatest times of our productivity, success, industrial growth rate, increase in standard of living that this country has seen. Yet, in 90 percent of our communities, EDA is active because there is supposedly a problem with lack of jobs in all of those communities.

I do not deny that there are significant areas in our country that have a need for EDA grant money, but not 90 percent of the country.

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

Mr. COBURN. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I would suggest, first of all, that Mr.

Swindle, who is a very fine gentleman, had these very strong views about EDA before he came to, I believe, head the agency, did he not?

Mr. COBURN. I am sorry?

Mr. MOLLOHAN. I was suggesting that Orson Swindle, to whom the gentleman alluded, I believe he headed EDA at one point in time.

Mr. COBURN. I do not know that he actually headed it. He was Assistant Secretary of Commerce.

Mr. MOLLOHAN. Mr. Chairman, I would suggest that he had these strong views about EDA before he came to the job. I just remember that.

The gentleman mentioned the Tennessee Valley Authority and the Department of Agriculture as agencies one could go to who had duplicate programs with EDA. I would ask the gentleman, what were the other agencies?

Mr. COBURN. The other agencies that had duplicative functions?

Mr. MOLLOHAN. That duplicated the authorization.

Mr. COBURN. The Appalachian Regional Commission, the Small Business Administration, the Federal Emergency Agency, the Tennessee Valley Authority, the Departments of Defense, Housing and Urban Development, Interior, and the Department of Agriculture all have programs that are duplicated by EDA in one form or another.

Mr. MOLLOHAN. Mr. Chairman, I would not hold myself out as an expert on EDA, but we do an awful lot of EDA projects in our district, unfortunately because we qualify under the criteria. Just standing here right now, I cannot think of one EDA project we have going where we could have gone to the Tennessee Valley Authority.

Mr. COBURN. Reclaiming my time, I think the defining words are that there would be a consensus that there are many programs duplicated by the EDA. That may not be the case in the gentleman's particular district.

Let us talk about drug courts, reclaiming my time. Drug courts offer us tremendous savings, and there are some real data that needs to be shared with our body. They open up prison space for violent offenders. Most State and local jails as well as Federal jails are operating above capacity. This is largely due to the high number of incarcerated drug offenders, many of whom are nonviolent.

Drug courts provide a structured alternative to prison for those non-violent offenders. Not only does this program save money, it helps to ensure that adequate prison space is available to house the most violent offenders in our society.

I want to give the gentleman some savings from drug courts from some of the areas across the country. Denver, Colorado, saves between \$1.8 and \$2.5 million per year because of drug courts; Phoenix, Arizona, reported this last year a saving of \$112,000.

The CHAIRMAN. The time of the gentleman from Oklahoma (Mr. COBURN) has expired.

(By unanimous consent, Mr. COBURN was allowed to proceed for 1 additional minute.)

Mr. COBURN. Mr. Chairman, Washington, D.C. saves between \$4,000 and \$9,000 per participant; Bartow, Florida, saves \$531,000; Gainesville, \$200,000; Kalamazoo, Michigan, \$300,000; Klamath Falls, Oregon, \$86,000; Beaumont, Texas, saves half a million dollars annually because of drug courts.

This is not about cutting the EDA. It is about limiting its growth and prioritizing our resources into something that makes a difference in the lives of people.

Mr. Chairman, I include for the RECORD the letter from Mr. Swindle.

The letter referred to is as follows:

August 3, 1998.

Representative TOM COLBURN,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE COBURN: As President Reagan's Assistant Secretary of Commerce for Economic Development from 1985-1989, I strongly support your amendment to the FY 1999 Commerce, Justice, State Appropriations Bill that will cut \$25 million from the Economic Development Administration (EDA).

EDA is one of those examples of a dedicated group of federal employees being trapped in a bad system and being manipulated by political decision-making, which too often has ignored the legal basis and criteria for the agency's existence and operation. A small example...

As you know, EDA was created in 1965 as part of President Johnson's Great Society. Its original aim was to assist in the economic development of depressed areas and encourage job creation (in theory) through government loans and grants. Of course, the funds given to one region has to be taken from another. A program was established to fund small regions of the country (in cities or groups counties) as "economic development districts." These areas, by definition being under severe economic distress (high unemployment, underemployment, job losses, low average income, etc.) would receive funding to assist in hiring staff to work on economic development planning with local communities. One aspect of the staffing assistance was that frequently the staff became an advocate for more federal funding, not an uncommon phenomena within EDA programs where federal funds directly or indirectly go toward lobbying for more federal funds.

I believe it was Will Rogers who once commented that all government programs have three things in common: a beginning, a middle and no end. For years now, EDA has apparently considered the vast majority of the continental United States (maybe as high as 90%) to be under severe economic distress—even today in what is widely proclaimed as the period of our greatest prosperity. Funded "economic development districts" continue to cover the map!

I can speak from personal knowledge on the belief that EDA has strayed from its original mission and has been for some time simply a cookie jar for pork barrel projects, many of which have become infamous.

Last year, The Heritage Foundation authorized a compelling book entitled "Ending the Era of Big Government." They argued that:

"EDA's development functions duplicate the activities of programs within the Departments of Agriculture, Defense, Housing and Urban Development, and Interior, as well as

the Appalachian Regional Commission, Small Business Administration, Federal Emergency Agency, and Tennessee Valley Authority. On these grounds alone, the program should be eliminated."

I couldn't have said it better myself. Some of these agencies definitely could be eliminated. For all of the reasons put forth above, I endorse your amendment to cut EDA's funding by \$25 million at a minimum. I urge every Member of the House to support your effort.

Sincerely,

ORSON SWINDLE,
Former Assistant Secretary of
Commerce for Economic Development.

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this particular amendment should be defeated adamantly. First of all, they have mixed up the nomenclature, the language that we understand here in the House. They have said that "this amendment does not cut EDA, it is a reduction of an increase." I think they are playing on our intelligence with this kind of description of what they are saying.

There is an old adage or dictum that says if it walks like a duck, quacks like a duck, then it is a duck. So what they are doing by reducing the increase, the logical result of that is a decrease in EDA.

The gentleman from Kentucky (Mr. ROGERS) and the committee, including the gentleman from West Virginia (Mr. MOLLOHAN), have come up with a logical allocation for EDA; not as much as we think the need is, but as much as they could logically place there. I am strongly opposed to this amendment, because what they have done is asked for a reduction which would cut \$25 million from EDA.

This is EDA's job development or job creation program. If the gentleman can tell us, look, we are going to reduce their job creation capacity, but we are going to replace their job creation capacity with some other initiative, they have not done that, which leads me to conclude that they are not interested in job creation and people getting jobs so they can improve their quality of life in this country.

I support their efforts to fund the drug court. I think drug courts are good, but the committee has increased them by \$4 million in the current budget.

Why should we provide more than a 2 percent increase in EDA? People need to understand that EDA does need an increase. Number one, it creates jobs mostly in economically underdeveloped cities, cities and communities in this country. There is no other agency that does that overall, other than EDA. We cannot replace their capacity by putting their funding, or reducing them, putting it into drug courts.

This amendment would cost our distressed communities more than 7,000 jobs. My challenge to the supporters of this amendment is to show us how they can replace them. We cannot afford to lose these jobs.

I want the Congress to do just as they have done every year. Each year

we come back and stand here and oppose this amendment. Sooner or later, the supporters of this amendment will find out they are shooting up the wrong tree, because we cannot see our cities devastated or our communities distressed because there are no jobs.

I am asking, please, that we support the committee, and strongly oppose the Souder amendment.

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

Mrs. MEEK of Florida. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, I wanted to say for the record that I have supported efforts in the Small Business Administration to provide help for low-income economic development, I have supported the High Hope Scholarship as we move to higher ed, to make sure there are opportunities for those who are lower-income to get the education they need, to move dollars needed through our committees.

I have supported the Community Services block grant, and Head Start. I have supported numerous programs targeted, including an amendment that I sponsored on individual development accounts for capital formation in low-income families.

Mrs. MEEK of Florida. Mr. Chairman, if I may take back my time, I want to give the gentleman sort of a short answer. SBA does well when one can get a loan from them, but these are not loans, these are grants. There is a difference, when it comes to rebuilding distressed communities.

I applaud the efforts the gentleman has made in the past and what the gentleman has supported, but I do not applaud this amendment, because what the gentleman is doing is cutting an agency that provides jobs. That is the difference.

Mr. SOUDER. If the gentlewoman will continue to yield, a GAO study concluded that there was no survey that in fact showed that, on net, EDA created additional jobs.

One last point is, would the gentlewoman agree that even under my amendment, EDA would increase 2 percent? In other words, does the gentlewoman agree that even if my amendment passes, EDA will still increase 2 percent?

Mrs. MEEK of Florida. Even if it passes? I do not know, but I will yield to the ranking member to answer the gentleman's question. I do not have the answer to that.

I am opposed to the gentleman's amendment merely because I know, common sense tells me, if we reduce the increase, then we are cutting the gain.

Mr. LEWIS of Kentucky. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. LEWIS of Kentucky. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, there are numerous speakers on both sides. I

think all of us have heard most of the arguments.

I ask unanimous consent that we limit debate, further debate, to 10 minutes, to be divided evenly between the sides.

□ 1800

The CHAIRMAN pro tempore (Mr. LATOURETTE). Ten minutes between an opponent and proponent of the amendment.

Is there objection to the request of the gentleman from Kentucky?

Mr. OBEY. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. LEWIS of Kentucky. Mr. Chairman, I move to strike the requisite number of words.

As a member of the Speaker's anti-drug task force, I count myself among the many Members of this body who have committed themselves to this Nation's war against the scourge of illegal drug use, particularly its spread among our youth. Over the past year, I am proud to say that all 22 counties in the Second District of Kentucky have established community coalitions that have accepted the challenge to take on the daunting problem of fighting illegal drugs.

Let me suggest that attempts to reduce the financial resources available to the Economic Development Administration is counterproductive to the interests of these very same communities, particularly those areas that are dealing with the adverse effects of lost jobs in our textile industries and other parts of Kentucky that have not benefited from our country's successive years of prosperity. One of the most cost-effective tools we can employ today to encourage job growth and improved opportunities in our towns and communities which have been left behind.

To quote one official who oversees one of my district's area development organizations, the EDA has been the backbone for our urban and rural areas for the last 30 years, creating new jobs, public facilities and disaster prevention assistance. Communities that have struggled to attract new industries or sought badly needed wastewater treatment systems have been able to rely on the EDA assistance when these projects often seem impossible.

Mr. Chairman, I cannot overemphasize the positive impact that EDA has had on the Commonwealth of Kentucky and the Second District that I represent. This organization has brought relief to many communities suffering from severe economic dislocation, the remnants of flood disaster and an absence of adequate public facilities and services. We have made great strides in shaping a highly respected agency that continues to provide critical funds to the most distressed regions of this country.

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

Mr. LEWIS of Kentucky. I yield to the gentleman from Mississippi.

Mr. WICKER. Mr. Chairman, let me just say that I agree with everything that the gentleman from Kentucky (Mr. LEWIS) has said. I serve on the drug task force with the gentleman from Indiana (Mr. SOUDER) and the gentleman from Kentucky (Mr. LEWIS). It is a very important undertaking, and we have done well by the drug courts in our appropriations.

I think this is an amendment not about drug courts but about taking \$25 million away from the Economic Development Administration.

It has been said the economy is doing well. That we do not need to plus up EDA. Let me say in response to that two things. The economy is doing well because this Congress has shown that we can balance the budget and we are funding an additional \$25 million for EDA within the framework of a balanced budget. I am proud of that. But there are also some communities in this Nation, there are some communities in every congressional district that are not doing so well. That is the beauty of the Economic Development Administration.

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

Mr. LEWIS of Kentucky. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, my question would be, that may very well be true. Why are we increasing overhead 19 percent? The point is, we are disproportionately increasing overhead. Let us agree to trim the overhead down and give the money to the communities rather than consume it in Washington.

Mr. WICKER. Mr. Chairman, if the gentleman will continue to yield, it is my understanding that this appropriation is in connection with an authorization bill that is going forward. There is always room for saving money on overhead. But let me say what this money goes to.

It is one of the tools, I can say this, it is one of the tools that is used efficiently in my State, along with all of the other job creating programs that we have talked about, to create jobs in the private sector, and that is what we ought to be doing. That is a good use of Federal funds. I support the EDA. I think that is what this amendment is about. I urge defeat of the amendment.

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

Mr. LEWIS of Kentucky. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, this is a point, I believe the gentleman from Indiana raised a question of the EDA grant program resulting in job creation. Did I misunderstand the point when he was asking the gentlewoman from Florida about that issue? Was his point that it does not create jobs?

Mr. SOUDER. Mr. Chairman, if the gentleman will continue to yield, I said that the GAO said they found no specific study showing net in job creation.

Mr. MOLLOHAN. Mr. Chairman, I invite the gentleman to come to my dis-

trict. I refer him to a 1997 study of the public grant program conducted by Rutgers University and the New Jersey Institute of Technology that yielded the following results: for every million dollars of Federal funding from EDA's public grant program, 327 jobs are created, \$10 million in the private sector is leveraged, increasing the tax base by \$10 million. So I would refer the gentleman to that study.

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

Mr. LEWIS of Kentucky. I yield to the gentleman from West Virginia.

Mr. WISE. Mr. Chairman, I want to say that apparently the gentleman may not be aware, that raised the question, that the EDA has cut its overhead at least 25 percent, I believe as much as one-third of the number of jobs in the central office over the past few years.

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have been associated with the EDA program for almost 33 years. I still have, am proud of having it, one of the pens that President Lyndon Johnson used to sign that bill into law in August 1965.

EDA was created then for the purpose of responding to those communities, those regions in the Nation that did not share in the Nation's general prosperity, to pinpoint and target assistance to those communities locally or those regions that did not share in the Nation's prosperity.

President John F. Kennedy was fond of saying, the national economic policies will float all boats, they will all rise. But not all boats rose with our prosperity then, and nor have all communities shared in the Nation's general economic growth and prosperity over the last 3 or 4 years.

The objective of the EDA program is to give local communities, regions, groups of counties or areas like Appalachia, where we have a separate program but which dovetails with EDA, the tools they need, the financial assistance they need to create jobs and economic opportunity and outlook and hope. Hope in Appalachia, in the 1930s, the 1940s and the 1950s, was a bus ticket north to Detroit or Cleveland, Chicago or the Twin Cities of Minnesota. But with EDA and with the Appalachian Regional Commission, hope now means an opportunity to create jobs where you live, where your family ties are, where your social connections are, where you want to live.

That has given us an opportunity for job growth where it counts most, like areas in the Rust Belt of Ohio, Pennsylvania, the Mon Valley, or, as the gentleman from Kentucky (Mr. ROGERS) said, areas that have been stricken by base closures of the military where you have a sudden economic collapse or areas like northeastern Minnesota, dependent on natural resources, iron ore mining, timber harvesting. The national economy may do well, but our region goes down through

the bottom when there is some little blip in Pittsburgh or Cleveland or the South Works of U.S. Steel in Chicago, and our economy just drops through the bottom. That is when you need this kind of targeted economic assistance.

In hearings that I held, when I chaired the Subcommittee on Economic Development with my dear, wonderful friend, former member, Bill Clinger, and we held extensive hearings on the performance of EDA, in the 15 years, the first 15 years of that program there were 4.5 billion invested in projects across this country. They created a million and a half jobs. That million and a half jobs paid every year \$6.5 billion in Federal, State and local taxes. Every year the Federal, State and local governments are getting more money back from EDA than we invested in 15 years. Jobs, hope, economic opportunity.

The 90 percent eligibility red herring happened because Congress imposed a moratorium on EDA from designating areas. The legislation our committee on a bipartisan basis has reported out, and we hope to bring it to the floor after the Labor Day recess, will do away with that. In fact, year after year we have brought legislation to the House floor. It has passed this body, not the other body; that does away with that 90 percent figment of people's imagination. Ninety percent of the country is not eligible, and the program is not managed so that 90 percent of the country is eligible. That is just nonsense.

I would just say that we have demonstrated, when you give communities the resources they need to create job opportunities as they see fit, we get an enormous return on that investment, every year more money paid in taxes than we have invested in EDA in its entire history. That is a return on investment.

I would just sum up by the words of a wonderful witness, not an economist, not a specialist, no great degrees, Red Robinson from southern Virginia, who at our committee hearing said, you know, we are just proud, conservative mountain people. We are not asking for a handout. We are asking for a hand up. EDA has given us that hand up.

Defeat this amendment. Give all America a hand up.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

I rise to oppose the Souder amendment. I support what they want to fund, but I think taking it from EDA is one of the worst choices we could make of a program to cut.

I come from rural western Pennsylvania, rural central Pennsylvania. We had steel, glass, coal and oil decline within a decade, collapse.

I have watched what EDA does. It is one of a couple programs, there are only a couple programs that target distressed areas. I come from a State that had a lot of good economic development programs. I always complained

they went into the suburban areas where we did not need more employment, they did not have enough employees. But EDA reaches into towns that have lost their only mill, their only glass plant, or have shut down the local coal mines to help them rebuild their base.

If you look at Clinton County in Pennsylvania, because they were able to build a sewer line with EDA funds, they have 300 people working that would not be working today.

Abandoned rail lines have been a major problem in my district. I can give you two examples. In Tioga County, where EDA purchased a rail line and put it back in service, 450 new manufacturing jobs there and a company that is going to double in size the next few years with some EDA targeted money.

In Center County, 1000 jobs, again a rail line that was closed was purchased, was put back into service. In Elk County, the Stackpole Corporation used to employ 3000 people, closed, sat empty for almost a decade. And today, because EDA was the glue that put it together, 300 people are employed there and soon 6- to 900.

Even right at home where I live, today they announced that the Cyclops plant that closed 4 years ago that had 1000 specialty steel jobs in a town of 5000 people, 4 years ago lost 1000 jobs with no hope, and our hope right now is we are applying to EDA to refurbish that steel mill and get it back into production and a number of businesses, breaking it up into an incubator and several places where we can bring companies into that community.

EDA helps the poorest of our communities, gives jobs and opportunities to their citizens. We have a lot of programs to help urban America. EDA helps them, too. But we have a few programs that help rural America. Rural America is economically hurting. We may be at an end of a 7-year growth in the economy of this State, but I want to tell you, I can take you to pockets of rural America where we are hurting. In my view, there are a lot of Federal policies that are strangling rural America's economic future. To cut off rural America's right hand as it tries to pull itself up by its bootstraps, and EDA is one of the most effective agencies, one of the most targeted agencies to do that, is a mistake, when we would continue to spend three times the amount of money for the International Development Association, twice the amount of money for US AID, the Agency for International Development, spend almost that much money in Bosnia and almost 2½ times that much money in Russia to help rebuild their economies, this is a cut in the wrong place.

It may be a cut from a good program, but a cut in the wrong place. EDA, in my view, has become an agency that very effectively targets hurting places in America, and we should be increasing it even more, not cutting it.

Mr. WISE. Mr. Chairman, I move to strike the requisite number of words.

I, too, rise in opposition to the amendment, and I think the gentleman from Pennsylvania just explained it well. Many of the reasons, for every company's name that he used, I could use another company's name. It is a similar situation in West Virginia. I would like to address some of the points that some of the proponents of this amendment have brought up.

□ 1815

First of all, I think it ought to be pointed out that I believe this Congress is getting very close to a true bipartisan agreement on EDA. Under the leadership of the gentleman from Pennsylvania (Mr. SHUSTER) and the subcommittee chairman, the gentleman from California (Mr. KIM), as well as our ranking member, the gentleman from Minnesota (Mr. OBERSTAR) and the subcommittee ranking member, the gentleman from Ohio (Mr. TRAFICANT), the committee reported out an EDA reauthorization, I believe last week, on a voice vote with no dissenting votes, which shows true bipartisan cooperation.

Some have raised the question of duplication. I am trying to figure out where that duplication occurs, because in talking about other programs such as Small Business Administration, Small Business Administration is a program dedicated to individuals, so an individual makes application for a loan; or the USDA's rural development program, the individual makes application. EDA is something far different. That is dealing with an entity, a group, usually a public body.

I have also found that EDA is the linchpin that makes the deal possible. For instance, there is a project in West Virginia in which \$2.5 million of EDA money and \$2 million of ARC money helped leverage \$60 million of private sector investment which is going to create hundreds of jobs. We do not get that kind of return too often. But without the EDA being involved and providing the infrastructure to that project, it would not have happened.

And so there is not duplication, and the EDA is what often is the critical matrix, the critical glue that pulls it all together.

Finally, the people advocating this amendment raise a very attractive argument of drug courts. I support drug courts. I think there ought to be more drug courts. I think the funding ought to be increased, but not out of EDA. Why? Because the irony to this is, and I quote here and believe I am quoting former President Reagan, "The best welfare program is a job," and EDA creates jobs, private sector jobs.

So what is it that brings people to drug courts but hopelessness, and so they resort to drugs. EDA is another way out. It brings economic development and jobs to areas that do not have them. So this is absolutely the wrong way to go about helping drug

courts. If we want to help drug courts, then we should find the funding out of some other portion, but do not do it out of the one thing that brings hope and enterprise and jobs to a community. So I rise in opposition to the amendment.

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

Mr. WISE. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, does the gentleman agree that, even if my amendment passes, there will be a \$6.8 million increase in the assistance portion of EDA?

Mr. WISE. I agree if the gentleman's amendment passes, that will be X amount of jobs that will not be created. The gentleman will want to put it into drug courts. I am trying to keep people out of drug courts by giving them a job in the first place.

Mr. SOUDER. So is it an increase; it is just a question of how big an increase and what that means.

Is the gentleman familiar with the GAO study that says, for example, the Rutgers study referred to earlier did not establish the direct connection? As the gentleman well knows, when one does economic development, which I did as a former staffer and worked with EDA, and I believe it does have meritorious projects, that net studies have not made the connection, including the Rutgers studies, that have proven the direct correlation.

Mr. WISE. I believe even the GAO studies, and it has been a few years since I have looked at it, but even the GAO study has trouble making the direct statements the gentleman wants it to make. And saying a job is directly caused by anything is difficult to do, but I can point to the gentleman, and I know the gentleman can in his district, and everyone who has testified, Republican and Democrat, in favor of EDA knows that EDA has brought hope and jobs to their area. Indeed, in my area, I can point to project after project where something would not be there were it not for EDA.

Mr. RAHALL. Mr. Chairman, I rise in opposition to the amendment offered by my distinguished colleague Representative MARK SOUDER to cut \$25 million from the appropriation for the Economic Development Administration (EDA) in order to fund the drug court program.

Mr. Chairman, the appropriations bill before us, H.R. 4276, contains \$368 million for the EDA grant program, the same amount authorized in H.R. 4275, the EDA reauthorization bill ordered reported by the Transportation & Infrastructure Committee in late July. This appropriation is consistent with the EDA program reforms included in the reauthorization bill.

The increase for the drug court program is not necessary. The Commerce-Justice-State appropriations bill before us already increases this program from \$30 million to \$40 million, a \$10 million increase. Further, Chairman ROGERS has graciously agreed to accept an amendment by Representative ENSIGN to add another \$3 million for the drug court program to bring funding to \$43 million.

While I am supportive of the drug court program which provides grants to state, local and Indian tribal governments to help develop treatment options for nonviolent drug offenders, I believe that a funding level of \$43 million is more than adequate—and is \$13 million more than the 1998 level and the Administration's request for FY99.

The Economic Development Administration programs that assist distressed counties throughout the country to strengthen and stabilize local economies by creating jobs through community development projects will need all the appropriated funds contained in this bill in order to implement new EDA reforms, and to adequately serve the country's needs.

I urge my colleagues to defeat this amendment to cut \$25 million from the EDA appropriation in order to bring the funding for drug courts to an unwarranted and unprecedented level of \$68 million. Mr. Chairman, \$68 million for drug courts, as worthy as those programs are, would mean a \$38 million increase above that requested by the Administration for fiscal year 1999 and above the amount made available last year. Again, I urge defeat of the Souder amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

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

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

The CHAIRMAN. Pursuant to House Resolution 508, further proceedings on the amendment offered by the gentleman from Indiana (Mr. SOUDER) will be postponed.

The Clerk will read.

The Clerk read as follows:

In addition, \$215,356,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund, as authorized by the Violent Crime Control and Law Enforcement Act of 1994, as amended, and the Antiterrorism and Effective Death Penalty Act of 1996.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally owned buildings; and preliminary planning and design of projects; \$11,287,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; purchase of not to exceed 1,428 passenger motor vehicles, of which 1,080 will be for replacement only, for police-type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft; \$796,290,000, of which not to exceed \$1,800,000 for research and \$15,000,000 for transfer to the Drug Diversion Control Fee Account for op-

erating expenses shall remain available until expended, and of which not to exceed \$4,000,000 for purchase of evidence and payments for information, not to exceed \$10,000,000 for contracting for automated data processing and telecommunications equipment, and not to exceed \$2,000,000 for laboratory equipment, \$4,000,000 for technical equipment, and \$2,000,000 for aircraft replacement retrofit and parts, shall remain available until September 30, 2000; and of which not to exceed \$50,000 shall be available for official reception and representation expenses.

In addition, \$405,000,000, to be derived from the Violent Crime Reduction Trust Fund, to remain available until expended for such purposes.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally owned buildings; and preliminary planning and design of projects; \$8,000,000, to remain available until expended.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, as follows:

ENFORCEMENT AND BORDER AFFAIRS

For salaries and expenses, not otherwise provided for, for the Border Patrol program, the detention and deportation program, the intelligence program, the investigations program, and the inspections program, including not to exceed \$50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; purchase for police-type use (not to exceed 3,855 passenger motor vehicles, of which 2,535 are for replacement only), without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; research related to immigration enforcement; and for the care and housing of Federal detainees held in the joint Immigration and Naturalization Service and United States Marshals Service's Buffalo Detention Facility; \$1,096,431,000, of which not to exceed \$400,000 for research shall remain available until expended; of which not to exceed \$10,000,000 shall be available for costs associated with the training program for basic officer training, and \$5,000,000 is for payments or advances arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to immigration; and of which not to exceed \$5,000,000 is to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens: *Provided*, That none of the funds available to the Immigration and Naturalization Service shall be available to pay any employee overtime pay in an amount in excess of \$30,000 during the calendar year beginning January 1, 1999: *Provided further*, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further*, That none of the funds provided in this or any other Act shall be used for the continued operation of the San Clemente and Temecula checkpoints unless the checkpoints are open and traffic is being checked on a continuous 24-hour basis.

CITIZENSHIP AND BENEFITS, IMMIGRATION
SUPPORT AND PROGRAM DIRECTION

For all programs of the Immigration and Naturalization Service not included under the heading "Enforcement and Border Affairs", \$523,083,000: *Provided*, That not to exceed \$5,000 shall be available for official reception and representation expenses: *Provided further*, That the Attorney General may transfer any funds appropriated under this heading and the heading "Enforcement and Border Affairs" between said appropriations notwithstanding any percentage transfer limitations imposed under this appropriation Act and may direct such fees as are collected by the Immigration and Naturalization Service to the activities funded under this heading and the heading "Enforcement and Border Affairs" for performance of the functions for which the fees legally may be expended: *Provided further*, That not to exceed 43 permanent positions and 43 full-time equivalent workyears and \$4,284,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: *Provided further*, That the latter two aforementioned offices shall not be augmented by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis, or any other type of formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis: *Provided further*, That the number of positions filled through non-career appointment at the Immigration and Naturalization Service, for which funding is provided in this Act or is otherwise made available to the Immigration and Naturalization Service, shall not exceed 4 permanent positions and 4 full-time equivalent workyears: *Provided further*, That, notwithstanding any other provision of law, during fiscal year 1999, the Attorney General is authorized and directed to impose disciplinary action, including termination of employment, pursuant to policies and procedures applicable to employees of the Federal Bureau of Investigation, for any employee of the Immigration and Naturalization Service who violates policies and procedures set forth by the Department of Justice relative to the granting of citizenship or who willfully deceives the Congress or department leadership on any matter.

VIOLENT CRIME REDUCTION PROGRAMS

In addition, \$866,490,000, for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund: *Provided*, That the Attorney General may use the transfer authority provided under the heading "Citizenship and Benefits, Immigration Support and Program Direction" to provide funds to any program of the Immigration and Naturalization Service that heretofore has been funded by the Violent Crime Reduction Trust Fund.

CONSTRUCTION

For planning, construction, renovation, equipping, and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, \$81,570,000, to remain available until expended.

FEDERAL PRISON SYSTEM
SALARIES AND EXPENSES

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 763, of which 599 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments; \$2,922,354,000: *Provided*, That the Attorney General may transfer to

the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the FPS, furnish health services to individuals committed to the custody of the FPS: *Provided further*, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further*, That not to exceed \$6,000 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$90,000,000 for the activation of new facilities shall remain available until September 30, 2000: *Provided further*, That, of the amounts provided for Contract Confinement, not to exceed \$20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980, as amended, for the care and security in the United States of Cuban and Haitian entrants: *Provided further*, That, notwithstanding section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d)), FPS may enter into contracts and other agreements with private entities for periods of not to exceed 3 years and 7 additional option years for the confinement of Federal prisoners.

In addition, \$26,499,000, for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; leasing the Oklahoma City Airport Trust Facility; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account; \$413,997,000, to remain available until expended, of which not to exceed \$14,074,000 shall be available to construct areas for inmate work programs: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation: *Provided further*, That not to exceed 10 percent of the funds appropriated to "Buildings and Facilities" in this Act or any other Act may be transferred to "Salaries and Expenses", Federal Prison System, upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act: *Provided further*, That, of the total amount appropriated, not to exceed \$3,300,000 shall be available for the renovation and construction of United States Marshals Service prisoner-holding facilities.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase of (not to exceed 5 for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES,
FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed \$3,266,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Missing Children's Assistance Act, as amended, including salaries and expenses in connection therewith, and with the Victims of Crime Act of 1984, as amended, \$155,000,000, to remain available until expended, as authorized by section 1001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by Public Law 102-534 (106 Stat. 3524).

STATE AND LOCAL LAW ENFORCEMENT
ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, for State and Local Narcotics Control and Justice Assistance Improvements, notwithstanding the provisions of section 511 of said Act, \$552,750,000, to remain available until expended, as authorized by section 1001 of title I of said Act, as amended by Public Law 102-534 (106 Stat. 3524), of which \$47,750,000 shall be available to carry out the provisions of chapter A of subpart 2 of part E of title I of said Act, for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs.

AMENDMENT NO. 10 OFFERED BY MR. BASS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. BASS:

Page 25, line 24, after the dollar amount, insert the following: "(increased by \$19,500,000)".

Page 26, line 2, after the dollar amount, insert the following: "(increased by \$4,500,000)".

Page 51, line 9, after the dollar amount, insert the following: "(decreased by \$43,000,000)".

Page 51, line 10, after the dollar amount, insert the following: "(decreased by \$43,000,000)".

Mr. BASS. Mr. Chairman, the amendment that I offer today will increase funding for the Edward Byrne grant program by \$19.5 million. This increase would be offset by eliminating \$43 million earmarked for new grants in fiscal year 1999 under the Advanced Technology Program. The reason for the difference between the \$19.5 million

and the \$43 million is a difference in outlays versus authority, but it is scored by CBO as a neutral scoring.

As my colleagues know, the ATP program subsidizes private sector technological R&D, and Byrne programs, which would be increased by \$19.5 million, are sources for Federal financial assistance for State and local drug enforcement efforts.

Mr. Chairman, the business of appropriations is the business of making priority judgments. We heard about that when we were discussing the last amendment, about where scarce dollars should go, and the question posed by this amendment is very simple:

Should we provide Federal financial assistance for State and local drug enforcement efforts, or do we provide companies like Dow Chemical with \$7.8 million when they enjoyed a 1997 net profit of \$1.81 billion? Do the math. That is like one six-thousandth of their entire profit.

Or should we provide much-needed resources to fight crime and drug abuse in our schools, or do we provide IBM with \$14.8 million when they made over \$6 billion last year?

Should we provide more money for the purchase of equipment to provide training and technical assistance to improve criminal justice systems, or is it more important to provide \$3.7 million to the Ford Motor Company even though they showed a profit of \$7 billion in 1997?

Or how about funding education programs in schools to prevent children from getting hooked on drugs, or funds to help parents deal with and get treatment for a drug-dependent child and get that child into treatment, versus giving General Motors \$3.2 million when they had a profit of \$6.7 billion last year?

My colleagues, it is indeed a question of priorities, and the Byrne Grant program is a great program, and I would suggest to my colleagues that it would be difficult to argue that we do not need any more money for this program; that we do not need any more money for crime prevention programs to assist citizens in communities and neighborhoods in preventing and controlling crime, especially crime directed against the elderly; and in rural jurisdictions to improve the response of the criminal and juvenile system to domestic violence and relate to law enforcement in the prevention of gangs or the youth at risk of joining gangs. This is where this money goes.

And the question that we have to ask is do we want to add \$43 million to ATP, which gives these \$1, \$2, \$3, \$4, \$5, \$6 million grants, up to \$14 million to Johnson & Johnson, when these companies are making more money in aggregate than the whole law enforcement budget has accrued in Congress.

Indeed, my colleagues, the issue of appropriations is the issue of making priority decisions. And in my opinion fighting crime in our neighborhoods, so that our parents know that their chil-

dren are a little safer at school or out in the community, is more important than helping companies that have an aggregate research and development budget of almost \$40 billion, giving them \$43 million for their new programs when they are making plenty of money the way it is now.

Mr. Chairman, I do hope that my colleagues will support this amendment and vote it up.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the Bass amendment to eliminate \$43 million from the Advanced Technology Program.

I have listened to the gentleman's debate with interest. What is interesting to me is, again, the false choices he sets up. The programs that he lists, drug courts, a lot of the law enforcement activities, this subcommittee has robustly funded, and I think we are justly proud of the amount of money that we have put into law enforcement to fight crime and drugs in this country.

The other point that I would make is that, again, his statement is interesting because of what it left out. And that is, as he talks about the large companies that are receiving money for the ATP program, he leaves out the fact that many, many, many of these grants, and I do not know specifically of which ones he speaks, but the ATP program is characterized by its ability to, number one, fund precommercial research and also to do it in partnerships with small companies, with academic institutions, bringing together these strategic alliances that would not be brought together if it were not for the program. Only if we philosophically believe that the Federal Government should not be making contributions for basic research in these core strategic areas should we even consider supporting the Bass amendment.

The gentleman's amendment is meant to confuse the debate on this issue. He has chosen to take funds out of the ATP program and add them to a very popular grant program, the Byrne Grant program, because he knows this program is supported by a large majority of our membership. Well, I am a very strong advocate of the Byrne Grant program. Those funds help every State in the union to assist local communities in implementing comprehensive approaches to fighting crime. It is an excellent program. Byrne Grant funding has increased by \$77 million since 1994, and no one has supported it more strongly than I.

The administration has requested \$552 million for the Byrne Grant program in 1999, and the bill before us today fully funds that request, which is a slight increase over fiscal 1998 funds. Let me state that again. The Byrne Grant program is fully and completely funded in this bill.

It is a shame that my colleague has chosen to offer such an amendment. I, for one, am strongly in favor of both initiatives, ATP and these crime fighting programs, and there are adequate

funds provided in our bill to support them. This amendment would cut \$43 million provided in the bill for new awards under the ATP program, and this would, in effect, kill the program. So only if we are diametrically opposed to the program, only if we are philosophically opposed to the program, only if we would like to kill the ATP program would we vote for this amendment.

I would like to summarize the reasons that I am a strong supporter of ATP, be a little positive here. First, the ATP program makes a very sound contribution to this Nation, maintaining a competitive position in the global marketplace.

□ 1830

It is a sound contribution but it is still a small contribution relatively. As of right now, with the ATP program funded as it is, the U.S. ranks 28th behind all of our major global competitors in the percentage of government R&D invested in civilian technologies.

While we sit here tonight debating an amendment which would cripple the ATP program, across the ocean our competitors, England, Germany, Australia, Portugal, are investing heavily in similar initiatives. In fact, the governments of the European Community, understanding the strategic importance of these kinds of investments and these partnerships of government with academia and private industry, this European Community is funding advanced technology research to the tune of \$5.5 billion.

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

Mr. MOLLOHAN. I yield to the gentleman from New Hampshire.

Mr. BASS. Mr. Chairman, how is the U.S. doing economically compared to Europe and Japan, given the fact that these governments are providing so much money for economic research and development?

Mr. MOLLOHAN. I ask the gentleman to tell me.

Mr. BASS. Well, we are doing an awful lot better.

Mr. MOLLOHAN. We are.

Mr. BASS. We are not doing half as much.

Mr. MOLLOHAN. Do we have an ATP program?

Mr. BASS. We have an ATP that is much smaller than those other governments and we are doing so much better.

Mr. MOLLOHAN. Mr. Chairman, reclaiming my time, I have to assume that the ATP program is making its contribution in this strategic effort for the government to participate, and they must be competitive in the future, and I appreciate the gentleman making my point.

Mr. COBURN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong support of the Bass amendment.

I want to take this in a little bit different direction. Last night this House

voted to support the Shays-Meehan amendment to eliminate soft money contributions. I thought it would be interesting for us to look at the grantees from the ATP program and their soft money contributions, because there happens to be a very good correlation.

So if we really believe in corporate welfare, then we are going to not support the Bass amendment; but if we do not believe in corporate welfare, if we truly recognize that over 60 percent of the money in ATP grants goes to non-small business but goes to Fortune 500 companies, then in fact we can support this amendment.

Let me relate some of the details. IBM has been mentioned. Since 1990 it has received \$134 million in taxpayer grants, including over \$15,000 last year. In the same period, IBM had \$6 billion in profits last year. They spent well over \$5 million of this money on research and development. IBM was one of the top soft money givers.

General Motors, since 1990, received \$105 million in taxpayer funds for research and development. GM had profits of \$6.8 billion last year. General Motors also was in the top 100. General Motors did slightly better with relationship to ATP than Ford or Chrysler. Over the same period of time, GM received \$105 million, Ford only \$68 million, Chrysler a pittance of \$30 million. But it was General Motors, and not Ford or Chrysler, who made the list of top 100 soft money contributors.

General Electric, over the 1995 election cycle, gave over \$1 million in soft money but received \$11 million in ATP program money.

AT&T, which over the same election period contributed \$2.7 million in soft money to our two political parties, has received \$69 million in ATP funds.

What I would like this body to consider, if we really do not believe in soft money and we really do not see a connection between ATP grants and soft money, and we really want to get rid of soft money, we ought to get rid of one of the reasons that soft money is there. It is the corporate welfare that we see.

Let me just mention a few more.

Sun Microsystems had a net profit last year of \$762 million; received over \$50 million in ATP grants over the last 7 years. United Technologies had over \$1 billion profit. They received over \$4 million in grants in 1995. 3-M, \$1.626 billion in profits. They received almost \$2 million in grants.

I think what we need to do is be honest with the American public. There is a place for ATP. It is to small business and small entrepreneur business, not the Fortune 500 companies who are well endowed with their own profits and can afford their own research.

Ms. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. COBURN. I yield to the gentleman from Michigan.

Ms. RIVERS. Mr. Chairman, in trying to draw a correlation between ATP and soft money, my recollection, in the 4 years I have served in this House, is

that the majority of Republicans in this body have voted against the ATP program. But it is also my recollection that in the 4 years I have been here, the majority of soft money dollars went to the Republican Party.

How would my colleague explain that?

Mr. COBURN. Mr. Chairman, reclaiming my time, I probably do not have an explanation other than to say that there are no clean hands when it comes to soft money, not on either side.

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

Mr. COBURN. I yield to the gentleman from New Hampshire.

Mr. BASS. Mr. Chairman, a further point here. My colleague may be aware of the fact that on the 26th of July, 1995, just a little more than 3 years ago, this House voted 223 to 204 to zero out ATP.

We are also aware of the fact that only 40 percent of ATP funding goes to small businesses. And in their own statements ATP has said that they have "no special allowance for small business."

And, thirdly, 42 percent of the recipients of ATP funding said they would have done the research anyway.

Mr. COBURN. Mr. Chairman, reclaiming my time, I would just summarize by saying that we should recognize what corporate welfare is. Everybody talks that word. Everybody says it. But now it is time to vote. It is time to take the money away from the richest corporations in this country and let them stand on their own two feet. It is called competition. It is called allowing them to use their own insight and own assets to compete in the world.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to this amendment. In spite of the fact that the large companies make most of their contributions to Republicans, I rise in support of the ATP program because it is key to the economic growth.

The capability to generate, diffuse, and employ new technologies in the face of rising technical competence and competition around the world will determine in a large measure the Nation's ability to succeed and prosper in the 21st century.

These programs give these U.S. firms an incentive that accelerates the development of technologies that, because they are risky, are unlikely to be developed in time to compete in rapidly changing world markets.

For Americans, the real payoff is the economic growth fueled by the introduction of future products and industrial processes based on the ATP-sponsored research.

The ATP is a competitive, peer-reviewed, cost-shared program with industry. Their sole aim is to develop high-risk, potentially high-payoff enabling technologies that otherwise

would not be pursued because of technical risks and other obstacles that discourage private investment.

The ATP has proven to be an effective mechanism for motivating companies to look farther out onto the technology horizon. By discarding the ATP, we would destroy progress made in encouraging far-looking, risk-sharing research and development of new enabling technologies.

We are fortunate that people long before us took a chance and made sure that that research was done that created the technologies that we are working with now. We have a responsibility to not eliminate the ATP because it would destroy the momentum created for a new type of industry-led industry, government, university partnership; a partnership with appropriate roles, appropriate goals, and exciting prospects for our U.S. economic gain.

Government and industry have always made substantial commitments to ATP. Its demise would show the government to be a capricious and unreliable partner. But to ensure economic growth and jobs into the next century, the country depends on U.S. industry to put science and technology to work.

Throughout this century, the United States has built whole new industries upon a flourishing science and technology base created by the Federal Government and private firms. Public-private partnerships have resulted in the birth of new industries such as computers and biotechnology, and world leadership in others such as aerospace, telecommunications, and pharmaceuticals.

However, times have changed. Today, Federal agencies are more focused on science and technology that is essential to their missions. Even though there is an even greater focus on technology transfer, there is greatly reduced spin-off from mission-related research.

Company research and development has shifted to narrower, more focused work. Large firms no longer pour billions into the development of high-risk, broad-based technologies that other firms can build on, such as GE, AT&T, Bell Labs and IBM once did.

While it may be true, as some would say, that large firms are able to pay for their own R&D, it is also true that they will not pay for longer-term, higher-risk, broadly applicable technology if other firms are going to benefit from the research without paying for it.

ATP fills a critical niche in the Nation's science and technology portfolio. Large and small firms are an important part of the mix, along with universities and national labs.

Part of the reason that large firms need to be involved with ATP partnerships is because, in large measure, that is where the technology is. The United States and its citizens stand to benefit more in this equation than the individual firms.

In addition, small firms and universities, about half the ATP awards go to

small firms, frequently want larger firms in the partnership to provide critical business and marketing skills or to provide complementary technologies needed for further development. So large firms also frequently ante up the extra funding that allows universities and others to participate and to provide the organizational staff for collaborations.

A program like the ATP program sweetens the pot to induce firms to form partnerships to develop important technology that would not be developed otherwise. It is one element in a strategy to bridge the gap between public R&D, largely basic science and mission driven, and private research and development, largely focused on products and low-risk science and technology.

Important, high risk, enabling technologies exist in large firms as well as small. Just as in small firms, many of these technologies will only be developed if the Government and industry share the risk and the benefits.

Mrs. MORELLA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Bass amendment. The gentleman from New Hampshire (Mr. BASS) is my dear friend, but I think this amendment that he has offered, which would cut off all new grants for the ATP program, would effectively kill the program and I strongly oppose it.

Mr. Chairman, ATP should not be killed. Companies that have participated in the program, even those that have not, agree. The Coalition for Technology Partnerships includes companies ranging from IBM and B.F. Goodrich, to the Cryovac Division of the Seal Air Corporation in my home State of Maryland, which has written to me to express their opposition to the Bass amendment. Let me quote from the letter.

The ATP enables organizations to share costs, risks, and technology expertise in precompetitive R&D. By pooling resources, it allows projects to be pursued that otherwise would lie dormant. Smaller companies frequently want to work with larger ones to gain access to skills, technology, funding and potential customers available in no other way. Cooperative research programs like ATP strengthen small companies measurably. The Bass amendment kills this.

The House appropriators have already reduced ATP funding by \$12.3 million, from \$192.5 million in fiscal year 1998 to \$180.2 million in fiscal year 1999. Further, they cut new awards by 48 percent. Last year the National Institute of Standards and Technology spent \$82 million on new ATP projects. Under H.R. 4276, NIST would be limited to only \$43 million in new awards. That already is a \$39 million cut.

The House appropriators have cut ATP enough. The effort to eliminate new ATP awards is simply an effort to kill the program, not reprioritize funding in the Commerce-Justice-State Appropriations bill.

Last year, Mr. Chairman, I introduced and the House passed and the

committee approved, obviously, H.R. 1274, which was the National Institute of Standards and Technology Authorization Act of 1997. H.R. 1274 makes important changes to ATP.

What it does is, it includes language to reform the grant process by requiring that grants can only go to projects that cannot proceed in a timely manner without Federal assistance.

The bill also increases the match requirements for ATP grant recipients to 60 percent for joint ventures and non-small business single applicants.

□ 1845

Through these reforms, the House is moving ATP in the right direction. We have reformed it.

Just last week, the Senate passed S. 1325, the Technology Administration Authorization Act. That bill also authorizes ATP and includes many of the same reforms that were contained in H.R. 1274.

Both the House and the Senate authorizers include money for new ATP grants in fiscal year 1999. The Senate bill would allow for roughly \$67 million in new awards while the House includes roughly \$13 million. Since the final ATP authorization for fiscal year 1999 has yet to be worked out, the House appropriations figure of \$43 million in new grants seems appropriate.

Mr. Chairman, the bottom line is that if you zero out new awards, you kill the ATP program. I believe that we should reform it, and we have been doing that, and not kill it. It is a true partnership.

With the passage of H.R. 1274 and S. 1325, the House and Senate have taken strong, positive steps to reform ATP. Let us not reverse course now.

Last year, Mr. Chairman, a similar amendment to end ATP and transfer money to another worthwhile project, in that case juvenile crime prevention, failed by a vote of 163-261. The Bass amendment should be defeated as well.

Mr. Chairman, I ask all my colleagues to support cooperative research to strengthen our economy. Vote "no" on the Bass amendment.

Ms. STABENOW. Mr. Chairman, I move to strike the requisite number of words.

Simply today we are talking about creating jobs for the future for our constituents, for American workers, or whether or not we are going to stand by and refuse to invest in the kinds of partnerships that will create new technologies to create those jobs. In Michigan, we have put together a number of ATP projects that have been extremely positive. One is the Auto Body Consortium.

The gentleman introduced this amendment by talking about Ford and General Motors, Chrysler also falls in that category, as receiving dollars. They have not received individual dollars for individual projects. They are part of a consortium of universities, small businesses and the auto industry to work on high-risk, cutting-edge, new

technologies so that we can compete with foreign automobile companies. That is the bottom line. ATP has been a contributing factor in bringing together, and sometimes the most contributing factor in bringing together industries, so that instead of competing as they do on a daily basis, they can work together as an industry on behalf of American workers and American business to compete and create new efficiencies and new technologies so that we can be effective in keeping jobs here in America rather than having them be overseas. The ATP contributes to a valuable new culture of cooperation in U.S. industrial R&D.

In one study of more than 400 organizations working on ATP projects, nearly 80 percent worked on the project in collaboration with other companies, universities or Federal labs. Eighty-five percent of these reported that the ATP played a significant role in bringing the collaborative relationship together. I can speak firsthand in Michigan for the fact that that is true. Corporations, businesses are busy working, focusing on the bottom line week to week, quarter to quarter. The ATP allows them and creates an incentive to bring them together on an industry basis to look long-term. That is what we need as Americans, to be looking long-term as far as jobs are concerned.

The results of ATP-sponsored research, commercialized by private industry, are starting to emerge from laboratories and enter the marketplace. I would like to just briefly mention three.

One of the earliest ATP projects, a collaborative effort to develop a suite of advanced manufacturing technologies for the printed wiring board industry, PWB, resulted in new materials, testing, imaging and production techniques that have been credited by the National Center for Manufacturing Sciences with quite literally saving the roughly \$7 billion United States PWB industry with its approximately 200,000 jobs. ATP has been credited with quite literally saving 200,000 jobs and an entire industry.

An ATP joint venture in the automobile industry as I mentioned earlier that included several small and mid-sized manufacturers and universities in Michigan resulted in manufacturing monitoring and control technologies that have led to significantly improved dimensional tolerances, improving vehicle quality and customer satisfaction. One economist has projected that the project's market-share boost for U.S. auto manufacturers has resulted in thousands of new jobs and a \$3 billion increase in the U.S. industrial output within the next two years. We are talking about jobs, high-paying jobs for my constituents and the constituents of my colleagues.

Finally, the ATP was instrumental in promoting the research that led to today's DNA chips, miniaturized genetics labs that offer fast, up to 1,000 times faster than conventional methods, faster, accurate, low-cost genetic

analysis. Early spin-offs of ATP projects in this area already are being used in agriculture and food and cosmetics testing as well as the obvious applications in drug discovery, human-genome research, and biomedical research.

We are talking about the ability to increase the quality of life for our constituents, their health, their jobs, their food safety and the ability to move forward and compete in a world economy in partnership, around the world. We are competing against teams, teams of business, labor, government, education on the other side of the ocean. We have to have those teams in place.

The CHAIRMAN. The time of the gentlewoman from Michigan (Ms. STABENOW) has expired.

(On request of Mr. BASS, and by unanimous consent, Ms. STABENOW was allowed to proceed for 30 additional seconds.)

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

Ms. STABENOW. I yield to the gentleman from New Hampshire.

Mr. BASS. The gentlewoman from Michigan has made a great case, it sounds like heaven on earth, but I think it is important to point out that these three automakers made almost \$20 billion. ATP would be .005 percent of their entire profits. The reality is that they could fund the entire consortium.

Ms. STABENOW. If I could reclaim my time for a moment to indicate, this is about the ability to bring together competitors, to work together in a co-operative way on behalf of American workers. ATP allows them to do that.

Mr. SUNUNU. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment for a number of reasons, not least of which is the fact that even the strongest proponents of the ATP readily admit that its value, its subsidy goes almost exclusively to otherwise profitable corporations, many of them the largest corporations, not just in the United States but the largest and most profitable corporations in the entire world. They use phrases like cost-sharing and risk-sharing, but where I come from, that is simply a euphemism for subsidy.

These are subsidies to very large corporations that are undertaking research and development, the vast majority of which otherwise would undertake that very same R&D because they know it makes good business sense to invest in these new products and in some cases even in emerging technologies.

Risk-sharing. We somehow think that risk-sharing is something that the Federal Government, that the United States should be intimately involved in and taking taxpayer dollars and somehow subsidizing these risks. But the fact of the matter is we have a very well-developed venture capital industry in this country, most certainly the

most well-developed, most sophisticated venture capital industry in the world, that has a keen ability to go out and find new technologies, find new products, find new companies in which they can invest profitably. The idea that somehow the United States government, that a number of bureaucrats sitting around in an office somewhere in Washington, D.C. has the intellectual acumen to compete with the greatest minds in the world who are investing in ventures every day is ridiculous.

I think what it comes down to are two things, two reasons that people insist on trying to subsidize R&D for these profitable corporations year after year: First, perhaps politicians want to take some credit for creating jobs. They want to feel that they can take taxpayer money allocated for one part of the country to another in some sort of a company, some sort of a venture and then take credit for jobs that might somehow be related to that investment. But that is not really what we are here to do. We are here to create an economic climate in which jobs can be created. We are not here as elected officials or bureaucrats that might be appointed in Washington to somehow decide what the technological winners and losers in our economy ought to be. The notion that we somehow can pick the new technologies, the new products that are going to create jobs for companies tomorrow as elected officials is simply wrong. We might be able to find one or two projects or even five or 10 projects where some job was created, and I would certainly hope that after spending billions of dollars, the ATP can point to at least a couple of successes, but the ultimate question is whether or not we are going to engage in this kind of corporate welfare year after year after year.

We can also just as easily point to the areas where we have subsidized or tried to subsidize otherwise profitable industries or mistaken technologies at the expense of the taxpayer. There was a movement in this Congress eight, 10 years ago to subsidize the static memory industry, the D-RAM industry. It was the be-all and end-all of technology investment. We needed to be competitive. This was the future of the country. The fact of the matter is today the static memory business is one of the least profitable businesses in the entire world. If we had followed the industry policy wonks down that road, we would not have wasted millions or tens of millions of public money, we would have wasted hundreds of millions.

High definition television. The Japanese government wasted billions of dollars developing a high definition TV standard that ultimately will be a laughingstock, because the private minds, the private sector was willing to take risks, invest in new technology, evolve technology, and ultimately it is a private sector-developed standard that will dominate the HDTV

industry if and when it finally does arrive.

Politicians and bureaucrats cannot and should not pick winners and losers in industries across the country. We should not play off one industry against the other; the telecommunications industry against the pharmaceutical industry, the pharmaceutical industry against biotechnology, biotechnology against textiles. That is wrong. It is not just wrongheaded, it is not just intellectually wrong, but it is morally wrong, to take taxpayer funds from hardworking people who may not be in an industry that is getting the big subsidy, take their tax dollars and do not just give it to another industry but give it to some fat cat in a Fortune 500 company that is raking in billions and billions of dollars of profits every year.

We need to take a stand against that kind of wrongheaded technology policy and industrial policy. We need to take a stand against corporate welfare. We need to support the gentleman's amendment.

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I urge my colleagues to join me in voting against this shortsighted amendment, because it restricts American investment in new ideas. It is ideas and the whole process of innovation that cause economic growth. We should be nurturing new initiatives and providing opportunity for their development, not foreclosing them as this amendment seeks to do.

In light of the comments of my friend and colleague from New Hampshire, let me tell you the story of a handful of research scientists from Springfield, Virginia. These researchers were studying methods of detecting minute concentrations of chemicals. Existing technology measures radiation output to identify these chemicals. However, when detecting extremely minute quantities, naturally occurring background radiation creates too much noise to provide useful measurements. To overcome this problem, they conceived of a sophisticated multiphoton detector which could not only measure the rate of radiation decay but the type of decay as well, effectively eliminating all background noise. Eventually we will all be able to see the importance of developing this technology. But the lenders and venture capitalists were wary of investing in what had to be considered a high-risk project.

□ 1900

With a \$1.7 million grant, not a big grant, but \$1.7 million from the Advanced Technology Program, they successfully developed the multiphoton detector. The detector is currently undergoing final testing, and the company is seeking premarketing approval from necessary regulatory agencies.

Over the next few years these few researchers hope to take their firm public. They anticipate revenues of \$88

million, and they expect to employ about 300 full-time employees, jobs and economic growth that would not have occurred had it not been for the ATP program.

The benefits of this new detection system will have broad applications throughout society. Doctors can look for certain particles in minute traces of saliva rather than invasively drawing spinal fluid. There are applications for this product in health care, environmental protection, even processing materials to build sensitive items like semiconductors.

When these researchers could not get financing from private sector local lenders and venture capitalists, they had to turn to the Advanced Technology Program. Without the ATP, the only option left to them would have been to develop this product overseas.

Now China and Korea and Japan all realize the importance of funding high-risk research that will have broad benefits to their economy and society. If we relinquish our role as the world leader in fostering technological innovation, then we can expect a decrease in market share for all our technological products and a corresponding loss of American jobs.

Mr. Chairman, I do not think that this amendment is in America's interest. I think the Advanced Technology Program is in America's interest. This amendment would hamper growth. We need to be finding ways of sustaining and expanding growth. This amendment would stifle innovation. We need to be encouraging innovation in every way possible.

Mr. Chairman, I urge my colleagues to vote a resounding "no".

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

Mr. MORAN of Virginia. I yield to the gentleman from New Hampshire.

Mr. SUNUNU. Mr. Chairman, I just want to clarify that I am a strong proponent of Federal programs that invest in basic R&D, and I would point to the National Science Foundation, \$2.2 billion or so that we will invest this year through universities and laboratories and colleges all across the country. And my question would be: What exactly is the difference between the kinds of projects that the gentleman describes and the National Science Foundation programs?

The only fundamental difference that I can see is under ATP the projects and the subsidies are going towards corporations, again, the largest corporations in the country for the most part. Why can we not consolidate whatever efforts they have with the NSF, which is already well-founded, well-funded and undertaking true basic research rather than subsidizing?

Mr. MORAN of Virginia. Mr. Chairman, as the gentleman knows, ATP is much more focused on the private sector, on the small business community who aspire to bring companies public, to develop private sector jobs. NSF is much more university oriented, more academically oriented.

They do compliment each other, they are not mutually exclusive, and that is the point I wish to make, that ATP does play a role. It is a complimentary role. It is kind of a last resort opportunity for firms that know that they have a good idea, they have to compete with other good ideas and have to be fully reviewed, and I think it is a great deal of scrutiny they are exposed to.

The CHAIRMAN. The time of the gentleman from Virginia (Mr. MORAN) has expired.

(By unanimous consent, Mr. MORAN of Virginia was allowed to proceed for 1 additional minute.)

Mr. SUNUNU. Mr. Chairman, would the gentleman yield further?

Mr. MORAN of Virginia. I yield to the gentleman from New Hampshire.

Mr. SUNUNU. The gentleman's point that the ATP funding is going to the private sector and companies that already exist emphasizes exactly the point that those of us that oppose the program are trying to make, and that, is the beneficiaries or private companies in most cases are already earning a profit, already undertaking this research, and we ought not to be subsidizing those private sector profitable initiatives.

Mr. MORAN of Virginia. I think the government has a synergistic role with the private sector, particularly in areas like this.

Ms. STABENOW. Mr. Chairman, will the gentleman yield?

Mr. MORAN of Virginia. I yield to the gentlewoman from Michigan.

Ms. STABENOW. Mr. Chairman, I might just add one point, and that is, the universities are in fact doing their research under ATP in cooperation, as the gentleman indicated. The private sector is involved in sharing information, but the dollars are not going to the major industries themselves. They are going to a consortium. The universities and small businesses have been contracting for those dollars, so we are talking about university-based research, as the gentleman is aware.

Mr. MORAN of Virginia. Mr. Chairman, I am glad the gentlewoman from Michigan clarified that.

Ms. RIVERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Bass amendment, and I want to take some time to go through some basic facts about the program. But before I get into issues like the mission and how grants are made, I want to address the small business participation in ATP because I have a suspicion that my friends on the other side of the aisle are using data that is not completely up to date.

Although the ATP makes no special allowance for small businesses, the results of the first 8 years of the program show that small and mid-sized firms are in fact very successful at ATP competitions. Since 1990 ATP has made a total of 352 cost-sharing awards to individual companies or industry-led joint

ventures. One hundred eighty-five of these awards, more than 50 percent, went to small business.

It is not, as my friends keep saying, that the vast majority of these dollars are going to large corporations. They are, in fact, going to small businesses. Other small businesses are also involved in joint R&D ventures supported by the ATP by forming strategic partnerships with larger firms. My colleague from Michigan pointed out that the dollars go to the venture itself, not to the composite corporations. So small businesses are participating fully in these kinds of opportunities along with larger corporations, and universities as well.

To go back to the basic mission of the Advanced Technology Program, it is meant to develop technology to benefit the United States economy. The goal of the ATP is to benefit the U.S. economy by cost-sharing research with industry to foster new innovative technologies. The ATP invests in risky, challenging technologies that have the potential for a big payoff for the Nation's economy.

These are the projects that traditional venture capitalists tend to shy away from, but there is a view that this could have a big payoff for us as a Nation. These technologies create opportunities for new world class products, services and industrial processes, benefiting not just the ATP participants but other companies and industries, and ultimately taxpayers as well. By reducing the early stage R&D risks for individual companies, the ATP enables industry to pursue promising technologies which otherwise would be ignored or develop too slowly to compete in a rapidly changing world market.

One of the things that was found in a survey of ATP participants is that many felt that the technologies would not have been developed with the same speed were it not for the ATP program. And the reality is, and I will not yield until I finish my presentation, the reality for far too many corporations in this country is that R&D is now heavily D and very little R, and that is where the ATP program steps in.

Unlike comments from my colleague from New Hampshire, ATP is not government-driven, it is industry-driven. Research priorities are set by the industry, not the government. For-profit companies conceive, propose and execute ATP projects and programs based on their understanding of the marketplace and research opportunities, so the genius that my friend from New Hampshire was talking about is indeed a part of this proposal. The ATP selection process, which includes both government and private sector experts, identifies the most meritorious efforts among those proposed by industry.

ATP is not about product development. The ATP does not fund companies to do product development. ATP funds are indeed to develop high-risk technology to the point where it is feasible for companies to begin product

development. But they must do that on their own with their own money, and of course companies must bear the full responsibility for production, marketing, sales and distribution. So the idea that the ATP program is used to subsidize entire industries is patently untrue. It does not happen that way.

The ATP is fair competition. Those competitions are rigorous, fair and based entirely on technical and business merit. Small companies compete just as effectively as large companies. As I said over and over, more than 50 percent of the grants go to small companies within the ATP program.

The ATP is a partnership. It is not a free ride for winning companies. On the average, industry funds more than half the total R&D cost for ATP projects. The industry itself funds more than half the total R&D cost for ATP products, and the ATP program is evaluated. Critical evaluation of the ATP's impact on the economy is an important part of the program.

ATP is not corporate welfare for large companies. The ATP is a competitive, peer-reviewed, cost-shared program with industry. The ATP's sole aim is to develop high-risk, potentially high-payoff enabling technologies that otherwise would not be pursued or would be pursued much more slowly because of technical risks and other obstacles that discourage private investment.

Because of these reasons, I support very strongly the ATP program and oppose this amendment.

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

The CHAIRMAN. The time of the gentleman from Michigan (Ms. RIVERS) has expired.

(On request of Mr. BASS, and by unanimous consent, Ms. RIVERS was allowed to proceed for 15 additional seconds.)

Ms. RIVERS. I yield to the gentleman from New Hampshire.

Mr. BASS. Mr. Chairman, I would not disagree it is the most competitive corporate welfare program around, but does the gentleman from Michigan (Ms. Rivers) believe that ATP funds should not be awarded to companies that say that they would have developed the product anyway, as 42 percent of them did say?

Ms. RIVERS. I think when my colleague looks at the real data, that what he will find, and I know and I am familiar with the study, and if the gentleman had been at the Committee on Science, he would have seen a lot of the problems with that study when we reviewed it.

Mr. DOYLE. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. DOYLE. Mr. Chairman, I rise to urge my colleagues to vote once again, just like last year, to reject the anti-ATP amendments offered by my colleagues from New Hampshire and Cali-

fornia, Mr. BASS and Mr. ROYCE. It is my understanding that the gentleman from California (Mr. ROYCE) is likely to offer a similar amendment later on in this bill that would cut everything but closeout funding for the ATP program.

Instead, I would urge my colleagues to recognize the Advanced Technology Program for all the work it does ensuring America's competitiveness and bringing together the many separate research efforts constantly being undertaken by American industry, universities and the Federal Government.

Right now in this country, Mr. Chairman, we are fortunate enough to be part of perhaps the most vibrant, robust economy in the world. In this atmosphere I can understand why some of my colleagues would want to make sure that we are not unnecessarily diverting Federal resources toward anything resembling corporate welfare.

But the fact of the matter is, although American companies are visibly in the forefront of developing software and computer technologies and a number of other high-tech innovations, amazingly, U.S. manufacturers actually trail their international competitors in developing these technologies. This lag in the application of technology is something we can address through a partnership of industry with the government, and this is something we can do for relatively small sums.

I urge my colleagues, when they look at how strong the American economy is, let us continue to look for ways to make it stronger. Economists agree that the application and adaptation of technology is a key part of our economic growth. The ATP program is one of the few tools available to us in the Congress that can make a difference in this area.

While we debate this important issue our competitors are already convinced of the wisdom of assisting technology application and adaptation. Japan and the European Union are each spending billions a year on their counterparts to the ATP.

Mr. Chairman, none of us here would advocate unilateral disarmament in the face of military threat to the United States, but ATP is an investment in our economic engine. It is an investment in our economic security.

I urge my colleagues to continue to support the ATP program as a relatively modest Federal investment reaping impressive rewards. This program rightly supports both small business and the commanding heights of American industry.

I urge my colleagues to support this bipartisan program initiated under the Bush administration and continuing with the support of both Democrats and Republicans, and urge a vote against Mr. BASS' amendment.

Mr. KANJORSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I could not resist this argument today because as I listened to it, and I have some good friends that

are making it, all I could think of was back in about 1480, some 518 years ago, I suspect that in the country of Spain there was the leadership of Spain arguing with a rather novice voyager known as Christopher Columbus, arguing the proposition of whether the world was flat or round.

□ 1915

Luckily, Mr. Columbus won that argument, both in the persuasion of being financed for his voyage and establishing the proposition by virtue of his voyage.

Then I wonder, in the early 19th century, in 1830 and 1840 in this country when public education was a hot issue and it was argued whether it was the role of government to guarantee primary or secondary education to all the students of this country, the proposition by the wealthy, the proposition by many of the well-intended, was that is not a role of government, and we should not divert resources of the government for the purposes of private education.

I suspect that if we checked the CONGRESSIONAL RECORD of about 1943 or 1944, there was very strong argument on that very same proposition when the GI Bill of Rights and the payment for college education for the returning veterans was also argued in this great Chamber.

I would argue and offer as evidence a proposition to my friends: If we would look back to 1946 in the City of Philadelphia and the great invention of the first computer, the first computer was financed by the United States Government in its entirety. It was developed at the University of Pennsylvania in Philadelphia in 1946, and Philadelphia is not Silicon Valley. As a matter of fact, Pennsylvania is not the computer center of the world. But, from some of the reports that I have read, more than 23 percent of the employees now working in the United States would not have their jobs if it had not have been for the invention of the computer.

Now, I have heard my friends argue on the ATP question that it is subsidization and corporate welfare. Very nicely charged, emotional words. And then I have heard the comment that there is all that venture capital out there.

Well, I suggest, one, if you really believe there is all that venture capital out there, go back and read some of the record and hearings of the Subcommittee on Economic Development of the Committee on Banking and Financial Services four, five and six years ago, where the venture capitalists of this country were called in, the technology people of this country were called in, and they readily admitted that taking an idea or a technology from bench model to commercialization was the greatest impacting device in America of how to accomplish this.

Yes, when you have a proven technology that is ready to be commercialized tomorrow, you can go to Wall

Street or you can go to the stock market and raise your venture capital. But I venture to say if you have a brilliant idea and it is not yet commercialized, it is extremely difficult and extremely frustrating in this country to raise the funds to develop that to a commercial state.

What we are talking about here is not, as one of the gentleman said, why do we need corporate welfare in the strongest economy in the world? Because the investments we are arguing for today are not for tomorrow, but for 5, 10, and 15 years from now, if we want to maintain our superiority in technology indeed in the world. And what are we arguing about for more than an hour? Twenty cents per man, woman and child in this country. That is what the ATP system allows.

We have heard comments, what does EDA create, the Economic Development Administration? Well, I can tell you, in my district I can account for at least 3,000 to 5,000 jobs through the Economic Development Administration, and many of those are grants to private small companies that would never have been able to become a competitor in their industry or field without some basic support from the United States Government.

Is it sinful for the government to encourage inventive people, entrepreneurs, to take new technologies that create new unimagined wealth and support that in some little way? I argue not.

I think the invention of the computer proves my adversary is wrong.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in the course of our debate we will always face a series of dilemma. We have faced it with respect to juxtaposing economic development and advanced technology against the need for Drug Courts and the need to decrease the utilization and the criminal element of drug use. I find that a very commendable posture, and certainly those who have come to the floor to debate that are committed as well to that mission.

But I think we have been moving in the wrong direction, and previously we discussed eliminating or decreasing the funding for the Economic Development Agency, again not recognizing the need for domestic infusion of dollars to help the economy.

My communities in Houston are distressed in many neighborhoods and economic development monies are key to their survival and the creation of jobs. Now we come to eliminate or to decrease the ATP funding some \$43 million.

Well, Mr. Chairman, I have in my hand pages and pages of awards to the State of Texas, some 14, and in refuting my colleague's presentation about corporate welfare, I have tried to look and find the large conglomerates on this list. Mr. Chairman, I cannot find them. They are the small firms who have the

genius, but not the capital. They are the universities who have the academicians and the bright students, the Ph.D. candidates who, time after time, come up with solutions to help us make this Nation and the world a better place. These are the recipients of the ATP funds, and I reject the premise that this is corporate welfare.

This is helping those who cannot go even to their neighborhood bank or the large conglomerate bank because they have an idea, they do not have a marketable entity. These are grants that are not Wall Street-type monies, billions of dollars, but these are grants to help people get started.

The Advanced Technology Program has already led to better liquid crystal displays. I would venture to say that most of us would sit down and wonder what are liquid crystal displays. Also more accurate and faster DNA testing and better sunscreens. These small and probably not recognizable, except for DNA, of course, scientific advancements, came about through the ATP program.

These improved products are not only beneficial to our economy because they produce marketable and successful goods, but they also improve our overall quality of life.

I can tell you, Mr. Chairman, with 101, 102 and 105 degree temperatures in Texas right now, I would venture to say there is a lot of sunscreen being used. It may not be the only answer, but I can tell you it helps us out a lot. Better sunscreen means more people can enjoy the outdoors. In this instance we can come outdoors with a little sunscreen. Better LCD's means lighter and better displays on computers and watches. For those of us needing to see a little better these days, that is an advancement.

So, Mr. Chairman, I would say we need to dispel the notion that advanced technology programs are corporate welfare. In fact, more than half the grants dispersed through the program go to small businesses and universities. These institutions need and deserve our help.

Academia and small businesses are an indispensable ingredient in the foundation of our modern society, and we must do our part to make sure they retain their position and we retain our position as a prominent leader in scientific advancement and as a prominent leader in using science to advance our economy.

One of the issues we discuss readily in the Committee on Science is the Nation's position internationally in the competitive arena of math and science. Math and science go to, as well, our position in advancing and discovering new technology.

The ATP program puts us in a position to encourage those small businesses to ensure that we do have the right kind of funding to advance our position internationally. By cutting the funding for this program, we abandon a commitment that we made to the

American people, which guarantees them that they will almost have immediate access to better products at an affordable price.

Cutting the ATP and EDA program looks domestic support and domestic investment in the face and ignores our responsibilities.

Mr. Chairman, I would ask my colleagues to defeat this amendment and support the Advanced Technology Program.

Mr. Chairman. I rise to oppose this amendment, which increases the funding for law enforcement, offsetting that increase with a budget cut in the Advanced Technology Program (ATP).

I agree that law enforcement is an important issue, however, my problem with this amendment is where it takes its money from. The Advanced Technology Program provides valuable services to the entire nation, both directly and indirectly.

Under the terms of this amendment, the funding for ATP would be decreased by \$43 million dollars. That amount is exactly the amount for new awards for 1999. This program has served us well, and is a proven commodity. It is my firm belief that we ought to be increasing its funding rather than decreasing it.

The Advanced Technology Program has already led to better Liquid Crystal Displays (LCDs), more accurate and faster DNA testing, and better sunscreens. These improved products are not only beneficial to our economy, because they produce marketable and successful goods, but they also improve our overall quality of life here in the United States. Better sunscreens means more people can enjoy the outdoors without worry, and better LCDs mean lighter and better displays on our computers and watches.

I also want to dispel the notion that the Advanced Technology program is corporate welfare. In fact, more than half of the grants that are dispersed through the program go to small businesses and universities. These institutions need and deserve our help. Academia and small business are indispensable ingredients in the foundation of our modern society, and we must do our part to make sure they retain as prominent a role in our economy as multinational conglomerates.

Almost all of us agree, that our partnership with the private sector in the area of science has greatly benefitted our economy. If you have any doubts, just look to the Technology Transfer Act that was passed just a few weeks ago. By cutting the funding for this program we abandon a commitment that we made to the American people, which guaranteed them that they would have almost-immediate access to better products at an affordable price.

I urge all of my colleagues to vote against this amendment, and to assure the American public that we stand committed to the well-being of this Nation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire (Mr. BASS).

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

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

The CHAIRMAN. Pursuant to House Resolution 508, further proceedings on the amendment offered by the gentleman from New Hampshire (Mr. BASS) will be postponed.

The point of no quorum is considered withdrawn.

The Clerk will read.

The Clerk read as follows:

VIOLENT CRIME REDUCTION PROGRAMS, STATE
AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance (including amounts for administrative costs for management and administration, which amounts shall be transferred to and merged with the "Justice Assistance" account) authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322), as amended ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"); and the Victims of Child Abuse Act of 1990, as amended ("the 1990 Act"); \$2,371,400,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which \$523,000,000 shall be for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995, except that for purposes of this Act, the Commonwealth of Puerto Rico shall be considered a "unit of local government" as well as a "State", for the purposes set forth in subparagraphs (A), (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728 and for establishing crime prevention programs involving cooperation between community residents and law enforcement personnel in order to control, detect, or investigate crime or the prosecution of criminals: *Provided*, That no funds provided under this heading may be used as matching funds for any other Federal grant program: *Provided further*, That \$20,000,000 of this amount shall be for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement: *Provided further*, That funds may also be used to defray the costs of indemnification insurance for law enforcement officers: *Provided further*, That for the purpose of distribution of grants under the Local Law Enforcement Block Grant Program in the State of Louisiana, or any other State the Attorney General finds as having provisions within its constitution similar to those of Louisiana which establish the office of the sheriff in such State as an independent elected official with its own taxing and spending authority, parish sheriffs shall be eligible to receive a direct grant of 50 percent of the funding otherwise provided to the parishes; of which \$45,000,000 shall be for grants to upgrade criminal records, as authorized by section 106(b) of the Brady Handgun Violence Prevention Act of 1993, as amended, and section 4(b) of the National Child Protection Act of 1993; of which \$420,000,000 shall be for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act, as amended; of which \$730,500,000 shall be for Violent Offender Incarceration and Truth in Sentencing Incentive Grants pursuant to subtitle A of title II of the 1994 Act, of which \$165,000,000 shall be available for payments to States for incarceration of criminal aliens, of which \$25,000,000 shall be available for the Cooperative Agreement Program, and of which \$15,000,000 shall be reserved by the Attorney General for fiscal year 1999 under section 20109(a) of subtitle A of title II of the 1994 Act; of which \$7,000,000 shall be for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1990 Act; of which \$2,000,000 shall be for Child Abuse Training Programs for Judicial Personnel

and Practitioners, as authorized by section 224 of the 1990 Act; of which \$200,750,000 shall be for Grants to Combat Violence Against Women, to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(18) of the 1968 Act, including \$23,000,000 which shall be used exclusively for the purpose of strengthening civil legal assistance programs for victims of domestic violence: *Provided further*, That, of these funds, \$5,200,000 shall be provided to the National Institute of Justice for research and evaluation of violence against women, and \$1,196,000 shall be provided to the Office of the United States Attorney for the District of Columbia for domestic violence programs in D.C. Superior Court; of which \$39,000,000 shall be for Grants to Encourage Arrest Policies to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(19) of the 1968 Act; of which \$25,000,000 shall be for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants, as authorized by section 40295 of the 1994 Act; of which \$5,000,000 shall be for training programs to assist probation and parole officers who work with released sex offenders, as authorized by section 40152(c) of the 1994 Act; of which \$1,000,000 shall be for grants for televised testimony, as authorized by section 1001(a)(7) of the 1968 Act; of which \$63,000,000 shall be for grants for residential substance abuse treatment for State prisoners, as authorized by section 1001(a)(17) of the 1968 Act; of which \$15,000,000 shall be for grants to States and units of local government for projects to improve DNA analysis, as authorized by section 1001(a)(22) of the 1968 Act; of which \$900,000 shall be for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(c) of the 1994 Act; of which \$750,000 shall be for Motor Vehicle Theft Prevention Programs, as authorized by section 220002(h) of the 1994 Act; of which \$40,000,000 shall be for Drug Courts, as authorized by title V of the 1994 Act; of which \$1,500,000 shall be for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act; of which \$2,000,000 shall be for public awareness programs addressing marketing scams aimed at senior citizens, as authorized by section 250005(3) of the 1994 Act; and of which \$250,000,000 shall be for Juvenile Accountability Incentive Block Grants, except that such funds shall be subject to the same terms and conditions as set forth in the provisions under this heading for this program in Public Law 105-119, but all references in such provisions to 1998 shall be deemed to refer instead to 1999: *Provided further*, That funds made available in fiscal year 1999 under subpart 1 of part E of title I of the 1968 Act may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions and for drug testing initiatives: *Provided further*, That, if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service.

AMENDMENT NO. 9 OFFERED BY MR. SCOTT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. SCOTT:

Page 28, line 5, insert after the amount '(reduced by \$105,000,000)' and insert as follows:

Page 27, line 8, after the amount insert '(increased by \$36,500,000)';

Page 28, line 14, after the amount insert '(increased by \$13,000,000)' and on line 16 after the amount insert '(increased by \$8,000,000)';

Page 29, line 17, after the amount insert '(increased by \$12,000,000)'; and

Page 30, line 3, after the amount insert '(increased by \$35,000,000)' and on line 4 after the amount insert '(increased by \$500,000)';

Mr. SCOTT. Mr. Chairman, this amendment would transfer one-half of the funds in the Truth in Sentencing Incentives Grant program, approximately \$105 million, to crime prevention, drug treatment and family resource programs.

Mr. Chairman, there are several reasons to move funds from the Truth in Sentencing Incentive Grant program to these other programs, the first of which is that half of the States do not even qualify for the truth in sentencing grants. States like Kentucky and West Virginia and Massachusetts do not even get funds out of this program.

Second, Mr. Chairman, the truth in sentencing funds can only be spent for prison construction. At this point, some of the States that do qualify have already overbuilt prison space. For example, my own State of Virginia is trying to lease out to other States and the Federal Government some 3,200 excess prison beds. There is no reason for us to spend money to build prison beds in States that do not even need them.

Third, Mr. Chairman, that we encourage States to adopt truth in sentencing systems is of dubious value. The so-called truth in sentencing scheme is actually the half-truth in sentencing. Proponents of truth in sentencing tell you that no one gets out early. That is the half-truth. The whole truth is that no one is held longer either.

Mr. Chairman, when States adopt truth in sentencing schemes, the first thing they always do is to reduce the length of sentencing judges have been giving under the parole system and then direct the defendant serve all of the reduced sentence.

For example, under a parole system, if a judge says 10 years, the average defendant will serve about a third of the time, with the lowest risk prisoners getting out as early as two years. But the worst criminals who cannot make parole serve the whole 10 years.

But with truth in sentencing, everybody gets out at the same time. If the new sentence is 3½ years, you get 3½ years, you serve 3½ years. The problem is that the lowest risk prisoners under that system will serve more time, while the most dangerous criminals who could not make parole and would have served all 10 years now get out in one-third of the time.

If the State were to double the average time served, the worst criminals would still get out earlier than they do under the parole system. In fact, even if the State tripled the average time to be served, the worst criminals would then serve the same 10 years that they would serve under the parole system. The primary difference is that the taxpayers would have been bilked out of

billions of dollars by funding a politician's campaign slogan that has nothing to do with reduction of crime.

Mr. Chairman, States are already spending tens of billions of dollars on prison construction every year, so this \$105 million spread about the few States that actually qualify cannot possibly make any difference in the number of prison beds to be built, much less have any effect on the crime rate. But if that money is spent on prevention and treatment, we can make a significant difference in crime.

For example, Mr. Chairman, the amendment provides for \$36.5 million to go to increasing funds for building and running Boys and Girls Clubs and public housing and other sites for at-risk youth. Boys and Girls Clubs have been shown through study and research to be a cost effective way of reducing crime for at-risk youth. The amendment also provides \$37 million for residential drug treatment for prisoners before they are released, and approximately \$75 million for Drug Courts. Both prison drug treatment and Drug Courts have been shown not only to significantly reduce crime, but also to save money.

The money for court-appointed special advocates, child abuse prevention, training and law enforcement and family support will reduce family violence and child abuse, which have been shown to reduce future crime.

□ 1930

We can all agree that assisting families of law enforcement officers who have died in the cause of duty is an appropriate thing to do.

Mr. Chairman, I ask my colleagues to support this amendment, reduce crime, and save money.

Mr. DELAHUNT. I move to strike the requisite number of words, Mr. Chairman.

Mr. Chairman, I rise to support the gentleman's amendment because it makes sense. I think a little history is in order here. The so-called truth-in-sentencing grants, the statute authorizing these grants was enacted back in 1994.

From then until now, a GAO study reports that only four States changed their statutory practices to comply with these grants, only four States. In 4 years, there have been some 27 States that could in fact file an application to secure these grants, but it was clear that it was not the truth-in-sentencing authorizing legislation that encouraged those States to do it, they decided to do it on their own, as they should.

It has also become clear that the 24 other States that do not qualify under the truth-in-sentencing grants have no intention to change their current statutory practices to qualify for these grants.

By the way, as the gentleman from Virginia alluded to, there is absolutely no evidence that the monies that have already been expended through these grants in any way, shape, or form re-

duce crime or violence in this Nation. In fact, the 24 States that are not in compliance show a similar decline in violence and crime as those who have adopted a truth-in-sentencing statutory scheme.

It does make common sense. In fact, it might be worthy of consideration that this particular program over a period of time be phased out. The gentleman seeks only to remove one-half, \$105 million, from the truth-in-sentencing source for other programs.

He has enumerated them in his own statement: prison drug treatment programs, boys and girls clubs, the drug court program, child abuse training programs. These programs, these programs would be available to every single State in the Nation.

As I indicated, or as the gentleman from Virginia indicated, in my home State, the Commonwealth of Massachusetts has seen a dramatic decline in crimes of violence. In fact, the city of Boston has been used over and over again as an example of programs that do work in terms of prevention and treatment. Yet, the Commonwealth of Massachusetts is not in a position to seek monies and funding because of the mandates under the truth-in-sentencing statute.

So it does make sense. It is more fair. If we can divert these monies into programs that have been proven to work, every State in the Nation will benefit. Mr. Chairman, I urge my colleagues to vote yes for the Scott amendment.

Mr. ROGERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the gentleman's amendment because it basically takes \$105 million from the State prison grant program. Regardless of where the money would go, that is the thrust of this amendment. That would cut the resources that we have provided in this Congress to build and expand much needed prison space.

Show me one State in the Nation, I say to the gentleman, that is not overcrowded in their prison space, and I want to look at it very carefully. Even the Federal prison space is overcrowded.

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

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

Mr. SCOTT. Mr. Chairman, I could ask two questions. One, I would ask, does the gentleman know Virginia is renting out space to other States because we have 3,000 beds we do not need?

The other question is, could the gentleman tell me why Kentucky did not get any money at all from there?

Mr. ROGERS. Reclaiming my time, Mr. Chairman, and the gentleman will have his time, the gentleman's amendment is an attack on a very important crime policy that passed this Congress, the policy that requires persons who commit crimes to be held accountable by serving prison time that fits the crime.

If a State wants to take advantage of those funds, then they can do so, including my own State. I would hope that they would.

The gentleman has offered amendments the last 3 years that would do nothing more than undo that policy. The point he is trying to make is that prisons do not work. I think that is what he has said in the past. A lot of us disagree. His attempts have failed before here because it is recognized that crime is reduced when violent criminals are locked up and off the streets, which this policy does for the Nation.

Before Congress passed the violent offenders truth-in-sentencing law, violent offenders were serving only about 43 percent of their sentences. That means in 1994 murderers with an average sentence of 16 years were released after serving only 7½ years. Rapists sentenced to 9 years were released after serving less than 5 years, Mr. Chairman.

When we passed this legislation as part of this bill in 1995, only 12 States were truth-in-sentencing States. Now more than half of all States lock up their offenders for at least 85 percent of their sentences, what the juries in those States gave the criminals.

This program is the only source of funding to help States build prisons. With this money States build prisons, jails, juvenile facilities. They have developed tougher sentencing policies, policies that assure offenders serve at least 85 percent of the jury-imposed sentences. They deserve the support of Congress to ensure that adequate bed space is available to maintain those policies.

While the gentleman's amendment would increase funding for other important crime programs, the bill already provides substantial increases for those programs. For example, we already provide a \$9 million increase for Violence Against Women Act programs, \$9 million more than the President asked us to spend. We provide \$63 million for the State prison drug treatment program. We already provide \$40 million for drug courts, a \$10 million increase over the current fiscal year. We added another \$3 million earlier today, for a 43 percent increase in the funding for drug courts, which all of us agree are good things.

The gentleman's amendment would also earmark an additional \$56.5 million in funds from the local law enforcement block grants for Boys and Girls Clubs, for which the bill already provides a \$20 million boost. This would take away much needed funds for locally driven crime priorities, such as law enforcement personnel, overtime pay for police, technology for police, equipment for police, safety measures in schools, and drug courts.

Crime is down across the country because we have provided a full arsenal of anticrime measures: more police with the tools and equipment they need, more prison space to make sure that criminals are held accountable for

their crimes and are not rearrested by these police after they are released prematurely, and quality prevention programs designed to reduce risks, after their release.

We cannot afford to lose the ground we have gained. Last year, Mr. Chairman, 291 Members, Republicans and Democrats, voted to support the prison grant program and defeated the gentleman's amendment, which would have gutted the program. I urge the House again to defeat this amendment.

Mr. MCCOLLUM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. I feel very strongly that we have an established pattern that is working relatively effectively, as the chairman has just said, with respect to what the Federal government's role is in attempting to assist the States to reduce an enormously big violent crime problem that has faced this Nation for some time.

The amendment of the gentleman from Virginia (Mr. SCOTT) would take away a great deal of the incentive program that we have established in order to provide the resources for the States to accomplish this.

The truth-in-sentencing grant program that was adopted in 1995 has been very successful. It has provided a change in the way the States behave with respect to certain aspects of how they sentence and how long people serve those sentences. Unfortunately, not enough States have adopted this program that we have suggested, so far.

We started out, as the gentleman from Kentucky (Mr. ROGERS) said, in 1994 with only 12 States requiring prisoners to serve at least 85 percent of their sentences. We now have more than half the States who are on that program, who have laws that require that, at least in part. I think in large part those States that went through this procedure did it because they either knew or were interested in getting the prison grant monies that were under this bill.

We need the other States to come into compliance, because the average length of sentencing at the time we started this process being served in this country was about 33 percent; that is, the amount of time they served for what they were given, it is now up to somewhere around 38 to 40 percent, but it is still a very significant number in the sense that it is on the low side.

We need every single prisoner in this country to get a message. If we are going to have deterrence, we need that prisoner or that felon who is convicted of these violent crimes to know they are going to serve the full measure, or as much of it as is responsible, of their sentence; at least 85 percent, in every single case, especially violent criminals.

In 1960 we had approximately 160 violent crimes for every 100,000 people in our population, in 1960. At the height of

the violent crime crisis in this country, about 4 years ago, when we kind of peaked out before we had these truth-in-sentencing grants for building more prisons and encouraging States to come aboard the 85 percent rule, we had about 685 violent crimes for every 100,000 people in our population.

We have improved that number a little. The crime rate has gone down slightly, only marginally. The last time it was 634 violent crimes for every 100,000 people in our population. Even after the slight reduction in violent crime in this country, it is four times more likely, when we go to a 7-11 at night to buy a carton of milk, that we are going to be raped, robbed, mugged, murdered, or something is going to happen in the way of a violent crime.

That is totally unacceptable. We need to do everything we can to encourage the States, where most of this crime is committed, under State law, to require prisoners to serve at least 85 percent of their sentences.

That is not all that we have involved in this. Statistics show that 40 percent of the persons on death row in 1992 were on probation, parole, or pretrial release when they committed their murders. Those statistics have not changed much since then, unfortunately. Imprisonment is used much less than other methods. On any given day, seven offenders are on the street for every three that are behind bars. I find that a remarkable and awful statistic to think about. We are not now talking about people out on the street not getting any sentence, we are talking about those who get sentences, any sentence, not serving all they should be serving.

I am for boys and girls clubs. I think they are doing a terrific job in our cities. I am for the drug courts. All of us are. But to take money away from the incentive grant program in this bill to encourage States to go to truth-in-sentencing, to encourage States to change their laws to require prisoners to serve at least 85 percent of their sentences, violent prisoners, is wrong.

We need to keep what we have in this bill. We need to proceed to use the money that is available to encourage the States to do what they have not done, in those States that have not. We need to have the President of the United States and our other leaders lead a charge at the National Governors Conference and in the legislative halls of these States that have not complied to change their laws.

This money in this bill could encourage that to happen, and I would suggest it is not going to happen without this money, because if the States cannot house these prisoners, they are not going to be willing to change their laws. If we do not change them and this does not happen, we are going to continue to have an unacceptably high violent crime rate in this country.

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To the degree that that is there, it needs very badly to be continued.

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

Mr. MCCOLLUM. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Chairman, I thank the gentleman for yielding to me. I just want to bring to his attention a study that was commissioned by the GAO back in February of 1998, this year.

The CHAIRMAN. The time of the gentleman from Florida (Mr. MCCOLLUM) has expired.

(By unanimous consent, Mr. McCollum was allowed to proceed for 2 additional minutes.)

Mr. DELAHUNT. Mr. Chairman, if the gentleman will continue to yield, it states, and I am quoting, The truth in sentencing grants were a key factor in four States, in four States.

Mr. MCCOLLUM. Reclaiming my time, Mr. Chairman, I do not know anything about that study. I do not believe that that is true. I believe we passed this law in 1995. I know there were 12 States at the time we passed that law that had truth in sentencing, the 85 percent rule. There are now 28 States, I have just confirmed in checking, who have gone to that.

I would believe, from all the evidence I know about as the chairman of the Subcommittee on Crime, from talking to State legislators around the country, from talking to governors around this country, that the incentive grants program in this truth in sentencing had a lot to do with decisions in all of those States. Tell me who did the study and I will be glad to research their study.

Mr. DELAHUNT. Mr. Chairman, I can bring this to the attention of the gentleman, because it is a report to congressional requesters. There were 7, 8 members of the Committee on the Judiciary.

Mr. MCCOLLUM. Mr. Chairman, who is the report authored by?

Mr. DELAHUNT. The report is a GAO report. It is dated February 1998. It is described as truth in sentencing.

Mr. MCCOLLUM. Reclaiming my time, Mr. Chairman, I will be very glad to look at that. I am glad to know that GAO thinks that. I think they are wrong. I believe that our studies in the Subcommittee on Crime would say they are wrong. I have never seen that report before, never heard of that report. It does not make one wit of difference, because we need to provide such money out there to get them to do the job.

I would seriously contest the validity of any study that shows that. This amendment should be defeated, if we are going to get the 85 percent rule adopted in the other remaining States, the remaining ones other than the 28 that have done it. I urge in the strongest of terms that the Scott amendment be defeated.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Chairman, I thank the gentleman for yielding to me.

Again, I just want to report that this is a GAO study. The requesters were members of the Committee on the Judiciary, including members of the Subcommittee on Crime, and it states that according to their research, truth in sentencing grants were a key factor in four States.

The gentleman is right. There were 12 States prior to the enactment of the truth in sentencing incentive program back in 1994 that were in compliance. But my point is specifically this, those States that are not in compliance now show clearly that a decline in crime, in violence is commensurate with those States that have received grants, that the bottom line, common sense dictates that this particular program has done nothing whatsoever to reduce violent crime in this country.

The States know what they are doing. The Commonwealth of Massachusetts, as the gentleman knows, has an outstanding record in the reduction of crime and violence, and they are not in compliance. Let the States do what they know best, not the Federal Government, not bureaucrats in Washington. They know how to deal with the issue of violent crime.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Chairman, I would like to respond to a couple of things that the gentleman from Kentucky mentioned.

First of all, the amendment is drawn so that the money will come out of the truth in sentencing grant. It is a little complicated because of the way the truth in sentencing grant has been combined with others, but the amount of money, the legislative intent is to take it out of the truth in sentencing grant.

The gentleman from Kentucky also indicated that we have suggested that prisons do not work. What we have said, Mr. Chairman, is that a scheme that increases the time for the lowest risk prisoners and decreases the time for the highest risk prisoners is not the effective use of prison space.

I think it is appropriate now to give an example of what happens when you do these truth in sentencing schemes. As the gentleman whose name is nationally known, Richard Allen Davis, who was in jail on a serious crime, he was given six months to life. He was denied practice parole, denied parole, denied parole, until a California crack-down on crime abolished parole and re-sentenced everybody. He got 7.2 years. Turned out he had already served it. He was out. He got caught again on a serious offense. You get 8 years, you serve 8 years. They could not hold him longer than 8 years and had to let him out. Then he kidnapped and murdered Polly Klaas.

If there had been a parole system where they could have held him longer,

he would still probably be in jail on the first offense and certainly in jail on the second offense. That is why I call it half truth in sentencing, because the half truth is that nobody gets out early, but the whole truth is that you cannot hold people longer.

This scheme also has another little effect. That is that those who are in prison have no longer any incentive in getting the education, the job training that actually makes a difference in recidivism rates. They know the day they get in, they know when they are going to get out so they do not have to get any education or job training.

When truth in sentencing and abolishing parole was studied in Virginia, they found that spending \$200 million per congressional district and \$100 million per congressional district per year running the prisons would not make a statistically significant difference in the crime rate. That is what their study showed, not a statistically significant difference.

That is why the amendment is to take the money out of that program and put it into some programs that will actually reduce crime.

Mr. FRANK of Massachusetts. Mr. Chairman, I am glad I got that off my chest.

Mr. WATT of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have to say that after listening to this debate, my colleague from Florida, the chairman of the Subcommittee on Crime of the Committee on the Judiciary, is just as much in denial on the floor of the House as he is in the committee.

The truth of the matter is that these truth in sentencing grants simply do not work for the purpose that he believes they do. We went 2, 3 years ago, I was part of the Subcommittee on Crime at that time, went with the chairman of the subcommittee to the various States. And every place we went law enforcement people, including the folks that he said would say differently, that he invited, told the chairman of our Subcommittee on Crime that this was not a good idea. It was not a good idea, including the Attorney General of California. I was there at the hearing when he told him that. This was not a good idea. This is a Republican Attorney General who is running for governor of California. He told him this was not a good idea.

Yet we passed the bill. And now the GAO has told him that it is making no impact, minimal impact. Four States consider this a factor in whether they pass truth in sentencing laws. And he is back here on the floor saying we still ought to do this.

We are wasting taxpayers money doing something that if we converted it to prevention programs, as the gentleman from Virginia (Mr. SCOTT) has suggested we do in this amendment, would be having some impact on the crime rate.

He would like for us to take credit for the reduction in crime, but crime

has gone down in all of these States where none of these grants have been given to anybody. It has got nothing to do with truth in sentencing grants being given to the States. Most of the States, including the chairman of the Committee on Appropriations, whose bill this is, do not even get money under this grant program because they do not qualify. And they are not going to change their laws, because they are closer to the people and they have decided that the truth in sentencing scheme that we would appropriate from the Federal Government is not going to work in their States, just like the study that Virginia did that the gentleman from Virginia (Mr. SCOTT) has alluded to.

So why are we doing this program? Because we want to stand up and beat our chests that truth in sentencing somehow is doing something that the GAO study says it is not doing, that the Attorney General of California has said it would not do, that everybody we heard who came to testify at those hearings all across America told them were not going to work.

Yet this is something that the chairman of our subcommittee, the Subcommittee on Crime, has decided that he wants the Federal Government to impose on States. Contrary to all Federalism principles, we have no role at the Federal Government telling States how they ought to be sentencing. They are the legislators that are closest to the people.

That is what we keep hearing from my colleagues who say that they believe in States rights but, over and over and over again, continue to confirm that they do not really believe in it. They just want to give lip service to it.

This is all about the Federal Government trying to tell States how they ought to be sentencing prisoners, when State legislators know as much or more about this issue than we do here at the Federal level.

This program is not working. We ought to take all of the money and transfer it into other programs, other than the money that has already been spoken for and applied for. That is what we ought to be doing with this.

The proposal of the gentleman from Virginia (Mr. SCOTT) is a modest proposal, because he is proposing to take just a little part of it. And that part is not being used and it will not be used, because States have decided that this is a terrible idea, has no impact on crime and that they would make their own decisions about what makes sense out in the world, not allow the Federal Government to tell them what makes sense.

Mr. GUTKNECHT. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Florida (Mr. McCOLLUM).

Mr. McCOLLUM. Mr. Chairman, I just want to respond a little bit to the gentleman from North Carolina (Mr. WATT).

I have a great deal of respect for the gentleman from North Carolina (Mr. WATT) and for the gentleman from Virginia (Mr. SCOTT), the author of this amendment. But my recollection of the visits that we made, looking at the juvenile crime problem and the juvenile justice system around the country together, is quite different from that of the gentleman from North Carolina (Mr. WATT).

We discussed the problems that we have today of a lack of accountability. We listened to many hours, through 6 or 7 different State meetings, regional meetings actually, where we got most of the law enforcement officials and probation officers and judges and all kinds of folks to come to tell us what we could do about the juvenile crime problem and repairing a broken juvenile system.

And we have adopted in this House H.R. 3, back in the last year of this Congress, the first year, and it has been funded, the program, the grant program, by the gentleman from Kentucky (Mr. ROGERS) and this committee now twice, although the Senate has yet to adopt that program, to provide block grants to the States in order to improve their juvenile justice system, to provide more probation officers, to provide more juvenile judges, to provide more juvenile prosecutors, to provide more juvenile detention facilities, with a carrot in there that said, you cannot get this money unless you first start by taking the very first juvenile offender, when they have committed a very minor misdemeanor act, such as spray painting graffiti on a warehouse wall or running over a parking meter, and giving them some kind of punishment, not necessarily detention time but community service or whatever. States are beginning to pay attention to this.

I would like to believe that this grant program will work, but that is a separate, entirely separate matter from the question of these truth in sentencing grants which were created some time ago.

The process began actually when your party had the majority, but it was a Republican incentive. It was a Republican idea. Fortunately, we were able to modify it in 1995 and get these grants really going. I believe, because of the debate over the fact that we have had so much happening with this revolving door for violent criminals, we are not talking now about juveniles committing misdemeanors, we are talking about murderers, rapists, armed robbers, violent criminals, going through the revolving door, serving only a fraction of their sentences. Many murderers serving only 7 or 8 years, many others getting out with a third or less of their sentences being served and going out and committing crime after crime again and again and again, being the majority of the violent criminals in that category.

We had a lot of debate over that. As a result of that debate here in this Con-

gress on the floor of this House for several years in a row, I am quite confident that State legislators began to get the word.

And I want you to know, I hope we both remember this, that Attorney General Dan Lundgren came to testify here in Congress as the Attorney General of the State of California in favor of the truth in sentencing grant program that we have here and that we are funding tonight. Not only that, but it was Dan Lundgren who authored, back in the 1980s, when he was in Congress in this body, who authored the provision that put the amount of time that has to be served by a Federal prisoner who commits a crime at 85 percent that started this whole process rolling in the first place.

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So I am quite confident that Attorney General Lundgren fully supports truth in sentencing, fully supports what we are doing and have done up to this point with respect to trying to provide incentives to the States to stop the revolving door, to make those who commit violent crimes, murderers and rapists and robbers, serve the full measure of their sentences, because he understands that by getting them off the streets, locking them up and throwing away the keys, we can stop a great deal of crime in this country. And that has an awful lot to do with the violent crime reduction rate that is going on.

Now, we may have some other good programs in States that do not have truth in sentencing laws, and in New York City and some other places there are other factors involved in reducing crime, a lot of crime that is not necessarily violent crime, and we do not pretend tonight to say the total solution is truth in sentencing, but it has a large measure to do with it and it is something the public really wants us to continue.

And those other States, those other 22 States that have not yet adopted truth in sentencing, need to get with it. They need to require violent criminals, repeat felons to serve at least 85 percent of their sentences, to get them off the streets, to lock them up, to make them serve their full sentences, and hopefully they will never let them out again.

And then we should be dealing with the juveniles at the early stages, where the gentleman and I went around the country and talked about the problems kids are going through with parents who are not paying enough attention, who are truants and delinquents and get into trouble very early on with the law but never go before a judge, often; in some cities are never taken in by the police because the juvenile justice system is overworked and it is broken in those communities, and we need to do these other things.

But the answer to those parts of this problem does not require giving up this part. We have to do it all. We have to

do both. It is not good to have half a loaf. We have to have a full loaf. So tonight I would encourage my colleagues again to defeat the Scott amendment. It is a bad amendment. It destroys a good program that does work. We will continue to reexamine that program, as others.

I thank the gentleman from Minnesota very much for yielding me the time to respond and maybe to make a few points with respect to this, and I strongly urge the defeat of the Scott amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I ask this body to give the Scott amendment a chance, and the reason why I say that is because there can be many interpretations to all that we have seen and all that we have heard.

I appreciate the gentleman from Florida (Mr. McCOLLUM), who I work with on the Committee on the Judiciary and the Subcommittee on Crime, and I joined him on many of those hearings around the country. Maybe I heard something different but, Mr. Chairman, what I did hear is I heard that there is a great need for intervention and prevention.

Now, this does not go in the face of locking up those who have done heinous crimes. This is not against the idea of violent criminals being incarcerated. But let me answer the gentleman from Florida and say that my State is one which is not qualified. It happens to be a State that has built and built and built prisons. In fact, we have built so many prisons that we are in the business of renting prison cells.

And yet we are still seeing crime being perpetrated, and perpetrators upon perpetrators repeating these heinous acts to a certain extent, because maybe there is a reason where we cannot hold people when they need to be held. And the truth in sentencing responds, unfortunately, to that in the wrong way. So that when someone's time is over, it is over, and those violent criminals cannot be held.

So we seem to be chasing our tails, saying in one instance, do not take the money out of this because it keeps the violent criminals incarcerated. I say it does not. And do my colleagues know what else it does? It helps to promote a situation where a young man whose case was presented on television the other evening, who got himself a little inebriated and had a spat with his girlfriend and another young man, with a clean record, a good family, he happened to barge into the girlfriend's apartment and punch the other fellow. The other fellow did not die, he was not hospitalized, but the young man was charged with breaking and entering and assaulting. He has 25 years in prison, and we are holding him under truth in sentencing. I imagine that State can apply for these monies, and yet he is not the kind of violent criminal who cannot be rehabilitated.

The Scott amendment does things that I think are important. It puts money in the prison drug treatment programs. We already know that drugs are a devastation upon this society and these communities. And we also know that many of those who are addicted to drugs are incarcerated and are never rehabilitated, and they come right back out and join the cycle of either selling or possessing and using.

The drug courts, which just a minute ago we were talking about funding it or adding more dollars. Boys and Girls Club, which is a well-known institution that goes into the very inner workings of rural and urban America and takes those children who are left out and put out. The Court Appointed Special Advocates, who help to nurture those children who are coming into the courtroom and provide some assistance if they are involved in a crime or if they are victims of a crime. The Child Abuse Training programs. How many times have we heard people rise to make points that those perpetrators of crimes have been victims of child abuse? How many times have we heard that I was a victim of child abuse? And then the Law Enforcement Family Support Program. These are the kinds of intervention measures that can provide the real prevention, what we are all trying to do.

Finally, Mr. Chairman, let me say this. We have all heard about these numbers, that crime is going down. Well, if we read some of the recent articles coming out, we find out that these statistics may be skewed. There has been such a heavy pressure on local law enforcement officials, chiefs of police and sheriffs, that we do not know if these numbers are accurate. It may not be going down anyhow. And the number of incarceration units may not have been having a real impact on bringing down the crime.

It may be that we have to stop and smell the roses. Give the Scott amendment a chance. Give the idea of prevention a real chance.

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Massachusetts, because this is an important position which we should take.

Mr. DELAHUNT. Mr. Chairman, I thank the gentlewoman from Texas for yielding to me.

I do not know what States the chair of the subcommittee is referring to when he talks about murderers being held for 7 or 8 years, and rapists and muggers out on the street. I served as district attorney, as the gentleman knows, in the metropolitan area in Boston. Every single individual who was sentenced and incarcerated for first degree murder is still serving.

The CHAIRMAN. The time of the gentlewoman from Texas (Ms. JACKSON-LEE) has expired.

(By unanimous consent, Ms. JACKSON-LEE was allowed to proceed for 1 additional minute.)

Mr. DELAHUNT. Mr. Chairman, will the gentlewoman continue to yield?

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

Mr. DELAHUNT. Mr. Chairman, as I was saying, every single inmate that was incarcerated for first degree murder is still serving that time. It has nothing to do with this particular amendment.

At the same time I hear the gentleman from Florida telling or instructing or exhorting 22 States to get with it. Well, I would suggest to the gentleman that the reality is that those 22 States would show a decline in the reduction of violence as significant as those that are in compliance.

The bottom line, and I know the gentleman shares this concern, and this is his purpose, is to see crime and violence reduced in America. But if the program is not working, it makes sense to take another look at it.

Ms. JACKSON-LEE of Texas. Reclaiming my time, Mr. Chairman, and I thank the gentleman, I think the ultimate question has to be do we stand on behalf of prevention and intervention, which the Scott amendment allows us to do, or do we follow the same path which has not shown a decided impact of what we would like it to do?

The CHAIRMAN. The time of the gentlewoman from Texas (Ms. JACKSON-LEE) has again expired.

(On request of Mr. SCOTT, and by unanimous consent, Ms. JACKSON-LEE was allowed to proceed for 1 additional minute.)

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

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

Mr. SCOTT. Mr. Chairman, I would just like to point out one thing, that we should not confuse percentage of time with length of time. Someone who gets the 5 years and serves 100 percent of the 5 years, serves 5 years. Someone that gets 100 years and serves 50 percent of that time would serve 50 years. That 50 years is not long enough to qualify under truth in sentencing because it is not 85 percent of the time.

So we should not confuse the fact that some may be serving 100 percent of a much shorter sentence than one-third or one-half of a much longer sentence. I just think there should not be that confusion.

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

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

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

The CHAIRMAN. Pursuant to House Resolution 508, further proceedings on the amendment offered by the gentleman from Virginia (Mr. SCOTT) will be postponed.

The Clerk will read.

The Clerk read as follows:

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office

for Weed and Seed, to implement "Weed and Seed" program activities, \$33,500,000 to remain available until expended, for intergovernmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies engaged in the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy: *Provided*, That funds designated by Congress through language for other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: *Provided further*, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

AMENDMENT OFFERED BY MR. GUTKNECHT

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

The Clerk read as follows:

Amendment offered by Mr. GUTKNECHT:

Page 31, line 5, after the dollar amount, insert "(increased by \$6,000,000)".

Page 47 line 11, after the dollar amount, insert "(reduced by \$6,000,000)".

Mr. GUTKNECHT. Mr. Chairman, this is a relatively simple amendment. We simply limit the funding for Public Telecommunications Facilities Program to what the President originally requested, \$15 million, and use the additional \$6 million to support the Weed and Seed Program, a comprehensive crime fighting and neighborhood revitalization program.

Mr. Chairman, the story I am about to tell, if it were not published in several newspapers, I would have a difficult time believing myself, but it involves public broadcasting and what has happened over the last several years. And as Members will recall, after the 1994 elections many of us came in and said it is time to wean public broadcasting from taxpayer dollars.

And at that time I remember we had some of the people from public broadcasting came to my office and we had some lengthy discussions about the value of public broadcasting as well as the costs, and what ultimately were being paid in terms of salaries to some of the executives at NPR and other public broadcasting entities. I remember at the time I was told that all of these reports that the salaries and the compensation were exorbitant were way overblown, and that these people were being paid less than they would be paid at broadcasting facilities of similar size in the private sector.

We all believed that that was true. Then the facts began to come out, and let me give my colleagues some examples.

What has really happened in public broadcasting, particularly back in Minnesota, is they have found very creative ways to take a nonprofit agency,

spin off for-profit companies, and then take some of those profits from that company, not so much just to help the broadcasting cause but to help themselves.

For example, in 1995 one of the spin-offs of NPR, a company called Greenspring, had total sales of \$135 million. Now, it was then that there were published reports that while the executive director, the president, was being paid \$67,000, it was estimated his total compensation package was somewhere between \$200,000 and \$500,000. Well, they denied that and said it was not true. But later, when the facts came out, it was learned that in 1995 the total compensation for the gentleman in question was \$291,000.

Now, the story gets better. In 1996, it is estimated that the total compensation was \$526,000. In fact, we subsequently learned, according to a copy-righted story in a Star Tribune newspaper in Minneapolis, that the total compensation was \$75,000 from the Public Broadcasting Corporation but he had an additional \$451,000, to give him a grand total compensation of \$526,945.

Now, I do not argue that executives should be well paid, and that is not my purpose here. But let me take this one step further. Another group they spun off as an umbrella corporation from NPR was a group called the Riverfront Trading Company. Now, in 1998, the spring of 1998, it was sold off to the Dayton Hudson Corporation. As a result of that spin-off, not only was the president of NPR paid, with salary and bonuses from Greenspring, somewhere in the area of \$500,000, he was also paid an additional bonus of \$2.6 million. That was the bonus on top of his annual compensation.

Now, I am not here to just bash this particular individual, but the numbers are a matter of public record now. The president was paid a total compensation in 1996 of \$526,495, the vice president was paid \$270,000, and another person who works for him was paid \$529,000.

The point of all of this is that we have lost the battle about completely cutting the umbilical cord of public broadcasting, but the President came in this year and asked for \$15 million for the Public Telecommunications Facilities Program, and in this appropriation bill we have awarded them \$21 million. We believe we should at least go back to the original request.

We have found that people in public broadcasting can be extremely creative in terms of ways that they can turn a dollar, especially if some of those dollars can return to them. I am in favor of some form of bonuses. I think these seem to be a bit steep. But frankly, we can take that additional \$6 million and put it into a program which has shown that it is making a real difference in our core cities, and that is the Weed and Seed Program.

This is a comprehensive crime fighting, neighborhood revitalization program that really attacks our problems

of high crime, drugs, all the problems we see in our inner cities, and we attack it with a twofold approach:

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First of all, aggressively fighting the crime, the drug sales and trafficking that goes on in the inner cities; and then, secondly, using some of the funds as grants to encourage more economic development.

I think this is a good amendment. It is a fair amendment.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment to cut funding for the Public Communications Facilities Program, PTFP.

This is not so much an increase in Weed and Seed, again which we think is an excellent program and well-funded, as it is a slap and a cut at PTFP. The Public Telecommunications and Facilities Program is extremely important and the bill provides \$21 million for it, the same funding level as provided in fiscal year 1998.

It is important to note \$21 million is considerably less than is actually needed. In fact, America's public television stations are requesting \$56.25 million in fiscal year 1999 for PTFP. This is year one in a four-year request totaling \$225 million.

Now, this significant investment would be used to help our public radio and TV stations convert to a digital system, something the FCC is requiring them to do by May of 2003 and which they are going to be extremely hard-pressed to do unless they have this funding. It is evident that indeed additional funds above and beyond the \$21 million provided in this bill are necessary to begin this costly transition process.

Many will have to build new towers, extremely expensive to do, at a cost of \$1 million to \$3 million each. These stations simply do not have the resources, many of them, to make that kind of investment. Others will have to modify their towers and antennas to accommodate the height and strength necessary to support new or additional antennas necessary for this new digital system.

In conclusion, Mr. Chairman, PTFP is an extraordinarily beneficial program. We must fund it at a level which allows our public radio and TV stations to convert to digital. Cutting the program at this time is an extremely bad idea. If anything, we should be providing additional funds, additional resources.

To that end, Mr. Chairman, I intend to support the amendment of the gentleman from New York (Mr. ENGEL), which will be offered later, I hope, which will increase funding, and certainly urge my colleagues to vote against this ill-advised amendment.

Mr. ROGERS. Mr. Chairman, I move to strike the last word, and I rise to oppose the amendment.

Mr. Chairman, there is some misunderstanding about what is in this bill. We do not fund the Corporation for

Public Broadcasting. We do not fund the Public Broadcasting System. None of that is in this bill.

What this bill covers is funding for your home State towers, for facilities locally, and not the national programming here in Washington that has been described. So this bill does none of that. What we do provide in the bill is funding for your State public broadcasting facilities, towers, equipment, that type of thing, on a grant basis through the MTIA program.

The bill provides a total of \$40 million for the Weed and Seed Program in the Justice Department, which is a \$6.5 million increase over the current level and the full amount that was requested, and at the same time the bill freezes the MTIA's Public Telecommunications Facilities Program, PTFP. We freeze that level at the 1998 spending level.

This amendment, I think mistakenly, would cut PTFP by 29 percent below the freeze level. And, as I say again, it would not touch PBS or the Corporation for Public Broadcasting because we have no money in this bill. That is in another bill.

While I certainly support the Weed and Seed Program, we have provided very healthy increases for Weed and Seed in the bill already, Mr. Chairman. At the same time, the PTFP program has been frozen due to our budget priorities, despite the fact that the need for the program has grown as public television and radio are struggling financially to try now to convert to the new digital telecommunications environment that will be with us in a matter of months.

In addition, I might note that because of our budget constraints over the last 3 years, total funding for the PTFP program has been decreased by 28 percent, and this amendment would cut it another 29 percent.

So I think the gentleman perhaps is misguided in his amendment, and I would encourage him to take on the PBS and the CPB in whatever bill he would like, but this one does not have any funds in it for those two systems. All as we have, as I say, is money for our State and local public broadcasting facilities, not salaries or anything else.

So I urge defeat of the amendment.

Mr. MCCOLLUM. Mr. Chairman, I move to strike the last word.

I want to comment on this case about the Weed and Seed Program. I think it is an extraordinarily good program. It was created back in the Bush Administration, one that Attorney General Barr was very active in pursuing, one which on the "Seed" part of it has had a little bit more attention than the "Weed" part in recent years in the Clinton Administration, but nonetheless a good program.

As the gentleman from Minnesota (Mr. GUTKNECHT) was describing, it is a program in which the Justice Department goes out through the U.S. Attorneys and through a grant program and through money efforts they have to go

into pockets of specialty areas in the community where there is a lot of crime, and they attempt to enforce the laws, to really clean up that area, to have the prosecutions occur that clean that neighborhood up, if you will, and then provide some grants and some incentives to get kids who may be going the wrong way, help the neighborhood get them on the right track in terms of programs that can induce them to not go down this deviant path of crime.

It is effective in such things as Operation Trigger Lock, which again the Bush Administration operated a lot more than this administration has, where we took those who committed crimes with guns, and maybe they were State crimes and they had been repeat criminals in this regard. They were felons, convicted already, and there is a Federal law that says a felon cannot possess a gun.

And a State or a local government would arrest this fellow for whatever it might be, can only hold him for so long if it is a basic crime, but the attorney general would require under his guidance in those days the U.S. Attorney to go in and charge that person with the gun crime at the Federal level, for the simple possession of that gun as a convicted felon, and be able to get a sentence that would keep him off the street a lot longer.

Those kinds of programs were effective and are effective, if they are working properly, to clean up an area in a neighborhood and then go and seed it through the grant programs in the Department of Justice to allow us to keep it clean.

I think what the gentleman from Minnesota (Mr. GUTKNECHT) is trying to do here is a noble, positive thing to do.

I would like to make one other comment about the issue at hand about broadcasting. I think all of us want to see this conversion to digital. I think tough choices have to be made in bills like this. Unfortunately, we cannot simply create more money for a program like Weed and Seed. We have to take it from somewhere, which is why I am sure the spending levels are where they are, and my good friends the chairman and the ranking member want to keep it that way because they already made that choice. But I would, with all due respect, concur with the gentleman from Minnesota (Mr. GUTKNECHT) on that point.

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

Mr. MCCOLLUM. I yield to the gentleman from Minnesota.

Mr. GUTKNECHT. Mr. Chairman, I thank the gentleman for yielding. I do not want to prolong the debate, but I do want to put a couple other facts on the record.

Even the President recognizes that this is a very low priority item. In his FY 1998 budget request, he requested zero funds for this program. He received \$21 million anyway. This year he requested \$15 million and we are giving him another \$21 million.

I think what I tried to demonstrate with my earlier remarks about what is happening in Minnesota, these people are extremely creative. They will figure out a way to fund these enhancements. And I understand that this is not where we will talk mostly about the Corporation for Public Broadcasting.

But I really think this is one area where we at least ought to honor the President's budget request, use those additional funds for programs that we think really do make a difference in the inner city.

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

The CHAIRMAN (Mr. HASTINGS of Washington). The question is on the amendment offered by the gentleman from Minnesota (Mr. GUTKNECHT).

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

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

The CHAIRMAN. Pursuant to House Resolution 508, further proceedings on the amendment offered by the gentleman from Minnesota (Mr. GUTKNECHT) will be postponed.

The Clerk will read.

The Clerk read as follows:

COMMUNITY ORIENTED POLICING SERVICES
VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322 ("the 1994 Act") (including administrative costs), \$1,400,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, for Public Safety and Community Policing Grants pursuant to title I of the 1994 Act: *Provided*, That not to exceed 266 permanent positions and 266 full-time equivalent workyears and \$32,023,000 shall be expended for program management and administration: *Provided further*, That, of the unobligated balances available in this program, \$170,000,000 shall be used for innovative policing programs, of which \$50,000,000 shall be used for a law enforcement technology program, \$50,000,000 shall be used for policing initiatives to combat methamphetamine production and trafficking and to enhance policing initiatives in drug "hot spots"; \$20,000,000 shall be used for programs to combat violence in schools, \$25,000,000 shall be used for bullet proof vests for law enforcement officers, \$10,000,000 shall be used for additional community law enforcement officers and related program support for the District of Columbia Offender Supervision, Defender, and Court Services Agency, and \$15,000,000 shall be used for equipment and training for tribal law enforcement officers.

AMENDMENT OFFERED BY MR. BLAGOJEVICH

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

The Clerk read as follows:

Amendment offered by Mr. BLAGOJEVICH:
Page 32, line 14, after the dollar amount, insert the following: "(increased by \$5,000,000)".

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

Mr. BLAGOJEVICH. Mr. Chairman, the amendment I am sponsoring would earmark the remaining \$5 million balance in unobligated, community-ori-

ented policing services from Fiscal Year 1998 to the Department of Justice for the expansion of community prosecution programs across our Nation.

Let me emphasize that these dollars are not committed and my amendment does not take funding away from any other law enforcement priorities within the bill.

Community prosecution programs represent the next step in community-based crime prevention programs. Just as police officers are assigned to a beat under community policing programs like COPS, community prosecutors work with residents of specific communities to identify, interdict, and remove those conditions in neighborhoods that become breeding grounds for crime.

Too often people only have contact with prosecutors when they are victims of crime. This \$5 million will provide much-needed resources to help prosecutors join with police to address local crime problems by reorienting their emphasis from assembly-line processing of cases to taking on quality-of-life issues and preventing crimes from happening in the first place. The thinking behind this concept is this: If we fix the broken windows early on, we can stop crime before it starts.

These programs are supported by groups like the National District Attorneys Association, and have been successful across our Nation in towns as small as Rosebud, Montana to cities as large as Chicago, Illinois.

This notwithstanding, these programs continue to struggle for resources. This \$5 million will provide a sheltered funding resource to develop and sustain existing programs as well as provide incentives to create new ones.

My amendment has been scored by the Congressional Budget Office as being revenue neutral and has been written in cooperation with both the staff of the gentleman from Kentucky (Mr. ROGERS) and the staff of the gentleman from West Virginia (Mr. MOLLOHAN).

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

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

Mr. ROGERS. Mr. Chairman, we have no objection to the amendment and support its adoption.

Mr. BLAGOJEVICH. Mr. Chairman, reclaiming my time, it is my understanding that the distinguished gentleman from West Virginia (Mr. MOLLOHAN) is in agreement with this. I would like to thank the gentleman, and the gentleman from Kentucky (Mr. ROGERS).

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. BLAGOJEVICH).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition, for programs of Police Corps education, training, and service as set forth

in sections 200101-200113 of the 1994 Act, \$20,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, including salaries and expenses in connection therewith to be transferred and merged with the appropriations for Justice Assistance, \$265,950,000, to remain available until expended: *Provided*, That these funds shall be available for obligation and expenditure upon enactment of reauthorization legislation for the Juvenile Justice and Delinquency Prevention Act of 1974 (H.R. 1818 or comparable legislation).

In addition, for grants, contracts, cooperative agreements, and other assistance, \$10,000,000, to remain available until expended, for developing, testing, and demonstrating programs designed to reduce drug use among juveniles.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended, \$7,000,000, to remain available until expended, as authorized by section 214B of the Act.

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, as authorized by section 6093 of Public Law 100-690 (102 Stat. 4339-4340); and \$250,000 for the Federal Law Enforcement Dependents Assistance Program, as authorized by section 1212 of said Act.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed \$45,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses in accordance with distributions, procedures, and regulations established by the Attorney General.

SEC. 102. Authorities contained in the Department of Justice Appropriation Authorization Act, Fiscal Year 1980 (Public Law 96-132; 93 Stat. 1040 (1979)), as amended, shall remain in effect until the termination date of this Act or until the effective date of a Department of Justice Appropriation Authorization Act, whichever is earlier.

SEC. 103. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

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AMENDMENT OFFERED BY MS. DEGETTE

Ms. DEGETTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. DEGETTE: In title I, in the item relating to "GENERAL PROVISIONS—DEPARTMENT OF JUSTICE", strike section 103.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that debate on this amendment be limited to 20 minutes to be divided equally between the sides, 10 on each side.

The CHAIRMAN. On this amendment and all amendments thereto?

Mr. ROGERS. Yes, Mr. Chairman.

The CHAIRMAN. Without objection, the gentlewoman from Colorado (Ms. DEGETTE) and the gentleman from Kentucky (Mr. ROGERS) each will control 10 minutes.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentlewoman from Colorado (Ms. DEGETTE).

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

Mr. Chairman, the amendment I am offering today is very straightforward. What it simply does is strike the language in the bill which prohibits the use of Federal funds for abortion services for women in Federal prison. Unlike most other American women who are denied coverage of abortion services, women in prison have no money, nor do they have access to outside financial help, nor do they have income which will allow them to obtain these services for themselves. Inmates in Federal prisons are completely dependent upon the Bureau of Prisons for all of their needs, including food, shelter, clothing and every single aspect of their medical care. These women are not able to work at remunerative jobs that would allow them to pay for their medical services, including abortion services, which I will point out to the House are still legal in this country. In fact, last year inmates working on the general pay scale earned from 12 cents to 40 cents per hour, or roughly \$5 to \$16 per week. The average cost of an early, outpatient abortion in this country ranges from \$200 to \$400. Abortions after the 13th week in this country cost \$400 to \$700, and abortions after the 16th week, which none of us really favor at all, go up \$100 more per week, ending at about \$1200 to \$1500 in the 24th week.

Even if a woman in Federal prison earned the maximum wage on the general pay scale and worked 40 hours per week, she would never have the money to pay for an abortion in the first trimester. After that, the cost of an abortion rises so dramatically that even if the female inmate saves her entire salary, she would never ever be able to afford a legal abortion.

If Congress denies women in Federal prison coverage of abortion services, it is effectively shutting down the only avenue these women have to pursue their constitutional rights to a safe and legal abortion.

Let me remind my colleagues again, for the last 25 years in this country, women in this country have had the right legally and constitutionally to abortion. With the absence of funding by the very institution prisoners depend on for health services, women prisoners are, in effect, coerced into pregnancy by this bill.

Let me talk just for a minute about the kinds of women who are entering prison today in this country. Most women entering prison are victims of

physical and sexual abuse, some incest victims which would not be excluded by this bill, two-thirds of them are incarcerated for drug offenses, and many of them are HIV infected or have full-blown AIDS. Does Congress think that it is in this country's best interests to force these women against their will to carry these pregnancies to term? And what happens to the children of the women who are bearing these unwanted children in prison? These children are taken from their mothers at birth to an uncertain future. I do not see any provision in this bill that provides for quick adoption of these children or other means by which they can have a fulfilled life that would not follow in the tracks of their incarcerated parents.

This bill, make no mistake about it, is about forcing women against their will to have a child. It is downright foolish and cruel to force women in Federal prisons to bear children in prison when that child will be taken from them at birth to an uncertain future. In 1993, Congress did the right thing when it overturned this barbaric policy. I urge my colleagues to do the same today and to support the DeGette amendment.

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

Mr. ROGERS. Mr. Chairman, I yield myself such time as I may consume. The provision in this bill the amendment seeks to strike does one thing only, it prohibits Federal tax dollars from paying for abortions for Federal prison inmates except in the case of rape or the life of the mother.

The bill requires that the Bureau of Prisons escort inmates to a private facility if they want abortion services. The provision that we have in the bill, Mr. Chairman, is a long-standing provision. It has been carried in nine of the last 10 bills that we have brought to the floor of the House. The House rejected this very same amendment to last year's appropriations bill by a vote of 155-264, the previous year by a voice vote, and two years ago by a vote of 146-281.

Time and again, the House has debated this issue of whether Federal tax dollars should pay for abortion. The answer has always been "no." I urge the House to say "no" again. I urge rejection of the gentlewoman's amendment.

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

Ms. DEGETTE. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I rise in strong support of the DeGette amendment to the Commerce, Justice, State appropriations bill, because this allows women in prison the option of abortion services. Quite simply the amendment offers the coverage of abortion services to women who are solely dependent on Federal resources.

Mr. Chairman, 6 percent of incarcerated women are pregnant when they

enter prison. Many are victims of physical and sexual abuse. Women in prison have no resources. They usually have no means to borrow or little support from the outside. It is time to honor the Supreme Court's decision of *Roe v. Wade* by acknowledging it is every woman's right to have access to a safe, reliable abortion. Restrictions placed on incarcerated women are especially mean-spirited. These women are totally dependent on the Federal Government for all of their basics. Why should the government put a limit on what is constitutionally every woman's right?

Mr. Chairman, we must stop the rollbacks on women's reproductive freedoms. We must provide women with education and the resources to prevent unwanted pregnancies. Let us vote for the DeGette amendment and address the desperate conditions these women face.

Mr. ROGERS. Mr. Chairman, I yield 4 minutes to the able gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I thank the very good gentleman for yielding me this time.

Mr. Chairman, abortion is violence against children and in no way could be construed to be humane or compassionate. A child's worth and inherent dignity is not determined by who his or her mother happens to be. And the value of a baby is not diminished one iota because Mom happens to be an inmate. As a matter of fact, the woman's God-given value is not diminished, either. Yet the pending DeGette amendment would force taxpayers to subsidize violence against children, in this case the child of an inmate.

Mr. Chairman, I truly believe that many Americans are either uninformed or living in a state of denial on the issue of abortion, especially as it relates to the gruesome reality of abortion methods. Abortion methods are violence against children and include dismembering innocent children with razor blade tip suction devices that turn kids into a bloody pulp, or injections of chemical poisons designed to kill the baby, or the kids are executed by partial-birth abortion, a gruesome method that many Members are now familiar with.

Peel away the euphemisms that sanitize abortion and the cruelty to children and, yes, the cruelty to their mothers as well becomes readily apparent. The entire smoke screen of choice turns the baby into property, a thing, a commodity and not a someone. Truly a person is a person no matter how small. Thus the whole rhetoric of choice dehumanizes our brothers and sisters in the womb and puts them in the same category as junk cars, broken TV sets and busted stereos. They are throwaways. The whole rhetoric of choice reduces unborn babies to objects. The early feminists had it right: Do not treat women as objects. Unborn girls and boys are not objects, either.

Mr. Chairman, if you have ever watched an unborn child's image on an

ultrasound or sonogram screen, you cannot help but be awed by the miracle of human life, by the preciousness of a child's being, and then be moved to pity by the helplessness and the vulnerability of that child, by the fragility of those tiny fingers and toes. To see an unborn child turning and kicking and sucking his or her thumb while still in utero shatters the myth that abortion merely removes tissue or the products of conception.

Mr. Chairman, abortion violence treats pregnancy as a sexually transmitted disease. The growing child is viewed as a tumor, a wart, as I said, as garbage.

During the debate in 1995, the gentlewoman from the District of Columbia (Ms. NORTON), who was then the sponsor of this amendment, asked, "Who will speak for these children? We must speak for these children." Then the distinguished gentlewoman urged government subsidized abortion.

Mr. Chairman, it turns logic on its head to suggest that subsidizing violent acts of dismemberment and chemical poisoning to be somehow pro-child.

Finally, Mr. Chairman, Mother Teresa was right when she said, "The greatest destroyer of peace today is abortion because it is a war against the child, a direct killing of an innocent child. Any country that accepts abortion is not teaching its people to love but to use violence to get what they want. That is why it is the greatest destroyer of love and peace."

"Please don't kill the baby," she admonished.

Mr. Chairman, finally, the baby of an inmate is just as important as any other child on Earth. Reject government funding of violence against children. I urge the membership to vote "no" on the DeGette amendment.

Ms. DEGETTE. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. I thank the gentlewoman for yielding me this time. Mr. Chairman, I rise in support of the DeGette amendment which would remove the ban on access to abortion services for incarcerated women except in cases of rape of life endangerment.

There are currently more than 8,000 women incarcerated in Federal Bureau of Prisons facilities. Most of the women are young, have been frequently unemployed, and many have been victims of physical or sexual abuse. According to a recent survey, 6 percent of women in prisons and 4 percent of women in jail were pregnant when admitted. Limited prenatal care, isolation from family and friends, and the certain loss of custody of the infant upon birth present unusual circumstances and exacerbate an already difficult situation if the pregnancy is unintended.

Because Federal prisoners are totally dependent on health care services provided by the Bureau of Prisons, this ban in effect prevents these women from exercising their constitutional

right, their right to abortion. Most women prisoners were poor when they entered prison and they do not earn any meaningful compensation from prison jobs. This ban then closes off their only opportunity to receive such services, and thereby denies them their rights under the Constitution.

I urge my colleagues to support the DeGette amendment.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise in opposition to the DeGette amendment. This amendment would strike from the bill section 103 which prohibits Federal funding of abortions for Federal prisoners except for the life of the mother or in case of rape.

It is outrageous that the pro-abortion advocates want to force the American taxpayers to pay for the abortions of Federal prisoners. Instead of sending the message to Federal prisoners that the answer to their problem is to kill their unborn babies, let us urge them to take responsibility and consider what is best for the child they are carrying. Let us not compound the problem with an act of violence on top of an act of violence.

When this issue was debated in 1995, one of the supporters of this pro-abortion amendment asked the Members of the House, "Who will speak for these children?" Then she went on to declare, "We must speak for these children."

If this is true, we must speak for the children, then I guess those who support this amendment believe that the unborn children of Federal prisoners want to be killed by their mothers. We should not vote for the death of unborn children at the expense of all American taxpayers.

I urge a "no" vote on the DeGette amendment.

□ 2045

Ms. DEGETTE. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Oregon (Ms. FURSE).

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

Ms. FURSE. Mr. Chairman, I rise in support of the DeGette amendment.

I rise to support the amendment authored by Congresswoman DeGette to strike language in the bill prohibiting federal funds from being used for abortions for women in prison.

A year ago, this issue made the headlines in Oregon when a woman who was arrested in McMinnville, OR requested an abortion. For personal reasons, this woman decided she would not become a mother. It is not for us to judge her on this decision or any other choice she made in her life that put her in jail.

Yamhill County's jail policy mandated that inmates must pay for the procedure themselves, and could have access to this service. Even though tax payer dollars were not used for this procedure, the county did allow this woman a release from jail to seek an abortion.

Mr. Chairman, this ban is wrong. How can we discriminate against those in jail?

The political agenda of politicians must not jeopardize the health of women. Access to abortion is a legal right. A woman should not lose access to reproductive health care, including abortions, because she is in jail.

I urge my colleagues to support the DeGette Amendment.

Ms. DEGETTE. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. NADLER).

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

Mr. NADLER. Mr. Chairman, I rise to support the DeGette amendment to strike the ban on abortion funding for women in Federal prisons. This ban is cruel and unwarranted.

Mr. Chairman, a woman's sentence to prison should not include forcing her to carry a pregnancy to term. Most women in prison are poor, have little or no access to outside financial help, and earn between 12 to 40 cents per hour at prison jobs. They are totally dependent on the prisons for their health services. They cannot possibly finance their own abortions, and therefore, without the passage of this amendment, they are in effect denied their constitutional right to an abortion.

Many women prisoners are victims of physical or sexual abuse and are pregnant before entering prison. They will almost certainly be forced to give up their children at birth. Why should we add to anguish by denying them access to reproductive services?

I know full well the authors of this bill would take away the right to choose from all American women if they could, but since they are prevented from doing so by the Supreme Court, they have instead targeted their restrictions on helpless women in prison.

Well, watch out, America. After they have denied reproductive health services to all women in prison, Federal employees, women in the armed forces and women on public assistance, then they will try again to ban all abortions in the United States. And they will not stop there. We know that many of them want to eliminate contraceptives as well.

Mr. Chairman, it is a slippery slope that denies the reality of today, punishes women, and threatens their health and safety. This radical agenda must be stopped now. I urge my colleagues to support the DeGette amendment.

Ms. DEGETTE. Mr. Chairman, I yield 1 minute to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I appreciate the gentlewoman from Colorado, the sponsor of this amendment, which I have sponsored in the past because a woman gives up many constitutional rights when she goes to prison, but not the right to have control over the most profound impact on her body. She does not, she must not, be said to submit herself to forced childbirth.

I have sponsored a GAO report, now in the making, because of the extraor-

dinary rise of women in prison. The rate of HIV infections and AIDS for women in prison exceeds the rate for men, and 5 percent of women who enter Federal prisons are pregnant.

Why Federal dollars? Because these women are without any way to have an abortion. We would not come forward at this time or ever, given where this Congress has been, to ask for Federal funds for abortions unless we were dealing with helpless women who had no other way to get an abortion.

Not to allow this particularly, when we consider that we are talking about many women who have AIDS, who would be quite unfit as mothers, not to allow abortions in these circumstances would be entirely cruel, and I ask that an exception be made and that these Federal funds be allowed for women in prison.

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

The CHAIRMAN. The gentlewoman from Colorado is recognized for 30 seconds.

Ms. DEGETTE. Mr. Chairman, my colleague from New Jersey talks about the terrible abortion procedures, and the truth is my colleague would ban all abortions, and I understand that. But that is not the law of this country. The law of this country is that women have a right to abortion.

But the way this bill is written, women in prison, because of the low amount they would make, would only be able to afford an abortion if they waited until the third trimester, which is a result no one in this room would like to have. It is much more compassionate for the prisoners, it is much better for everybody if it is done in the first trimester when it is safe and it protects the mother's health.

It is the right thing to do, it is the compassionate thing to do, and it is the legal thing to do. I urge support of the DeGette amendment.

Mr. ROGERS. Mr. Chairman, I yield the balance of the time to the gentleman from Illinois (Mr. HYDE), the very able chairman of the House Committee on the Judiciary.

The CHAIRMAN. The gentleman from Illinois is recognized for 4 minutes.

Mr. HYDE. Mr. Chairman, I thank my friend, the gentleman from Kentucky (Mr. ROGERS) for giving me this time.

Mr. Chairman, once again the solution to a problem is death, kill somebody.

If my colleague saw the movie, recent movie, *Saving Private Ryan*, there is a line in there where Tom Hanks, playing the captain in the infantry, says:

"Every time I kill somebody I feel farther away from home."

Why is it that we have to in this discussion never talk about the baby?

I listened to every word from the other side, and they drip with compassion, and rightly so, but only for the woman: the plight of the woman; the

woman is being coerced by this law into having a baby; the woman, HIV cases. I understand that.

But do my colleagues not know there is a baby involved, too? Is that a cipher? A zero? Is that an used Kleenex to be thrown away? The whole question revolves around what my colleagues think of human life.

Now we could solve a lot of problems if we carry to the logical consequences this devaluation of life. We could empty the nursing homes. We could get rid of the incorrigibly poor. We could get rid of the useless eaters, as Hitler called them, the homeless people, the people who are not pulling their weight, who are not contributing to our society, the people who infect other people with diseases.

Get rid of the people.

So here, where the little child has been conceived unfortunately by a woman in prison, my colleagues' solution is to get rid of the child, the innocent human life.

Now, we can define that out of existence and say that is not alive, we do not know what that is, that is a cancerous tumor, that is a diseased appendix, they want to just excise it and throw it away. But it is not. That is self-deception. It is a tiny little member of the human family, and that little tiny member of the human family has a right to life, and that life is precious.

Yes, it is the most inauspicious, humble beginning anybody could have. Almost as bad as being born in a stable, being born in a jail of a mother who is incarcerated. But, by God, it is life, it is an opportunity. "Life" means hope, and give that little child his or her life. He or she did not ask for that humble, inauspicious beginning, but that does not mean that person is foreclosed from leading a full life later on.

There are hundreds of places that will take those children. Here is a directory of them all over the country. There are about four of them within walking distance of Capitol Hill. So, the child will not be abandoned or thrown away in a wastebasket. It is a human life, and it is precious, and human life ought to mean something in this country where our birth certificate says everyone is created equally and is endowed by their Creator with an inalienable right to life.

Think of the woman, yes. But think of the little baby, too. Do not throw that human life away.

Ms. DEGETTE. Mr. Chairman, will the gentleman yield?

Mr. HYDE. Yes, I yield to the gentlewoman from Colorado.

Ms. DEGETTE. Distinguished Chairman, I would just ask a question.

How does the gentleman from Illinois feel about that little baby which would be born against its mother's will, probably HIV positive, and ripped from the arms of its mother at birth only to be taken away to one of those agencies he points to?

Mr. HYDE. Better that than to be killed. Give that little baby a chance

to enjoy a Christmas sometime, to enjoy the love of somebody who can love that child.

Mr. Chairman, let us give that little life the chance we had.

Ms. JACKSON-LEE of Texas. Mr. Chairman, thank you for the opportunity to speak on this important amendment. As an advocate for Women's Choice I strongly support Representative DEGETTE's amendment. Representative DEGETTE's amendment will strike the language in the Commerce Justice State Appropriations bill which would prohibit Federal funds from being used for abortions in prison.

Abortion is a legal health care option for American women, and has been for over 20 years. Because Federal prisoners are totally dependent on health care services provided by the Bureau of Prisons, the ban, in effect will prevent these women from seeking the needed reproductive health care that should be every woman's right—the right to choose an abortion.

We know that most women who enter prison are poor. Many of them are victims of physical and sexual abuse, and some of them are pregnant before entering prison. An unwanted pregnancy is a difficult issue in even the most supportive environs. However, limited prenatal care, isolation from family and friends and the certain custody loss of the infant upon birth present circumstances which only serve to worsen an already very dire situation.

In 1993, Congress lifted the funding restrictions that since 1987 had prohibited the use of federal funds to provide abortion services to women in federal prisons except during instances of rape and life endangerment. Women who seek abortions in prison must receive medical, religious, and/or social counseling sessions for women seeking abortion. There must be written documentation of these counseling sessions, and any staff member who morally or religiously objects to abortion need not participate in the prisoner's decision-making process.

There was a 75 percent growth in the number of women in Federal prisons over the last decade. Currently, the growth rate for women is twice that of men in prison. Yet, the rate of infection of HIV and AIDS in women exceeds the rate of infection for men in prison, and pregnant women are of course at risk of passing on this disease to their unborn children.

This ban on federal funds for women in prison is another direct assault on the right to choose. This ban is just one more step in the long line of rollbacks on women's reproductive freedoms. We must stop this assault on reproductive rights.

Ms. LEE. Mr. Chairman, I rise in strong support of the Degette amendment, which would strike language banning the use of federal funds for abortion services for women in federal prisons.

Women in prison have committed criminal activity, and through our judicial system we certainly need to seek appropriate responses to illegal actions. Women in prison are being punished for the crime that they committed. However, this is a separate issue from that which we are addressing. Today we discuss civil liberties and rights which are protected for all in America, and remain so even when an individual is incarcerated.

Abortion is a legal health care option for women in America. Since women in prison are

completely dependent on the federal Bureau of Prisons for all of their health care services, the ban on the use of federal funds is a cruel policy that traps women by denying them all reproductive decision-making. The ban is unconstitutional because freedom of choice is a right that has been protected under our constitution for twenty-five years.

Furthermore, the great majority of women who enter our federal prison system are impoverished and often isolated from family, friends and resources. We are dealing with very complex histories that often, tragically, include drug abuse, homelessness, and physical and sexual abuse. Many women are pregnant upon entering the prison system. To deny basic reproductive choice would only make worse the crises faced by the women and the federal prison system.

The ban on the use of federal funds is a deliberate attack by the anti-choice movement to ultimately derail all reproductive options. As we begin chipping away basic reproductive services for women, I ask you, what is next? Denial of OBGYN examinations and mammograms for women inmates? Who is next? Women in the military, women who work for the government, or all women who are insured by the Federal Employees Health Benefits plan? Limiting choice for incarcerated women puts other populations at great risk. This dangerous, slippery-slope erodes the right to choose, little by little.

It is my undying belief that freedom of access must be unconditionally kept intact; therefore, I strongly urge my colleagues to protect this constitutional right for women in America and vote "Yes" on the Degette amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Colorado (Ms. DEGETTE).

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

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

The CHAIRMAN. Pursuant to House Resolution 508, further proceedings on the amendment offered by the gentlewoman from Colorado (Ms. DEGETTE) will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 104. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 105. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 104 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 106. Notwithstanding any other provision of law, not to exceed \$10,000,000 of the funds made available in this Act may be used to establish and publicize a program under which publicly advertised, extraordinary rewards may be paid, which shall not be subject to spending limitations contained in sections 3059 and 3072 of title 18, United

States Code: *Provided*, That any reward of \$100,000 or more, up to a maximum of \$2,000,000, may not be made without the personal approval of the President or the Attorney General and such approval may not be delegated.

SEC. 107. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act, including those derived from the Violent Crime Reduction Trust Fund, may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 108. In fiscal year 1999 and thereafter, the Director of the Bureau of Prisons is authorized to make expenditures out of the Federal Prison System's Commissary Fund, Federal Prisons, for the installation, operation, and maintenance of the inmate telephone system, including, without limitation, the payment of all the equipment purchased or leased in connection with the inmate telephone system and the salaries, benefits, and other expenses of personnel who install, operate and maintain the inmate telephone system, regardless of whether these expenditures are security related.

SEC. 109. Section 524(c)(9)(B) of title 28, United States Code, is amended by striking "1997" and inserting "1999".

SEC. 110. (a) Section 3201 of the Crime Control Act of 1990 (28 U.S.C. 509 note) is amended to read as follows—

"Appropriations in this or any other Act hereafter for the Federal Bureau of Investigation, the Drug Enforcement Administration, or the Immigration and Naturalization Service are available, in an amount of not to exceed \$25,000 each per fiscal year, to pay humanitarian expenses incurred by or for any employee thereof (or any member of the employee's immediate family) that results from or is incident to serious illness, serious injury, or death occurring to the employee while on official duty or business."

(b) The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is amended by striking section 626 (8 U.S.C. 1363b).

SEC. 111. Any amounts credited to the "Legalization Account" established under section 245(c)(7)(B) of the Immigration and Nationality Act (8 U.S.C. 1255a(c)(7)(B)) are transferred to the "Examinations Fee Account" established under section 286(m) of that Act (8 U.S.C. 1356(m)).

AMENDMENT NO. 30 OFFERED BY MR. METCALF

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 30 offered by Mr. METCALF:

Page 38, after line 9, insert the following:

SEC. 112. Section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1221 note) is repealed.

Mr. ROGERS. Mr. Chairman, I reserve a point of order on the amendment offered by the gentleman from Washington.

Mr. METCALF. Mr. Chairman, first I would like to congratulate the gentleman from Kentucky (Mr. ROGERS) on the legislation before us. He has, as

always, found a way to adequately address the many competing priorities in this legislation, and I thank him for his effort.

Very simply, Mr. Chairman, my amendment would repeal section 110 of the Illegal Immigration Reform and Immigration Responsibility Act of 1996. Mr. Chairman, section 110 is a bad provision. This section, if this section was implemented it would devastate our northern border communities, not only in my community but in many of the northern border communities.

In order to address this delay I secured \$15 million in border infrastructure improvements in Blaine. While this will represent a major step towards reducing congestion, its benefit will have little if any effect if section 110 is fully implemented.

I notice that the distinguished chairman of the Subcommittee on Immigration and Claims is on the floor. I would like to request the gentleman's participation in a colloquy.

Mr. SMITH of Texas. Mr. Chairman, will the gentleman yield?

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

Mr. SMITH of Texas. Mr. Chairman, I will be happy to engage in a colloquy.

Mr. METCALF. Mr. Chairman, as the gentleman knows, I have been a strong opponent of section 110 of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 because of the potential harm that could be inflicted on my district and across the entire northern border.

Is it the gentleman's position that section 110 should be delayed until the Immigration and Naturalization Service develops a system that will not significantly disrupt trade, tourism or other legitimate cross-border activity at the land border points of entry?

Mr. SMITH of Texas. Mr. Chairman, the gentleman is correct. This section should not be implemented if it would significantly disrupt legitimate border traffic. I will support going forward with this section only if it will not impede that cross-border travel and trade that I understand the gentleman from Washington has a legitimate concern about.

At the same time I must emphasize that section 110 was included in the 1996 act because a comprehensive and efficient entry/exit is vital for our national security.

□ 2100

Without such a system, our government has no idea who is coming to the United States and whether they leave when they are supposed to do so. It is particularly important that the United States protect its citizens from terrorism, drug smuggling and illegal aliens.

Mr. METCALF. Mr. Chairman, reclaiming my time, is it the gentleman's understanding that the INS is not yet prepared to implement section 110 at all ports this year?

Mr. SMITH of Texas. Mr. Chairman, if the gentleman will yield further,

that is correct. It is my understanding that the INS will not be prepared to implement section 110 by the statutory deadline. Let me emphasize that section 110 should be implemented in a manner that will not have an adverse impact on trade, tourism or other legitimate traffic across our land borders.

Mr. METCALF. I thank the gentleman for his comments, and I look forward to working with him over the next year to find a solution to this section that will fulfill both of our priorities and ensure the economic success of our northern border communities.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT NO. 29 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment, which I intend to withdraw.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 29 offered by Ms. JACKSON-LEE of Texas:

Page 38, after line 9, insert the following:

PROHIBITION ON HANDGUN TRANSFER WITHOUT LOCKING DEVICE

SEC. 112. (a) IN GENERAL.—Section 922 of title 18, United States Code, is amended by adding at the end the following:

“(y)(1) It shall be unlawful, for any person to transfer a handgun to another person unless a locking device is attached to, or an integral part of, the handgun, or is sold or delivered to the transferee as part of the transfer.

“(2) Paragraph (1) shall not apply to the transfer of a handgun to the United States, or any department or agency of the United States, or a State, or a department, agency, or political subdivision of a State.”.

(b) LOCKING DEVICE DEFINED.—Section 921(a) of such title is amended by adding at the end the following:

“(34) The term ‘locking device’ means a device which, while attached to or part of a firearm, prevents the firearm from being discharged, and which can be removed or deactivated by means of a key or a mechanically, electronically, or electro-mechanically operated combination lock.”.

Mr. ROGERS. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me acknowledge the good works of my friends in the United States Senate and my colleague on the Subcommittee on Crime, the gentleman from New York (Mr. SCHUMER), and the gentlewoman from New York (Mrs. MCCARTHY), and others who realize that there is much that we could come together on on an amendment dealing with a very simple technology, and that is a safety lock on a gun to protect our children.

Mr. Chairman, there has been much debate on this floor about how best to

and who has the high moral ground on impacting our children. The amendment that I would have proposed would save children's lives.

Let me give you an example. So many years ago I was on the City Council and passed an ordinance dealing with gun safety and responsibility. That ordinance was to hold parents responsible for the accidental shootings by their children. It was not punitive to haul parents and adults into prison or to put them under a judge's order, but it was to save children's lives.

Now, today, in Houston, and in the State of Texas, we have seen a 50 percent decrease in the number of accidental shootings. In this country today, the firearm homicide rate among children across our country has tripled in the last 10 years. It is tragic and shocking that there were over 500 accidental deaths among children as a result of young and curious hands reaching for a gun as a toy and over 5,000 deaths related to youth and guns. In my home State of Texas, 32 children died as a result of accidentally fired guns last year, and that is down, and 500 children died in my State as a result of firearms in children total. This is unacceptable, even in spite of the numbers we have seen go down.

The high incidence of this lethal violence against youth demands a national response. The need for this type of legislation is even more critical because younger and younger children are accessing guns and becoming increasingly involved in violence and gang activity.

I am withdrawing this amendment, Mr. Chairman, only because I want this very simple technology to pass. I want us to educate parents and teachers and constituents and this Nation that this is not gun control, this is gun responsibility.

The recent rash of school shootings which occurred across several of our States are a manifestation of not only a disturbing trend of hostility among our young people, hostility and confusion, I might say, but also how accessible violent weapons are to our children. No matter how much we as adults protest and say we have had them locked up in a drawer, we did not know they had them, we did not know they went into our glove compartment, we did not know they went into our car, those weapons are still weapons of violence when they get in the hand of a child, either accidentally or intentionally.

Just think of the impact of a simple trigger lock, a safety lock. We must not only look at what leads children to kill other children, we must also take the responsibility for placing the tools of death outside of their reach and providing that safety measure, that trigger lock. This trigger lock amendment will prevent children from shooting guns, either accidentally or purposefully. It will help to save our young people's lives and protect our communities and our families from accidental gun violence.

Let me say, Mr. Chairman, that I look forward to working with the many allies around this Nation, PTOs, school districts, local governments, Handgun, Inc., and my colleagues in the United States Congress, to finally recognize that after we educate the public, we educate those who are perceived opponents, my good friends in the National Rifle Association, who have always argued that they believe in prevention. Well, what is the best way to have prevention? That is the trigger lock.

At this time, Mr. Chairman, I am not going to offer this amendment, because I am prepared for the long haul. I believe we are going to win this, and we are going to win it when we educate the American people that to save more of our children's lives, we need to implement the safety lock, the trigger lock, and bring an end to this ceaseless or unending devastation against our children.

Mr. Chairman, thank you for the opportunity to speak on this important amendment to H.R. 4276. I have proposed an amendment to H.R. 4276 which I urge all my colleagues to support. My amendment will save children's lives! In this country today the firearm homicide rate among children across our country has tripled in the last 10 years. It is tragic and shocking that there were over 500 accidental deaths among children as a result of young and curious hands reaching for a gun as a toy. In my home State of Texas, 32 children died as a result of accidentally fired handguns last year, and 500 children died in my State as a result of firearm deaths in total. This is unacceptable.

The high incidence of lethality of youth violence demands a major national response. The need for this type of legislation is even more critical because younger and younger children are accessing guns and becoming increasingly involved in violence and gang activity.

The rash of recent school shootings which occurred across several of our states are a manifestation of not only a disturbing trend of hostility among our young people, but also how accessible violent weapons are to our children.

We must not only look at what leads children to kill other children, we must also take responsibility for placing the tools of death within their reach.

The trigger lock amendment will prevent children from shooting guns, either accidentally or purposefully. It will help to save our young people's lives and protect our communities and our families from accidental gun violence.

Mr. Chairman, only at this time, I ask unanimous consent to withdraw this amendment in order to offer this amendment after we have fully educated the American people on this needed gun safety feature.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

Mr. ROGERS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr.

PEASE) having assumed the chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 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, had come to no resolution thereon.

LIMITING AMENDMENTS AND DEBATE TIME THROUGH TITLE 6 DURING FURTHER CONSIDERATION OF H.R. 4276, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, AND JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999, IN THE COMMITTEE OF THE WHOLE TODAY

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that during the further consideration of H.R. 4276 in the Committee of the Whole, pursuant to H. Res. 508; the remainder of the bill through title 6 be considered as read; and no amendment shall be in order thereto except for the following amendments, which shall be considered as read, shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole, and shall be debatable for the time specified, equally divided and controlled by the proponent and a Member opposed thereto:

Mr. TRAFICANT of Ohio related to a prison study for 5 minutes;

Mr. COLLINS of Georgia for a colloquy for 10 minutes;

Mr. SANDERS of Vermont related to SBA offsets for 5 minutes;

Mr. ENGEL of New York related to PTFP for 10 minutes;

Mr. ROYCE of California, to strike ATP for 10 minutes;

Mr. ROGERS of Kentucky related to NOAA for 10 minutes;

Mr. PALLONE of New Jersey related to NOAA for 15 minutes;

Mr. CALLAHAN of Alabama related to NOAA for 10 minutes;

Mr. FARR of California related to NOAA for 10 minutes;

Mr. CALLAHAN of Alabama related to a general provision regarding fisheries for 20 minutes under the rule;

Mr. GILCREST of Maryland to strike section 210 for 15 minutes;

Mr. BARTLETT of Maryland regarding UN arrears for 15 minutes;

Mr. STEARNS of Florida regarding UN arrears for 15 minutes;

Ms. MILLENDER-MCDONALD of California regarding SBA for 5 minutes;

Mr. TALENT of Missouri regarding SBA for 10 minutes;

and Mr. MOLLOHAN of West Virginia regarding the census, made in order under the rule, to title 2 be in order at a later point in the reading of the bill, notwithstanding that title 2 may be closed.

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

Mr. MOLLOHAN. Mr. Speaker, reserving the right to object, engaging the chairman for a further understanding with regard to the postponement of the census debate, the chairman and I have discussed this matter, and I would simply like to confirm that understanding, that the census debate will be had after we have votes on those amendments that we are going to roll until tomorrow from debates we have tonight?

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

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

Mr. ROGERS. Mr. Speaker, that would be my understanding, that we will continue proceeding this evening; that Members, after the four votes that have been called tonight, those four votes will take place immediately, after which there would be no further recorded votes for tonight, and we will proceed tonight with amendments and role those votes until tomorrow, in which case those votes would be taken tomorrow morning, and then proceed directly to the census amendment, if that is the gentleman's desire.

Mr. MOLLOHAN. It is, Mr. Speaker.

Mr. ROGERS. If the gentleman changes his mind between now and then and wants to do other amendments, that will be fine.

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

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

Mr. DREIER. Mr. Speaker, I would just like to inquire of the chair of the subcommittee, it is my understanding there are five pending recorded votes.

Mr. ROGERS. The gentleman is correct, there are five.

Mr. MOLLOHAN. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3892, ENGLISH LANGUAGE FLUENCY ACT

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 105-675) on the resolution (H. Res. 516) providing for consideration of the bill (H.R. 3892) to amend the Elementary and Secondary Education Act of 1965 to establish a program to help children and youth learn English, and for other purposes, which was referred to the House Calendar and ordered to be printed.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, AND JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore. Pursuant to House Resolution 508 and rule XXIII, the Chair declares the House in the Committee of the Whole House on