

DODD, Mr. SIMON, Mr. HARKIN, Ms. MIKULSKI, Mr. RINGAMAN, Mr. WELLSTONE, Mr. WOFFORD, Mrs. KASSEBAUM, Mr. JEFFORDS, Mr. COATS, Mr. GREGG, Mr. THURMOND, Mr. HATCH, and Mr. DURENBURGER; from the Committee on Veterans' Affairs: Mr. ROCKEFELLER, Mr. DECONCINI, and Mr. MURKOWSKI; to be the conferees on the part of the Senate.

The message also announced that pursuant to Public Law 102-246, the Chair, on behalf of the majority leader, in consultation with the Republican leader, appoints the following individuals to the Library of Congress Trust Fund Board: Edwin L. Cox of Texas to a 3-year term and Adele Hall of Kansas to a 2-year term.

The Chair further announces the terms of the individuals appointed to this board on March 11, 1993, as follows: John W. Kluge of New York to a 5-year term and Arthur Ortenberg of New York to a 4-year term.

THE REVEREND DR. FREDERICK D. PERKINS

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

Mr. FIELDS of Louisiana. Mr. Speaker, I am very happy to welcome today our guest Chaplain The Reverend Dr. Frederick Douglas Perkins. Dr. Perkins is pastor of the Marion Baptist Church and vice president of the Monroe Union Theological Seminary of Monroe, LA.

It is a great honor as well as befitting that Dr. Perkins offer the opening prayer before this the U.S. House of Representatives.

Dr. Perkins is a fine citizen of this country and a great spiritual leader in my district. More importantly, he embodies the teachings of Christ and the basic fundamental democratic principles of this great country. Once again, on behalf of the State and the Fourth Congressional District of Louisiana, I am very happy to welcome today's guest Chaplain, the Reverend Dr. Frederick Douglas Perkins.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. One-minute speeches will be delayed until later in the day.

GENERAL LEAVE

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 2519, and that I be permitted to include tabulations, charts and other extraneous material.

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

There was no objection.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. SMITH of Iowa. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2519) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Kentucky [Mr. ROGERS] and myself.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Chair designates the gentleman from California [Mr. BROWN] as Chairman of the Committee of the Whole, and requests the gentleman from Florida [Mr. HASTINGS] to assume the chair temporarily.

□ 1006

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2519, with Mr. HASTINGS (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

By unanimous consent, the bill was considered as having been read the first time.

The CHAIRMAN pro tempore. Under the unanimous consent agreement, the gentleman from Iowa [Mr. SMITH] will be recognized for 30 minutes, and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Chairman, I yield myself such time as I may consume.

First I want to thank the staff, the minority and the majority members of our subcommittee for their work on this bill. It was a very, very tough bill. It is the second year that we have had to report bills that were less than the current services level. That is very tough.

There are 105 pages of explanation and another 23 pages of tables that have been printed in the committee report on this bill and I do not intend to read them back to the Members of the House. They have had them for several days and have had a chance to study them, and it will not be necessary to elaborate on them any more than that.

But I do want to point out a few things.

The bill is within the 602(b) allocation for outlays. It is also substantially under the 602(b) allocation for budget authority by \$751 million. The reason we are so far under in budget authority is that we had to be under that far in order to stay within the outlay allocation. The bill is even under last year's appropriated level by \$593 million. The bill is also under the budget request by \$1,963,000,000. And as I indicated earlier, on an average in this bill, we are only at 95 percent of current services. That means that anytime we increased something in the bill over 95 percent of current services, we had to reduce some other program below that level.

We did increase a few items like the FBI, the DEA, the INS, the support of U.S. prisoners account where we are opening up some new prisons. We also increased the NIST, which is a high priority with both the administration and Members of the House. We also increased the international trade and some of the other programs.

The administration required all of the agencies, or virtually all of them, not quite all of them, to take some reduction in FTEs, and in administrative costs in order to comply with the overall mandate to have some deficit reduction. We usually accepted those. There are some exceptions such as the Border Patrol in INS. But all of these agencies that we took the reductions in testified that they could comply with the reductions.

So we have brought Members the best bill that we could under the circumstances, with very, very stringent and tight overall caps that were placed on us.

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

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

Mr. Chairman, we bring to the House today this bill for fiscal 1994 for Commerce, Justice, State. And in my 9 years on the subcommittee, this was by far the most difficult year we have had to face.

□ 1010

I believe it is merely a foreshadowing of the years to come.

We are living in an austere budget climate, constrained by the spending caps in the 1990 budget agreement. We must control spending, yet we have to fund important programs needed to meet the diverse interests of our Nation. Diverse and compelling interests are competing for scarce resources, and nowhere is this more evident than in the Commerce, Justice, State appropriations bill.

This bill funds programs to fight the war on crime and drugs, to promote economic development, to increase U.S. trade and competitiveness, and to build peace and democracy in this New World.

Scarce resources demand we make hard choices—we have to prioritize and have to streamline programs. And, while we did not agree on all priorities,

overall the subcommittee made the tough choices needed to bring a good bill to the floor.

Mr. Chairman, as our chairman said, this is a lean bill. Total funding is \$756 million under our discretionary spending allocation, and \$249 million below fiscal 1993. In addition, the total is \$2 billion less than the President's request of us.

Consequently, we have cut 5 percent from the amount most programs need next year to operate at this year's level. For many of these programs, this comes on top of a 7 percent cut included in last year's bill.

Reflecting the need to put our own domestic needs first, we have cut spending for the Department of State and international programs 8 percent below the fiscal 1993 level, in that way freeing up funds for programs that help us here at home.

Having said that, Mr. Chairman, this bill still means real cuts in domestic programs that are of great concern to me, and I know others in the body.

While our spending constraints just did not allow us to fund more programs as we would have liked, we did do our best to channel our limited funds to a handful of very high priority areas.

In the Department of Justice, we have increased immigration inspectors at our borders, protected the border patrol from the cuts faced by other agencies, and provided funds to activate new prisons due to come on line in 1994, though with a slight delay.

For the Commerce Department, we have given significant increases to the administration's technology and manufacturing initiatives. The Economic Development Administration receives a slight increase over 1993, as does the weather service modernization program. Also, the Federal court system is given a substantial increase in this bill—12 percent over 1993 level. And, legal assistance to the poor receives a sizable 12-percent increase.

These two agencies are the ones that receive the highest increases in our proposals.

Mr. Chairman, now more than ever, this Congress must eliminate programs that have proven to be ineffective. A telling example comes in the area of broadcasting to Cuba. For several years, the evidence has overwhelmingly been mounting that TV Marti just does not work. Thus, our committee finally made the right choice by eliminating funding for TV Marti.

And finally, I want to bring to the Members attention an issue of extreme concern to me, and one that I believe should be of great concern to the Congress and the country—U.N. peacekeeping. Mr. Chairman, in the last 2 years, the number of peacekeeping operations has exploded to a record high—13 on-going peacekeeping operations, somewhere in the World with the United Nations now considering even a 14th. The United States is assessed by the United Nations one-third of the cost, with the U.S. share for just these 13 operations

estimated at close to 2 billion for this year, and another \$1 billion next year.

And, this is just the beginning. There are as many as 12 additional conflicts the United Nations may choose to become involved in, which will generate even greater bills.

And if they do, they simply send us the bill for 31.7 percent. That is not a figure we decided; that is a figure they decided. And I have some real problems with another body telling the U.S. Congress, "You shall pay X, Y, or Z because this is what we decided you should pay, and you shall send so many troops to a location on the other side of the world whether you like it or not." I have got a problem with that, Mr. Chairman, and I think the administration and the Congress are going to have to grapple with this right away because the list keeps exploding and American men and women are being exposed to even greater dangers every day, not to mention the dollars that we are talking about in this bill.

U.N. peacekeeping has evolved beyond the traditional role of ensuring the implementation of a truce, to imposing that truce with an international militia. U.S. dollars and U.S. manpower are being put on the line in great numbers, in settings that are remote, at best, to this Nation's security interests.

At the same time, all efforts to decrease the U.S. assessment for peacekeeping have fallen on deaf ears at the United Nations.

As the chairman knows, we only pay 25 percent of the operating costs of the United Nations. But for peacekeeping operations they bill us for 31.7 percent. Our friends in Japan pay around 8 percent, and our friends in Germany pay about 12 percent, and Uncle Sam pays 31.7 percent. I have got a problem with that.

All attempts to get the United Nations to adopt even the most basic of reforms, such as creating an inspector general so that we know how our monies are being spent, have fallen, again, on deaf ears. They refuse to do it. Mr. Chairman, I have got a problem with that.

Mr. Chairman, I question how much longer we can go home and defend our commitment of enormous funds and manpower to a peacekeeping process that is exploding in numbers and dollars and locations, with sometimes questionable results. As it stands, the United Nations is sending the U.S. bills which we cannot pay. This bill proves that fact. Mr. Chairman, we have included less than half the amount that we may be asked to contribute for our share of these 13 peacekeeping operations. We cannot afford to pay the bills that they are sending us.

Therefore, I urge that both the Congress and the Administration address this important area of issues.

Mr. Chairman, our subcommittee was faced with a difficult task, and I believe we have risen to the challenge. I commend my chairman, the gentleman

from Iowa [Mr. SMITH], and all members of the subcommittee. We have several new members on the subcommittee who have rendered great service to us this year. We congratulate them and all of our staff on both sides of the aisle for their great work and long hours in preparing this bill.

Mr. Chairman, we bring to the House a good bill, one I believe all Members can support. I therefore urge support of this bill.

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

Mr. SMITH of Iowa. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky [Mr. NATCHER], the chairman of the full Committee on Appropriations.

□ 1020

Mr. NATCHER. Mr. Chairman, I rise in support of the Commerce, Justice, State, and Judiciary appropriations bill for fiscal year 1994. This is the 10th appropriations bill for fiscal year 1994 to come before the House.

We on the committee want to thank Members on both sides of the aisle for their support and assistance. We would not be at this point without that taking place.

I want to commend the gentleman from Iowa [Mr. SMITH], chairman of the Commerce, Justice, State, and Judiciary Appropriations Subcommittee, and the gentleman from Kentucky [Mr. ROGERS], the ranking minority member on the subcommittee on the excellent job they have done in bringing out this bill.

Mr. Chairman, this bill provides for important law enforcement, business promotion, and research and technical assistance funding. It also provides funding for the State Department and for important U.N. peacekeeping activities. This is a difficult bill to develop under constrained funding. The subcommittee has done an excellent job.

Mr. Chairman, they have an excellent staff on this subcommittee. Time after time, long after we, the Members in the House, are at home, this staff is still on Capitol Hill gathering the facts and preparing reports on our bills, to assist us, and we appreciate it.

This is the fifth appropriations bill to be considered this week. I want to thank all Members from both sides of the aisle for their cooperation on these bills, and again I want to commend the chairman and the ranking minority member and all the other members of the subcommittee for a good job. This is an excellent subcommittee.

Mr. Chairman, I urge adoption of this bill.

Mr. ROGERS. Mr. Chairman, I yield 4 minutes to a member of the full committee, the gentleman from Illinois [Mr. PORTER].

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

Mr. PORTER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I commend the gentleman from Iowa and the gentleman from Kentucky for bringing a very fine bill to the floor. They have prioritized spending within very constrained parameters and have stayed below their 602(b)'s while funding a number of very important national priorities. I must mention, however, Mr. Chairman, a very high priority issue that I believe was overlooked in this bill.

The United States entered binding financial obligations under international law when it signed the historic Chemical Weapons Convention on January 13, 1992. Total U.S. commitment for fiscal year 1994 is \$16 million, but funds to meet these obligations were not included in this bill.

Unlike many earlier arms control agreements, the Chemical Weapons Convention requires that critical verification and other implementation procedures be developed between signing and ratification, so that compliance can be verified from the moment the Convention enters into force. It specifies that this work will be done by a preparatory commission. By signing the Chemical Weapons Convention, the United States concurred in the establishment of this preparatory commission and, under international law, committed to pay \$16 million, approximately 25 percent of the commission's expenses.

In order for the Secretariat to be operational by January 1995, the prepcom must begin work no later than January 1994. Failure to meet this international obligation could undermine many nations' ratification of the convention and severely hamper the Secretariat's ability to implement the convention.

I understand the constraints faced by the gentlemen from Iowa and Kentucky in this bill, but I believe that making a small investment to end the threat of chemical weapons is a very high priority. I hope that the gentlemen would look favorably on working in conference to provide these funds.

I am also very concerned about the future of our Nation's international broadcasting. During the campaign, Bill Clinton announced that he strongly supported creating a surrogate radio broadcast to beam messages of truth and freedom to the people of China and other tightly controlled, politically repressive nations in Asia, Burma, Tibet, Laos, North Korea, Cambodia, and Vietnam. The President's budget requested \$30 million for such a program.

The State Department authorization bill that passed the House 2 weeks ago contains a provision clearing the way for creation of surrogate radio broadcasts to China and other Asian nations. The bill that we are considering tonight, however, except for two sentences of report language that was included at full committee at my request, makes no mention of Radio Free

Asia and provides no funds for such a program. Instead, it appears that we are going to defer to some future Senate action on this issue and perhaps try to work something out in conference. Why do it this way? Apparently, the White House has not yet made up its mind.

Despite the tremendous wave of democracy sweeping across the world, China, North Korea, Tibet, Vietnam, Burma, and other Asian nations are not sharing in this surge of political freedom. We can, in a cost effective way, help promote positive change from within these nations by providing factual information specifically relevant to the people who live there through surrogate broadcasts.

I am very disappointed that this bill does not speak forcefully to this issue. I urge the Chairman and Mr. ROGERS to work with the Senate to find funds to create surrogate radios to Asia.

Mr. SMITH of Iowa. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, this is my first year of service on the subcommittee, and I want to commend the chairman, Mr. SMITH, and my subcommittee colleagues on both sides of the aisle for producing a bipartisan, balanced bill. We tried to satisfy the needs of the diverse agencies under our jurisdiction, while at the same time paying attention to the chorus that is echoing throughout the land to cut spending. We have done both.

This bill was about setting priorities. We were working with a tight budget, and we approved a bill that's nearly \$2 billion under the President's request and \$600 million less than we're spending this year.

I want to point out that this bill contains specific spending cuts—the specific cuts that the mass-mailing fundraisers, the talk-show hosts, and some of the so-called good government groups have accused President Clinton and Congress of not making. One good example is our broadcasts to Cuba, which, by most objective accounts are as ineffective as they are expensive. Our subcommittee eliminated—for a number of reasons—funding for both TV and Radio Marti. I wish the full Appropriations Committee had held the line against both Radio and TV Marti, but it restored part of the funding for radio.

I am satisfied, though, that we did not restore funds for TV Marti. At least we will not continue to spend \$28,000 an hour to broadcast Popeye cartoons and Lifestyles of the Rich and Famous to Cuba, broadcasts that have consistently been blocked by the Cuban Government, and which apparently reach Cuba for only a few minutes in the wee hours of the night.

We know how difficult it is to pull the plug on a program, even programs as ineffective as this one. I continue to

believe that the country shouldn't be borrowing additional millions to fund broadcasts to Cuba, and I think the Coloradans who have been flooding my office with cut-spending-first postcards would agree.

By making cuts elsewhere in the bill, we were able to increase funding for NOAA, NIST, and NTIA programs that can play a major role in revitalizing our economy. The administration requested, and I strongly support, targeted increases in NOAA, NIST, and NTIA programs that invest in scientific research and the application of that research to strengthen the economy.

During our recent debates on the space station and the SSC, we have talked at great length about scientific research and the role the Federal Government should play in it. These three Commerce Department agencies deal with precisely the type of research and applied technology we should be encouraging, and I am pleased the committee was able to do so.

Most Americans are familiar with the good work of these agencies; they just are not aware who's doing it. When we watch the weather reports on the television news, we are impressed with the Doppler radar pictures that show approaching storms. But we probably don't know that the Doppler radar was developed in NOAA's labs. And we probably do not know that the weather satellite pictures are often transmitted from a NOAA satellite. And who is showing managers of marinas, resorts, and fishing docks how to deal with the tons of smelly waste that are left over from commercial and sport fishing? That's NOAA, too.

President Clinton, along with trying to make a dent in the Federal deficit, is trying to reverse 12 years of a hands-off attitude toward American business. He realizes that the Federal Government has to work hand-in-hand with our industries if we hope to stay competitive in the 21st century. The Federal agency that will be leading the charge is the one that has been working with American businesses for over 90 years: The National Institute of Standards and Technology [NIST]. I am proud that the committee has committed itself to helping finance this investment in our future by funding, as much as is possible in these tight fiscal times, NIST's efforts.

We have seen a multitude of articles recently about the information superhighway. This is a concept whose possibilities we are just beginning to realize, and it is one in which American industry has—and should have—the lead. But we have to make absolutely certain that, in dealing with a system as enormous and complex as this, we are all singing from the same hymnal. The National Telecommunications and Information Administration [NTIA] is helping write that hymnal—or at least it is making sure the hymns are numbered the same in everyone's book. Without some kind of universal stand-

ards for operation, the superhighway could easily become filled with potholes. NTIA will help set those standards, and the committee has recognized the importance of NTIA's activity.

This bill also tackles the need for serious, responsible reforms in a number of important areas. The committee's report includes language supporting the administration's efforts to help make significant improvements in the financial management and administration of the United Nations, and to negotiate a more equitable assessment rate for the United States share of U.N. peacekeeping operations. I am a strong supporter of American participation in this body, but I recognize that improvements can—and must—be made if we are to convince the American taxpayer that U.N. operations are a solid and fair investment.

The committee also included language, which I requested, in its report regarding the need to reform the government's security classification system. The committee supports the President's decision to establish a task force that will produce a comprehensive post-cold war plan that addresses the current problem of over-classification of documents. This practice costs too much, both in dollars and in the ability of a democratic society to function. The committee expects that these new rules and procedures will mean future savings, and has directed the Departments of Commerce, State, and Justice to submit detailed reports on classification-related expenditures and specific plans for reducing costs in the next fiscal year.

We've also made some important strides in making our criminal justice system more effective and responsible to public need. The committee has included \$16 million more than the adjusted current services level in the salaries and expenses account for the courts of appeals, district courts, and other judicial services, directing that this money is to be used to meet the highest priority needs of the Federal courts. Certainly, this could fund much, if not all, of the expenses necessary to add the 35 new bankruptcy judges we authorized during the 102d Congress. With the nearly threefold increases in bankruptcy filings over the last 12 years, these new judges are sorely needed. One of these judges would sit in my home State, and I hope that serious consideration is given to spending at least part of the \$16 million on funding for these new bankruptcy judgeships.

The bill also provides \$297,252 million for defender services and \$77,095 million for fees for jurors. At these levels, we should avoid the problems we faced in the current fiscal year, when the courts came close to running out of money. That financial crisis led to a proposal to cancel civil trials to ensure that criminal trials could continue throughout the fiscal year. We have a constitutional obligation to provide access to the courts for civil litigants,

and we should never put the courts in the position of having to close the courthouse door to those entitled to their day in court. I'm pleased that we haven't done that with this bill.

I'm also pleased that the committee was able to increase funding for the Legal Services Corporation [LSC]. The \$400 million we propose is far less than the LSC requested, and far less than it needs. One of the basic principles of our system of justice that every American has a right to a fair hearing in a court of law. That right is an empty one without legal counsel, and so we have some obligation to provide legal representation to people who can't afford it. This is important in civil cases, too, not just in criminal ones. The LSC is an essential part of the effort to provide this assistance. I support their efforts and hope that we will be able to provide more resources for this valuable program in the future.

Another important step we have taken in this bill is to eliminate the restriction on the use of Federal funding to provide abortion services to women incarcerated in Federal facilities. This restriction affects only a very few women each year, but most of them are too poor to afford the costs of an abortion on their own. I believe that it is particularly cruel to force a woman to carry to term an unwanted pregnancy behind bars. The forced delivery is only the tragic prelude to the mandatory relinquishment of the child that immediately follows.

To summarize, the Mr. Chairman, this is a good, taut bill. It finances the necessary functions of government, and it takes into account the need to put our Federal financial house in order. I urge its passage.

Mr. ROGERS. Mr. Chairman, I yield 4 minutes to a very hard-working member of our subcommittee, the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, I want to begin by commending my colleagues, the chairman of this subcommittee, the gentleman from Iowa [Mr. SMITH] and the ranking Republican, the gentleman from Kentucky [Mr. ROGERS] for the outstanding job that they have done on this legislation.

It has been said and will continue to be said during the course of this debate that this is a responsible and a fair bill. I think that is true.

I also think it should be said that the way they deal with other subcommittee members and our staffs is something to be commended, and I thank them for the courtesies they have shown us.

The fact that it is a fair bill I think is demonstrated by the numbers. I doubt that there are very many appropriation bills that we are considering this year that are as much below the fiscal year 1993 enacted levels as this bill is—about \$602 million, to be exact, below last year's enacted levels and \$2 billion below the administration's request.

While I support the overall outcome of this, I do want to take this time to share some of my concerns about some of the priorities, or I should say some of the misplaced priorities in the bill.

As my colleague, the gentleman from Kentucky [Mr. ROGERS] has suggested, we are concerned about the amount of money that is in here or not in here in the area of law enforcement for Justice Department programs for which our subcommittee has responsibility.

For example, support for the detention of U.S. prisoners, that is, Federal prisoners being held, is \$50 million below the President's request and will result in funding 874,000 fewer jail days than originally estimated. That means Federal prisoners will have to be discharged in a fashion that does not support the safety of the American public.

So I think we should be very concerned by the fact we are not providing enough funds for maintaining people in the prisons that we have already built.

More funding is clearly needed for the Immigration Service. We have been hearing a lot these days about the growing crisis in Immigration, and this bill reduces funding from the President's request for the INS along our border.

□ 1030

The FBI and the DEA, the Drug Enforcement Agency, have also been reduced below the President's request. So, I have concerns about funding in law enforcement areas. But I want to, particularly at this time as we talk about those decreases, emphasize where there has been an increase that I have a real concern about, and that is in the area of the industrial services account. It is called the industrial technology services account in the Department of Commerce.

In 1993 we enacted \$36 million. The President requested \$233 million. Now our mark was considerably below that, at \$162 million, but an increase of almost 100 percent.

The problem here, Mr. Chairman, is a matter of priority. I understand the President's request. I understand his view that the Federal Government can assist the private sector in trying to identify those technologies which will work and which can be developed.

There are two particular programs here that we are talking about: the advanced technology program, or ATP, and the manufacturing extension partnership, or MEP. Those are the two big ones.

Now ATP's purpose is, and I quote from the budget justification, "to share the cost of high risk research projects with U.S. companies and industry led joint ventures seeking to develop new, precompetitive, generic technology." The MEP programs; that is, the manufacturing extension partnership, is one that is, and I quote, to assist manufacturers to modernize their production capability.

In both of these cases I think we are making a mistake. I do not believe

Federal Government should indulge in an industrial policy that tries to pick winners and losers among new emerging technologies. I simply do not think it works. I do not think it can be done.

If we want to look at an example where it has failed, we need only look at Britain where the Government tried very specifically to pick out technologies and to assist those technologies. It simply does not work. The Government does not know how to pick those technologies. The private sector marketplace knows how to do that.

Having said that, I do want to again reiterate that I appreciate the hard decisions that have been made in this bill by the chairman and the members of the subcommittee. I may disagree on some of the priorities, but I certainly commend the overall levels of funding in this legislation.

Mr. Chairman, these are tough times, and I think we have made some tough choices, and I commend the subcommittee for its work.

Mr. SMITH of Iowa. Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia [Mr. MOLLOHAN].

Mr. MOLLOHAN. Mr. Chairman, as a member of the subcommittee, I rise in strong support of the fiscal year 1994 Commerce, Justice, State, and Judiciary appropriations bill.

Under the expert leadership of our able chairman and ranking member, we have put together a bill that is truly responsive to the needs of our Nation.

As always, Chairman SMITH has acted with the utmost fairness in conducting the business of the subcommittee.

We have done our best to increase funding for the Commerce Department. The President has targeted this agency as the engine of his competitiveness agenda. At the National Institute of Standards and Technology, funding for the advanced technology program will enable the Department of Commerce to continue its initiative to provide matching support to industry-led proposals for precompetitive, high-risk, generic technologies. Further, increases for the manufacturing extension program will enable the Commerce Department to continue the deployment of manufacturing centers and outreach initiatives. This means that our small and medium-size manufacturers will get the help that they need to bring new technology to the shop floors.

I am pleased to report that the committee has provided a 2-percent increase over fiscal year 1993 levels for the Economic Development Administration. The EDA provides grants to assist economic development activities: For planning and coordination and other financial assistance that help reduce substantial and persistent unemployment in economically distressed areas.

Under the Small Business Administration, this bill provides funds for programs which are extremely beneficial to small business owners and individuals seeking to start their own busi-

nesses. A good number of these programs are geared toward helping people who are struggling to overcome a barrier—a handicap or some financial disadvantage—to achieve the American dream.

I have long been a supporter of the invaluable assistance that both EDA and SBA bring to my constituents, as West Virginia felt the effect of economic downturn over a decade ago. For my colleagues who represent districts currently under economic distress, I ask you to make a special note of the resources in these two programs and give these agencies your personal support.

This bill provides increases for certain priority programs in the Justice Department to continue the war on drugs and crime—including justice assistance programs, organized crime, drug enforcement, FBI, DEA, Immigration and Naturalization Service, and Federal prison salaries and expenses. In addition, this legislation takes important initiatives in the area of juvenile justice programs. We have provided funds for the expansion of a program to prevent and reduce the participation of at-risk youth in gangs, and have funded regional and local children's advocacy centers to coordinate assistance for victims of child abuse.

Mr. Chairman, I urge my colleagues to support this appropriations bill.

Mr. ROGERS. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. PACKARD], a very hard-working member of the full committee.

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

Mr. PACKARD. Mr. Chairman, without question my district is one of the hardest hit by the flow of illegal immigrants. We rely on the Border Patrol to help stem the flow of illegal immigrants over our border.

This bill includes an increase of \$6.4 million over the administration's budget request for the Border Patrol. This level of funding is intended to allow the Patrol to maintain its current level of agents.

Although I would like to see a much greater funding increase for the Border Patrol, I appreciate the attention given to the Patrol by Chairman SMITH and ranking member HAL ROGERS.

I wish I could offer the same regards to the Clinton administration. Under the budget request submitted to Congress, the administration directed the INS to make cuts to the Border Patrol over and above those already made. We cannot afford these cuts.

The Border Patrol is already seriously underfunded. Along the 14-mile San Diego-Mexico border, understaffed Border Patrol are trying to turn back 3,000 to 4,500 illegal aliens every night. Over half a million illegal immigrants enter California every year.

Once illegal aliens are across the border, costs associated with these aliens increase tenfold. Unfortunately, the tab is picked up by the Federal, State,

and local taxpayers at a cost of \$5 billion a year.

If the administration is serious about improving our immigration policy, a good place to start is to beef up the Border Patrol and give them the resources they need to stop the flood of illegal immigrants coming over the border.

While I greatly appreciate the willingness of the committee to work with us, there simply is not enough funding for the Border Patrol in this bill or in the administration's request. I hope to work with the administration and the committee to secure sufficient funding for the Border Patrol.

□ 1040

Mr. SMITH of Iowa. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SCHUMER].

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

Mr. SCHUMER. Mr. Chairman, I would like to address some of the issues raised by this bill regarding funding for law enforcement. First, I would like to commend Chairman SMITH and Chairman NATCHER for their work on this bill and for making their best efforts to fully fund law enforcement within the limitations of a very tight budget. They did their best to make special accommodation for accounts within the war on crime and drugs such as the organized crime task forces, the DEA, the FBI and others. If I had my way, Mr. Chairman, I would put even more resources into law enforcement but we have to do the best we can during times of austerity. I think this bill does the best it can in that regard.

There is one item I would like to address specifically and that is the area of Federal assistance to State and local law enforcement, specifically the Edward Byrne Memorial Drug Grants. One of the most important things that the Federal Government can do to help fight crime in my view is to provide assistance to State and local efforts. This bill provides for a cut of approximately \$100 million from last year's appropriation in the formula grant part of the Byrne program. That cut, unfortunately, means less money for State and local law enforcement in every State. In the case of my State, New York, it comes to about \$7 million.

Now, to be sure, some of that is made up through establishment of a new, \$56 million special discretionary grant program which will fund four programs: Community policing, the FBI's NCIC 2000 system, the Washington Regional Task Force and police overtime. Two points about this new program: First, I support all four of these initiatives. No one in the Congress is a bigger supporter of community policing than this Member. In fact, I wrote a community policing cop-on-the-beat program for the crime bill last year. However, I would prefer that programs like this be written by the authorizing committees before they are funded. Second, I would

also prefer that these programs be funded without having to make a 25-percent reduction in Federal block grant support of State and local law enforcement. The loss of that money is going to disrupt State and local law enforcement funding in every State. Finally, this bill provides for an increase in juvenile justice funding of another \$56 million over last year—again, an admirable goal but not when it comes at the expense of desperately needed aid to the front lines of the war on crime—State and local law enforcement.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

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

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I wish to speak about the amendment that I am going to offer. I want to thank the gentleman from Kentucky [Mr. ROGERS], and I also want to thank the chairman, the gentleman from Iowa [Mr. SMITH], for the work that they did in trying to restore the Border Patrol moneys back up to at least the level of last year. We appreciate that deeply.

The problem is that the problem of smuggling of illegal immigrants and narcotics across the borders of the United States has grown by leaps and bounds. There is absolutely a torrent of cocaine flooding through the land borders right now.

We have increased the interdiction of cocaine in the California-Mexico border by 1,000 percent over the last several years. According to the GAO, 20 percent of the Federal inmate population are illegal aliens. The social service costs for California and every State in the Union has gone up markedly as a result of delivery of services to illegal aliens.

We have estimated in San Diego County that we spend \$143 million a year in unreimbursed costs for social and criminal justice costs for illegal aliens. We have extrapolated that out to a cost that we feel is fairly reliable of \$3 billion a year paid in California for social services and justice costs and other costs for illegal aliens.

Mr. Chairman, we have had now an increase of 1,000 percent of Chinese illegal aliens coming across the land border between Mexico and the United States over just the last 4 months of the year. That is, over 500 Chinese illegal aliens have been arrested coming across the land border.

Lastly, and perhaps most critical, Mr. Chairman, we have done an experiment in which we took illegal aliens who had been convicted of major crimes. After they did their time in the United States we sent them in deep repatriation to Mexico City. So far 34 of those 300 criminal aliens have been recaptured coming back across the border between the United States and Mexico.

Mr. Chairman, if you consider that at any given time our Border Patrol is so small that we only have about 50 to 60 agents on the entire California-Mexico border, and if you consider the fact that in excess of 5 illegal aliens come through for every 1 that is captured, that means that roughly half of these criminal aliens have already made their way back into the United States.

Mr. Chairman, there are many reasons, with our very liberal immigration policy, for having a border that has integrity. And that requires people. We need desperately to add about 2,000 border patrolmen to our present force.

Mr. Chairman, the amendment that I am going to offer will add some 600 Border Patrol agents. It is not up to what we need, but it will help us greatly. I hope that every Member will support this amendment.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I would like to thank Chairman SMITH, Chairman NATCHER, and the gentleman from Kentucky [Mr. ROGERS], for offering the bill and doing such a good job for law enforcement.

Mr. Chairman, in California we are being overrun. Over 50 percent of the children born in Los Angeles County Hospital, over 50 percent of the children born in that hospital are to illegal aliens. "20/20" did an expose showing the costs to the Federal Government. They then go down and collect Medicaid. They are coming up with a health care bill in the Senate and the House, and you can imagine the costs that are being passed on.

Twenty-five percent of the felons in California prisons are illegal aliens. We would like to even ship them back to where their home country is, but we cannot do that because of our own laws.

At Palomar Hospital last month, Dr. Brown told me about an illegal that was in a knife fight and needed a \$200,000 operation. Of course, he cannot pay for it. That cost goes on to the hospital. Who has to pay for that?

Drivers in my district, two families have been totally destroyed by illegal aliens driving with no driver's licenses and no ability to pursue that.

San Diego County Sheriff Jim Roache is having to turn out convicted felons out of the system because there is no room. Over 25 percent of those people are illegal aliens.

Drugs, I have been on eight drug raids in San Diego with local law enforcement. Every single one of them had illegal aliens dealing drugs. State Senator Craven and Governor Wilson released information on the cost to the State of California and the Federal Government: \$2 billion to the State of California for illegal aliens in health care, in education, and in law enforcement.

Mr. Chairman, the money that we put in to stop this will come back one

hundredfold, just to stop the flow of illegal immigration.

Mr. SMITH of Iowa. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SERRANO].

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

Mr. SERRANO. Mr. Chairman, thank the gentleman for yielding.

Mr. Chairman, I rise in praise of the work that has been done on this bill, and especially to praise the committee for the fact that they had the wisdom to exclude from consideration TV Marti, a Government-funded station which supposedly beams information about democracy into Cuba.

The fact of life is that TV Marti has been a total failure. It has been seen, according to people who keep a watch on this, a couple of times during its first 3 years of existence. During that time it was able to beam some Popeye cartoons. Now, I am a big Popeye fan, but I do not think that is what we should be sending to Cuba to bring about political changes.

Second, there is a balloon, a technological balloon, that brings the signal across to Cuba, which is called Fat Albert. The balloon tends to get loose every so often and travel throughout the Everglades, where we have to spend money tracking it down.

It is almost difficult not to laugh when we talk about TV Marti, because it is supposed to be a very serious subject. But it is a very serious waste of money.

□ 1050

By allowing the committee the opportunity to say, we really do not want to fund this any longer, we are sending a clear message. First, that we shall not be wasting money. Second, that perhaps there are better ways of dealing with this issue and bringing out this information than having this totally failed enterprise. And third, I would say that TV Marti is just another example of what could very well be a failed policy on our part in trying to bring about political changes in Cuba.

There are certainly other ways to accomplish that. There are ways not to accomplish that. TV Marti is the most glaring example of how we do not accomplish these political changes.

I want to congratulate the committee on the fact that they had the wisdom not to include Fat Albert and this wasted time in the appropriation.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman for yielding time to me.

Let me just say that may two colleagues who spoke previously, from California, illuminated an issue that is extremely important to the people of this country and the taxpayers of this country. We have a virtual tidal wave of illegal aliens coming across the

Mexican-American border. We have problems on both the east and the west coast as well.

But the real major problem is that 1,960 border between us and Mexico. I was just in Mexico about 2½ weeks ago. I found that we are getting about 2.2 million illegal aliens crossing that border per year. We are sending about half of them back, but we are keeping 1 to 1.2 million illegal aliens in this country. They are going all over the place, but particularly in the Southwest and in California.

Last year, I hope all my colleagues will pay attention to this and everybody in the country, last year there were 37,000 illegal alien births in Los Angeles County alone, in one county, in Los Angeles County, CA, there were 37,000 illegal alien children born last year alone. Each one of those children, when they are born, are eligible for AFDC payments of about \$620 per month. That is \$25 million a month in welfare payments to illegal alien children in one county in one State in the whole country.

Now, we have to do something about that. The taxpayers of this country do not want their money spent for that purpose.

How do we do it? Well, the gentleman from California [Mr. HUNTER] has suggested that we get 600 more Border Patrol people on that border. Granted, that is not enough, but that is a step in the right direction.

I am going to propose an amendment today that will cut the Commerce Department back to the rate of inflation. In other words, we will increase their budget to the rate of inflation.

If we cut it back to that level in this bill, we will save \$60 million, and that will pay for the amendment of the gentleman from California [Mr. HUNTER], which will put 600 more Border Patrol people on that border to keep these illegal aliens out.

I am telling Members, it is a major, major problem. The welfare benefits, the benefits for prenatal care and for postnatal care for these people, the health benefits, all that stuff adds up to billion of dollars that we cannot afford with the huge deficit that we are incurring right now.

I applaud that gentleman from California [Mr. HUNTER]. I hope we will look with favor upon his amendment. I hope we will look with favor upon my amendment, which will provide the funds for what he wants to do by cutting back to the rate of inflation the Department of Commerce appropriation.

Mr. SMITH of Iowa. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. DEUTSCH].

Mr. DEUTSCH. Mr. Chairman, I would like to ask the chairman of the subcommittee to engage in a colloquy.

Mr. SMITH of Iowa. Yes.

Mr. DEUTSCH. Mr. Chairman, if the gentleman will continue to yield, I would like to discuss a matter of vital

importance to the victims of Hurricane Andrew in my district and across south Florida. I am concerned that funds appropriated in the past for hurricane relief efforts are being used in areas that did not suffer any hurricane damage, while other areas of Dade County which were completely destroyed continue to suffer.

Mr. SMITH of Iowa. The gentleman is referring to the \$50 million appropriated in the emergency supplemental last year. We put it under EDA, but they are to make grants for economic development in disaster-impacted areas.

Mr. DEUTSCH. That is correct, Mr. Chairman.

However, I have learned that several of the grants the EDA has made, or is considering making in Florida, are for projects that are not in hurricane-damaged areas. Specifically, a \$2.5 million grant went to make renovations to the Omni Mall in Miami, which was not at all affected by the hurricane. The EDA is also considering a \$5.5 million grant to the Wynwood Foreign Trade Zone, which also lies outside the hurricane impacted area. I would like to express my concern to the committee, and the Congress; and to request that the Inspector general of the Commerce Department conduct an investigation to determine what funds were spent outside the FEMA-designated hurricane impacted areas.

I would also ask that an attempt be made to target any funds not yet obligated toward areas directly impacted by the hurricane, and which lie within the FEMA designated hurricane impact area.

Mr. SMITH of Iowa. Mr. Chairman, I will ask the Commerce Department to look into the gentleman's concerns and to respond to the committee as soon as possible.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. MCINNIS].

Mr. MCINNIS. Mr. Chairman, I would like to engage in a colloquy with the chairman of the appropriations subcommittee. I am trying to work my way through this budget.

I have a question in regard to the Small Business Administration. My question is, Can the gentleman assure the body that there are no funds included in the Small Business Administration budget, either in the salaries and expenses or any other part of the budget money, for the tree-planting program?

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

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

Mr. SMITH of Iowa. Mr. Chairman, the salaries and expenses account is where that is carried and until it is earmarked, it is possible the item is in the appropriations bill. But also the Small Business Development Center program is in there, and numerous other programs are in salaries and expenses.

Mr. MCINNIS. Mr. Chairman, a further question. Does the gentleman know the amount? I understand it is approximately \$16 million in salary and expenses.

Mr. SMITH of Iowa. Mr. Chairman, if the gentleman will continue to yield, there is no amount earmarked in our bill.

Mr. MCINNIS. But there is money that can be allocated?

Mr. SMITH of Iowa. It is an authorized program, and any authorized program under salaries and expenses could be funded.

Mr. MCINNIS. Mr. Chairman, again, for another question, is there an authorized amount?

Mr. SMITH of Iowa. There is an authorized amount. The authorization is for \$30 million.

Mr. MCINNIS. Mr. Chairman, I thank the gentleman.

Mr. SMITH of Iowa. Mr. Chairman, I yield 1 minute to the gentleman from Alabama [Mr. CRAMER].

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

Mr. CRAMER. Mr. Chairman, I quickly want to congratulate the committee. This is a very ambitious bill. I am not a member of the committee, but I was given the opportunity to testify before the committee.

In my prior political life, I was a prosecutor. This bill contains good funding for prosecutors that want to get involved in child abuse issues, particularly child sexual abuse issues.

We started a new program in our district, the Children's Advocacy Center Program. That funding is included in this bill, as well.

I want to congratulate the committee.

Mr. Chairman, I rise in support of this bill. It is a good bill. I would like to thank Chairman NATCHER for his leadership in bringing this bill to the floor as expeditiously as possible. Also, I would like to thank Chairman SMITH for his genuine commitment to effective and successful programs that are contained in this bill. Representatives MCLOHAN and MORAN were helpful in listening to the requests of this Member and offering sound advice.

I rise in strong support of the juvenile justice programs that are contained in this bill. The bill speaks directly to preventing the physical abuse and sexual abuse of children. Funding is available until expended for section 213 of the Victims of Child Abuse Act of 1990 for regional children's advocacy centers and section 214 of the Victims of Child Abuse Act of 1990 for local children's advocacy centers.

Section 6 of Public Law 102-586, the Children's Advocacy Program, establishes a program to focus attention on child victims by assisting communities in developing child-focused, community-oriented, facility-based programs designed to improve the resources available to children and families; provide support for nonoffending family members; enhance coordination among community agencies and professionals in the multidisciplinary approach to child abuse so that trained medical personnel will be available to provide medical support of community agencies and pro-

professionals involved in the intervention, prevention, prosecution, and investigation systems that respond to child abuse cases.

Before I discuss the substantive law, I would like to present some guiding principles that we must follow in order to effectively prevent child abuse. Then I would like to discuss the importance of the use of multidisciplinary teams and a community approach to prevent child physical abuse and child sexual abuse. First, society needs to convey a clear message that sexual abuse of children is unacceptable behavior. Second, we need a criminal justice system that is responsible for helping and protecting child victims and holding offenders accountable. Third, the needs of the child victim must be foremost in our minds and we must work to ensure that children are not at risk from further revictimization from the very system designed to protect them. Fourth, there must be a coordination of activity of all involved public and private agencies to intervene in the lives of abused children in a meaningful way and to insure that the judicial system does not revictimize them through repetitious interviews and examinations. Fifth, coordination of activities and services, without a doubt, must exist at the Federal level.

Pursuant to Public Law 102-586 the term "multidisciplinary response to child abuse" means a response to child abuse that is based on mutually agreed upon procedures among the community agencies and professionals involved in the intervention, prevention, prosecution, and investigation systems that best meets the needs of child victims and their nonoffending family members. The cornerstone of an effective child abuse program like the Children's Advocacy Center programs is the use of multidisciplinary teams. A multidisciplinary team consists of representatives from law enforcement, child protective services, victim advocates, medicine and mental health who meet on a regular basis to review cases and issue joint recommendations in the best interest of each child.

The primary goals of a multidisciplinary team include elimination of duplicative efforts by professionals, protection of the child and the child's family from further abuse and trauma; rapid successful investigation and prosecution of alleged offenders of child sexual abuse; and assurance of specialized therapeutic care to meet the needs of child and family. All of these goals can be achieved through the coordination of community agencies and professionals involved in the intervention system.

Multidisciplinary teams minimize the trauma children can suffer during the investigation and intervention process, promote better understanding of and respect for other team member's role and expertise, and facilitate more informed case management decisions. As the members of a team build working relationships, communication between agencies becomes easier and the coordination of services begins to fall into place.

It is important to realize that multidisciplinary teams are not meant to replace any existing profession, agency or individual. They are intended to strengthen and build interagency and professional relationships. Each community has its own service network with individual strong points and weaknesses. Each multidisciplinary team should be tailored to incorporate the strengths and unique characteristics of its own community network.

Multidisciplinary teams can weave the service delivery system together in such a way that effective case management will occur, in conjunction with the most effective use of effort and time by the professionals and families involved. Multidisciplinary teams provide a means to better use existing resources while improving service to child victims of sexual abuse and physical abuse.

Let me share with you one of the most persuasive reasons a multidisciplinary approach is warranted. It is important for us to recognize that abused children are revictimized when they are bounced from agency to agency where professionals have no specialized training or knowledge of the needs of children. Children in such a setting are subjected to multiple investigative interviews, and persons responsible for intervening on behalf of child victims exercise little or no coordination or teamwork.

Let me come across as being too bureaucratic or too academic. What is meant by the term revictimization? How is a victim of physical or sexual child abuse revictimized by a system that exists to help victims? The manner in which a child is treated during the first interviews greatly affects the child's ability to withstand the pressures inherent in involvement with the child protection and criminal justice systems. Also, it has an impact on the child's mental health. Multiple interviews involving multiple investigators at multiple locations in a short period of time can be very traumatic to a child.

The revictimization can occur at various intervals. It can occur when an untrained police officer questions the child for hours in the morning at a police station, again in the afternoon when a doctor examines and questions the child, and again the next day when a representative from a child services agency interviews the child. Multiple and uncoordinated interviews by untrained or improperly trained individuals can be confusing, frightening, and embarrassing to the child. The result is that a case falls through the cracks. The revictimization leads to the child recanting the story. This can allow an offender to walk away free. We must eliminate institutional revictimization.

Thus, it is simply not enough for us to train prosecutors under one program, train doctors under a separate program, and train children's advocates under yet another program. The approach at the local level, on the frontlines, must be a coordinated multidisciplinary team approach. Additionally, coordination must exist at the Federal level. Thus our approach must be two-pronged.

Effective intervention becomes prevention. The children's advocacy program approach creates a system and develops resources that deter more abuse, strengthen children and families, hold offenders accountable, and reduce juvenile delinquency and other criminal behavior.

It is my desire as the author of the authorizing legislation to see an expeditious implementation of the Children's Advocacy Program. The program is based on a successful model that I initiated as the district attorney of Madison County, AL. I am proud of the Center in Huntsville. It has become a national model in developing a comprehensive, multidisciplinary response to child abuse that is designed to meet the needs of child victims and their families. We have an excellent staff of

professionals who are experienced in providing remedial counseling to children and families. For years we have acted as a national training and education center, and as a resource facility. The Children's Advocacy Center in Huntsville has been effective in helping communities resolve problems that may occur during the development, operation, and implementation of a multidisciplinary program that responds to child abuse. Additionally, we have provided technical assistance to communities nationwide with respect to the judicial handling of child abuse and neglect.

The purpose and mission of the Children's Advocacy Program is to provide technical assistance, training and networking opportunities to help communities establish, and maintain child abuse prevention, intervention, prosecution and investigation programs which provide quality services for helping victims of child abuse.

First, it establishes the Regional Children's Advocacy Centers. The Juvenile Justice and Delinquency Prevention Office will work in coordination with the Office for Victims of Crime and the National Center on Child Abuse and Neglect to establish a children's advocacy program to focus attention on child victims by assisting communities in developing child-focused, community-oriented, facility-based programs designed to improve the resources available to children and families. These three Federal agencies do have an optimal working relationship in this area. It is incumbent, therefore, that they have the opportunity to work together and coordinate activities.

The regional center's purpose will be to provide information, services, and technical assistance to aid communities in establishing multidisciplinary programs that respond to child abuse. The number of communities that call the Huntsville Children's Advocacy Center for help is very significant. When I was district attorney, I traveled repeatedly across this country working with many communities. The Huntsville Center continues this important outreach program.

Second, the Children's Advocacy Program establishes Local Children's Advocacy Centers. This section compliments and enhances work that was carried out in 1990 by, among others, Senator BIDEN, chairman of the Senate Judiciary Committee. These centers will be the local community arms working on child abuse cases. Local involvement and empowerment are the driving principles of this approach. Thus, a community can develop a program that fits its unique needs.

The Children's Advocacy Program accomplishes two other goals. It directs grant recipients to consult with each other on a regular basis to exchange ideas, share information, and review children's advocacy program activities. Second, it establishes a children's advocacy advisory board that will provide guidance and oversight in implementing the selection criteria and operation of the regional children's advocacy program. The board shall consist of individuals who are experienced in the child abuse investigation, prosecution, prevention, and intervention systems.

Implementation of the Children's Advocacy Program will break the cycles of abuse and neglect which take a devastating toll on our society. Numerous publications, such as the Journal of Interpersonal Violence and the Journal of Family Violence tell of the direct correlation between child abuse and adult

drug addiction and sexual abuse. A recent National Institute of Justice study found that "childhood victimization represents a widespread, serious social problem that increases the likelihood of delinquency, adult criminality, and violent criminal behavior." By effectively addressing the needs of abused children and intervening in their lives, advocacy programs help eliminate this costly and detrimental pattern.

The Children's Advocacy Program continues a history of involvement by the Federal Government as both an advocate for the Nation's children and as a provider of services on their behalf. Multidisciplinary teams improve services and maximize the use of limited resources. In Huntsville, AL, we serve about 240 child sexual victims annually. Almost 50 percent of the cases are referred for prosecution and nearly 100 percent of these result in guilty pleas or convictions. This was achieved by implementing an approach that focuses on the child.

If our society is ever to convey the clear message that the sexual abuse and physical abuse of children is not an acceptable behavior, then we must redesign the systems responsible for helping and protecting child victims so that the children benefit and offenders are held accountable.

Mr. Chairman, I urge my colleagues to support the bill.

Ms. NORTON. Mr. Chairman, I want to express my thanks to Chairman SMITH for responding favorably to my request to include language in the report on this bill indicating that the committee expects FBI Director William Sessions to fulfill his pledge to find jobs in this area for Identification Division employees who cannot and do not wish to move to West Virginia once the division is relocated there.

In 1991, I contacted Director Sessions and expressed my concern about the fate of employees who could not relocate. The Director promised me personally that these employees would be afforded another job with the FBI in this area at a comparable pay rate. This promise was not made lightly, but as a matter of elementary fairness to the employees, especially those not highly salaried whose personal and family position made it impossible to move.

When it was recently brought to my attention that the Director was considering renegeing on his commitment, thereby placing many of my constituents at risk of losing their jobs, I immediately wrote him seeking assurance that his commitment still stands. I have yet to hear back from the Director on this matter.

Earlier this month, when the Subcommittee on Civil and Constitutional Rights marked up the FBI's reauthorization bill, I wrote Chairman DON EDWARDS to express my strong support for a provision he included requiring the FBI to fulfill this commitment, a commitment which was reaffirmed by both Director Sessions and Deputy Assistant Director Stanley Klein during testimony given before that subcommittee in 1991 and 1992.

It would be unconscionable to permit the Bureau to step back from a commitment which was not only made personally to me, but to a subcommittee of the House. Chairman SMITH, your action on this matter today, and the action taken by Chairman EDWARDS, will help to ensure that the Identification Division's em-

ployees are able to continue their careers with the FBI.

Mr. CONDIT. Mr. Chairman, today, I rise in strong support of the amendment by my friend and colleague, DUNCAN HUNTER, which would increase the appropriation for the Border Patrol by \$60 million. As my colleagues must know, the condition of the Californian economy is terrible. The lingering recession, the massive defense cuts that the State is asked to bear, and unfunded Federal mandates are all contributing factors to California's fiscal woes.

The largest unfunded Federal mandate in California is immigration. As my California colleagues have already pointed out, half of the babies born in San Diego and Los Angeles are born to immigrants. Twenty-five percent of the people incarcerated in California's prisons are foreign born. Governor Pate Wilson has estimated that California pays \$1.4 billion for the social, health, and correctional services provided to immigrants and refugees as mandated by national immigration policy.

Along with several of my California colleagues, Republican and Democrat alike, I have made the elimination of unfunded Federal mandates one of my highest priorities. We have to take firm actions to address the problems of these unfunded Federal mandates before they completely overwhelm our State and local jurisdictions. I wholeheartedly support Congressman HUNTER'S amendment since it will augment the resources of the Border Patrol so that they can prevent illegal immigrants from entering our country and placing further burdens on our local budgets.

It should be understood that additional cuts and rescissions can be made in this legislation to more than offset the \$60 million increase that the amendment calls for. Again, I urge my colleagues to support the Hunter amendment.

Mr. HUGHES. Mr. Chairman, I rise in support of H.R. 2519, appropriations for the Departments of Commerce, Justice, State, and the Judiciary. Programs within the National Oceanic and Atmospheric Administration [NOAA] funded through the Department of Commerce are of immense importance to New Jersey's coastal economy and the health of New Jersey's marine ecosystem.

This bill appropriates a total of \$1.77 billion for NOAA in fiscal year 1994, which funds important programs such as the National Ocean Service, National Marine Fisheries Service, and the Oceanic and Atmospheric research programs.

I am pleased that the committee has included report language indicating that funds will be available through NOAA's construction account sufficient to maintain ongoing construction projects. My particular concern is for a multispecies aquaculture facility which is being built in New Jersey.

Through the support of the chairman and the committee over the past 2 years, this facility has made significant progress. A site has been located, planning and engineering designs are well underway, and the development of training and outreach programs has begun. Moreover, the State has committed a match to Federal funds and is developing a State aquaculture plan. These factors are crucial in meeting the rising demand for fresh, healthful products, reversing local economic decline, and expanding aquaculture nationwide.

I am also pleased that the committee has restored funding for the national undersea re-

search program [NURP]. NURP is crucial to understanding our oceans and plays a key role in observing global climate change in ways not available to traditional shipboard research. The \$17.8 million appropriations is necessary in order for the six regional centers to meet immediate goals and to honor existing commitments for fiscal year 1994.

The committee has also restored sufficient funds to continue the fishing vessel obligation loan guarantee program. This program provides many benefits for the fishing industry particularly in the area of underutilized species, refinancing existing loans and seafood safety. Further, I believe the report language narrowing the focus of the program is essential to avoid contributing to overcapitalization of the industry.

Finally, I am pleased to see funds appropriated to continue the important work of several other programs that are crucial to maintaining and improving our marine environment, including the Sea Grant College Program, Marine Sanctuary Program, National Coastal Research and Development Institute, and the Coastal Zone Management Program.

Despite these austere times and the necessary budget cuts, this bill reflects NOAA's strong commitment to marine science and to the preservation and protection of the coastal, ocean and Great Lakes environments and their associated living marine resources. This is a rational bill and I urge my colleagues' support for its passage.

Mr. WILLIAMS. Mr. Chairman, this year, it is clear that the 12-year spending spree has screeched to a halt. President Clinton sent to us a budget with more than \$200 billion in cuts during the next 5 years. Many people say that's not enough. In response the House cut another \$50 billion.

That's not enough, many people still say. So, we cut billions of additional dollars from the appropriations bills through amendments on the floor of the House. I have supported many of these additional cuts.

Of course, there is no denying that the ramifications of our actions begin with the strokes of the red pencil. Often the cuts are paired with the pains of reduced services, losses of jobs, and added difficulties for our citizens.

The Commerce, Justice, and State appropriations bill is not immune to these cuts. Two million dollars were cut from President Clinton's proposals, and hundreds of millions of dollars more in cuts are anticipated.

One important program has suffered severe cuts in the committee. The Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program provides funding, training and technical assistance to State and local governments. It has largely been the laboratory for State experiments in innovative law enforcement initiatives, but it has also been singled out for a whopping 28-percent budget cut—\$117 million less than last year's funding level.

This cut will affect urban areas, rural areas, large States and small States. California will lose more than \$12 million in law enforcement funds; New York \$7½ million; and Texas, more than \$7 million. As for rural States, Wyoming will lose \$480,000 from last year's grant of \$1.7 million and Montana will see \$620,000 less than last year's grant of \$2.2 million.

This money does not just fall into a black hole. Its purpose is to provide means for communities to combat crime through innovative

procedures. It was through this grant program that community policing was first tried, with such success that President Clinton has proposed additional funding to help combat crime in our cities through this method. It was also through this program that the Drug Abuse Resistance Education Program was begun, which teaches our schoolchildren the skills and self-esteem to resist drugs.

States use the grant program funds for prosecution of drug offenders, improvements for crime laboratories, combating domestic violence, and for drug testing and treatment of offenders. The grant program also aids local jurisdiction in providing proper training and equipment for our law enforcement officials. It has also sponsored an Innovative Rural Programs Reporting and Evaluation Workshop to explore the types of programs which are effective in rural areas and how they differ from those in urban centers.

Crime is rising. Funds for combatting crime are being cut. I can't be the only person who sees a train wreck, and not a light at the end of this tunnel. I agree with many that it is time to pay the piper, cut spending and raise revenue, but this is not the right program to gut. I urge my colleagues in the Senate to restore the funding of the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program to 1993 levels.

Mr. ZELIFF. Mr. Chairman, I oppose the Penny amendment. In times of economic distress, it does not make sense of this body to cut funding for the Small Business Administration, one of the best tools for economic recovery.

My home State of New Hampshire has experienced very difficult economic times, five out of the seven largest banks recently failed, and 30 percent of the banking assets were lost. The unemployment rate has gone from the lowest in the country to one of the highest. The economy in New Hampshire is still in very poor shape. Numerous New Hampshire businesses have not survived and of those that have, many are only barely surviving, because of the help of the SBA and its loan guarantee programs.

This country depends on its small businesses to create jobs. In fact, 80 percent of the jobs in this country are created by small businesses. The President in his February 17 address to Congress and the Nation, talked about getting the economy moving, putting people back to work, and living within our means. But his program doesn't reflect this. The few programs designed to stimulate investment and job creation have been watered down during the budget process. The best way to help our small businesses is through the Small Business Administration Loan Guarantee Program, which is the only real tool small businesses have left in this country.

SBA programs stimulate capital formation, economic growth, and job creation. They address finance, marketing, production, and human resource management. In 1992 in New Hampshire alone, the SBA provided almost \$110 million in small business lending, which saved almost 15,000 jobs. In 1994 it is estimated that the SBA 7a program will create and maintain 6,200 jobs in New Hampshire. From 1983 to 1992 the SBA provided 426 million dollars worth of loans, saving almost 40,000 jobs in New Hampshire. SBA lending in New Hampshire increased by 141 percent from 1991 to 1992.

The SBA 7a loan program has a very low subsidy cost. The program generates \$20 of credit for only \$1 of taxpayer's money. For \$141 million the 7a program will provide \$2.6 billion in loans to borrowers. My good colleague from Minnesota has stated that, "after rising to nearly 30 percent in 1983, nonperforming loans are now 15 percent * * *." However, the facts are that in 1983, the SBA's guaranteed loan loss ratio was 11.3 percent and in 1991, the SBA loss rate on guaranteed loans was 2.2 percent.

The SBA has the lowest loss rate and best portfolio performance of the five major Federal credit agencies—SBA, HUD, Farmers Home Administration, Veterans' Administration, and Education.

The 7a program not only creates new jobs but also retains existing jobs by making credit available to established small businesses. The GAO reports that 40 percent of all term loans made in the entire country to small businesses are made through the SBA 7a loan program.

The SBA 7a loan program promotes small business formation and growth by guarantees of up to 90 percent of the amount provided by commercial lenders. If the 7a lending program runs out of funds, virtually all immediate and long-term credit will be unavailable to small businesses in the country because of regulatory pressure and because the administration's eased regulations have not taken effect. The 7a program's demand level has grown by 31 percent over this time last year and in 1992 grew by 37 percent over the previous year.

With the momentum of the SBA program growing, every time the program temporarily shuts down it disrupts the confidence of both our lenders and our borrowers and slows job creation and job maintenance.

My good colleague from Minnesota has stated that, "during calendar years 1990 and 1991, 23,000 small businesses accessed SBA programs." But, the facts are that during 1990 and 1991, 1,690,000 businesses received SBA training and counseling and the SBA guaranteed more than 215,000 loans worth more than \$26 billion.

Our small businesses need the SBA. In this difficult economic environment the SBA is the only friend our small businesses have. I know first hand the successes that the SBA loan guarantee programs have had in saving businesses and saving jobs. It's a big ocean and the SBA is the only lifeboat around. I urge my colleagues to vote against the Penny amendment. We need to save the Small Business Administration.

Mr. MORAN. Mr. Chairman, I rise in strong support of this appropriations bill.

This year, I have had the pleasure and the honor of serving with Chairman SMITH, Representative ROGERS, and other members on the Commerce, Justice, State, and Judiciary Subcommittee. I appreciate the tough decisions that the chairman has made, and I want to particularly thank the subcommittee staff, John Osthaus, George Schafer, Sally Chadbourne, Sara Magoullick, and Ray Cicali for their assistance and hard work.

This is a difficult bill. It groups together some of the most important agencies in the Federal Government and forces us to make spending decisions among them. The Department of State, the Department of Commerce, the Federal Bureau of Investigation, the Drug Enforcement Agency, and the Federal judiciary are only a few of the organizations that fall

under the jurisdiction of this subcommittee. I wish we could fund every one of these agencies. I wish we had the resources. Unfortunately we do not. But the chairman and the ranking member have proposed the most reasonable and fair ways to fund the programs under this bill.

Although the agencies under the jurisdiction of this committee will be among the most important in the new administration, the spending allocations have not expanded. The appropriations under this bill are more than \$601 million less than enacted in 1993. The recommendation under this bill is almost \$2 billion less than administration's request. Furthermore, the budget authority recommended in this bill is \$759 million less than the 602(b) allocation and \$2 million less in outlays than the 602(b) allocation. This bill is fiscally responsible and responsive to the need to cut budget deficit.

I strongly support the bill as drafted by the chairman and the committee.

Mr. GOODLING. Mr. Chairman, I am extremely pleased the Commerce, Justice, State appropriations bill for fiscal year 1994 includes funding for the Juvenile Justice Delinquency Prevention Act and specifically for the Juvenile Mentoring Program.

As the author of this mentoring program, I soundly believe mentoring programs provide the necessary partnership between schools, public and private agencies, institutions and business, which can help make a difference in the lives of our Nation's at-risk youth.

It has been proven that a relationship exists between poor academic achievement, school completion, and juvenile delinquency. By using mentors to work with at-risk youth, as in the Juvenile Mentoring Program, we provide young people with the positive role models they need to lead successful lives. Mentors provide academic assistance and experience in the workplace as well as helping to develop positive interests and attitudes. The Juvenile Mentoring Program also provides better coordination between the youth's home, school, and residential facility and helps to ensure at-risk youth keep up with their classmates. This encourages them to stay in school once they return to their homes. By making this investment in young people, we help them to be assets to their communities rather than repeat offenders or gang members.

The \$2 million provided in H.R. 2519 by the Appropriations Committee will most certainly go a long way in helping our Nation's communities reduce juvenile delinquency. I appreciate the attention the Appropriations Committee has given to this important program and encourage schools to apply for and use this funding to develop mentoring programs for at-risk youth. I commend the committee for providing increases for the overall Juvenile Justice and Delinquency Prevention Act. This investment will pay for itself many times over in reduced costs for law enforcement, job training, and other social services. With juvenile crime on the rise in our country, particularly violent crime, it is of the utmost importance that we support the activities authorized under this law.

Mr. BROWN of California. Mr. Chairman, I rise in support of H.R. 2519 the Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act for fiscal year 1994.

I would particularly like to commend the gentleman from Iowa [Mr. SMITH] and the gentleman from Kentucky [Mr. ROGERS] for their hard work on this important legislation.

H.R. 2519 provides critically needed funds: For the modernization of the technologies used by the national weather service;

For the completion and launch of the next generation geostationary weather satellite [Goes-“Eye”]; and

For the technology administration's effort to increase our technical and economic competitiveness in the world market.

Mr. Chairman, although the funds for these and other important programs are below the administration's request, they do reflect increases over current levels in many cases. On the whole, this is fair and reasonable.

I am particularly gratified to see an appropriations bill where earmarks, unauthorized programs, and authorization language have been kept to a minimum. This is as it should be. I commend both the full committee chairman, Mr. NATCHER, and the subcommittee chairman, Mr. SMITH, for their cooperative approach to the authorizing committees in this regard.

Mr. Chairman, I urge my colleagues to support this important legislation.

Mr. PENNY. Mr. Chairman, I applaud the committee for reducing funding in the bill by over \$600 million from last year's level. However, there are a couple of items on which I would like to make some comments.

First, I oppose spending in the bill for the Economic Development Administration [EDA] and the Small Business Administration [SBA]—excluding the disaster loan program, and I plan to introduce amendments to strike funding from the bill for these two agencies. The amendments would save taxpayers about \$925 million in fiscal year 1994.

Second, I would like to take notice of the fact that the committee funded only about two-thirds of the President's request for U.S. contributions to U.N. peacekeeping operations. While I fully understand and respect the committee's decision and the budget restraints which the committee faced, I am concerned about the fact that our country continues to be in arrears on its assessments to the United Nations, and in particular, to its peacekeeping programs. The decision to underfund the President's fiscal year 1994 request will only worsen the problem which the United Nations is faced with when meeting its expanded responsibilities and expectations in the area of peacekeeping and peacemaking.

Mr. Chairman, to deal with this serious problem, I have proposed that we transfer the budget function for “U.S. contributions to U.N. peacekeeping activities” from the State Department to the Defense Department. Since peacekeeping and peacemaking are critical elements of our national security in the post-cold war era, it is important that we fund our obligations in these areas from our national security budget—a budget which is more than 65 times as large as the State Department's budget.

Mr. POSHARD. Mr. Chairman, I rise in strong support of H.R. 2519, the Commerce—Justice—State appropriations bill for fiscal year 1994.

I want to give my thanks to Chairman NEAL SMITH and each member of the subcommittee who so graciously gave their time and atten-

tion to the needs of the people in the 19th District of Illinois.

I particularly want to make note of report language accompanying the bill concerning the Route 16 corridor in Charleston, IL. Between Mattoon and Charleston, in Coles County, there is tremendous opportunity for economic development—new jobs for our people. The city of Charleston is working diligently to extend water and sewer lines along this corridor to provide the basic public infrastructure necessary for economic activity. In putting together this project, we have had excellent cooperation from local, State and Federal agencies, including the Economic Development Administration. The report language included in the bill recognizes that and is an important step forward in the development of the Route 16 corridor.

I know this is one small item in a very comprehensive and significant piece of legislation, but it is crucial to our efforts to create jobs and provide people new economic opportunities.

I also thank my colleagues on the Appropriations Committee for including funds in this bill which could be used for the 35 additional bankruptcy judgeships which were authorized last Congress. It is my understanding that the committee has included an additional \$16 million in the Judiciary salaries and expenses account. This money is to cover the highest priority needs of the Federal judiciary—and could fund many, if not all, of the 35 bankruptcy judgeships.

We all realize the important role this funding will play in accelerating the economic recovery process. There has been a dramatic increase in bankruptcy filings in the last few years and dockets continue to overwhelm judges in many districts including the Southern District of Illinois. Between 1980 and 1992, filings increased nationwide 193.4 percent, almost a threefold increase. The economic impact of this backlog is significant. The courts experience delayed cases, assets are frozen, and creditors—often small businesses—do not receive funds available for distribution from the debtor or a trustee. With the funding of these 35 new bankruptcy judgeships we can look forward to reduced backlog, quicker turn around for individual cases, and ultimately a positive impact on our economy.

I again wish to thank the subcommittee and full committee members for their support and urge adoption of the bill.

Mr. SWETT. Mr. Chairman, I rise to thank my colleagues on the Appropriations Committee and subcommittee chairman NEAL SMITH for bringing the Commerce, Justice, State, and judiciary appropriations bill to the floor today. I especially want to congratulate Chairman SMITH for bringing this bill in at 3 percent below fiscal year 1993 appropriations and 8 percent below the amount requested by the administration.

I understand that the Appropriations Committee had to make some tough choices in order to accomplish this. For discretionary programs within the bill, funding is held below the current services level. At the same time, funding for high priority programs within the bill—Justice Department agencies involved in the war on drugs and the Small Business Administration section 7(a) program—have received increases.

Also included in the bill is a \$16 million increase in the Judiciary salaries and expenses account. According to the committee report,

these additional funds were added to cover the highest priority needs of the Federal judiciary, and they could fund many, if not all, of the 35 additional bankruptcy judges which were authorized by Congress in 1992.

Mr. Chairman, over the past several years we have seen a dramatic increase in the number of bankruptcy filings across the country. Dockets continue to overwhelm bankruptcy judges in many districts, particularly in New Hampshire. Unlike larger States, New Hampshire has only one judge to handle the bankruptcy filings for the entire State. This worked well during the mid-1980's, when we averaged under 500 filings per year. However, since that time we have seen an explosion in the size of the docket at the Federal Bankruptcy Court for the District of New Hampshire. For example, in 1984 there were 497 filings. In 1992, the number of filings had grown to 3,840—a 673-percent increase over an 8-year period.

Much of this increased activity is due to the dramatic downturn in the New England economy since 1991. The collapse of our real estate market has led many homebuilders and small contractors to seek bankruptcy protection. Many of the small firms that have failed have filed for chapter 11. The percentage of chapter 11 cases unresolved after 4 years in the New Hampshire district is more than 10 percent above the national average. For chapter 7 filings, the national average case-processing period is 5.6 months, contrasted with New Hampshire's case-processing period of 6.3 months. Moreover, the number of chapter 7 cases over 4 years old in New Hampshire is more than three times the national average.

This explosion in the backlog of bankruptcy cases in New Hampshire has taken place, while the number of judges in my State has stayed constant at one. A single bankruptcy judge, the Honorable Charles Yakos of Manchester, has been given the task of managing, by himself, a docket that has grown by over 500 percent since 1987. That is why it was right for Congress to authorize the 35 additional judgeships last year, and that is why it is even more important to fully fund each of these positions in fiscal year 1994.

Mr. Chairman, efficiency in the operation of our Federal bankruptcy court system is important to economic recovery nationally. In New Hampshire it is particularly critical as devastated small businesses seek to work themselves out of debt, get back on their feet and begin creating jobs again. Devoting the \$16 million increase in the judiciary salaries and expense account to fund these new positions for the Federal bankruptcy courts is vital to this process of economic recovery.

I commend Chairman SMITH and ranking member ROGERS for bringing this important bill to the floor.

Mr. SAWYER. Mr. Chairman, I rise in support of the fiscal year 1994 Commerce, Justice, State, and Judiciary appropriations bill.

The Subcommittee on Census, Statistics, and Postal Personnel, which I chair, has jurisdiction over Federal holiday commissions. I am pleased to note that the legislation before us includes full funding for the Martin Luther King, Jr. Federal Holiday Commission. I am honored to serve as a member of the Commission, as well.

The Commission, established in 1984, has worked tirelessly to institutionalize the King holiday and coordinate holiday activities across the Nation. When the Commission first

began its work, only 17 States observed the King holiday. On January 18, 1993, all 50 States observed Doctor King's birthday with a paid holiday. This was a long time in coming, and wouldn't have happened without the enormous efforts of the King Commission.

The Commission received no funding prior to 1990. I believe that this modest appropriation will enhance the Commission's ability to elevate the way people view the King holiday. Unfortunately, the observance of Doctor King's birthday continues to be viewed by many as a holiday for black Americans alone. Martin Luther King, Jr. did not represent just one segment of our population. He worked to ensure equality of opportunity for all Americans.

I want to commend Chairman NEAL SMITH and the committee for recognizing the particular importance of the Commission's work and for ensuring that the Commission will have an adequate appropriation to carry out its programs.

I urge my colleagues to support the level of funding contained in the fiscal year 1994 Commerce, Justice, State, and judiciary bill for the King Commission.

Ms. WOOLSEY. Mr. Chairman, I rise today in strong support of H.R. 2519, Commerce-Justice-State appropriations for fiscal year 1994. I would like to express my great appreciation to Chairman SMITH for his hard work in crafting such a fine bill. In particular, I am supportive of the provisions to increase funding for the National Marine Sanctuary Program and coastal zone management programs, essential programs which protect the coastline in California and across the Nation.

As the only Federal program specifically designed to protect our most outstanding marine areas, the National Marine Sanctuary Program is of crucial importance to our Nation's coastal regions. The enrollment of three new sanctuaries in the program in the past year is a testament to the program's importance and popularity. The sanctuaries off the coast of California make up the largest protected marine area in the world. However, the increase in number, size, and complexity of designated sanctuaries has strained the program's limited resources in recent years.

Next year, as a result of Chairman SMITH's decision to increase funding from \$7 million to \$9 million, the National Marine Sanctuary Program will be better able to ensure that Congress' mandate of environmental protection for sensitive marine areas is responsibly and effectively maintained.

I am pleased that this bill also increases funds for coastal zone management programs. The district I represent, Marin and Sonoma Counties in California, is famous for its beautiful coast. The coastal zone management programs are vital to the health of my district's coasts as well as those of the Nation. With Federal funding in real dollars decreasing over the past 10 years, the coastal zone management programs have been under growing pressure to meet more demands with fewer dollars. The increased funding that the Appropriations Committee has provided will help the coastal zone management programs fulfill their important mission.

In addition, this bill continues funding of the weather data buoys which provide fishermen with critical weather information. Generations of families have made their living fishing in the coastal waters off Marin and Sonoma Counties, and the weather buoys stationed in these

waters are relied upon by the fishermen and their families to ensure safe and successful journeys.

Mr. Chairman, I strongly urge my colleagues to support the Commerce-State-Justice appropriations bill.

Mr. ROGERS. Mr. Chairman, I have no other requests for time, and I yield back the balance of my time.

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

The CHAIRMAN. All time has expired.

The Clerk will read.

The Clerk read as follows:

H.R. 2519

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1994, and for other purposes, namely:

TITLE I—DEPARTMENT OF JUSTICE AND RELATED AGENCIES
DEPARTMENT OF JUSTICE
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, the Missing Children's Assistance Act, as amended, and the Victims of Crime Act of 1984, as amended, including salaries and expenses in connection therewith, \$91,300,000, to remain available until expended, as authorized by section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act, as amended by Public Law 102-534 (106 Stat. 3524), of which \$550,000 of the funds provided under the Missing Children's Program shall be made available as a grant to a national voluntary organization representing Alzheimer patients and families to plan, design, and operate a Missing Alzheimer Patient Alert Program.

In addition, 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, \$427,000,000, to remain available until expended, as authorized by section 1001(a) of title I of said Act, as amended by Public Law 102-534 (106 Stat. 3524), of which: (a) \$356,000,000 shall be available to carry out the provisions of subpart 1 and chapter A of subpart 2 of part E of title I of said Act, for the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs; (b) \$15,000,000 shall be available to carry out the provisions of chapter B of subpart 2 of part E of title I of said Act, for Correctional Options Grants; (c) \$25,000,000 shall be available pursuant to the provisions of chapter A of subpart 2 of part E of title I of said Act, for community policing; (d) \$13,000,000 shall be available to the Director of the Federal Bureau of Investigation for the National Crime Information Center 2000 project, as authorized by section 613 of Public Law 101-647 (104 Stat. 4824); (e) \$2,000,000 shall be available for the activities of the District of Columbia Metropolitan Area Drug Enforcement Task Force; and (f) \$16,000,000 shall be available to reimburse any appropriation account, as designated by the Attorney General, for selected costs incurred by State and local law enforcement agencies which enter into cooperative agreements to conduct joint law enforcement operations with Federal agencies; *Provided, That funds made available in fiscal*

year 1994 under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions.

In addition, 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, \$123,000,000, to remain available until expended, as authorized by section 299 of part I of title II and section 506 of title V of said Act, as amended by Public Law 102-586, of which: (a) \$93,000,000 shall be available for expenses authorized by parts A, B, and C of title II of said Act; (b) \$6,000,000 shall be available for expenses authorized by sections 281 and 282 of part D of title II of said Act for prevention and treatment programs relating to juvenile gangs; (c) \$2,000,000 shall be available for expenses authorized by part G of title II of said Act for juvenile mentoring programs; and (d) \$22,000,000 shall be available for expenses authorized by title V of said Act for incentive grants for local delinquency prevention programs.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended, \$8,700,000, to remain available until expended, as authorized by sections 214B, 218, and 224 of said Act, of which: (a) \$500,000 shall be available for expenses authorized by section 213 of said Act for regional children's advocacy centers; (b) \$1,500,000 shall be available for expenses authorized by section 214 of said Act for local children's advocacy centers; (c) \$1,600,000 shall be available for technical assistance and training, as authorized by section 214A of said Act, for a grant to the American Prosecutor Research Institute's National Center for Prosecution of Child Abuse; (d) \$1,000,000 shall be available for training and technical assistance, as authorized by section 217(b)(1) of said Act for a grant to the National Court Appointed Special Advocates program; (e) \$3,500,000 shall be available for expenses authorized by section 217(b)(2) of said Act to initiate and expand local court appointed special advocate programs; and (f) \$600,000, notwithstanding section 224(b) of said Act, shall be available to develop model technical assistance and training programs to improve the handling of child abuse and neglect cases, as authorized by section 223(a) of said Act, for a grant to the National Council of Juvenile and Family Court Judges.

PUBLIC SAFETY OFFICERS BENEFITS

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, to remain available until expended, as authorized by section 6093 of Public Law 100-690 (102 Stat. 4339-4340).

GENERAL ADMINISTRATION
SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$117,196,000; of which not to exceed \$3,317,000 is for the Facilities Program 2000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$30,898,000; including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction, and to be accounted for solely under the certificate of, the Attorney General; and for the acquisition, lease, maintenance and operation of motor vehicles with-

out regard to the general purchase price limitation.

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, \$12,829,000, 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 or through policy guidance in reports 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.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized by law, \$9,385,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia; \$400,968,000; of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the funds available in this appropriation, not to exceed \$50,099,000 shall remain available until expended for office automation systems for the legal divisions covered by this appropriation, and for the United States Attorneys, the Antitrust Division, and offices funded through "Salaries and Expenses", General Administration: *Provided further*, That of the total amount appropriated, not to exceed \$1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$1,900,000 to be appropriated from the Vaccine Injury Compensation Trust Fund, as authorized by section 6601 of the Omnibus Budget Reconciliation Act, 1989, as amended by Public Law 101-500 (104 Stat. 1289).

CIVIL LIBERTIES PUBLIC EDUCATION FUND

For fiscal year 1994 and thereafter, after payments authorized by section 105 of the Civil Liberties Act of 1988 (Public Law 100-333) have been obligated for all known eligible individuals, any amounts remaining under the total authorized level for the Civil Liberties Public Education Fund, may be used by the Board of Directors of the Fund for research contracts and public educational

activities, and for publication and distribution of the hearings, findings, and recommendations of the Commission on Wartime Relocation and Internment of Civilians, pursuant to section 106(b) of the aforementioned Act, subject to appropriations provided for the purposes of section 106(b) of said Act.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$63,817,000: *Provided*, That notwithstanding any other provision of law, not to exceed \$19,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1994, so as to result in a final fiscal year 1994 appropriation estimated at not more than \$44,817,000: *Provided further*, That any fees received in excess of \$19,000,000 in fiscal year 1994 shall remain available until expended, but shall not be available for obligation until October 1, 1994.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Office of the United States Attorneys, including intergovernmental agreements, \$308,797,000, of which not to exceed \$2,500,000 shall be available until September 30, 1995 for the purposes of (1) providing training of personnel of the Department of Justice in debt collection, (2) providing services to the Department of Justice related to locating debtors and their property, such as title searches, debtor skiptracing, asset searches, credit reports and other investigations, (3) paying the costs of the Department of Justice for the sale of property not covered by the sale proceeds, such as auctioneers' fees and expenses, maintenance and protection of property and businesses, advertising and title search and surveying costs, and (4) paying the costs of processing and tracking debts owed to the United States Government: *Provided*, That of the total amount appropriated, not to exceed \$8,000 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$10,000,000 of those funds available for automated litigation support contracts shall remain available until expended.

UNITED STATES TRUSTEE SYSTEM

For the necessary expenses of the United States Trustee Program, \$94,008,000, as authorized by 28 U.S.C. 589a(a), to remain available until expended, for activities authorized by section 115 of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 (Public Law 99-554), of which \$56,521,000 shall be derived from the United States Trustee System Fund: *Provided*, That deposits to the Fund are available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, not to exceed \$37,487,000 of offsetting collections derived from fees collected pursuant to section 589a(f) of title 28 United States Code, as amended by section 111 of Public Law 102-140 (105 Stat. 795), shall be retained and used for necessary expenses in this appropriation: *Provided further*, That the \$94,008,000 herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1994, so as to result in a final fiscal year 1994 appropriation estimated at not more than \$56,521,000: *Provided further*, That any of the aforementioned fees

collected in excess of \$37,487,000 in fiscal year 1994 shall remain available until expended, but shall not be available for obligation until October 1, 1994.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, \$940,000.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service; including the acquisition, lease, maintenance, and operation of vehicles and aircraft, and the purchase of passenger motor vehicles for police-type use without regard to the general purchase price limitation for the current fiscal year; \$339,808,000, as authorized by 28 U.S.C. 561(i), of which not to exceed \$6,000 shall be available for official reception and representation expenses.

SUPPORT OF UNITED STATES PRISONERS

For support of United States prisoners in the custody of the United States Marshals Service as authorized in 18 U.S.C. 4013, but not including expenses otherwise provided for in appropriations available to the Attorney General; \$307,700,000, as authorized by 28 U.S.C. 561(i), to remain available until expended.

FEES AND EXPENSES OF WITNESSES

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diems in lieu of subsistence, as authorized by law, including advances, \$103,022,000, to remain available until expended; of which not to exceed \$4,750,000 may be made available for planning, construction, renovation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto for protected witness safesites; of which not to exceed \$1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed \$4,000,000 may be made available for the purchase, installation and maintenance of a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, established by title X of the Civil Rights Act of 1964, \$26,792,000, of which not to exceed \$17,415,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements and other expenses necessary under section 501(c) of the Refugee Education Assistance Act of 1960 (Public Law 96-422; 94 Stat. 1809) for the processing, care, maintenance, security, transportation and reception and placement in the United States of Cuban and Haitian entrants: *Provided*, That notwithstanding section 501(e)(2)(B) of the Refugee Education Assistance Act of 1960 (Public Law 96-422; 94 Stat. 1810), funds may be expended for assistance with respect to Cuban and Haitian entrants as authorized under section 501(c) of such Act: *Provided further*, That to expedite the outplacement of eligible Mariel Cubans or other aliens from Bureau of Prisons or Immigration and Naturalization Service operated or contracted facilities into Community Relations Service contracted hospital and halfway house facilities, the Attorney General may direct reimbursements to the Cuban Haitian Entrant Program from "Federal

Prison System, Salaries and Expenses" or "Immigration and Naturalization Service, Salaries and Expenses": *Provided further*, That if such reimbursements described above exceed \$500,000, they shall only be made after notification to the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(A)(i), (B), (C), (F), and (G), as amended, \$60,275,000 to be derived from the Department of Justice Assets Forfeiture Fund.

RADIATION EXPOSURE COMPENSATION ADMINISTRATIVE EXPENSES

For necessary administrative expenses in accordance with the Radiation Exposure Compensation Act, \$2,586,000.

INTERAGENCY LAW ENFORCEMENT

ORGANIZED CRIME DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, \$384,381,000, of which \$50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: *Provided further*, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.

FEDERAL BUREAU OF INVESTIGATION SALARIES AND EXPENSES

For expenses necessary for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 1,665 passenger motor vehicles of which 1,300 will be 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; and 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; \$2,024,705,000, of which not to exceed \$25,000,000 for automated data processing and telecommunications and \$1,000,000 for undercover operations shall remain available until September 30, 1995; of which not to exceed \$8,000,000 for research and development related to investigative activities shall remain available until expended; of which not to exceed \$10,000,000 is authorized to be made available for making payments or advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies which engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations; of which \$75,400,000, to remain available until expended, shall only be available to defray expenses for the automation of fingerprint identification services and related costs; and of which \$1,500,000 shall be available to maintain an independent program office dedicated solely to the relocation of the Identification Division and the automation of fingerprint identification services: *Provided*, That not to exceed \$45,000 shall be available for official reception and representation expenses.

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 1,117 passenger motor vehicles of which 1,117 are 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; \$718,684,000, of which not to exceed \$1,800,000 for research 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 \$4,000,000 for contracting for ADP and telecommunications equipment, and not to exceed \$2,000,000 for technical and laboratory equipment shall remain available until September 30, 1995, and of which not to exceed \$45,000 shall be available for official reception and representation expenses.

Mr. SMITH of Iowa (during the reading). Mr. Chairman, I believe the first amendment is on line 14, page 18. I ask unanimous consent that the portion of the bill through line 13 on page 18 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order with regard to the material up to page 18, line 13?

□ 1100

If not, are there any amendments?

If not, the Clerk will read.

The Clerk read as follows:

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, 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 597 of which 302 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; and research related to immigration enforcement; \$999,000,000, of which not to exceed \$400,000 for research shall remain available until expended, and of which not to exceed \$10,000,000 shall be available for costs associated with the Training program for basic officer training: *Provided*, That none of the funds available to the Immigration and Naturalization Service shall be available for administrative expenses to pay any employee overtime pay in an amount in excess of \$25,000: *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 \$5,000 shall be available for official reception

and representation expenses: *Provided further*, That the Land Border Fee Pilot Project scheduled to end September 30, 1993, is extended to September 30, 1996.

AMENDMENT OFFERED BY MR. HUNTER

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

The Clerk read as follows:

Amendment offered by Mr. HUNTER: Page 19, line 3, strike "\$999,000,000" and insert "\$1,059,000,000".

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

Mr. HUNTER. Mr. Chairman, we have talked about this issue in the general debate for a few minutes. First I want to thank the chairman and the ranking member, the gentleman from Kentucky [Mr. ROGERS], for working hard to try to get Border Patrol funding to at least the level that it was at last year. And I know that was a difficult task. But once again, the problem is that the challenge that we now have with illegal immigration, and not only illegal immigration, the smuggling of people, but also the smuggling of narcotics has grown by leaps and bounds, and very simply there is a flood of cocaine across the land border between the United States and Mexico. We have now increased interdiction of cocaine by 1,000 percent, my colleagues, over the last several years. Over half a billion dollars' worth of cocaine has been captured just in the last 3 months coming over that 70- or 80-mile stretch just west of Yuma, AZ. We now have in excess of 400,000 apprehensions of illegal aliens in the last year. And according to the GAO, and I think this is an important factor for our Members to consider, 22 percent of the Federal inmate population are illegal aliens.

We have tried in California to make some evaluation of the impact on the taxpayer that is caused by illegal aliens, and we have made a couple of stabs at it, and I think they are fairly accurate. In San Diego County we compiled \$143 million in annual costs that are a result of illegal aliens. They include medical costs and law enforcement costs. The gentleman from California [Mr. MOORHEAD] has pushed hard and in fact has worked and received higher authorizations for the Border Patrol in years past and has been involved in this. Also my colleague from California, ELTON GALLEGLY, in Los Angeles has done some fairly extensive analysis. We think you can safely say that \$3 billion in social costs, criminal justice costs were paid in California last year to illegal aliens, largely, in fact almost totally unreimbursed costs.

Mr. Chairman, if you look at the Border Patrol itself, and ask yourself how large is this contingent of American officers that patrols this massive land border, you will find that there are only 4,035 agents and 734 support personnel in the Border Patrol. Now, we have authorized much higher levels. And when we passed the 1986 Immigration Act we authorized a much higher level than that, but that is all we have.

And what that really boils down to is if you take the Border Patrol at any given time on the massive border, and I will take California, for example, the 150- or 160-mile border between the United States and Mexico in California, you only have about 50 agents actually on the line at any given time spread out over this 150-mile border.

As a result of that, anyone who wants to get into the United States can, whether they are a terrorist, an illegal alien, or someone who is carrying massive loads of narcotics, and they are now carrying loads of cocaine on their backs in backpacks and coming across the land border. Just in the last several months we have captured over 500 Chinese aliens coming across the land border. They have realized that this is the way to go. We have captured now in the El Centro sector 559 million dollars worth of cocaine, half a billion worth of cocaine in just a couple of months.

Let me just say this is a massive problem. All of the analysis indicates that for criminal justice reasons, for social cost reasons, and for reasons of giving some integrity to our immigration system, we must have more Border patrol agents. There is only one agency that is authorized to Patrol the U.S. border, and that is the Border Patrol.

This amendment will give some \$60 million and provide 600 new agents. It is not everything that we need, but it is a start, and I would urge every Member to support that.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I wonder how many Members might want to speak on this amendment. We are under time pressure today, as Members know. I am wondering if it would be reasonable to have a time limit on the debate on this.

Mr. ROGERS. If the gentleman will yield, Mr. Chairman, we have five or six speakers on this side. I think it may not be possible on this amendment. Perhaps we could try for a larger time limit than the gentleman had earlier proposed.

Mr. SMITH of Iowa. On other amendments, you mean, or this one?

Mr. ROGERS. On just this one.

Mr. SMITH of Iowa. Does the gentleman want to ask for a time limit amendment on this?

Mr. ROGERS. I doubt we can on this one.

Mr. SMITH of Iowa. Mr. Chairman, we are under great constraints in this bill. Many of our programs received funding of only 95 percent of current services, which took us to our limit on outlays. And the President requested that most of the departments take reductions in order to reduce the deficit. We did not approve all of the reductions and Border Patrol is one such case.

Members will remember the President said we are going to reduce the executive department and we hope the

Congress will do likewise. Well we have taken reductions in most every agency, but in this case the reduction assigned to the agency was \$14,754,000, and we put half of that back, \$6.5 million of it.

We could always we more Border Patrol personnel, and I am sympathetic to that. When we get to the Senate, we hope that they will have a little better allocation than we have on the House side. But we are up to the limit on outlays. So if we approve this amendment that means that we break our 602(b) allocation. So this amendment is a budget buster.

It seems that we cannot do anything that really satisfies everybody in this area, and I know it is a very important area. But we had a bill on the floor here, H.R. 2608, just 2 years ago which came up, and I notice the members who are wanting to support this amendment, virtually every one of them voted at that time to take \$76 million out of the INS, \$76 million. You cannot have it both ways, vote to take \$76 million out of INS, and then come back later and say, well, we should increase INS.

We are doing the best we can on this, and you cannot have it both ways.

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

Mr. SMITH of Iowa. I yield to the gentleman from California.

Mr. CUNNINGHAM. Mr. Chairman, none of the San Diego delegation voted against the INS.

Mr. SMITH of Iowa. The gentleman is wrong on that. I have the tallies.

Mr. CUNNINGHAM. I did not vote against it, and I know Mr. HUNTER did not vote against it, and Mr. PACKARD did not vote against it.

Mr. SMITH of Iowa. We have done the best that we can, but you add \$60 million to the Border Patrol, we will exceed our outlay allocation, making this a budget-busting amendment. So when you vote on it, if you want to bust the 602(b) allocation, OK, but you should know what you are doing.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I think it is real important to note that if we reduce the amount in Commerce to just the rate of inflation we could save over \$60 million, and that would pay for the gentleman's amendment.

Mr. SMITH of Iowa. That is at a later point in the bill, but at this point it is a budget-busting amendment.

Mr. BURTON of Indiana. Will the gentleman yield further for a question?

Mr. SMITH of Iowa. Yes, I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Would the gentleman be amenable to the kind of amendment that I am talking about that would provide the money for this amendment?

Mr. SMITH of Iowa. I am sure as tight as these finding levels are, there

would be opposition to any amendments to cut something out of the bill.

□ 1110

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

Mr. Chairman, there is probably no agency in the U.S. Government that I would rather find money for right now than the Immigration and Naturalization Service, especially the Border Patrol. In fact, when the administration request came to us, their request proposed cutting out 92 of the agents we already have in the border patrol. By scrounging here and there, our subcommittee has been able to hold the Border Patrol harmless from that proposed cut by the administration. We are not going to let that happen in this bill as it is right now. In fact, we also increased the INS inspectors by the use of a new land border fee system. And, by the way, while we were protecting the Border Patrol from cuts proposed by the administration, we were unable to protect the FBI and DEA from cuts. So, consequently, there is going to be, if this bill passes, over 200 FBI agents will be cut, there is going to be at least 143 DEA agents cut because we did not have the money. But we did protect the Border Patrol. We are increasing INS inspectors.

I would love to give them \$60 million. We just do not have the money, Mr. Chairman, it is just not there. As we go through the process of this bill, I say to the gentleman from California [Mr. HUNTER], and in the conference with the Senate, this is my No. 1 priority, and I dare say it is Chairman SMITH's No. 1 priority.

So, help us out. We are trying to help you. The gentleman from California [Mr. HUNTER] came before our subcommittee with a very moving, explicit demonstration of the problem just at San Diego. And it was absolutely moving, the presentation that the gentleman made, of herds of people streaming across unchecked at the border gates at San Diego. And there are other places in our country, of course, where the same thing is happening. Not to mention the problem of the terrorists in New York City and at the CIA entranceway, who are here illegally, many of them trying to play on America's goodheartedness by claiming political asylum from persecution back home, all the while here under the pretext of claiming political asylum while they brought their bombs with them to bomb American institutions. It is outrageous.

We are trying to find every penny we can to put on the Border Patrol and the INS, in order to send back home those people who are here illegally for a nefarious purpose of terrorism, not to mention to block those coming across the border from Mexico and other places.

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

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

Mr. WALKER. I thank the gentleman for yielding.

Mr. Chairman, would it help at all for the gentleman to know that I have already, through staff, checked with the parliamentarians, and I will have a couple of points of order later on that I have already added up that will save \$385 million?

Now, that is \$385 million of unauthorized expenditures that will be stricken from the bill that will remain under the committee's 602(b) allocation. That is not money that goes directly to the deficit reduction, because the committee will still retain that under the 602(b) allocation.

It seems to me that some of that money—and I think the gentleman is absolutely correct in his sense of priorities—it seems to me that some of that money then would be money that could be used to do what the gentleman from California wants to be done. I think there are going to be some other points of order that will even be in greater amounts and it would redirect the priorities, I would say to the gentleman.

Mr. ROGERS. Reclaiming my time, Mr. Chairman, I understand that, that there will be points of order during the bill, that will create funds. It is not there now. This amendment is first up.

Give us a chance to work on this, is all I am saying. I think everyone on the subcommittee, certainly me, and I know the chairman are extremely sympathetic to your plea and your plight, and we are going to try to find the funds. I hope you will give us a chance to work it out.

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

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

Mr. HUNTER. I thank the gentleman for yielding.

Mr. Chairman, I thank the gentleman for his response, and I thank the chairman, too, because I know he is concerned about this area and worked hard to restore the funds to at least the level of last year. The problem is that we are faced with an overwhelming situation that is costing, in the United States, speaking as a whole—it is being pennywise and pound-foolish—that by depriving the Border Patrol of the number of agents we decided we needed back in 1986, over 6,000 agents, we are costing the country billions in social costs and criminal justice costs. So I have to tell my friend that I think it is time that we had a chance to work a prioritization, which is really what we are doing here on the floor. I appreciate the gentleman's appreciation of the problem.

I think we need to go forward and try to get 600 agents on. It is still going to be a small corporals guard, but it is still going to be necessary.

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

Mr. Chairman, obviously I have a concern, coming from a border State and border district. I share the concern that my colleagues from California

have in offering this amendment today with regard to the Border Patrol and Immigration Service. In my remarks in the general debate on this bill I talked about the cuts in the number of Border Patrol agents that I think need to be restored. I think, however, as my colleague, Mr. ROGERS, has said, this amendment may be a little premature. We are planning to offer a motion to recommit—and in that motion we will restore to the INS some of these funds for Border Patrol as well as for the investigative and border agents who do the regular inspections—but there are also other priorities, and one of the other top priorities is the number of Federal prisoner days. That is the money for maintaining Federal prisoners in the Federal prison system.

I think we ought to wait until we see how this bill looks at the end of today's debate with the amount of money that is struck on points of order, to know what we have available to us in order to restore this and to make sure that the motion to recommit restores it in the proper places where the administration's top priorities are.

I support the administration priorities in law enforcement, but that includes money for maintaining prisoners in the Federal prison system as well as for the Immigration and Naturalization Service and the FBI and the DEA. We need to look at all of those. I would say that INS, as well as the Federal prison days, are the top priorities that we have.

So I would say at this moment we ought to wait until we see what this bill is going to look like at the end. This is a fluid situation.

We know much in this legislation is not authorized, much will be struck; we will have a number of dollars at the end of this debate today that can then be perhaps reallocated in a responsible fashion rather than doing it now when we do not know what is there, and rather than doing it with just one of the Federal agencies, law enforcement agencies, I would suggest that we wait on that.

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

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

Mr. ROGERS. I thank the gentleman for yielding.

Mr. Chairman, the gentleman has made the telling point here that I think bears underlining. After we get through the bill today, before we have the final vote, we will have a last chance to look back and see what items were stricken and what moneys may have been freed up and what we can responsibly do, looking at INS, at that time. This is premature. The gentleman's point is well taken.

I would hope that the Members would stick with us.

Then let us see where we are, where we stand at the end of the bill, and we can look back.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

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

Mr. BURTON of Indiana. I thank the gentleman for yielding.

Mr. Chairman, would it be possible, since one of the problems is the placement of this amendment in the bill, would it be proper to ask unanimous consent that this amendment be allowed at a later point in the bill after we have gone through points of order against the bill?

Mr. SMITH of Iowa. Mr. Chairman, would the gentleman yield?

Mr. KOLBE. I yield to the chairman of the subcommittee.

Mr. SMITH of Iowa. I thank the gentleman for yielding.

Mr. Chairman, as the gentleman has explained; the minority controls the motion to recommit. So all of these can be taken care of in a motion to recommit.

Mr. KOLBE. Reclaiming my time, I think that the motion to recommit, as you know, works as an amendment, and clearly we have this in mind. We are watching this. We intend to make sure these dollars are returned to the law enforcement side, where we believe they should be.

Mr. Chairman, I yield to the gentleman from California.

□ 1120

Mr. MOORHEAD. Mr. Chairman, I greatly appreciate the gentleman's offer to put it in the motion to recommit. Many of us feel this is the most important amendment we will consider today, because it will save millions, if not billions of dollars in the border States.

Twenty-two percent of the Federal prisoners are illegal aliens. You will cut that cost dramatically.

I do not like to see it put in a huge amendment that has many, many other things that could go down. This is vital and so important.

Mr. KOLBE. Mr. Chairman, I can assure the gentleman from California that the motion to recommit is not going to be huge covering all kinds of things. It is going to be targeted in law enforcement.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

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

Mr. BURTON of Indiana. Reserving the right to object, Mr. Chairman, and I will not object, but I just would like to say that I would like to ask the gentleman to yield to me when he gets his 1 minute for a unanimous-consent request, and my unanimous-consent request would be that this amendment will be in order at any point in the bill, so that once there is a resolution of some of these points of order, we will know there is money there available for this amendment.

So I wish the gentleman would yield to me for that.

Further reserving the right to object, Mr. Chairman, I would like the gentleman to yield to me before his time is up so I can do that.

Mr. KOLBE. I will do so Mr. Chairman, if the gentleman will yield.

Mr. BURTON of Indiana. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. The time of the gentleman from Arizona [Mr. KOLBE] has expired.

(On request of Mr. DREIER, and by unanimous consent, Mr. KOLBE was allowed to proceed for 3 additional minutes.)

Mr. KOLBE. Mr. Chairman, I yield to the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, if the Members here will bear with us, we have already discussed a motion to recommit at the end of the bill when we know what vacancies we have from the bill. At the motion to recommit, the gentleman from Arizona will be offering a motion to recommit that can put moneys into the INS.

Now, if the Members will help us out here, we are going to try to help you, but please help us out.

Mr. KOLBE. Reclaiming my time for just one moment, Mr. Chairman, may I say to the gentleman from Kentucky that this issue has had some discussion, I know, with staff and other members of the full committee about possibly reserving some of the money for other priorities, law enforcement priorities.

The No. 1 priority of the Justice Department is the prisoner days. Without that, we will have to release prisoners very early.

Mr. Chairman, I promised that I would yield to the gentleman from Indiana, and I yield to the gentleman at this time.

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I ask unanimous consent that this particular amendment, because of the importance of it, be allowed at any point in the bill so that once points of order against the bill have been raised which will provide the money for this amendment, we will know that it is there and we can go ahead with it.

So Mr. Chairman, I ask unanimous consent that this amendment be so considered.

The CHAIRMAN. The Chair would like to clarify this. Is the gentleman referring to the Hunter amendment?

Mr. BURTON of Indiana. I am, Mr. Chairman.

The CHAIRMAN. Is the gentleman requesting that it be withdrawn at this point?

Mr. BURTON of Indiana. No, I am not, Mr. Chairman. I am just asking that it be allowed at any point within the consideration of this bill.

The CHAIRMAN. The amendment is pending now. If it is defeated, the gentleman's request would not be in order.

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

Mr. KOLBE. I yield to the gentleman from California.

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

Let me make my position clear. We are doing exactly what we should be doing right now, which is allowing the full body to prioritize and inject some prioritization into this bill that has been crafted by the committee.

If you think that Border Patrol funding is important, then it should take a priority and some of the other parts of the bill perhaps should accommodate that funding priority.

I am not willing to wait for the rest of the bill to be worked out and see if possibly there is some money around to stop this massive problem that is burdening our criminal justice system, burdening our social system and overwhelming the country.

So I have to tell my friend, the gentleman from Indiana, I would be constrained to object to any such unanimous-consent request.

Mr. BURTON of Indiana. That being the case, Mr. Chairman, I withdraw my request.

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

Mr. KOLBE. I yield to the gentleman from California.

Mr. CUNNINGHAM. Mr. Chairman, I would ask the gentleman, in this motion to recommit, would the gentleman reinstate the full amount that is requested for the Border Patrol?

Mr. KOLBE. The full amount that is requested by this amendment?

Mr. CUNNINGHAM. The \$60 million, yes.

Mr. KOLBE. No, I cannot say that would be the case because of the No. 1 priority, which is the prisoner days to maintain Federal prisons.

The CHAIRMAN. The time of the gentleman from Arizona has again expired.

(At the request of Mr. SHAW, and by unanimous consent, Mr. KOLBE was allowed to proceed for 2 additional minutes.)

Mr. CUNNINGHAM. Mr. Chairman, if the gentleman will continue to yield, the gentleman has already stated that under points of order there is about \$385 million that is going to come up. That No. 1 priority surely can take the \$385 million. The motion to recommit would allow \$60 million which is in this amendment.

Mr. KOLBE. It would not take \$385 million, but I think as we go through the numbers the gentleman will see there is not \$385 million available, either; but I will be happy to talk to the gentleman about that. We are still in a fluid position at this point in terms of the numbers.

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

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

Mr. SHAW. Mr. Chairman, I would like to make an observation here with regard to the motion to recommit. If this amendment passes, then it still can be fixed as far as the funding in the motion to recommit.

So this amendment is actually some insurance that we do get an absolute up or down vote on this particular issue, that we do get to fully debate it. There is no issue that I can think of that is more important to the future of this country than the question of protecting our borders.

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

Mr. KOLBE. Certainly. I yield to my very distinguished chairman.

Mr. SMITH of Iowa. Mr. Chairman, there is a question about whether the motion to recommit will include enough funds to bring INS up to the budget request. The gentleman controls the motion to recommit. The bill is less than \$20 million under the budget request for INS, not \$70 million. We are less than \$20 million under the budget request.

Mr. KOLBE. Mr. Chairman, the gentleman is correct. That is why I have some concerns about the \$60 million that we are talking about.

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

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

Mr. ROGERS. Of course, as we know, Mr. Chairman, the minority will control the motion to recommit. We have not yet decided what will be in the motion to recommit, but this amendment comes at a time when we do not have any money left in the bill.

Now, if it were later in the bill after we had something stricken out, we could talk about it, but at this point in time we do not have any funds. At the end of the bill we will likely have some moneys that have been stricken. We can consult on the motion to recommit and try to address this problem, but it is premature in the consideration of this bill.

Mr. KOLBE. Mr. Chairman, I appreciate the gentleman's comments. I think he is correct. I think it is premature.

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

Mr. Chairman, I rise in support of the amendment to increase INS funding by \$60 million.

The San Diego, Tijuana border region which Congressman FILNER, HUNTER, and I directly represent, is the Nation's busiest and most violent border zone. More than 50 percent of all undocumented persons apprehended throughout the United States were apprehended in this region in 1992.

Yet the Border Patrol in San Diego remain grossly underfunded. No Member of this body can truly understand how desperate the situation is until they have seen it for themselves.

I have ridden with the agents and I have seen the overwhelming and demoralizing odds, the vehicles that have long exceeded Government recommended mileage replacement standards, and the vehicles that have their hoods tied down with wire.

I have heard potential border crossers laugh at the Border Patrol agents saying: "Just wait until nightfall—you can't stop us."

Border Patrol agents in San Diego have special needs. They must use horses, helicopters, all-terrain vehicles, and mountain bikes to protect what is the most overrun 15 miles of the border.

Just last month my office received a desperate call from the Border Patrol in San Diego. They are absolutely stone broke. They received sedans which are going to remain unused until they can get money to transform them into useable vehicles.

I know the Appropriations Committee has been generous with their funding for Border Patrol this year and I thank them. However, with over 50 percent of the national workload of undocumented alien traffic and 30 percent of the national drug seizures, San Diego has never been realistically funded for its workload.

To my colleagues who think \$60 million is an increase too great to bring home to their constituents, think about this: In the State of California alone the cost of providing services and incarcerating undocumented aliens is \$2.8 billion per year. These are costs that no taxpayers want to bear the burden of.

This is not a problem unique to San Diego or California. The recent attempt by hundreds of Chinese citizens to enter the United States through Mexico, New York, and New Jersey shows the need for greater resources at our border.

The Border Patrol authorization requires INS to appropriate sums as may be necessary to the Border Patrol; \$60 million is absolutely necessary to provide resources and an additional 600 agents to the Border Patrol. The Hunter-Moorhead-Schenk amendment would provide these resources and I urge my colleagues in the House to vote in favor of this amendment.

□ 1130

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

Mr. Chairman, I rise in strong support of this amendment.

Last year, Mr. Chairman, the Border Patrol was designated as the primary agency responsible for drug interdiction between ports of entry along the United States-Mexican border. Each year more than 1 billion dollars' worth of drugs are captured along that border, and yet there are probably two or three times that much that gets through. In the past 7 months over 10,000 illegal immigrants were apprehended nationwide, and yet at least

three or four times that number are making it through. The GAO reports that upward of 22 percent of the Federal prisons population are illegal aliens. In California at least 25 percent of our State prison population are illegal aliens. The same problem is true in Florida, and Texas, and other border-line areas.

Eighty-one percent of all Americans support an increase in the border control, notwithstanding that the major new responsibility of the Patrol's ongoing principal mission is to deter illegal entry and conduct related apprehension activity along the borders. In the San Diego area alone, Mr. Chairman, 3,000 to 4,500 undocumented aliens flood our border daily. It is estimated that for every illegal alien at that particular point three gain successful entry. In fiscal year 1992 the U.S. Border Patrol arrested 1.2 million aliens.

Mr. Chairman, I authored an amendment to the Immigration Reform and Control Act of 1986 authorizing a substantial 50-percent increase in the Border Patrol. This amendment passed, and yet these levels have never been properly funded. We are currently at the level of around 4,800 for Border Patrol personnel, but there is only about 1,200 on duty at any one time, along that southern border. If my amendment had received sufficient appropriations, we would have been at the level of 6,600 by the end of fiscal year 1994.

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

Mr. MOORHEAD. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Chairman, I say to my colleague, an authorization does not mean anything if you vote against the appropriation for INS. The gentleman was one of those that voted for a \$76 million cut. The Appropriations bill is where the final number comes in.

Mr. MOORHEAD. However, we did not get any additional money put into it, for this purpose either. We have had additional authorizations for Border Patrol agents on a number of occasions. The Immigration Act of 1990 included an amendment I offered on the floor for an additional 1,000 Border Patrol officers. The Department of Justice Appropriations Authorization Act for fiscal year 1991 included \$55 million to hire and train 1,000 additional Border Patrol personnel, yet we continue to allow the border to remain underfunded. During the fiscal year 1993, the Border Patrol lost 65 agents. The President's budget request for fiscal year 1994 included a decrease of 93 agents. It constantly goes on. The problems grow.

In California, Mr. Chairman, we spend \$450 million a year just providing emergency medical care for illegal aliens. The overall cost to the State of California is in the billions, as well as it is to other border States. Organized crime and unscrupulous smugglers are now taking great advantage of our unprotected borders. We need to do something about this problem now.

Mr. Chairman, every dollar we spend will probably save us at least 10, and far more in Federal budget expenditures than we ever will spend for the Border Patrol. Let us get down and do the job for America. I can tell my colleagues, if I walk my district, they will stop me at every other house and ask me what we are going to do about this problem. It is a serious problem. It is the most serious problem there is in our State of California. It is dangerous. Please give us some relief.

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

Mr. Chairman, I want to, first of all, support the issue of the gentleman from California [Mr. HUNTER], his amendment, and I want to, second of all, support Mr. HUNTER in his efforts in this Congress in many areas, specifically this.

My colleagues, I have had a bill to this effect that would call for troops to be returned from overseas where they are cashing their checks in bases in foreign countries and placing those soldiers on our borders. There is one Patrol border agent for every 2½ mile of border. America is being literally overrun with illegal immigration, and we are making illegal immigrants citizens.

What is the policy of this unbelievable legislative body?

Beam me up.

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

Mr. TRAFICANT. I would like to further say we have gone through three nominees for our Nation's highest law enforcement office trying to find somebody that did not hire an illegal alien.

Now I understand the dilemma that this chairman is in and the Committee on Appropriations is in, and I would like to say this: There are an awful lot of needs in law enforcement, and we must deal with them. But the most critical and urgent need that faces this Congress is people jumping the fence on our border without enough people to monitor it, and, my colleagues, it is time to pay up. We cannot have it both ways. We cannot complain about illegal aliens jumping our fence without putting in the funds and backing up the personnel to handle that.

So let say this—

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

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

Mr. BECERRA. Mr. Chairman, the gentleman from Ohio [Mr. TRAFICANT] mentioned a second ago that this country was allowing undocumented immigrants to become U.S. citizens. I would like to ask the question of the gentleman in a second. The reason I will ask is for the following reason:

There is no doubt that there are problems at our borders, and there is a need to beef up the Border Patrol, but I am very disturbed and saddened by the debate that is taking place today because the emphasis is not on the im-

migrants who are coming in. It is on the illegal immigration that is occurring, and I think it is a very sad statement with all of us who are probably the children at some point of immigrants to try to paint the monster image on individuals who are coming to this country, rightfully or wrongfully, for the purpose of trying to have a better life. We must address the problem of undocumented immigration into this country, but we should not be attacking people and making them look like monsters as they come into this country.

So I ask—

Mr. TRAFICANT. Reclaiming my time—

Mr. BECERRA. If I may ask the question of the gentleman then: Can you please explain to me how it is this country is allowing undocumented immigrants to become U.S. citizens?

Mr. TRAFICANT. Reclaiming my time, and I gave the gentleman an opportunity to participate, my great-grandparents were immigrants as well. They came in the legal way. I think it is time to get back to an immigration policy that allows people to come to America under the legal parameters, and let me say one last thing:

We are not helping all of these people in the other countries by taking a small number of them into America and further eroding our economy. We would be better off to teach them how to fish rather than coming in here and giving them a loaf of bread.

So, in answer to the gentleman's question, I don't think your question applies to this particular issue. I say we don't have enough Border Patrol agents for people who are jumping the fence illegally, and that's what this amendment deals with, and I support it.

Mr. BECERRA. But the question was, Mr. TRAFICANT, about a statement that this country was permitting those who are here without documentation to become U.S. citizens. I rise today, and I thank the gentleman for yielding, because many statements have been made today that are untrue. There are not 800 illegal immigrants, and I do not use the term; I use the term "undocumented" immigrants who have come into this country and who are still here.

Mr. TRAFICANT. Reclaiming my time, the gentleman can strike the last word. We have an immigration bill that said, if you would jump the fence, and you are in America for 5 years illegally, although you were here for 5 years, we made those illegal immigrants citizens eventually.

I do not want to get into that issue. That is exactly what the bill did, and the gentleman from California [Mr. BECERRA] can take his own time.

This is a Member that is against it. This is a Member that is against the Congress turning its back against people jumping our fence.

□ 1140

I think it is very significant. It is not a slight to any ethnic group or any people, but I think it is time that Congress put its foot down.

Mr. Chairman, I support the Hunter amendment.

Mr. BEREUTER. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Hunter amendment.

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

Mr. BEREUTER. Mr. Chairman, the Hunter-Moorhead amendment is a necessary step. Admittedly, money is not the answer to our immigration problems, and I regret the fact that my distinguished neighbor, the chairman of the subcommittee, and my equally distinguished colleague, the gentleman from Kentucky, are caught up in the middle of a debate here, but I say to the Members of the House that what we see here today is an insurrection under parliamentary procedures in the House.

This is not a California problem, this is not a Florida problem or a New York City problem; this is an America problem, and the Judiciary Committee lackadaisically has failed to address the need for effective controls for the illegal alien problem for years.

This gentleman comes from a State as far away from the coast as possible, but I say this is an American problem, and we representatives of the American people are here today to be heard for them. If we take a look at the number of Members gathered around here today, surely it must understand that we can keep a cap on immigration reform, especially the control of our borders for only so long. The leadership of this House, and particularly the Judiciary Committee of the two bodies, have failed to address the problems of illegal aliens and the effective control of our borders and refugee problems that are confronting the country. It is time that the Members and its American people be heard, and that is why so many Members want to speak on behalf of this amendment today.

Mr. Chairman, I also speak to the Members as a member of the Intelligence Committee, and I can tell the Members that we are particularly vulnerable to terrorist events in this country. We are an open society. And we want to be an open society. We want to be open to legal immigrants, but I want to tell my colleagues, and particularly the members of the Judiciary Committee, that if we do not take some of the actions that the INS has been crying for these many years now, if we don't give them the legal tools and resources to reduce the numbers of people who are coming in here illegally or by devious and fraudulent abuse of our processes, some coming with ill intent in their hearts, if we do not take some steps to begin to shut the door on abuses of political asylum, then we are going to have terrorist events in this

country that will shake the foundations of our constituencies. And some of our Members will wonder why it is that we have not acted before this crisis. They will wonder why it is that the Judiciary Committee has set on these reform issues year after year.

For example, in New York City alone today we have 15,000 people claiming political asylum waiting for hearings. They are coming in at a remarkable pace around the whole country and not just by commercial airlines, but by the boatload. I would ask the members of the Judiciary Committee and other interested people, as well as members of this subcommittee of the Appropriations Committee, if you need a confirmation of the abuses of the system and frustration of our INS personnel who are crippled or handicapped by inadequate law or resources, then just go out to Dulles airport and see the problems they have there today.

The claims that are made by people coming in for political asylum today are rarely legitimate. They are patently fraudulent. They are tearing up visas; they are tearing up passports on the planes. They are giving them back to people on the plane who are commercial immigration expeditors, illegal immigration expeditors. They say the magic phrase "I seek political asylum and they are issued a green card, made eligible for welfare benefits, and disappear into our society. And that is what we are facing here today.

We can throw all the money at this problem we want—and I approve of this amendment because it is a small, important step that will help, in particular, the border States—but unless we get some action out of the Judiciary Committee on the necessary reforms we are going to have continued and increasing problems.

So, Mr. Chairman, I urge my colleagues to put some pressure on this Judiciary Committee, the committees in this House and the other House. We must have some reforms; if one holds townhall meetings or listens to constituents, one knows it is a top priority of many constituents across this land. Without reforms now we will, after related terrorist events, have the type of xenophobic demands that will result in draconian changes in our legitimate refuge and immigrations procedures and programs.

Finally, yesterday, after great travail, after much discussion about inadequate steps like preclearance at foreign airports, some Members on the House Judiciary Committee are finally, it appears, going to do something. Reform of the political asylum procedures is but one of many steps that need to be taken. Immigration reform does not have to be done comprehensively for we get bogged down in controversy. We can and should take some steps now to provide some of the important tools that the INS needs.

Mr. Chairman, I urge my colleagues, as a first small start, to approve the

Hunter-Moorhead amendment here today.

Mr. SMITH of Iowa. Mr. Chairman, I wonder if, with the indulgence of my colleagues, we can make some kind of an effort to limit debate. We have been on this for 40 minutes. If we do not get this bill passed, we are not going to get any money.

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

Mr. SMITH of Iowa. Yes, I yield to the gentleman from California.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield and accept the amendment?

Mr. SMITH of Iowa. Of course not.

Would 20 minutes be enough? All the Members know how they are going to vote on this.

Mr. CUNNINGHAM. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. SMITH of Iowa. How about 25 minutes?

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

Mr. SMITH of Texas. Yes, I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I wonder if the gentleman could give us 40 minutes equally divided. The problem is, I say to the subcommittee chairman, that we have a lot of Members who want to speak on this issue.

Mr. SMITH of Iowa. I know. It is a very important issue to a lot of people.

Mr. HUNTER. They have come down to the floor, and they all have something to say about this.

Mr. SMITH of Iowa. How about 30 minutes? Would that not be enough? That would be altogether 1 hour and 10 minutes.

Mr. BURTON of Indiana. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. HUNTER. Mr. Chairman, I have counted the number of heads on our side, and there are a couple of Members on the gentleman's side who want to speak.

Could the gentleman give us 40 minutes?

Mr. SMITH of Iowa. All right.

Mr. Chairman, I ask unanimous consent that all debate on this amendment end in 40 minutes.

Mr. BURTON of Indiana. Mr. Chairman, I object.

Mr. CUNNINGHAM. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. SMITH of Iowa. Mr. Chairman, I say to the Members that if I move it, I am not going to move it for 40 minutes. I will move for something less than that. Can we not make some reasonable accommodation?

Mr. HUNTER. Mr. Chairman, if the gentleman will yield, from my perspective I think we can accommodate the Members who want to speak on this in 40 minutes. Obviously there are other Members who have a concern with that. That would be fine with me.

Mr. SMITH of Iowa. Mr. Chairman, I am not going to ask for 40 minutes if I

have to move it; I am going to ask for 20 minutes on a motion.

Mr. HUNTER. Mr. Chairman, I think we can get it done in 40 minutes.

Mr. SMITH of Iowa. Mr. Chairman, I ask unanimous consent that all debate on this amendment end at 12:25.

Mr. Chairman, I will withdraw that.

Mr. Chairman, I ask unanimous consent that all debate on this amendment end in 40 minutes.

Mr. BURTON of Indiana. Mr. Chairman, reserving the right to object, let me find out how many speakers there are with a show of hands.

I would say there are at least 12 Members here.

Mr. SMITH of Iowa. That is about 4 minutes apiece.

Mr. BURTON of Indiana. Mr. Chairman, if the gentleman calls for a vote, it is going to take 20 minutes. Why does the gentleman not make it for 1 hour? If the gentleman would make it for 1 hour, I think that would cover it.

Mr. SMITH of Iowa. No, I am not going to do that.

Mr. BURTON of Indiana. If the gentleman calls for a vote, we are going to waste an hour anyhow, and probably more.

Mr. SMITH of Iowa. Mr. Chairman, we are going to have to figure some way to move this bill.

Mr. BURTON of Indiana. If the gentleman calls for a vote, we will waste an hour anyway, and probably more.

Mr. SMITH of Iowa. Mr. Chairman, I will withdraw my request temporarily.

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

Mr. Chairman, I represent the 50th District of California, which is the border area between California and Mexico, and I want to speak to the amendment.

First, I want to thank the chairman of the subcommittee, the gentleman from Iowa [Mr. SMITH], for working very closely with me and with other freshman Members of Congress to help them resolve infrastructure problems on the border. He has been, along with the ranking member, the gentleman from Kentucky, very sensitive to the issues we have raised, and I know he is very concerned and very aware of what is going on. I want to thank the gentleman for being sensitive and for doing so much to help us on the border.

We have heard from other Members from the San Diego area and from other parts of the Nation about the need for more Border Patrol. My own experience, from living at the border for the last 15 or 20 years, indicates that that is true.

I am going to vote for this amendment, but let us not kid ourselves, I say to my colleagues from both sides of the aisle. This addition of Border Patrol agents is not going to solve the problems we all have spoken about and have recognized. This will not solve the problem. The problem is deeper. The problem requires a far more comprehensive point of view.

We need to work on economic development on both sides of the border. We need to work with our Mexican counterparts on law enforcement. We need to have the employers on this side of the border understand the law.

There are a lot of elements to solving the problem. It is not just adding to the Border Patrol.

So let us pass this amendment, but I beg my colleagues on both sides of the aisle to get in a problem-solving mode on this issue. I have heard very inflammatory rhetoric today. I have heard rhetoric that will polarize this issue instead of helping solve the problem.

□ 1150

So let us add those agents, but let us recognize that this is not going to solve the problem. Let us get into a problem solving mode. And, please, let us recognize that the strength of this country is diversity. Let us recognize the basic humanity of all individuals, whatever names you want to put on them for the purpose of this debate. Let us work together to get at the economic development that is so crucial for helping all people have a better way of life on both sides of the border.

Mr. Chairman, please, let us down the rhetoric. Let us get into a problem solving mode on what is a real issue for all of this Nation.

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

Mr. Chairman, I would hope that by just the show of force, that the committee understands the importance of this. We've heard people say "It is the economy, stupid." In California, in my district, illegal immigration is the absolute No. 1 issue, and I would say the No. 1 issue in the State of California, border States, and for Americans, and I am sure the chairman would agree. We are becoming overrun.

Second, I would like to assure the honorable gentleman from California [Mr. BECERRA], that this is a matter of illegal immigration, and not legal immigration, which made this country so great. And I would like to associate myself with the words of the gentleman from California [Mr. FILNER].

Mr. Chairman, we are asking for \$60 million. Governor Wilson of California, State Senator Craven, and colleagues on both sides of the aisle, have identified that it costs the State of California alone over \$2 billion a year for the illegal immigration problem. Can you imagine what it will cost in the rest of the country?

If we can save dollars by adding dollars, then that is a savings, and we need to run it like this.

Let me give you a couple of examples. Over 50 percent of the children born in L.A. County Hospital are to illegal aliens. They then go down and qualify for Medicaid.

Who pays for that? Not only the taxpayers, but this takes the services away from the very, very poor. Over 37,000 children, illegals, were born in Los Angeles County alone. Just L.A.

County. That is not the rest of the State. That is just in L.A. County. Six hundred twenty dollars a month, per person. That equates to \$25 million per month.

In 1 minute, we can pay for this amendment nationally. One minute, by just the cost savings.

The gentleman from California [Mr. FILNER] has also stated that this is not a total answer, but it is sure going to help and be one of the most effective means.

We need to stop illegals at the borders. Not once they get into our cities, not have to jail them, not have to house them. Twenty-five percent of all the felons in California are illegal aliens. San Diego County Sheriff Jim Roache is having to turn other felons out of the jail system on a revolving door system. Can you imagine what the cost of this is? We are not even talking about the World Trade Center cost.

They are having to shut down education programs in my wife's school because of the glut of illegal immigrants. They live in the canyons. It has just become critical, and it is not something that we need to turn our backs on.

When you say there is a priority of Federal prisoners, boy, I will tell you, come to the State. I have had several Members on both sides of the aisle come down to the border with the gentlewoman from California [Ms. SCHENK], the gentleman from California [Mr. FILNER], the gentleman from California [Mr. HUNTER], the gentleman from California [Mr. PACKARD], and the gentleman from California [Mr. GALLEGLY], and they cannot believe the situation. It is like a flood coming across the border, and they cannot stop them.

Mr. Chairman, this will help and aid that problem.

Mr. WALKER. Mr. Chairman, would the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I would like to congratulate the gentleman for his point. One of the things I found my constituents in Pennsylvania, who are not faced with the flood across the border, are concerned about, is that we have added additional costs to the Federal Government in the reconciliation bill by suggesting that we are going to create this brand new entitlement program that reimburses 100 percent of all the costs of illegal alien babies being born in this country.

Here is a fantastic new cost that we are now imposing on the Federal Government in the reconciliation bill. Virtually everybody who voted for the reconciliation bill voted for a brand new entitlement program to pay 100 percent of the cost of illegal aliens having babies in this country.

Now, that is something where we see this whole philosophy is extending out to brand new programs, brand new entitlement programs, that are going to

cost us billions of dollars over a period of just a few years.

So the gentleman from California [Mr. CUNNINGHAM] makes an absolute point that is on target, and I congratulate him for his statement.

Mr. SMITH of Iowa. Mr. Chairman, I ask unanimous consent that debate on this amendment, and all amendments thereto, end in 40 minutes.

Mr. BURTON of Indiana. Mr. Chairman, reserving the right to object, I would ask the gentleman from Iowa [Mr. SMITH] how many speakers are on his side?

Mr. SMITH of Iowa. Mr. Chairman, three or four, probably. I doubt if we will use all the time over here, but I cannot tell the gentleman that for sure.

Mr. BURTON of Indiana. Mr. Chairman, we have six. That makes 10.

Mr. SMITH of Iowa. Mr. Chairman, that is too much time. All Members know how they are going to vote. That is about 4 minutes apiece.

Mr. BURTON of Indiana. Would it be possible to try to allocate to each one of the speakers 4 minutes?

The CHAIRMAN. The Chair will distribute the time.

Mr. BURTON of Indiana. Mr. Chairman, I understand the Chair will distribute the time. I would like to have a gentleman's agreement, because there are not as many Members on the other side who plan to speak.

The CHAIRMAN. The gentleman from Iowa [Mr. SMITH] asks unanimous consent that all time on this amendment, and all amendments thereto, be limited to 40 minutes. Is there objection to the request of the gentleman from Iowa?

Mr. GINGRICH. Mr. Chairman, reserving the right to object, could I just ask of the gentleman from Iowa [Mr. SMITH], if we could have sort of a general agreement, recognizing the Chair's power to recognize, that if there is some time left over on the one side, and there are one or two surplus speakers, we will try to accommodate them?

Mr. SMITH of Iowa. Mr. Chairman, I did not ask that the time be evenly divided by sides.

The CHAIRMAN. The Chair will allot time to all Members standing at the time of the request.

Is there objection to the request of the gentleman from Iowa [Mr. SMITH]?

There was no objection.

The CHAIRMAN. Members standing at the time the unanimous-consent request was agreed to will be recognized for 3 minutes each.

The Chair recognizes the gentlewoman from California [Ms. HARMAN].

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

Ms. HARMAN. Mr. Chairman, I rise in strong support of the amendment of my colleagues from California. The California delegation has been working in a bipartisan fashion to retain and build high-skill, high-wage jobs that are the key to our economic revitaliza-

tion. We are demonstrating today, that in bipartisan fashion, we are determined to deal with a critical deterrent to economic revitalization, illegal immigration.

Mr. Chairman, we are a nation of immigrants, and I am the daughter of immigrants, who came to America seeking peace and prosperity, and found both. Our strength as a country derives in part from our diversity. However, we must draw the distinction between legal immigration, which is constantly revitalizing our society and our economy, and illegal immigration, which is sapping the economic strength of our Nation in general and California in particular.

Difficult economic times here make it impossible to share limited jobs and resources with those who fail to comply with our immigration laws.

□ 1200

Unfortunately, border patrol funding cuts reduced the number of agents that patrolled our borders last year, and this trend is continuing. The Immigration Reform and Control Act of 1986 authorized a substantial increase in border control agents, but this increase has never been funded. Our forces along our southern border are spread dangerously thin.

This excellent bipartisan amendment would add 600 agents to our southern border—a good start.

Illegal immigration hurts legal immigration, overburdens stretched community and State services and, in many instances, exposes illegal immigrants to intimidation and exploitation. It is a lose-lose proposition. This amendment will play a real part in reducing the hurt.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Chairman, this is an issue, as the gentlewoman from California mentioned, dealing with illegal immigration. This issue is important to all the people in this country, but I think it is more than just dollars that must be involved here. In order for the job to be finished, taxpayer dollars are not enough. We have to have people to patrol our borders. That is why, for a long time, I have been saying that we have people in the military. We are downsizing our military. We still have many people left in Europe. We are paying \$160 billion a year to protect European borders. From whom? To this day we in this Congress still are spending \$120 billion a year to defend European borders. From whom? Russia? Russia is not our enemy anymore. We are now giving funds to Russia. We are now giving foreign aid to Russia. It is a phantom enemy.

What we have to do is to bring some of the troops that we have in Europe to help us control our borders. We have to get control over our own borders again. To use our military for that purpose, in my opinion, would be an excellent job for them to do. It would save money. It

would keep them employed, rather than having them have nothing to do. It would be a way for us also to negotiate an agreement with other countries so that they would have some internal constraints from allowing the people from coming across our border.

We have to, I think, take a look at our visa program and see how that can be changed. Yes, to put more dollars into this program is important. But I think it is going to take more than money. It is going to take people to patrol that border. It is going to take us to redefine how we are going to use our military.

For those who are concerned, that is all of us, with illegal immigration, I think we have to think anew on how we are going to address this particular problem.

Border patrol is important, yes. We have got to show how we can have our military involved. We have got to take a look at the visa program. We have got to look at how we work with other nations, diplomatically, so they have some internal constraints from sending and keep sending all of these people across the border, because it is not only Mexico, the Caribbean, but now we are having all kinds of problems with Asia. And this problem is going to get worse and worse and worse.

That is why this is preeminently the time when we have to address this issue.

The CHAIRMAN. The gentleman from Tennessee [Mr. DUNCAN] is recognized for 3 minutes.

Mr. DUNCAN. Mr. Chairman, to accommodate other Members, I will be very brief. I do want to rise in support of the amendment by the gentleman from California [Mr. HUNTER] and others.

This is a tremendously growing problem. The gentleman from Indiana [Mr. BURTON] and I, a couple of weeks ago, had a briefing from an INS official who told us that 187,000 illegal aliens were apprehended at the Mexican border during the month of April alone. There are some estimates that there are three or four times as many as are apprehended, as are coming across, and so this is a problem of concern not just to those from border States but to all of us across the country.

People from Tennessee and other States are greatly concerned about this. A couple of weeks ago an economist from Rice University presented a new study which shows that we spend at least \$12.5 billion on the approximately 5 million illegal aliens here now, at least \$12.5 billion, and some estimates are even higher than that.

In addition to all of that, the INS official who briefed us told us that it cost an average of \$30,000 to remove an illegal alien. And even worse, it takes an average of 3 years of time to do that.

An earlier speaker mentioned that there are 15,000 illegal alien cases awaiting hearings at the present time in New York alone. The INS official who briefed us told us that in Mexico

they remove illegal aliens in 3 to 4 weeks time, but he said they were trying to give technical assistance to the Mexicans to get them to update their procedures.

I said that we needed to take lessons from the Mexicans. We need to toughen up our laws in regard to illegal aliens and remove them much faster than 3 years' time.

I do not suppose I have ever spoken in favor of an amendment to increase spending, but I support the efforts by the gentleman from Indiana [Mr. BURTON] and the gentleman from Pennsylvania [Mr. WALKER] to take other moneys from this bill and use it to increase the funding for the Border Patrol, because this is a problem that is at a very serious point now and is going to grow in the future.

Also, I hope, Mr. Chairman, that we learn a lesson from this in this country. All over this world today where nations have allowed their governments to get too big, where they have followed big government liberalism, where they have followed socialism and Communist-type governments, people have suffered. We see people in other nations starving in the streets or lined up 8 or 9 hours to get a pound of sausage, things that we take for granted.

We need to learn a lesson that we better not stray from our free enterprise system and go in the direction toward more government, more regulation, more redtape in this country where the same things that are causing illegal aliens to want to come so badly to the United States will be happening here at some point in the future.

I rise in strong support of this amendment, and I urge my colleagues to do likewise.

The CHAIRMAN. The gentleman from California [Mr. BECERRA] is recognized for 3 minutes.

Mr. BECERRA. Mr. Chairman, I would like to thank the distinguished gentleman from Ohio, the chairman, for his time and also his patience in allowing Members of this Congress to debate the issue of immigration. I want to say that I am one who supports an increase in the Border Patrol and spending for INS, because I believe it is also essential, as many of my colleagues have said.

But as I remarked a few minutes earlier, I am very disconcerted by the tone of the debate that is taking place today, not because we do not have people who are coming into this country without documentation, not because there are not costs associated with having people in this country who do not have documentation, but because there are so many grand misstatements made about these individuals that I believe that we should have some correction.

First of all, when we talk about people who are apprehended, let us understand that there are less people who are apprehended than we see in apprehensions, because people are often-times crossing the border more than

one time, obviously, because we have a very porous border. But let us not try to inflate the figures to make a point that I think everyone will agree to. There is a problem at our borders.

We talk about 800,000 apprehensions. Please do not mislead people and have them think that there are 800,000 people that were captured last year. That is just not the case. There were 800,000 apprehensions. Most of us who are from border States know that there are individuals who are apprehended on several occasions coming across the various borders.

What we need to do, beyond the debate of rhetoric, is go into the true way we could try to solve the problem of immigration. We need to, first of all, make sure that the INS has the resources it needs to enforce our immigration policies. We do need more Border Patrol agents. We also have to have a more professional Border Patrol. We are paying millions of dollars in lawsuits because we have Border Patrol agents who are committing abuses against people, not just immigrants, also U.S. citizens. They apprehend these individuals, abuse them, and thereafter we see a suit filed against the INS because of the abuse.

Let us get a professional Border Patrol in our Immigration Service, and we will see a better job done.

Let us also deal with the issue of people who are truly interested in seeing legal immigrants in this country have a decent time in this country once they become legal. Let us provide them with the services. People have to wait hours upon hours in long lines to be able to get the documentation they need to become a U.S. citizen, if they are here as a lawful permanent resident. Let us take care of the problems that we have within INS in that regard.

Let us also, as someone mentioned before, take care of the asylum problem. We have a backlog approaching 200,000 cases for people who have claims for asylum. Let us let these cases go forward quickly so we can see who really needs it and who does not and let us get those who do not have a valid claim out of the country. But remember, we have refugees coming into this country all the time.

We have seen the recent Chinese who were smuggled in this country. But the fact remains, less than 1 percent of the refugees worldwide are admitted into the United States. That is the truth, and we should make sure we color our debate with the truth about immigrants. Let us distinguish immigrants from immigration policy. Let us go after bad immigration policy. Let us make sure we protect people who are immigrants who try to come into this country for valid reasons.

□ 1210

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Chairman, I rise in very strong support of the Hunter-Moorhead amendment.

I would first like to say the distinguished member of the Judiciary Committee, my friend from Glendale, Mr. MOORHEAD, and I have had the privilege of working on this issue for the past several years. In fact, in 1986 we were able to get a similar amendment put in. Obviously that was not enough, because we still have this flow of illegal immigrants who are coming across the border.

Mr. Chairman, why is it that people flee Mexico and come to the United States? One very simple and basic reason is economic opportunity, economic opportunity. They are seeking either a job, or welfare, health care, the kinds of social welfare programs that we provide. And I believe that there is a way in which we can get to the root of this problem to deal with this issue.

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

Mr. DREIER. I yield to my friend; the gentleman from Glendale, CA.

Mr. MOORHEAD. Mr. Chairman, when we discuss the costs of illegal immigration we have to consider all of the costs of the social programs and other things. The Federal Government, rather than taking care of them, and it is in their field, it is their problem, have mandated those programs over to the States. And that is one of the reasons why Florida, Texas, and California are drowning, because the costs of carrying out these mandated programs are in the billions of dollars. And if the Federal Government wants it, they should finance it themselves rather than pushing it off on the States that are the center of the issue.

Mr. DREIER. My friend is absolutely right. And that is why I would like to briefly mention the two items which I believe are key to getting at the root of this problem. I know my friend from California, Mr. GALLEGLY, from Simi Valley has worked very diligently on this immigration problem, and we are going to be hearing from him in a few moments.

My concern is unfunded Federal mandates. As Mr. MOORHEAD has said, we at the Federal level impose on State and local governments the requirement that they provide this kind of social welfare. That is a magnet drawing people across the border who come here illegally to meet these.

We do not provide the funds for State and local governments to provide those services and yet we tell them to provide those services. That is why I am virulently opposed to unfunded Federal mandates.

The second thing, Mr. Chairman, and I know this is a very controversial issue around here, a rising tide lifts all ships. Indications are that as the economy of Mexico improves, people are not as inclined to leave Mexico and come to the United States. Over the past several years as we have seen the improvement in the economy of Mex-

ico, we have, based on some reports, seen an actual decrease in the flow of illegal immigrants from Mexico to the United States.

That is why implementation of a North American Free-Trade Agreement is key to this issue, because we have to realize that improving the economy of Mexico is in the best interests of the United States of America.

I strongly support the Hunter-Moorhead amendment and I encourage my colleagues to vote in favor of it.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. GUTIERREZ].

Mr. GUTIERREZ. Mr. Chairman, I do not really have any problem with increasing the number of dollars that our country spends on the Border Patrol. It is really with the nature of this discussion.

As America watches us, anyone would think that everyone with a surname of Gonzalez, or Rodriguez, or even Gutierrez across America simply came here to get welfare, simply came here to somehow benefit and not come here to work, as if you could go through the neighborhoods, and the factories of the cities of Chicago, of Los Angeles, and New York and across this country and not see them working.

The fact is we should have a discussion about immigrants to this country and just how it is that they contribute to this country, just how it is that they make America work and take the kind of jobs that every other immigrant group before the Latino community has come here has taken in order to work themselves up by the bootstraps, actually, Mr. Chairman.

It is sad to hear this discussion as though everyone just came here to somehow try to benefit. Let me tell you, ladies and gentlemen, it is strange to hear a discussion about hospitals and about mothers giving birth to babies, and we are worried and preoccupied about the cost. Yet yesterday we had a great discussion on the importance of life here in this very body, and it seems to me that many of those who object to, with such virulence, to anyone having a baby in a decent hospital here, and I do not know, maybe we are only pro-life if they have a permanent resident's card, and maybe only then they should have a baby with quality medical services, I am not sure. But that is part of the problem with this discussion.

We should have a discussion, we should have a discussion about how it is that immigrants contribute to America so that America will understand that, according to Business Week, immigrants contributed to this country last year \$90 billion and only took \$5 billion in social services. Why do we not talk about the richness of the immigrant community that comes into this country in the context of this discussion instead of having this xenophobia? We are starting to sound a lot like England. Let us blame all of the problems that exist in this Nation on

the immigrants that arrive here, and let us just forget about the savings and loan bailout that cost us \$200 billion and that has not hurt the American taxpayer in this country. Let us just forget about all of the other problems, Mr. Chairman.

(By unanimous consent, Mr. SOLOMON yielded his time to Mr. FISH.)

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I would say with respect to the previous speaker that I am deeply concerned over his reaction and his assessment of opinions expressed. This is one reason I think that we have to exercise far greater control over illegal immigration and people overstaying in this country.

Fifty percent of our legal immigration represents families of citizens and the families, immediate relatives of those admitted for permanent residence. And I am afraid, and I think the gentleman should think about this, that if we allow hundreds of thousands to violate our laws, to come in with impunity, that the American public will soon evidence a reaction that will actually do harm to those I think the gentleman is concerned about, the legal immigrants that we want in this country, largely for family reunification.

Mr. Chairman, I just want to point out that our Committee on the Judiciary is working right now on the response to what are the contributing factors to the growing numbers of undocumented aliens. One of these is the abuse of the asylum privilege, a law that we put into effect in a relatively recent time when only 2,000 or 3,000 applications were contemplated a year. Now we have a backlog of 260,000 pending applications that can only be described as a total breakdown in our system where we have fewer officers to adjudicate these claims than do countries like Canada and Sweden. This is an area where clearly resources have to be allocated.

Alien-smuggling, the latest episode to receive publicity, is enormously profitable as an enterprise. The profit must be taken out of this alien-smuggling. By sea is only the latest. We have had alien-smuggling over land for some time. To address this we are considering additional criminal penalties and asset forfeiture provisions.

Our departure control in the United States is virtually non-existent. I mention all of these things because I think it is going to be a combination of efforts that deal with the wave of undocumented aliens that come into the United States. But it has always been and remains the 1,900-mile porous border to our Southwest over which nationals of some 50 nations come in virtually at will. It has been very disappointing that efforts on the part of Mr. MOORHEAD, Mr. MCCOLLUM, myself, and others on the Judiciary Committee over the last 15 years passing legislation similar to this amendment before

Members today to increase our Border Patrol, only to find that we were not taken seriously and administrations have sidetracked this effort.

So I would urge that this amendment is on the right track and part of our total effort to deal with this issue.

□ 1220

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. GALLEGLY].

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

Mr. GALLEGLY. Mr. Chairman, there has been a lot of debate on this issue this morning, but there is one thing that really concerns me. The issue we are dealing with here today is illegal immigration. It is almost in every case, when we get into this discussion, that we start talking about how much contribution immigrants make to this country. And I could not agree more. We are a Nation of immigrants.

Most of us can track our immigrant roots back less than two or three generations, but the issue we are discussing here today, Mr. Chairman, is illegal immigration.

We are a generous Nation. We allow more people to legally emigrate to this country every year than all the rest of the nations of the world combined. But the issue we are talking about is illegal immigration.

I have had the opportunity to spend quite a bit of time down on our international border at San Diego in recent years, and it is absolutely unbelievable the conditions that our young men and women who are trying to protect our borders are living under.

Trying to solve this problem with the current Border Patrol is like trying to catch a B-1B bomber with a butterfly net; it just ain't going to work without more help.

Two weeks ago I was down at the border. Our Border Patrol agents explained to me that they have over 100 new vehicles, brand-new vehicles that they cannot use because they do not have money to put radios or screens in them. Mr. Chairman, in my State we have 866,000 children in our public school system, K through 12, who are children of illegal aliens. Two-thirds of all the births in Los Angeles County general hospitals last year, the mother had no legal right to be in this country. Twenty-five percent of the entire Federal penitentiary inmate population are aliens.

You know, there is discussion that illegal aliens do not take American jobs. That is just plain bunk.

Professor Huddle of Chico University, an academic, not on one side or the other, produced a document last month that showed that 900,000 Americans have been displaced and replaced by illegal alien workers.

In fact, in my home district in Oxnard, CA, a couple of months ago there was a raid on a plant. Fifty-two

illegal aliens were arrested. That hit the papers, and within 24 hours 210 American citizens were at the door of that plant applying for those jobs.

Mr. Chairman, my office, my staff in California, have one of the finest staffs of any Member in this body. They spend as much time helping immigrants legally come into this country than any other issue, and they will continue to do that. But I commit to you that this Member is going to work very aggressively to see that those coming to this country come here legally and orderly for the benefit of this Nation.

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

Mr. Chairman, the gentleman from California [Mr. GALLEGLY] just talked about a report from Dr. Donald Huddle. I would like to submit part of that for the RECORD because of the limitation on time. Literally, there are billions and billions and billions of dollars that are being wasted because of the illegal alien problem. And the drug problem is being exacerbated as well.

You go down to the border, and you will see trucks and cars back up for miles and miles and miles. They use sniffer dogs to try to find the drugs that are in these semis that are coming across the border and in these cars. They can only work for about 45 minutes, and the customs officials, the Border Patrol, cannot possibly check every one of those cars or trucks; that is, semis bringing in products from the maquiladora companies down there.

As a result, billions of dollars of drugs are coming across that border because we do not have enough money to police the border, not to mention the illegal alien problem that we are talking about.

As I mentioned a few minutes ago, there were 37,000 illegal alien babies born in Los Angeles County alone, and that cost \$25 million per month in AFDC payments alone, not to mention the health care costs involved.

Do you know that when they had the Los Angeles riots—you say, well, this does not have an impact on law and order in this country; when they had the L.A. riots and we appropriated billions of dollars out of this Chamber to help Los Angeles recoup from that, there were 1,200 illegal aliens involved in that riot who were deported. That has not been reported very much in the newspaper; 1,200 illegal aliens were involved in that riot, a big part of it, and they were deported.

As a matter of fact, there were estimates as high as 60 percent of the people involved in the Los Angeles riots were illegal aliens.

Now, this is a byproduct of not being able to stop this problem at the border.

The NAFTA issue, brought up a few minutes ago, we will be talking about that at some time in the future; that could exacerbate the problem if we do not have an adequate number of Border Patrol people on that border checking

the huge, quantum leap in traffic coming across that border.

When you are talking about lines of cars and trucks 10 to 15 miles long, how are you going to find out if there are drugs in those trucks, how are you going to find out if there are illegal aliens in those trucks, because they are coming across just like that, you cannot stop them.

We have to come up with a method to deal with this very, very difficult problem.

I want to say to my colleagues that I am from Indiana, from middle America. I want to tell you that every single American, as Mr. BEREUTER said a few minutes ago, should be concerned about this problem because you are paying for it with your tax dollars. And we are not talking about thousands or millions, we are talking about billions of dollars as well as thousands and thousands of lost American jobs.

This is a problem with which we have to deal. We should support the Hunter amendment today. It is extremely important. It is a very small step, but it is a step in the right direction.

The report referred to is as follows:

Info on welfare and illegals.

There are 14 categories of federal and state expenses that illegals consume. These gross cost estimates for 1992 are from Dr. Donald Huddle's report released last week:

Primary and secondary public education, \$3.9 billion.

Public higher education, \$342 million.

School lunch program, \$99.3 million.

Medical care uncompensated, \$237.6 million.

AFDC, \$819.9 million.

Housing assistance, \$244.6 million.

Low Income Home Energy Assistance, \$26.3 million.

WIC, \$71.3 million.

Elderly nutrition, \$1.2 million.

Head Start, \$15.1 million.

Medicaid, \$478.7 million.

ESL/bilingual education, \$858.1 million.

Compensatory education, \$101.1 million.

Corrections/criminal justice, \$456.9 million.

Total expenses illegals consume, \$7.75 billion.

As you can see, the bulk of the money goes to education, but still AFDC/WIC/housing assistance/energy assistance/elderly nutrition totals \$1.16 billion.

Over the next decade, without changes in immigration laws/patterns, illegals are expected to consume \$10.3 billion in AFDC alone. Total "welfare" (same definition as above) over the next 10 years will total \$14.8 billion.

CALIFORNIA

There are an estimated 250,000 citizen children of illegal immigrants in L.A. County alone.

The grant to the average family of one mother and two children on AFDC is \$624.

The state estimates it spends \$777.2 million a year on AFDC to citizen children.

The estimated yearly cost of health and welfare benefits to illegal, is \$918 million.

Although AFDC payments are not supposed to be made to illegal immigrants, state officials say that if the counties can't find foster parents or legal relatives to send the checks to, they have no choice but to give them to the illegal immigrant parent.

Statewide, it costs an estimated \$3.6 billion a year to educate illegals and citizen children. Fully 17% of the state's students—

866,000—are children of illegal and/or non-citizen parents.

The net cost to the state for providing benefits to illegals is \$3 billion a year.

L.A. COUNTY

Estimated population of illegals and citizen children of illegals totals 950,000 as of January 1992, roughly 10 percent of the county population.

The net county cost for undocumented/citizen children is \$400 million/year.

By far the biggest portion of this figure is for health care (\$196.1 million.) The county says that audits have shown that it pays no welfare to illegals, except in cases where there is a citizen child. The Huddle study also concludes that illegals are less likely than native-born Americans to be recipients of public assistance programs.

The estimated cost to school districts in the county for educating illegals and citizen children is \$1.03 billion a year.

¾ of the children born in county-operated hospitals are to illegals.

Net cost to San Diego County for illegals is \$146 million.

ILLEGAL IMMIGRATION—BY THE NUMBERS NATIONWIDE

INS estimates there are a minimum of 4.5 million illegals nationwide.

120,000 people claimed asylum in U.S., 1992. Estimated current direct cost of illegals is \$6 billion a year.

Estimated direct costs of illegals in 1990 was \$5.4 billion. Breakdown:

\$2.1 billion—public education—K-12.

\$963.5 million—emergency medical care.

\$831.7 million—criminal justice.

\$665.3 million—Medicaid.

\$368.0 million—public higher education.

\$106.0 million—housing assistance.

\$62.8 million—AFDC.

550,000—illegals in New York state—1992—INS estimates.

430,000—illegals in Texas.

315,000—illegals in Illinois.

186,000—illegals in Florida.

CALIFORNIA

California estimates there are 205,000 citizen children of illegals in the state.

The grant to average family of one mother and two children on AFDC is \$624.

The estimated monthly outgo to citizen children of illegals is \$60.6 million.

The estimated yearly outgo is \$727.2 million.

The estimated yearly total cost of health/welfare benefits to illegals is \$918 million.

Two-thirds of the births in L.A. County operated hospitals are to illegals.

The total annual federal share of the Medicaid program is \$7.5 billion (50% of total).

It costs state and local governments a net \$3 billion each year to provide services to illegal aliens.

It costs Los Angeles County alone \$650 million a year to provide those services.

Fully 17% of the state's public elementary and high school students—866,000—are the children of illegal and non-citizen immigrants.

They cost the state and local school districts some \$3.6 billion a year.

More than 18% of the L.A. County jails—22,000 inmates—are deportable aliens.

These deportable aliens cost the county \$75 million a year. The statewide cost for 13,000 felon aliens is \$250 million.

1,064 aliens were arrested for their part in the 1992 L.A. riots and deported.

ILLEGAL IMMIGRATION STATISTICS NATIONAL

The Center for Immigration Studies estimated in 1991 that illegal aliens directly cost \$5.4 billion for the 13 major Federal and

State services (including school lunches, public education, Head Start, and AFDC, but excluding Social Security, unemployment compensation, and food stamps).

Although illegal aliens are statutorily excluded from federal services such as Medicare, Social Security, unemployment compensation, student loans, SSI, AFDC, and food stamps, fraudulent documentation is easy, and therefore, access to the programs is readily available. No one in the federal government knows with any certainty how much illegals cost all these programs.

The Social Security Administration estimates that by the year 2026 it could be paying more than \$8 billion per year in Social Security benefits to illegal aliens because of false documentation.

U.S. Immigration and Nationalization Service spent \$161 million in 1991 to detain and deport 58,000 criminal aliens.

Illegal aliens make up 25% of the 803,000 federal prisoners (Costs \$20,800 per year for an inmate).

In 1988, an estimated \$1.2 billion to \$12.5 billion was spent on unemployment and other transfer payments to American citizens resulting from job displacement due to illegal immigrants.

STATES AND LOCALITIES

To date, states and localities have not tracked their direct and indirect costs related to illegal immigrants; only California, and Los Angeles County in particular, have recently tried to document their illegal alien expenses.

Other states are just beginning to follow California's and L.A.'s lead.

CALIFORNIA

Medi-Cal (California's Medicaid) covers medical expenses for illegal aliens in (1) emergencies and (2) pregnancies.

Federal judge ruled Medi-Cal officials cannot report illegal aliens using their services to immigration officials.

Children born in the U.S. to illegal immigrants are automatically U.S. citizens and eligible for Aid to Families with Dependent Children (AFDC).

Can kick the parents out of the country, but then the child would stay and become a ward of the state.

Last year, nearly 37,000 children born to illegal aliens in L.A. County alone.

Average California AFDC grant (family of three) \$624 per month down from \$663 in July 1992.

97,175 families with illegal parents received an estimated \$63 million per month; \$756 million per year in AFDC.

15,000 undocumented aliens in the California state prison system at an annual cost of about \$330 million.

TEXAS

In 1990, illegal immigrant students cost Texas' border schools at least \$28 million per year to educate them.

In the Brownsville Independent School District, 5,000 of the 37,000 students are estimated to be illegal alien children.

In El Paso county, illegal aliens cost \$3 million in services from the R. E. Tomason General Hospital.

In 1991, Edinburg Hospital rendered \$31 million in unreimbursed health care to Mexican nationals.

In 1991, Valley Baptist Medical Center lost approximately \$750,000 for 420 "drop in" deliveries to Mexican nationals.

Over 450,000 illegal aliens were apprehended on the Texas-Mexico border in 1990.

Border Patrol estimates for every one illegal apprehended, two or three enter the U.S. undetected.

NEW YORK

New York State Corrections Department; As of 1992, between 750 and 1,500 illegal aliens now in state prisons for serious offenses; costing New York about \$36 million per year.

Total of 3,000 undocumented aliens in New York state prisons.

FACT SHEET ON ILLEGAL IMMIGRATION, APRIL 9, 1993

Illegal immigration into the United States is a growing crisis that is causing widespread problems across the entire nation. The recent examples of Zoe Baird, and the bombing of the World Trade Center, show that illegal immigrants are not just a problem in California or the Southwest—and the public outrage that grew out of these instances are further proof that the American people overwhelmingly support actions to finally regain control over our borders.

HOW MANY ILLEGAL ALIENS ARE ALREADY HERE?

Nobody knows for sure, but the Immigration and Naturalization Service estimates that there were more than 4.5 million illegal aliens nationwide. INS officials privately estimate that there are up to 3 million undocumented aliens in Southern California alone. In addition, some 2 to 3 million more successfully enter the U.S. each year.

Illegal immigration is a growing problem from many parts of the world. INS estimates that 100,000 people from mainland China enter the U.S. illegally each year. Chinese immigrants pay criminal syndicates up to \$30,000 each to buy passage on often unseaworthy ships for the long voyage, and then are often forced by the syndicates into lives of crime if they can't pay off their debts.

By seeking political asylum, apprehended illegal immigrants can remain in the U.S. until a hearing is scheduled. Because of a lack of detention facilities, some 15,000 people enter through JFK Airport in New York and are allowed to disappear onto the streets of New York. In total last year, 117,000 aliens entered the U.S. this way.

COSTS

Nationwide, the Center for Immigration Studies estimates that illegal aliens cost the taxpayers this year more than \$6 billion in direct benefits, a total that excludes social Security, Medicare, food stamps and unemployment compensation or the extra costs for police, fire, courts, parks and transportation services.

In California, the state Auditor General estimates it costs state and local governments a new \$3 billion each year to provide services to illegal aliens. The Department of Education estimates that fully 17 percent of California's public elementary and high school students—866,000—are the children of illegal and non-citizen immigrants. This costs state and local school districts some \$3.6 billion a year. And the Department of Health Services estimates that it costs the taxpayers \$918 million for health and welfare benefits for immigrants.

Los Angeles County alone estimates it spends \$650 million a year to provide services to illegal aliens.

OTHER COSTS

A growing number of illegal aliens are involved in criminal activity. A 1990 study found that some 22,000 deportable aliens are incarcerated in L.A. County's jails—more than 18 percent of the jail population. This costs the county \$75 million a year, what a report termed "an unnecessary burden on the local justice system." Statewide, the Department of Corrections spends \$250 million to imprison 13,000 illegal aliens convicted of felonies.

Last year, 1,064 aliens were arrested for their part in last spring's Los Angeles riots and returned to their homelands.

Law enforcement authorities agree that there are some 23,000 members of two gangs in Los Angeles who are illegal aliens—gangs responsible for more than 100 murders.

And also in Southern California, a gang of illegal aliens have stolen more than 100,000 pieces of mail from postal trucks since last October, targeting several hundred thousand dollars' worth of welfare checks.

The unchecked influx also takes jobs away from citizens and legal residents—particularly lower-skilled workers. L.A. Times labor writer Harry Bernstein in March cited this as a key reason why farm worker unemployment is astronomical.

CITIZEN CHILDREN

As ABC-TV's "20/20" documented in early 1992, a growing part of the illegal alien problem stems from pregnant women coming to the U.S. solely to give birth here, which automatically makes the child of an illegal alien a U.S. citizen. These children are eligible for a full array of welfare benefits, and when he or she turns 21, he or she can petition to bring his or her entire family into the U.S. as legal residents. As one Mexican citizen told the Los Angeles Times, "My children were born in the United States and will be working over there one day."

AMERICAN PEOPLE SUPPORT STRONGER EFFORT

Most Americans support taking strong efforts to stop the virtually unchecked influx of illegal aliens into the U.S. A 1992 Roper poll showed that 86% of those surveyed thought immigration was a major issue. Importantly, 93% of Latinos surveyed said they wanted their Congressman to lead to the effort to fight illegal immigration, compared to 85% of non-Hispanic whites.

WHAT CONGRESSMAN GALLEGLY'S BILLS WOULD DO

Congressman Gallegly is committed to serious, comprehensive reforms of our immigration system that will continue to ensure that our generous legal immigration policies are continued, while ensuring that we regain control over our borders. This package of legislation would:

Increase Border Patrol staffing to 6,500 agents by 1994. Currently, there are only 4,143 agents—and the Border Patrol expects to cut 158 positions next year. Considering that there are, at any given time, more police patrolling Capitol Hill than our entire southern border, we need to give the overworked Border Patrol the resources it needs to do the job, not cut the agency even further. (HR 1078)

Require one state-of-the-art, counterfeit-resistant registration card be issued to all legal resident-alien, containing magnetic strips, holograms or other features (such as those already used on California driver's licenses). Tamper-resistant documents are the only way that employer sanctions requirements can be strictly enforced. (HR 1079) In January, INS agents seized 32,000 phony "green cards," birth certificates, drivers licenses and other forms of identification last January in Orange County—along with nearly 150,000 in cash and receipts. Some of the forgeries were so good that even experts couldn't tell the difference. A month later, the INS seized another 88,000 bogus documents, worth \$1.6 million.

End the payment of welfare and other federal benefits (including AFDC, OASDI, SSI, food stamps, and public housing) to illegal aliens. (HR 1030)

Stop the transportation of illegal aliens to and from job sites by permitting vehicles used to carry illegal aliens—including to household day laborer jobs—to be impounded. (HR 1081)

Provide for 2,500 Border Patrol agents to be recruited from military personnel discharged due to defense cutbacks. (HR 1082)

Cut off federal assistance to local governments that do not cooperate with the INS in the arrest and deportation of illegal aliens. (HR 1083) Beginning in January, the state has begun stepping up efforts to force cities and counties to cooperate with INS or lose federal funding passed through the state.

Bring our citizenship laws into line with virtually every other country on earth by closing the current loophole that enables pregnant women to slip into the U.S. just to give birth here, automatically making her child a U.S. citizen. (HJ Res. 129/HR 1191) The 1992 Roper poll showed that 84% of those surveyed support such a measure.

Some 57 Members of Congress, from both parties and 20 states, have cosponsored some or all of Gallegly's bills, and as a newly appointed member of the Immigration subcommittee, he will be in a position to build public and Congressional awareness of the scope of this crisis.

Mr. SHAW. Mr. Chairman, I move to strike the requisite number of words, and I rise in favor of the amendment.

I do not think there is any question, from the debate and the way it has gone on, as to how the House is going to vote on this important issue. There is no question but that illegal immigration has done a lot to run up the cost of Government in this country, to run up the cost of crime and the victims of crime.

A lot has been said about whether this is becoming a prejudice thing rather than a question of law enforcement. I think it is important to realize here and to state first of all we are talking about doing a small act to stop illegal immigration into this country, a small act that is going to have a small effect, but certainly one that is going to bring back many more times the benefits than the \$60 million we are going to spend on the border patrols.

The question of illegal immigration, the first thing that that person does when he gets into this country is violate our laws by coming across our borders illegally.

There is a whole industry that has grown up around it, to print counterfeit cards, to get them into the workforce. We thought we did a lot years ago when we passed Simpson/Mazzoli. But what has happened?

We put in employer sanctions. What happened?

We created a whole new cottage industry, coming up with illegal papers. We found that when we are talking about more jobs for American people, we are finding that if we could get rid of the illegal alien, we would virtually have no unemployment problem in this country. We talk about the rising costs of health care. All these illegal aliens are entitled to this when they come into this country, and they are getting it, delivering babies at our taxpayers' expense.

I had a lady call me the other day, and she said, "I have terminal cancer. I cannot afford much more. I am almost tapped out." Yet the illegal aliens coming into this country are getting their babies delivered free.

They are getting medical treatment free. They are getting \$400-odd per month to help them live. Yet we are still groping and trying to find precious tax dollars.

□ 1230

Let us look at this as an investment in the future. This is going to bring back many more times the savings than the \$60 million it is going to cost the Federal Government to hire these new agents.

But let us not stop here. Much has been said about the Judiciary Committee and what they are doing. Let us go forward. Let us streamline our extradition process. Let us put it in such a way that the people know that when they are here, when they are caught here, that they are going to be deported, instead of blending into our court system and going on for years and years.

It is virtually impossible to deport someone in this country who has been coached in the most elementary form of our laws and can claim asylum. Then they get into the court system for years. By the time their name finally comes up, they have disappeared. They cannot be found. They have had children, and here comes the illegal population, and it continues to grow.

Mr. Chairman, this is a good amendment. Let us pass it. This is an investment in America.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. Goss).

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

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

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

Mr. ROGERS. I will be brief, Mr. Chairman.

This amendment causes an outlay problem for us on the subcommittee. We worked hard to stay within our allocation for both budget authority and outlays. Standing alone, though, it is an irresistible amendment for me, because I fought so hard to get more money for the INS to stop the problems we have been hearing about. Given the severity of the problem we face at our borders, I am constrained to vote for this amendment, even though it causes procedural difficulties on the bill. So be it.

Mr. GOSS. Mr. Chairman, I thank the gentleman for his comments.

Mr. Chairman, I rise in support of the Hunter amendment which would fund 600 additional Border Patrol personnel at \$60 million.

We have illegal immigration problems and political asylum problems at stake. We have terrorism. We have got public safety. We have got public health. We have got jobs.

This is a hot button issue. It is not going to stay in the box any longer. It can no longer wait for the Clinton ad-

ministration to get out in front of it. We have got to do something about it.

Right now it is irresponsible for us to continue to fund social services for illegal aliens without addressing the policy which is actually encouraging the influx of new illegal aliens to cross our borders. That cost to us over the next 5 years for treating this problem, just providing those services, is estimated to be about \$27 billion for social services for illegal aliens.

Just for instance, over the last 40 years, 1 million refugees have entered the United States by way of the State of Florida. Eighty-five percent of them are still there. I assure you that trend has not abated.

Two-thirds of those attempting to cross the Mexican border make it, and the other third have the chance to try again the next night. Yet the Federal Government continues to cut back its support, covering fewer numbers of refugees for shorter periods of time.

We are falling far short of meeting the needs of Florida just to take care of its refugees. Meanwhile, they are crowding our schools, our hospitals, and our labor force, and of course, they are a burden to our State taxpayers.

It is obvious that this amendment would save money in the long run. It is obvious it is a very good investment.

Let me point out something else, however. I would not want to see these funds come from the asylum process, because Florida has a border crossing problem, not as great as Texas or California, but it has an asylum process. We have got a parolee process that is out of control. Right now we have a backlog of 9,000 Haitians from just the most recent Haitian political asylum event alone. The estimate is at the rate of clearance, it will take 800 years just to clear 9,000 Haitians in this one process.

We have 150 AOC officers doing 50,000 cases in 1993, and that does not compute.

So these funds cannot come out of the Asylum Officers Corps.

We have no system for no-shows. We have no system to follow up or monitor those who are coming HIV-infected into this country.

The citizens of our country are saying, "Darn it, do something about it."

This is a chance, I know it was not supposed to come out of the box today procedurally. I know we are in an appropriations bill. I know this is upsetting things, but the people of this country are saying, "OK, it's real. It's out there. Do something about it."

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. COLLINS].

(Mr. COLLINS of Georgia asked and was given permission to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Chairman, I rise to support the amendment to add additional agents out in our borders. Even though I represent an area of Georgia, a State that is not experiencing near the problems as many of

our border States, those border States that are spending billions of dollars of State funds due to the problems of people illegally crossing our border; however, the people who I represent do participate in the costs incurred by the Federal Government due to those people crossing our borders illegally.

Mr. Chairman, \$60 million for additional agents to patrol those borders is a small price to pay compared to the billions of dollars that we are participating in due to those illegal aliens.

I agree with the statement that we need to approach this problem through the judiciary, but we know those wheels turn slowly.

This is a good amendment. I strongly support it, and I urge my colleagues also to support it.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. LEWIS].

(Mr. LEWIS of California asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of California. Mr. Chairman, I rise in support of the amendment. There are many in the world who rightfully look to the United States as the land of opportunity. Unfortunately, because of the ceilings placed on legal immigration each year, some individuals obtain residence and employment through illegal means. With the increase in illegal aliens coming into the United States, I am in favor of additional funding for the border patrol. Furthermore, I support the use of military forces to ensure that our borders are adequately monitored.

I have concerns over the costs associated with illegal immigration. In many respects, it is the State government which determines which, if any, benefits will be available to illegal aliens. Our Government should be cautious about giving benefits to everyone from around the world who wishes to reside in the United States. Furthermore, recently enacted employer sanctions have contributed to a decline in employment of illegal aliens and enhanced the security of American jobs. Please be assured that I will support efforts which reduce illegal immigration and minimize associated costs.

I encourage all Members to support the Hunter amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HUNTER].

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

Mr. HUNTER. Mr. Chairman, I think we have had an excellent discussion and an excellent airing of this issue and I think we are about ready to take an important step in gaining control of our borders.

I just want to start by addressing myself to the gentleman who spoke a few minutes ago and talked about this effort as somehow an affront to people who have migrated to this country, some legally and some illegally.

Let me just say, one thing I learned as a border Congressman is nobody wins by having an open border and having a no man's land on the international border.

In the years before we built a steel fence along the border, we averaged nine murders a year. Those nine murders were committed by gangs that moved back and forth across the international border with impunity. When we finally built a steel fence along the border, they were no longer able to move back and forth, and as a result of that, while we had nine murders a year for the last 10 years or so, up until two years ago after we built the fence we went to zero murders, and all those citizens who were murdered were citizens of Mexico.

So the facts are that having an open border, having a border out of control does not serve anybody well and it does not serve any nation.

Now, we have the most benevolent immigration policy in the world, and I know we are going to be addressing that shortly, but having that benevolent immigration policy requires that we have some integrity at our borders and some border control.

Mr. Chairman, I want to thank the gentleman from California [Mr. MOORHEAD] for being one who really has driven authorization in the past; the gentleman from California [Mr. GALLEGLY] for all the work he has done; the gentlewoman from California [Ms. SCHENK]; the gentleman from California [Mr. CUNNINGHAM]; the gentleman from California [Mr. PACKARD]; the gentleman from Florida [Mr. SHAW]; the gentleman from Wisconsin [Mr. ROTH]; the gentleman from Georgia [Mr. COLLINS]; the gentlewoman from California [Ms. HARMAN] for her excellent statement; the gentleman from Florida [Mr. GOSS]; and of course, the ranking member, the gentleman from Kentucky [Mr. ROGERS] for his help in the discussion today and of course, our chairman, for putting up with this long discussion.

Members who have not been tuning in to this discussion might ask, "Why do you have to have more Border Patrol?"

It is because there is only one agency that patrols the U.S. border that is given that charter, and that is the Border Patrol. So for reasons of social costs brought on by illegal aliens, criminal justice costs, narcotics smuggling, and I think importantly in the future perhaps deterrence of terrorists who want to cross the international border, we have to have people at the border. You cannot control the border without personnel. That means Border Patrol.

This amendment for some 600 additional Border Patrol agents, while it does not meet the standards that we set in 1986 when we changed the immigration law, nonetheless it takes a major step forward.

Mr. Chairman, I would ask everyone to support this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. SMITH] to close the debate.

Mr. PETE GEREN of Texas. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Texas.

(Mr. PETE GEREN of Texas asked and was given permission to revise and extend his remarks.)

Mr. PETE GEREN of Texas. Mr. Chairman, I rise in opposition to this amendment. It is worthy on its merits, but it is an add-on with offsets.

Mr. SMITH of Iowa. Mr. Chairman, the question is not whether the Border Patrol or INS is important.

Let me call to your attention that in this bill we have \$999 million for the Immigration and Naturalization Service. That is about as close to a billion dollars as you can get.

We have in here \$360 million for the Border Patrol, and that is \$6 million more than the budget request.

Now, I have been down to the border, like a lot of you have. I have flown in the helicopter and seen what their problem is. There are miles and miles of border. You could put agents down there almost shoulder to shoulder. You could put a hundred thousand agents down there and you still could not cover the border.

So it is true what the gentleman from Nebraska [Mr. BEREUTER] and the gentleman from Pennsylvania [Mr. WALKER] and some others have said, it is true that money alone will not solve this problem. This is also a legislative issue.

□ 1240

This bill includes funding for the NAFTA negotiations. It includes a lot of things besides appropriations for the Border Patrol.

We have done our best in this to stay within our 602(b) allocation. I am exasperated though when I see that so many people who voted for a \$76 million cut in the INS in previous years when we were considering this bill up here are now complaining because we do not have enough money for INS. Virtually all of the proponents of this amendment except the new Members of Congress, were the ones who voted for the \$76 million cut.

We do our best around here to try to allocate these funds carefully. We get complaints if we do not appropriate enough, and then complaints because we appropriated too much.

The Border Patrol is a high priority with the committee. We have already restored one-half of the proposed deficit reduction cuts the President assigned to this agency. The motion to recommit has been explained to my colleagues. I do not know for sure what will be in that motion, but, if it is at all reasonable, I do not intend to oppose it. I have said all along that if we can find the money we will try to provide funding for critical law enforcement programs.

Now, I say to my colleagues you can't just take money that is stricken out of other programs and not reserve it. That is going to come back to haunt you if you try to do that. To the extent that we can squeeze out the money,

this is one of the highest priorities, if not the highest priority, in the bill.

Now the gentleman from Kentucky [Mr. ROGERS], the gentleman from Arizona [Mr. KOLBE], and the minority, have control of the motion to recommit, but I want to tell my colleagues that what we are talking about here now is basically this: If you vote yes on this amendment, you are voting to violate the 602(b) allocation for outlays to this subcommittee. It will be the first time this year that it's been done, the first time. If we start doing it on this bill, it's going to be done again, and again, and again. We have not violated the 602(b) allocation since the budget summit agreement 3 years ago.

I tried to stay within not just the budget authority allocation, but also the allocation on outlays because I think that is the only responsible thing to do. We have a lot of budget authority left, but that was necessary in order to get down to the outlay level that we were allocated. Outlays are not subject to a point of order in the House, but outlays are in the Senate. I have tried to do the responsible thing, and that is to reduce budget authority enough so we do not go over our ceiling in the outlays.

Mr. Chairman, I say to my colleagues, if you vote yes on this, you are voting to violate the 602(b) allocation on outlays to this committee.

Mr. LEHMAN. Mr. Chairman, the inability of the Federal Government to enforce our immigration laws has forced States like California and Texas to spend billions of taxpayers' dollars to provide services—such as education and health care—on illegal aliens. I support the amendment offered by my colleague from California, DUNCAN HUNTER, which increases the Immigration and Naturalization Service budget by \$60 million to combat illegal immigration.

Illegal immigration depresses U.S. wages and displaces American workers. State and county governments have been financially devastated by this Nation's inability to enforce current immigration laws.

In light of the devastating impact illegal immigration has on the United States and especially my home State of California, I strongly believe additional resources must be provided to the Border Patrol in order to control illegal immigration.

Mr. Chairman, the combination of continued illegal immigration, increased taxes, and job displacement is too much for the American worker to accept. Give the Border Patrol a fighting chance—support the Hunter amendment.

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from California [Mr. HUNTER].

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

RECORDED VOTE

Mr. SMITH of Iowa. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 265, noes 164, not voting 10, as follows:

[Roll No. 318]

AYES—265

Ackerman	Gillmor	Miller (FL)
Andrews (TX)	Gilman	Mineta
Applegate	Gingrich	Minge
Archer	Goodlatte	Molinar
Arney	Gordon	Moorhead
Bacchus (FL)	Goss	Nadler
Bachus (AL)	Grams	Neal (NC)
Baker (CA)	Green	Nussle
Balienger	Greenwood	Ortiz
Barlow	Gunderson	Oxley
Barrett (NE)	Gutierrez	Packard
Bartlett	Hall (TX)	Pallone
Barton	Hamburg	Pastor
Bateman	Hancock	Paxon
Becerra	Hansen	Payne (NJ)
Bellenson	Harman	Petri
Bentley	Hastert	Pickett
Bereuter	Hefley	Pombo
Berman	Hoyer	Pryce (OH)
Biliray	Hinchey	Quillen
Billrakis	Hobson	Quinn
Bishop	Hochbrueckner	Lamstad
Blackwell	Hoekstra	Rangel
Billey	Hoke	Ravenel
Boehler	Horn	Richardson
Boehner	Huffington	Ridge
Brooks	Hunter	Roberts
Brown (FL)	Hutchinson	Rogers
Bryant	Hutto	Rohrabacher
Bunning	Hyde	Ros-Lehtinen
Burton	Inglis	Roth
Buyer	Inhofe	Roukema
Byrne	Inlee	Rowland
Callahan	Istook	Roybal-Allard
Calvert	Jefferson	Royce
Camp	Johnson (CT)	Sanders
Canady	Johnson (GA)	Sangmeister
Castle	Johnson (SD)	Santorum
Clayton	Johnson, Sam	Sarpalilus
Clinger	Johnston	Saxton
Clyburn	Kaptur	Schank
Coleman	Kasich	Schiff
Collins (GA)	Kennedy	Schumer
Collins (IL)	Kildee	Scott
Combest	Kim	Serrano
Condit	King	Shaw
Cooper	Kingston	Shuster
Coppersmith	Kleczka	Siskiy
Cox	Klug	Skelton
Crapo	Knollenberg	Smith (MI)
Cunningham	Kolbe	Smith (NJ)
Danner	Kyl	Smith (OR)
Darden	Lantos	Smith (TX)
de la Garza	LaRocco	Snowe
de Lugo (VI)	Laughlin	Solomon
Deal	Lazio	Spence
DeLay	Leach	Stark
Deutsch	Lehman	Stearns
Diaz-Balart	Levin	Stump
Dickey	Levy	Sundquist
Dingell	Lewis (CA)	Swett
Dixon	Lewis (FL)	Talent
Doolittle	Lightfoot	Tanner
Dorman	Linder	Tauzin
Dreier	Livingston	Taylor (NC)
Duncan	Long	Tejeda
Edwards (CA)	Machtley	Thomas (CA)
Emerson	Manton	Thomas (WY)
Engel	Manzullo	Torkildsen
English (AZ)	Margolies-	Torres
Eshoo	Mezvinzky	Tortorelli
Evans	Martinez	Trafcant
Everett	Mazzoli	Tucker
Ewing	McCandless	Upton
Far:	McCollum	Velázquez
Fawell	McCurdy	Vucanovich
Fazio	McHugh	Walker
Fields (IA)	McInnis	Walsh
Flner	McKeon	Walters
Fingerhut	McKinney	Waxman
Fish	McMillan	Weldon
Fowler	McNulty	Wilson
Franks (CT)	Meek	Wolf
Franks (NJ)	Menéndez	Woolsey
Frost	Meyers	Young (AK)
Galleky	Mfume	Young (FL)
Gallo	Mica	Zeliff
Gekas	Michel	Zimmer
Gilchrist	Miller (CA)	

NOES—164

Abercrombie	Hamilton	Peterson (MN)
Allard	Hastings	Pickle
Andrews (ME)	Hayes	Pomeroy
Andrews (NJ)	Hefner	Porter
Bassler	Hilliard	Pottman
Baker (LA)	Hoseland	Poshard
Barca	Houder	Price (NC)
Barca	Hoyer	Rahall
Barrett (WI)	Hughes	Reed
Bevill	Jacobs	Regula
Bonior	Johnson, E.E.	Reynolds
Borsari	Kanjerski	Roemer
Boucher	Kennedy	Rose
Brewster	Klein	Rostenkowski
Browder	Klink	Rubin
Brown (CA)	Kopetski	Sabo
Brown (OH)	Kraemer	Sawyer
Canwell	LaFalce	Schaefer
Cardin	Lambert	Schroeder
Carr	Lanham	Sensenbrenner
Chapman	Lewis (GA)	Sharp
Clay	Lipinski	Shays
Clement	Lloyd	Shepherd
Coble	Lowey	Skaggs
Collins (MI)	Maloney	Starnes
Congers	Mann	Slaughter
Costello	Markley	Smith (IA)
Coyne	Mattei	Spratt
Cramer	McGinley	Stenholm
Craze	McIntyre	Stokes
DeFazio	McDade	Strickland
DeLauro	McDermott	Sundt
Dellums	McFalls	Stupak
Derrick	Meenan	Sweet
Dicks	Mink	Syrar
Dooley	Molohan	Taylor (MS)
Dunn	Montgomery	Thompson
Durbin	Moran	Thornson
Edwards (TX)	Morales	Thurman
English (OK)	Murphy	Town
Flake	Murtha	Underwood (GU)
Foght	Myers	Unsworth
Ford (MI)	Natcher	Valentine
Ford (TN)	Neal (MA)	Vento
Frank (MA)	Norton (DC)	Visclosky
Furse	Oberstar	Volkmmer
Gedenson	Obay	Washington
Gephardt	Olver	Walt
Geren	Orton	Wheat
Gibbons	Owens	Williams
Glickman	Parker	Wise
Gonzalez	Payne (VA)	Wyden
Goodling	Peled	Wynn
Grandy	Penny	Yates
Hall (OR)	Peterson (FL)	

NOT VOTING—10

Riute	Fields (TX)	Romero-Barcelo
Roehl	Henry	(PR)
Falcoonsavaaga (AS)	Houghton	Skoen
	Moxley	Whitten

□ 1304

Messrs. STUPAK, GIBBONS, and WILLIAMS, and Ms. SLAUGHTER changed their vote from "aye" to "no."

Messrs. MFUME, TALENT, SCHUMER, FIELDS of Louisiana, FAZIO, SERRANO, MCCURDY, BLACKWELL, FINGERHUT, JEFFERSON, and TORRES, Mrs. COLLINS of Illinois, and Ms. MCKINNEY changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

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 770 of which 405 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; \$1,950,000,000: *Provided*, That there may be transferred to the Health Resources and Services Administration such

amounts as may be necessary, in the discretion of the Attorney General, 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 \$50,000,000 for the activation of new facilities shall remain available until September 30, 1995.

NATIONAL INSTITUTE OF CORRECTIONS

For carrying out the provisions of sections 4351-4353 of title 18, United States Code, which established a National Institute of Corrections, and for the provision of technical assistance and advice on corrections related issues to foreign governments, \$16,211,000 to remain available until expended.

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; \$175,000,000 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 not to exceed \$16,000,000 from unobligated balances shall be available for the Cooperative Agreement Program (CAP): *Provided further*, 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 compliance with provisions set forth in section 605 of this Act: *Provided further*, That unless a notification as required under section 6505 of this Act is submitted to the Committee on Appropriations of the House and Senate, none of the funds in this Act for the CAP shall be available for a cooperative agreement with a State or local government for the housing of Federal prisoners and detainees when the cost per bed space for such cooperative agreement exceeds \$50,000, and in addition, any cooperative agreement with a cost per bed space that exceeds \$25,000 must remain in effect for no less than 15 years.

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 104 of the Government Corporation Control Act, as amended, 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 five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES,
FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed \$3,100,000 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 prescribed accounting system in effect on July 1, 1976, 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.

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. Subject to subsection (b) of section 102 of the Department of Justice and Related Agencies Appropriations Act, 1993, authorities contained in Public Law 96-132, "The Department of Justice Appropriation Authorization Act, Fiscal Year 1980", 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 under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 104. 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 103 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 105. Pursuant to the provisions of law set forth in 18 U.S.C. 3071-3077, not to exceed \$2,000,000 of the funds appropriated to the Department of Justice in this title shall be available for rewards to individuals who furnish information regarding acts of terrorism against a United States person or property.

SEC. 106. For fiscal year 1994 and thereafter, deposits transferred from the Assets Forfeiture Fund to the Buildings and Facilities account of the Federal Prison System may be used for the construction of correctional institutions, and the construction and renovation of Immigration and Naturalization Service and United States Marshals Service detention facilities, and for the authorized purposes of the Cooperative Agreement Program.

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 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 this section shall not apply to any appropriation made available in title I of this Act under the

heading, "Office of Justice Programs, Justice Assistance": *Provided further*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 108. Notwithstanding 31 U.S.C. 3302 or any other statute affecting the crediting of collections, the Attorney General may credit, as an offsetting collection, to the Department of Justice Working Capital Fund, for fiscal year 1994 and thereafter, up to three percent of all amounts collected pursuant to civil debt collection instigation activities of the Department of Justice. Such amounts in the Working Capital Fund shall remain available until expended and shall be subject to the terms and conditions of that fund, and shall be used only for paying the costs of processing and tracking such litigation.

SEC. 109. (a) Section 524(c)(9)(E) of title 28, United States Code, as amended, is further amended by inserting "up to and including September 30, 1993," immediately after the phrase "and on September 30 of each fiscal year thereafter,".

(b) Notwithstanding any other provision of law, the first \$20,000,000 of the amounts made available in fiscal year 1994 from surplus amounts remaining on September 30, 1993, in accordance with section 524(c)(9)(E) of title 28, United States Code, as amended, shall be transferred to Federal Prison System, "Buildings and facilities".

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$7,565,000, of which \$2,000,000 is for regional offices and \$700,000 is for civil rights monitoring activities authorized by section 5 of Public Law 98-183; *Provided*, That not to exceed \$20,000 may be used to employ consultants; *Provided further*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner; *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the Chairman who is permitted 125 billable days.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621-634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; not to exceed \$25,000,000, for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964 as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991; \$230,000,000; *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized

by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901-02; not to exceed \$450,000 for land and structures; not to exceed \$300,000 for improvement and care of grounds and repair to buildings; not to exceed \$4,000 for official reception and representation expenses; purchase (not to exceed sixteen) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109; \$129,889,000, of which not to exceed \$300,000 shall remain available until September 30, 1995, for research and policy studies.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act of 1936, as amended (46 App. U.S.C. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-02, \$18,383,000; *Provided*, That not to exceed \$2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed \$2,000 for official reception and representation expenses; \$88,740,000; *Provided*, That notwithstanding any other provision of law, not to exceed \$19,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended; *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1994, so as to result in a final fiscal year 1994 appropriation estimated at not more than \$69,740,000; *Provided further*, That any fees received in excess of \$19,000,000 in fiscal year 1994 shall remain available until expended, but shall not be available for obligation until October 1, 1994; *Provided further*, That none of the funds made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102-242, 105 Stat. 2282-2285).

NATIONAL COMMISSION TO SUPPORT LAW ENFORCEMENT

SALARIES AND EXPENSES

For necessary expenses of the National Commission to Support Law Enforcement, \$500,000, as authorized by section 211(B) of Public Law 101-615 (104 Stat. 2122), to remain available until expended.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed \$3,000 for official reception and representation expenses, \$57,856,000, of which not to exceed \$10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions, and of which not to exceed \$100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and

staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (i) such incidental expenses as meals taken in the course of such attendance; (ii) any travel or transportation to or from such meetings, and (iii) any other related lodging or subsistence.

In addition, upon enactment of legislation amending the Investment Advisers Act of 1940 (15 U.S.C. 80b-1 et seq.), and subject to the schedule of fees contained in such legislation, the Commission may collect not to exceed \$16,600,000 in fees, and such fees shall be deposited as an offsetting collection to this appropriation to recover the costs of registration, supervision, and regulation of investment advisers and their activities; *Provided*, That such fees shall remain available until expended.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by The State Justice Institute Authorization Act of 1988 (Public Law 100-690 (102 Stat. 4466-4467)), \$13,550,000, to remain available until expended; *Provided*, That not to exceed \$2,500 shall be available for official reception and representation expenses.

This title may be cited as the "Department of Justice and Related Agencies Appropriations Act, 1994".

TITLE II—DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, \$210,000,000, to remain available until expended, of which not to exceed \$5,880,000 may be transferred to the "Working Capital Fund".

Mr. SMITH of Iowa (during the reading). Mr. Chairman, I ask unanimous consent that the portion of the bill through page 32, line 18, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order to the material just referred?

Are there any amendments to the material just referred?

The Clerk will read.

The Clerk read as follows:

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership, the Advanced Technology Program and the Quality Outreach Program of the National Institute of Standards and Technology, \$162,000,000, to remain available until expended, of which not to exceed \$1,290,000 may be transferred to the "Working Capital Fund".

POINT OF ORDER

Mr. WALKER. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WALKER. Mr. Chairman, I make the point of order that on page 32, lines 19 through 26, there are unauthorized appropriations, in violation of clause 2, rule XXI, of the rules of the House.

Mr. SMITH of Iowa. Mr. Chairman, I concede the point of order.

The CHAIRMAN (Mr. BROWN of California). The point of order is conceded and is sustained by the Chair. The paragraph is stricken.

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c-278e, \$51,686,000, to remain available until expended.

POINT OF ORDER

Mr. DIAZ-BALART. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DIAZ-BALART. Mr. Chairman, I make a point of order against the language appearing in the bill on page 33, lines 1 through 6. The paragraph provides appropriations that have not been authorized by law and is in violation of House rule XXI, clause 2(a).

Mr. SMITH of Iowa. Mr. Chairman, I concede this program is not authorized at this point.

The CHAIRMAN (Mr. BROWN of California). The point of order is conceded.

The Chair sustains the point of order. The paragraph is stricken.

The Clerk will read.

The Clerk read as follows:

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including acquisition, maintenance, operation, and hire of aircraft; not to exceed 439 commissioned officers on the active list; as authorized by 31 U.S.C. 1343 and 1344; construction of facilities, including initial equipment as authorized by 33 U.S.C. 8831; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and alteration, modernization, and relocation of facilities as authorized by 33 U.S.C. 8831; \$1,650,000,000, to remain available until expended; and in addition, \$55,544,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries".

AMENDMENT OFFERED BY MR. WALKER

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

The Clerk read as follows:

Amendment Offered by Mr. WALKER:
Page 33, line 21, strike "\$1,650,000,000" and insert in lieu thereof "\$1,640,366,000".

Mr. SMITH of Iowa. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto be limited to 10 minutes, to be divided equally 5 minutes on each side.

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

There was no objection.

Mr. WALKER. Mr. Chairman, what this amendment does is cut the bill by \$9.6 million. Let me explain what I am doing here. The President's original intent in his 1994 budget request for the National Oceanic and Atmospheric Administration was to put some money into the new radar systems for weather forecasting, but to reduce some other programs that have now had money added back into them by this bill.

Mr. Chairman, let me tell you about the programs where we have added money. This is over and above the President's request:

The Land Information System, Observation buoys, Non-point pollution, Marine sanctuary sites program, Oyster disease research, Aquaculture, Atlantic Bluefin Tuna Research, Center for Shark Research, Fisheries Management Program, Columbia River Smolt, International Fisheries Commission, Beluga Whale Committee, Fishery Observers Training, East Coast Observers, Andromous Fishery project, Atmospheric modification grant, Southeastern storm research, Susquehanna Riv. Flood System, Marine prediction research, Sea grant college program, Sea Grant-Zebra Mussel, National Coastal R&D Institute, and NOAA Undersea Research Program, (NURP).

□ 1310

All of those are programs where this committee added money over and above what the President requested to the tune of \$37 million.

The committee, though, also then cut \$27 million out of the money for the new radar system for weather.

I would submit to my colleagues that a lot of these programs are worthwhile, but what they could do is live within the moneys that the President requested for them.

I also submit to Members that it is necessary to move on for public safety with the new generation of radar systems. What this amendment does is it strikes the money that was added for these programs and at the same time allows \$27 million to be reserved for the purpose of the new Doppler radars that will provide us with the advanced weather interactive processing system. It seems to me that when we start trading off public safety for a lot of these projects that some Members would regard as pork that we are doing the wrong thing. So what this amendment adds up to is a cut of about \$10 million overall but it, at the same time, redistributes the priorities in a way to go back to the President's original numbers and at the same time provide \$27 million for the new generation of radars that I believe we need, if we are to provide the public safety for this country in the future.

I would ask that the House support me in cutting some money but at the same time moving away from pork toward public safety.

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

Mr. SMITH of Iowa. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we can not tell for sure what would be cut out by the gentleman's amendment.

If I could have the attention of the gentleman from Pennsylvania, certain programs funded under NOAA are not authorized at this point, and certain items were not included in the budget request. We did continue to put the money in to continue at the existing level some of these initiatives that have been under way for some time. Until we go to conference on this bill, we do not know for sure what the funding levels will be.

Now, in view of that, the gentleman is only cutting \$10 million out of a \$1.65 billion account. If he does not intend to have a rollcall vote on this, I am not going to make a big issue out of it. We do not know for sure yet where we are yet on NOAA. And with that in mind, while I oppose the amendment, I am not going to ask for a recorded vote, if it carries, Mr. Chairman.

Mr. WALKER. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. STEARNS), who wanted to take a little bit of time here in favor of the amendment.

Mr. STEARNS. Mr. Chairman, I thank the gentleman for yielding me this time so that I may speak in support of this amendment. Earlier today, the committee approved a point of order raised striking language in the bill funding unrequested earmarks.

While I am not seeking a specific earmark at this time, I would like to bring to the distinguished chairman's attention and that of my other colleagues a concern several of my colleagues and I share—and that is the level of funding that has been currently allocated toward the National Weather Service.

The National Weather Service serves a major national interest in providing us with the most up to date and accurate meteorological, hydrologic, and oceanographic warnings, warnings forecast, and planning information to ensure the safety of the population, mitigate property losses and improve the economic efficiency of the Nation.

Specifically, the National Weather Service needs additional funding to develop and deploy its advanced weather interactive processing system. This need to modernize the NWS has never been more apparent than in recent times. The Nation has witnessed the tragedy and destruction Hurricane Andrew brought upon the citizens of Florida, and States in the gulf coast all the way up the Atlantic coast. Aside from the huge economic losses that have been suffered in my State of Florida, the emotional and human toll is immeasurable.

The bottom line is this—we need to lend more support to the NWS so that it may provide us with more timely and accurate weather and flood warning and forecast services to the public.

We all benefit from the services of the NWS. One program under the NWS that has already helped the entire Nation is the next generation weather radar [Nexrad]. Nexrad will replace existing obsolete weather radars and enhance severe weather and flood warnings. If you turn on your local news, the weatherman will often mention the use of Doppler radar. This advanced Doppler system can increase tornado warning lead times and reduce false alarms. In short, it saves lives. The Midwest has experienced a large number of tornadoes and mother nature does not discriminate. Natural disasters can and do occur everywhere. Furthermore, accurate mapping of heavy rainfall also will be possible on a wide scale, enabling extensive improvements in forecasting of flash floods and river flooding.

Mr. Chairman, I could go further explaining the innumerable benefits the National Weather Service provides to us, but I think the message is clear—it needs our assistance. Let us do our part so that they can carry out their mission and better serve the public and save lives.

Mr. WALKER. Mr. Chairman, let me say to the gentleman that I thank him for being a cosponsor of the point of order that just succeeded.

Mr. SMITH of Iowa. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. FARR].

Mr. FARR of California. Mr. Chairman, I rise in opposition to this amendment.

I represent a coastal area of California, which the Congress of the United States has designated as the largest marine sanctuary in the United States, the Monterey Bay National Marine Sanctuary. Part of the reason for that designation is that they wanted this country not only to preserve but to understand the new frontier of interaction between the coast and the land.

Part of that interaction is the investment we have made in the Fleet Numerical Weather Station, which is the largest Navy center for ocean weather predictions. Part of the need for that is in the cuts that have been mentioned here today. That is to take out the observation buoys, which were added by the committee. These observation buoys help the domestic fisheries fleet; these buoys help the Weather Service.

I think it would be penny-wise and pound-foolish to delete this appropriation. There is also, as part of the National Marine Sanctuary Program, a massive educational opportunity for this country to learn more about the new frontier that we have created. I would suggest to this House that adoption of this amendment would take a giant step backward for what has been done in previous years to make this country more aware of the ocean and the opportunities of that ocean by providing the update, instrument and education process that this appropriation allows.

I oppose the amendment.

Mr. Chairman, I rise today to commend the leadership of Chairman SMITH and the foresight of the committee for including an important level of funding for National Oceanic and Atmospheric Administration [NOAA] programs that are vital to California's central coast and the Nation.

I applaud the committee for achieving considerable savings in this bill by keeping total spending 5 percent below the administration's request, yet seeing to it that an efficient level of funding was retained for the National Marine Sanctuary Program, the Center for Ocean Analysis and Prediction [COAP] and the central California observation buoys. These are all high priority for NOAA's management and research operations and I am very pleased that the legislation reflects this fact.

By increasing the level of funding for the Marine Sanctuary Program by \$2 million over the administration's request and last year's level, we will be taking an important step to ensure the efficient management of our Nation's marine sanctuaries. I also appreciate the committee's recognition that even with this level of funding, NOAA may have difficulties in carrying out the effective management of the program. This national program includes the recently designated Monterey Bay National Marine Sanctuary in my district. The designation of the sanctuary as the largest marine sanctuary in the United States was a milestone for the people of California's 17th Congressional District, who cherish the resource, and for the Nation. The management of the sanctuary is now in a formative stage and is dependent on a strong level of funding.

The California observation buoys off the coast of my district have proven imperative for guaranteeing the safety of mariners in California waters and it is essential that they remain in operation.

I also want to emphasize the importance of the operations conducted at NOAA's Center for Ocean Analysis and Prediction. The establishment of COAP was intended to provide the United States with crucial information pertaining to our national defense, fishery and coastal zone management, maritime transportation, and weather forecasting. With expanded research necessitated by the Monterey Bay National Marine Sanctuary, COAP fills a critical roll for NOAA through cooperation with other marine research institutions in the area. In addition to the tremendous contribution COAP lends to our Nation's marine understanding, given the devastating impact of the closure of the Fort Ord Light Infantry Base in my district, Federal and private collaboration of resources such as those of COAP will be essential for the economic health of this community. COAP makes good scientific and national security sense and represents intelligent use of Federal resources.

Again, I commend the chairman and the committee for approving this important legislation and I urge my colleagues to support its passage.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to 16 U.S.C. 1456a, not to exceed \$7,800,000, for purposes set forth in 16 U.S.C. 1456a(b)(2).

CONSTRUCTION

For repair and modification of, and additions to, existing facilities and construction of new facilities, and for facility planning and design and land acquisition not otherwise provided for the National Oceanic and Atmospheric Administration, \$89,775,000, to remain available until expended.

FLEET MODERNIZATION, SHIPBUILDING AND CONVERSION

For expenses necessary for the repair, construction, acquisition, leasing, or conversion of vessels, including related equipment to maintain and modernize the existing fleet and to continue planning the modernization of the fleet, for the National Oceanic and Atmospheric Administration, \$23,064,000, to remain available until expended.

FISHING VESSEL OBLIGATIONS GUARANTEES

For the cost, as defined in section 502 of the Federal Credit Reform Act of 1990, of guaranteed loans authorized by the Merchant Marine Act of 1936, as amended, \$459,000.

FISHING VESSEL AND GEAR DAMAGE COMPENSATION FUND

For carrying out the provisions of section 3 of Public Law 95-376, not to exceed \$1,273,000, to be derived from receipts collected pursuant to 22 U.S.C. 1980 (b) and (f), to remain available until expended.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$999,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96-339), the Magnuson Fishery Conservation and Management Act of 1976, as amended (Public Law 100-627) and the American Fisheries Promotion Act (Public Law 96-561), there are appropriated from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed \$550,000, to remain available until expended.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of Commerce provided for by law, including not to exceed \$3,000 for official entertainment, \$33,042,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General Act in carrying out the provision of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1-11 as amended by Public Law 100-504), \$15,830,000.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, \$131,170,000.

PERIODIC CENSUSES AND PROGRAMS

For expenses necessary to collect and publish statistics for periodic censuses and programs provided for by law, \$110,000,000, to remain available until expended.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce,

\$45,220,000, to remain available until September 30, 1995.

INTERNATIONAL TRADE ADMINISTRATION
OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and engaging in trade promotional activities abroad without regard to the provisions of law set forth in 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad not to exceed \$30,000 per vehicle, obtain insurance on official motor vehicles; and rent tie lines and tele-type equipment; \$221,445,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to 15 U.S.C. 4912; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

EXPORT ADMINISTRATION
OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$22,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law; \$34,747,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities.

MINORITY BUSINESS DEVELOPMENT AGENCY
MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$38,362,000, of which \$22,800,000

shall remain available until expended: *Provided*, That not to exceed \$15,562,000 shall be available for program management for fiscal year 1994.

Mr. SMITH of Iowa (during the reading). Mr. Chairman, I believe the next point of order or amendment is on page 39 after line 15. In view of that, I ask unanimous consent that the portion of the bill through page 39, line 15, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order against the material up to page 39, line 15?

If not, are there any amendments up to that point?

If not, the Clerk will read.

The Clerk read as follows:

UNITED STATES TRAVEL AND TOURISM
ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the United States Travel and Tourism Administration including travel and tourism promotional activities abroad for travel to the United States and its possessions without regard to 44 U.S.C. 501, 3702 and 3703, including employment of American citizens and aliens by contract for services abroad; rental of space broad for periods not exceeding five years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; advance of funds under contracts abroad; payment of tort claims in the manner authorized in the paragraph of 28 U.S.C. 2672, when such claims arise in foreign countries; and not to exceed \$15,000 for official representation expenses abroad; \$17,120,000, to remain available until expended: *Provided*, That none of the funds appropriated by this paragraph shall be available to carry out the provisions of section 203(a) of the International Travel Act of 1961, as amended: *Provided further*, That in addition to fees currently being assessed and collected, the Administration shall charge users of its services, products, and information, fees sufficient to result in an additional \$3,000,000, to be deposited in the General Fund of the Treasury.

POINT OF ORDER

Mr. DINGELL. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

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

Mr. DINGELL. Mr. Chairman, I make a point of order against the language of the bill commencing at and including all of line 16, page 39, down through the end of and including all of line 16 at page 40.

The point of order is that this constitutes a violation of rule XXI, clause 2, in that it is legislation in an appropriation bill and raises approval of provisions which, in fact, are authorizations or are expenditures which are unapproved by authorization by law.

The CHAIRMAN. Does the gentleman from Iowa [Mr. SMITH] wish to be heard on the point of order?

Mr. SMITH of Iowa. Mr. Chairman, one part of this is not subject to a point of order. I am getting a substitute ready to put back in the part that is not subject to a point of order.

□ 1320

Mr. Chairman, I concede that point of order on the last proviso.

The CHAIRMAN. (Mr. BROWN of California). The gentleman from Iowa [Mr. SMITH] concedes the point of order. The Chair sustains the point of order, and the paragraph is stricken.

AMENDMENT OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Iowa: Page 39, after line 15, insert the following:

UNITED STATES TRAVEL AND TOURISM
ADMINISTRATION
SALARIES AND EXPENSES

For necessary expenses of the United States Travel and Tourism Administration \$17,120,000. *Provided*, That none of the funds appropriated by this paragraph shall be available to carry out the provisions of section 203(a) of the International Travel Act of 1961, as amended:

Mr. DINGELL. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Michigan [Mr. DINGELL] reserves a point of order on the amendment.

Mr. SMITH of Iowa. Mr. Chairman, my amendment puts the funding for USTTA back in the bill, and that part of the paragraph that was a limitation on an appropriations bill only. It does not put back in the part of the language that was subject to the original point of order.

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

Mr. Chairman, H.R. 2519 specifically prohibits the U.S. Travel and Tourism Administration from funding the Cooperative Marketing Program, which was created by legislation last year, and mandated in the Tourism Policy and Export Promotion Act.

The Cooperative Marketing Agreement Program provides Federal funds in the form of matching grants to States and to local tourism initiatives to promote international tourism. Last year international tourism brought in \$16 billion more in revenue to the United States than our fellow citizens spent abroad. It was a \$16 billion balance of payments winter for America.

The program is designed to encourage tourism agencies that previously have been excluded from promoting international tourism to engage in tourism promotion activities abroad, to encourage other citizens of other countries to come to the United States, see our wonders, and spend their money in our country.

The USTTA has literally been flooded with calls from all 50 States expressing interest in the program. Every day the agency gets at least three or four calls from State organizations who

want to engage in a tourism promotion activity. For example, Minnesota and the other States along the Mississippi River and the Great Lakes States are organizing a program to promote tourism among the fresh water wonders, where we have 50 percent of the fresh water on the face of the Earth in the Great Lakes States.

However, the way this language was crafted was that it takes 25 percent of the total budget of USTTA and reserves it for this grant program. I would like to talk further with the gentleman from Michigan [Mr. DINGELL], chairman of the Committee on Energy and Commerce, which has authority over this program, to see if in the future we could craft an amendment that might mitigate the way in which it is constructed, so it would not take one-fourth of the total USTTA budget.

The point is this is a very good initiative. It would get started this year, if only the money could be made available, but the amount was reduced from the administration's budget.

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

Mr. OBERSTAR. I am glad to yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, I want to thank the gentleman, and I want to commend him for his comments. He was very interested in this business of trying to see to it that we have a workable program to encourage tourism in the United States. It is a very valuable thing.

I want it clear what my good friend, and I love him, the gentleman from Iowa [Mr. SMITH] is doing. He is seeking to change the entire formula that is referred to by the gentleman from Minnesota [Mr. OBERSTAR], and he is seeking to see to it that no longer will that money, which has been going to the States to encourage tourism through State efforts, be available.

This is a regrettable thing. It is directly in contravention of the intention of every one of the Members in every one of the committees which worked on this matter, and which achieved a successful program which was broadly accepted by the Governors, by the States, by the travel, and by the tourism industry.

It confounds me that my good friend, the gentleman from Iowa [Mr. SMITH], a man of enormous intelligence and rectitude, would come forward with a curious amendment of this sort. I would urge my colleagues, if I do not succeed in my point of order, to vote this amendment down, and we will try to address this thing properly.

This is a clear attempt by the Committee on Appropriations to stifle something which is working well, and something which was approved by every committee which worked on the matter the last time, and something which has been thoroughly and enthusiastically accepted by all of the State agencies, and indeed, by the travel and tourism industry.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield to me?

Mr. OBERSTAR. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Chairman, I would like to have the gentleman's attention.

Mr. DINGELL. The gentleman has my attention, Mr. Chairman.

Mr. SMITH of Iowa. I would say to the gentleman, here is what the situation is. By putting this new provision in and saying 25 percent of the money has to be used for this purpose, what the gentleman did was to take that out of all the other operations in the Travel and Tourism Administration. They are not able to absorb that kind of a cut, especially in 1 year.

What the gentleman did by saying that 25 percent had to be used for a new purpose was to appropriate on an authorization bill. That is not what he is supposed to do. He is deciding that the appropriations for other purposes shall be limited to 25 percent, and 25 percent of the whole bill shall be used for this one purpose.

I understand from good sources, I think, that that is not what the gentleman intended to do. I think it can be worked out. The gentleman from Washington [Mr. SWIFT] is the chairman of the authorizing subcommittee, and I do not have any question but what it could be worked out legislatively. As it stands now, that is what the gentleman is doing, appropriating on a legislative bill.

I think it can be worked out so it does what the gentleman intends to do, instead of what the gentleman does not intend to do.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. OBERSTAR] has expired.

(At his own request, and by unanimous consent, Mr. OBERSTAR was allowed to proceed for four additional minutes.)

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

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

Mr. DINGELL. Mr. Chairman, the distinguished gentleman from Iowa [Mr. SMITH] is one of my oldest and most esteemed and valuable friends.

Mr. SMITH of Iowa. If the gentleman will yield, I concede his statement, instead of all the flattery.

Mr. DINGELL. Mr. Chairman, I yield to no man in my respect and affection for the gentleman from Iowa [Mr. SMITH]. However, it is regrettable, indeed, that his interpretation of the rules of the House is so incorrect. It surprises me to find a man of this skill with such an inadequate interpretation of the rules.

Mr. SMITH of Iowa. If the gentleman will yield, what we need is to adhere to the House rule that says, "You cannot appropriate on a legislative bill."

Mr. DINGELL. I would say to the gentleman, we have not and we do not appropriate, in the Committee on Energy and Commerce. It is possible there

are other committees around here that are not so constrained.

Mr. SMITH of Iowa. I would ask the gentleman, why does he not go along with this, and then we can correct it?

Mr. DINGELL. It is very clear, however, that my dear friend seeks to legislate in an appropriation bill. That is something which the rules of the House address with great probity. Beyond that, the gentleman says what we seek to do is remove 25 percent from this agency for purposes of making it available to States. That is precisely correct, and that is precisely what the gentleman seeks to undo.

My dear friend says we can work this thing out. I think there is a splendid way in which we can work this thing out, and I am anxious to do so. I would suggest to the House that the best way in which this could be done is not by permitting the gentleman to come forward with an amendment of this curious sort, founded upon such a regrettable understanding of the rules of the House, but rather, it would be better that we simply excise the whole of the matter, and then I assure the gentleman of my best efforts to work with him as he goes to conference with the Senate, where he will address this matter with Senator HOLLINGS and other Members of the Senate who happen to have an identical feeling to my own on this matter, which is considerably at variance with the feelings of my dear friend, the gentleman from Iowa.

Mr. SMITH of Iowa. Will the gentleman yield?

Mr. OBERSTAR. I am happy to yield to the gentleman from Iowa.

Mr. SMITH of Iowa. In all seriousness, this has been a heavily personnel-directed agency. A 25-percent cut from an agency which spends so much on personnel is just too much for 1 year.

□ 1330

Even if you want to redirect the program toward grants, it is just too much for 1 year.

Mr. DINGELL. Will the gentleman yield just a bit more, please?

Mr. OBERSTAR. I would like to reclaim a moment for myself to simply observe that had the Appropriations Committee not felt it necessary to cut \$3 million out of the administration's request we would not be facing this problem.

I yield to the gentleman from Michigan.

Mr. DINGELL. The gentleman is correct. This does afford a requirement that 25 percent of the money of the agency now go to newer and better uses. And I applaud that, and I am sure everybody else who has studied that agency comes to that same happy conclusion.

Here is the problem which we confront: There are a lot of people who have been sitting around in that agency twiddling their thumbs, doing less than an adequate job. It always pains me to see good people forced into that kind of a situation.

I would suggest the best thing we can do for the people who have had that unfortunate circumstance is that we remove them from their employment and allow them to seek elsewhere where they might make a more constructive contribution to the Government of their country.

Mr. SMITH of Iowa. If the gentleman will yield once more, when you cut that much in personnel the first year, it requires more money instead of less because RIF's cost money, and you are going to have less money left instead of more. You cannot reduce personnel that fast without actually hurting all of the programs that are in the agency, and a 25-percent reduction would be too much for 1 year.

Mr. OBERSTAR. In my judgment, the purposes of tourism and the purposes of this provision of the substantive law would be better served if there were an authorization of a specific amount, perhaps increasing over a period of a defined number of years for this export promotion, tourism program.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota have 3 additional minutes.

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

Mr. ROGERS. Reserving the right to object, Mr. Chairman, how long shall we go on with this, I ask the gentleman? We have a lot of other amendments and we have a 2:30 deadline. Can we wrap this up?

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

Mr. Chairman, I am happy to yield to my dear friend, the gentleman from Minnesota, [Mr. OBERSTAR] who has been most generous to me.

Mr. OBERSTAR. Mr. Chairman, I simply wanted to observe that I think that the best cure for the problem that we are facing here would be in the future to consider an amendment to the substantive law that would set aside a specific amount for the Tourism Policy and Export Promotion Act of grants to States and units of local government for tourism promotion, set a specific dollar amount rather than take 25 percent out the total amount available for this very small agency.

But that is a matter entirely within the jurisdiction of the gentleman from Michigan, and I look forward to working with him in my capacity as chair of the Travel and Tourism Caucus. But for the present moment, we have to deal with the law that is in place, and the gentleman has another agenda for that objective.

Mr. DINGELL. I think the gentleman makes eminently good sense. As soon as I can get some drafting done I will have a little amendment which I think will enable us to move forward in our

understanding of what is good legislative policy.

I will tell my special friend from Iowa, for whom I have enormous affection, that it will be my purpose to work with him. I am not trying to drive anybody from employment. But this is a matter which our committee has gone to great detail. This is not the first time that I have had the misfortune to speak on this subject on the House floor, nor the House to have the misfortune to listen to me on this rather tedious subject.

However, the hard fact of the matter remains that the agency has not been doing the job which it should do over time.

The committee very nearly excised the entire agency. The reason we would do so was that we had been spending money for a goodly period of time and accomplishing nothing, or very little. That is hardly the way in which the public money should be spent. Instead, the last time this matter was up for authorization the committee came to the conclusion that some of this money should be earmarked for expenditures by the States, and that in so doing we would then and thereby achieve the purpose of expanding tourism, and do so in a way that would achieve the greatest benefit per dollar spent.

I am very happy to keep the agency in being. I want to see it function as a coordinating agency. I recognize that getting tourism in Iowa, or Kentucky where my dear friend from Kentucky comes from, is done best by the State agency and not by a bureaucracy in Washington which sits and happily shuffles papers from one side of the desk to the other.

The purpose here is a simple one, and that is to see to it that we continue the new process which will give us an incentive for the States and an ability for the States to go out and procure tourism at the State and local level, and not to have some bureaucrat in Washington dealing with questions about which he knows very little. Indeed, it is the history of this agency that over time they have spent a great deal of money on travel and entertainment and other matters, and regretably have spent very little in actually procuring travelers to visit our shores, and to see what goes on in different parts of our country, and to go to see the beauties of Iowa, or the beauties of Kentucky, or the beauties of Michigan or Minnesota or any of the other great States.

So I would urge my colleagues if they really want to do something to help their State, to help their tourism industry, to see to it that the country prospers by bringing in tourists, oppose what it is that my dear friends on the Appropriations Committee have tried to do and move forward towards the idea of seeing to it that we concentrate now on making a program which is working to work as well as we possibly can by seeing to its funding, not by stripping it of funds.

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

Mr. DINGELL. I am happy to yield to my dear friend, the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, the gentleman makes a very valid point. There have been mistakes made by the USTTA in years past, and we now have a new administration, and a new Secretary of Commerce who was raised in the tourism sector, who wants tourism promotion to succeed, and will clear out the errors of the past. And I know that the gentleman from Michigan, with his vigorous oversight ability, will suggest ways to make this agency work better, and we in the Travel and Tourism Caucus will work with the gentleman toward that objective. We want the agency to work. It is lean and we want it to work best for the traveling public at home and to be successful in bringing tourism into the United States from other countries.

Mr. DINGELL. I agree with the gentleman. And this is no surprise to the agency. They knew this cut was coming.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Michigan [Mr. DINGELL] insist upon his point of order?

Mr. DINGELL. Mr. Chairman, I do insist upon my point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DINGELL. The point of order, if I may be heard on this matter, the point of order is that under clause 2(c) of rule XXI, an amendment in this form is not in order at this point.

The CHAIRMAN (Mr. BROWN of California). The gentleman has correctly stated the rules, that an amendment in the form of a limitation is not in order until the end of the bill.

The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Patent and Trademark Office provided for by law, including defense of suits instituted against the Commissioner of Patents and Trademarks: \$88,329,000, to remain available until expended, to be derived from deposits in the Patent and Trademark Office Fee Surcharge Fund as authorized by law: *Provided*, That the amounts made available under the Fund shall not exceed amounts deposited; and such fees as shall be collected pursuant to 15 U.S.C. 1113 AND 35 U.S.C. 41 and 376 shall remain available until expended.

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Technology Administration, \$4,500,000.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration, \$18,927,000, to remain available until expended.

**PUBLIC TELECOMMUNICATIONS FACILITIES,
PLANNING AND CONSTRUCTION**

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$20,254,000, to remain available until expended as authorized by section 391 of said Act, as amended: *Provided*, That not to exceed \$2,000,000 shall be available for program administration as authorized by section 391 of said Act: *Provided further*, That notwithstanding the provisions of section 391 of said Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$21,746,000, to remain available until expended as authorized by section 391 of said Act, as amended: *Provided*, That not to exceed \$2,000,000 shall be available for program administration as authorized by section 391 of said Act: *Provided further*, That notwithstanding the requirements of section 392 (a) and 392(c) of such Act, these funds may be used for the planning and construction of telecommunications networks.

**ENDOWMENT FOR CHILDREN'S EDUCATIONAL
TELEVISION**

For expenses necessary to carry out the provisions of the National Endowment for Children's Educational Television Act of 1990, title II of Public Law 101-437, including costs for contracts, grants and administrative expenses, \$1,000,000, to remain available until expended.

**GENERAL PROVISIONS—DEPARTMENT OF
COMMERCE**

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and the manner prescribed by said Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 203. None of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

SEC. 204. None of the funds provided in this or any previous Act, or hereinafter made available to the Department of Commerce shall be available to reimburse the Unemployment Trust Fund or any other fund or account of the Treasury to pay for any expenses paid before October 1, 1992, as authorized by section 8501 of title 5, United States Code, for services performed after April 20, 1990, by individuals appointed to temporary positions within the Bureau of the Census for purposes relating to the 1990 decennial census of population.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation 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 or expenditure except in compliance with the procedures set forth in that section.

This title may be cited as the "Department of Commerce Appropriations Act, 1994".

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance and operation of an automobile for the Chief Justice, not to exceed \$10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve; \$22,326,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U.S.C. 13a-13b, \$2,699,000, of which \$300,000 shall remain available until expended.

**UNITED STATES COURT OF APPEALS FOR THE
FEDERAL CIRCUIT**

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, \$13,127,000.

**UNITED STATES COURT OF INTERNATIONAL
TRADE**

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services as authorized by 5 U.S.C. 3109, and necessary expenses of the court, as authorized by law, \$11,100,000.

**COURTS OF APPEALS, DISTRICT COURTS, AND
OTHER JUDICIAL SERVICES**

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active services, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, \$2,189,131,000 (including the purchase of firearms and ammunition); of which not to exceed \$20,000,000 shall remain available until expended for space alteration projects; and of which \$500,000 is to remain available until expended for acquisition of books, periodicals, and newspapers, and all other legal reference materials, including subscriptions.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$2,063,000 to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organizations, the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended, the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act (18

U.S.C. 3006A(e)), the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel, the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences, and the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d), \$297,252,000, to remain available until expended as authorized by 18 U.S.C. 3006A(l).

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)); \$77,095,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

For necessary expenses, not otherwise provided for, incident to the procurement, installation, and maintenance of security equipment and protective services for the United States Courts in courtrooms and adjacent areas, including building ingress-egress control, inspection of packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702); \$34,500,000, to be expended directly or transferred to the United States Marshals Service which shall be responsible for administering elements of the Judicial Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

**ADMINISTRATIVE OFFICE OF THE UNITED
STATES COURTS**

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, \$44,612,000, of which not to exceed \$7,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, \$18,467,000; of which \$1,800,000 shall remain available through September 30, 1995, to provide education and training to Federal court personnel; and of which not to exceed \$1,000 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund as authorized by 28 U.S.C. 377(o), \$20,000,000 to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), and in addition to the Claims Court Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), \$545,000.

UNITED STATES SENTENCING COMMISSION
SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, \$8,458,000, of which not exceed \$1,000 is authorized for official reception and representation expenses.

GENERAL PROVISIONS—THE JUDICIARY

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Appropriations made in this title shall be available for salaries and expenses of the Special Court established under the Regional Rail Reorganization Act of 1973, Public Law 92-236.

SEC. 303. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but 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 or expenditure except in compliance with the procedures set forth in that section.

SEC. 304. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed \$10,000 and shall be administered by the Director of the Administrative Office of the United States Courts in his capacity as Secretary of the Judicial Conference.

This title may be cited as "The Judiciary Appropriation Act, 1994".

TITLE IV—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

OPERATING-DIFFERENTIAL SUBSIDIES
(LIQUIDATION OF CONTRACT AUTHORITY)

For the payment of obligation incurred for operating-differential subsidies as authorized by the Merchant Marine Act, 1936, as amended, \$240,870,000 to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$78,423,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Transportation may use proceeds derived from the sale or disposal of National Defense Reserve Fleet vessels that are currently collected and retained by the Maritime Administration, to be used for facility and ship maintenance, modernization and repair, conversion, acquisition of equipment, and fuel costs necessary to maintain training at the United States Merchant Marine Academy and State maritime academies: *Provided further*, That reimbursements may be made to this appropriation from receipts to the "Federal Ship Financing Fund" for administrative expenses in support of that program in addition to any amount heretofore appropriated.

READY RESERVE FORCE

For necessary expenses to acquire and maintain a surge shipping capability in the National Defense Reserve Fleet in an advanced state of readiness and for related programs, \$300,000,000, to remain available until expended: *Provided*, That reimbursement may be made to the Operations and Training

appropriation for expenses related to this program.

ADMINISTRATIVE PROVISIONS—MARITIME
ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefor shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriation Act, and all receipts which otherwise would be deposited to the credit of said fund shall be covered into the Treasury as miscellaneous receipts.

COMMISSION ON IMMIGRATION REFORM
SALARIES AND EXPENSES

For necessary expenses of the Commission on Immigration Reform pursuant to section 141(f) of the Immigration Act of 1990, \$900,000, to remain available until expended.

COMMISSION ON SECURITY AND COOPERATION IN
EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94-304, \$1,047,000, to remain available until expended as authorized by section 3 of Public Law 99-7.

COMPETITIVENESS POLICY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the Competitiveness Policy Council as authorized by section 5209 of the Omnibus Trade and Competitiveness Act of 1988, \$1,140,000, to remain available until expended.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92-522, as amended, \$1,226,000.

MARTIN LUTHER KING, JR. FEDERAL HOLIDAY
COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Martin Luther King, Jr. Federal Holiday Commission, as authorized by Public Law 98-399, as amended, \$300,000.

OFFICE OF THE UNITED STATES TRADE
REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, \$21,318,000, of which \$2,500,000 shall remain available until expended: *Provided*, That not to exceed \$98,000 shall be available for official reception and representation expenses.

Mr. SMITH of Iowa (during the reading). Mr. Chairman, I ask unanimous consent that this portion of the bill, through page 54, line 23, be considered as read, printed in the RECORD, and open to amendment at any point.

Mr. WALKER. Mr. Chairman, I have a point of order on page 42, and I want to make certain that I am protected.

The CHAIRMAN. The Chair will ask for points of order.

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

There was no objection.

The CHAIRMAN. Are there any points of order to be raised up to the bottom of page 54?

POINT OF ORDER

Mr. WALKER. Mr. Chairman, I have a point of order on page 42.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WALKER. Mr. Chairman, I make a point of order against the language beginning on page 42, line 9, after the word "act," and continuing through line 13.

This provision violates clause 2(c) of rule XXI of the rules of the House in that it is legislation on an appropriations bill.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. SMITH of Iowa. No, Mr. Chairman. The gentleman from Massachusetts wishes to be heard.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. MARKEY] to be heard on the point of order.

Mr. MARKEY. Mr. Chairman, I rise to speak against the point of order.

As chairman of the subcommittee authorizing the NTIA, I want to make a number of points.

The language appropriating funds for NTIA to fund the planning and construction of telecommunications networks is consistent with the current statutory authority that guides grant-making by the NTIA.

□ 1340

In addition, the language is consistent with the President's proposal that the Federal Government should play an important, but limited, role in funding pilot projects. In addition, the language, by referring to "telecommunications networks," prejudices no one and no particular technology, since virtually any technology would fall under that heading. I might add that I think it is advisable that Congress not get involved in choosing particular technologies but, instead, use inclusive terms, and this language follows that advice.

This appropriation is a necessary step in getting the NTIA moving in these critical areas. I support the inclusion of this language and intend to work through the authorization process to ensure the NTIA has ample authority to discharge its responsibility as the lead agency in guiding our Nation toward the electronic superhighways of tomorrow.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard further on the point of order?

Mr. WALKER. Mr. Chairman, I desire to be heard further on the point of order.

Mr. Chairman, the statement of the gentleman from Massachusetts was a

statement on the legislative language, but not on the point of order that was raised that this constitutes legislating in an appropriation bill. If the gentleman referred to rule XXI, clause 2, he will find that you are not permitted to change existing law. The very nature of the language says that it is changing existing law. It says, "notwithstanding the requirements of section 392(a) and 392(c) of such act," which means that the language is in itself an admission that it is changing the law that presently exists. That is a direct violation of clause 2(c), and I would ask that my point of order be upheld.

Mr. MARKEY. Mr. Chairman, if I may, just briefly: In the Appropriation Committee report itself it makes the point that these funds are provided under existing authorities for telecommunications grant authorities, although the committee—that is, the Appropriations Committee—does recognize that the authorizing committee may soon consider a separate authorization for this initiative.

So we do agree with that interpretation, but we await the rule of the Chair.

The CHAIRMAN (Mr. BROWN of California). Does any other Member desire to be heard on the point of order? If not, the Chair is prepared to rule.

The provisions of the rule prohibit legislation on an appropriation bill. The clear language of the material the gentleman from Pennsylvania raises objections to says that, "notwithstanding the requirements of section 392(a) and 392(c) of such act," which constitutes, in effect, an effort to nullify legislation already in existence and has to be construed as legislation, therefore, on an appropriations bill.

The Chair upholds the point of order, and the proviso is stricken.

Are there any amendments to the material up to page 54?

Mr. QUILLEN. Mr. Chairman, I move to strike the requisite number of words, and I rise to engage in a colloquy with respect to the material starting on page 45 of the bill.

Mr. Chairman, I would like to engage in a colloquy with the gentleman from Iowa [Mr. SMITH].

Regarding the salaries and expenses of judicial services, on line 2 on page 46, it says the money appropriated is for bankruptcy judges as well as other judges and clerks, and so forth. Let me ask the gentleman a specific question.

You know, the Congress last session created some new bankruptcy judges. Are the salaries included in this appropriation sufficient for those judges?

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

Mr. QUILLEN. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I thank the gentleman for yielding.

Mr. Chairman, there is in this appropriation \$16 million for new judges. We never separated them by bankruptcy and magistrates and Federal Claims

Court and article 3 judges. So there is \$16 million there. And the Judicial Conference, as they are approved, allocates the money. Otherwise, this money lapses at the end of the year. Otherwise they may be short in one account and over in another, and it would lapse. So there is money there for bankruptcy judges, provided they are approved by the Judicial Conference.

Mr. QUILLEN. I realize they have to be approved. But once they have been approved, the money is here to pay their salaries.

Mr. SMITH of Iowa. There is \$16 million for the various kinds of judges.

Mr. QUILLEN. That is not entirely the option as to where the money goes. But is it the gentleman's intention that the funds be used to pay the salaries for approved bankruptcy judges?

Mr. SMITH of Iowa. It includes bankruptcy judges, Federal Claims Court judges, magistrates, and Article 3 judges, yes, money to fund new bankruptcy positions as well.

The CHAIRMAN. If there are no amendments to the material up to page 54, and no points of order, the Clerk will read.

The Clerk read as follows:

SMALL BUSINESS ADMINISTRATION
SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 101-574, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed \$3,500 for official reception and representation expenses, \$243,326,000 of which \$71,266,000 is for grants for performance in fiscal year 1994 or fiscal year 1995 for Small Business Development Centers as authorized by section 21 of the Small Business Act, as amended: *Provided*, That not more than \$500,000 of this amount shall be available to pay the expenses of the National Small Business Development Center Advisory Board and to reimburse Centers for participating in evaluations as provided in section 20(a) of such Act, and to maintain a clearinghouse as provided in section 21(g)(2) of such Act. None of the funds appropriated for the Small Business Administration under this Act may be used to impose any new or increased loan guaranty fee or debenture guaranty fee, or any new or increased user fee or management assistance fee, except as otherwise provided in this Act.

AMENDMENT OFFERED BY MR. PENNY

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

The Clerk read as follows:

Amendment offered by Mr. PENNY: On page 55, line 8, strike \$243,326,000 and insert \$237,456,000.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. ROGERS. Mr. Chairman, by taking up the Penny amendment first, does not preclude the McInnis amendment, does it?

The CHAIRMAN. The Chair, unfortunately, is unaware of the nature of all the amendments being proposed, and recognized Mr. PENNY because he is the senior member and deserves recogni-

tion at this point. The Chair cannot answer the gentleman's question as to whether his amendment would be precluded, but the Chair does not think it would be.

Mr. PENNY. Mr. Chairman, this amendment would propose a \$5 million cut in the program. I have filed an amendment to cancel all appropriations for loans made under the SBA Program. This program is one in which I think we ought to enter into a more thorough debate. The SBA Program is of questionable value in terms of providing assistance to the small-business community in America.

This program serves about two-tenths of 1 percent of all the small businesses in our country. It provides those businesses with the financial assistance and loan guarantees that are preferable to the kinds of financing that the vast majority of American small businesses must secure in order to conduct a successful enterprise.

This program is also subject to a very high default rate. During the 1980's, the default rate ranged in the area of 30 percent on loans made under this program. The default rate has since declined to about a 20-percent level, but still far higher than the default rate for loans to businesses as a general rule. In fact, there is no bank that could survive if they offered loans that resulted in this high a default level.

This amendment is a small nick out of this program, but it is designed to send a signal that there are deep and growing questions about the validity of this kind of assistance program when in our Federal Government we have several economic development initiatives, many of which would do a far better job of serving the needs and interests of the small-business community without prejudicing a few thousand recipients, as compared to all the many hundreds of thousands of small-business people in our society who get by quite nicely without SBA assistance.

□ 1350

Mr. Chairman, I yield to my colleague, the gentleman from California [Mr. DREIER] for any comments he would like to make at this point.

(At the request of Mr. DREIER and by unanimous consent, Mr. PENNY was allowed to proceed for 3 additional minutes.)

Mr. PENNY. Mr. Chairman, I yield to the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Chairman, I rise in very strong support of this amendment.

I served for several years on the Small Business Committee. There is no better sounding term to describe the operations that go on from the Federal level to the small-business community than the Small Business Administration.

The fact of the matter is this cut is I believe a very good first step to deal-

ing with a very serious problem that is out there.

Quite frankly, I believe that the direct and guaranteed loan programs of the Small Business Administration provide a subsidized competitive advantage over those small businesses that have to rely on the private marketplace for their sources of credit.

Now, the argument is provided that due to the credit crunch we have today that there is not enough capital out there available for small businesses. I admit that we can point to some successes in the business world today that have been started with loans from the Small Business Administration, but the fact of the matter is that we have \$403 million this year provided in this loan program. It is a drop in the bucket when you look at just one financial institution, the Bank of Boston, which has provided \$6 billion through the private marketplace.

So I happen to be here in strong support, and I am happy to cosponsor this amendment with my friend, the gentleman from Minnesota, because in years past I have been working on efforts to try to transfer the very beneficial aspects of the Small Business Administration to the Commerce Department, and at the same time maintaining those, but getting rid of this incredible bureaucracy.

There are 4,000 employees there who are not business oriented. They are part of the bureaucracy.

Are they good people? Yes, Mr. Chairman, there are very many good people within the Small Business Administration, but as I look at the choice that I will have in this bill whether or not we provide \$60 million to proceed with toughening up the Border Patrol to stem the flow of illegal immigrants across the borders into the United States, or to continue the Small Business Administration at the same level, it is a very easy decision for me to make.

I happen to believe that dealing with the flow of illegal immigrants is a much better priority for us than it is to see us have the Small Business Administration perpetuated.

Mr. Chairman, I strongly support this amendment and urge my colleagues to vote in behalf of it.

AMENDMENT OFFERED BY MR. MCINNIS TO THE
AMENDMENT OFFERED BY MR. PENNY

Mr. MCINNIS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. MCINNIS to the amendment offered by Mr. PENNY: In lieu of the number "237,456,000" insert "221,456,000".

Mr. MCINNIS. Mr. Chairman, I commend the gentleman from Minnesota [Mr. PENNY] for the steps he has taken, but it is not extensive enough.

Let me explain exactly what the intent of my amendment is. My amendment is to go in and take \$16 million which is in the salary and expense item and is intended to be used for the Tree Planting Program.

Many of you may remember back in May when 209 of us stood up against this program. I do not think the people of America anticipate that the Small Business Administration should be spending \$16 million to plant trees. That \$16 million, under testimony that I elicited in the Small Business Committee, that \$16 million would leverage \$380 million on the street.

Let me make a couple points about this amendment and the \$16 million that is being spent for tree planting.

First of all, in the Small Business Committee, let me say that is where I first saw the \$16 million. Then when we got on to the second supplemental on the House floor, the number was \$14 million. I could not figure out what happened to the \$2 million.

I sat down, and of course being new to the process I did not understand what happened to that \$2 million, and I have been tracing it.

Now I find out nothing happened to the \$2 million. In fact, it was \$14 million in the second supplemental to plant trees and it is \$16 million in addition to it under this budget.

This amendment to plant tree certainly is not what the fundamental purpose of the Small Business Agency is for.

There are a couple very basic points that we need to make. We should make these points to the American people.

No. 1, the President of this country has not requested these funds.

No. 2, the Small Business Administration has not requested these funds. These funds are being mandated on the Small Business Administration by the U.S. Congress.

We are in a year where we are talking about deficit control, where we are talking about priorities, where we are talking about every agency in front of us has to prioritize, has to spend their dollars in the most efficient manner possible, and yet we sneak \$16 million into the Small Business Administration to grow trees. It makes no sense today. It makes no sense tomorrow, and it made no sense back in May when 209 of us stood up and said to cut out the tree planting program.

I think it is a commitment of ours, I think it is incumbent upon us to look at this program and cut that program out of there. That is what that \$16 million does.

While I commend the gentleman from Minnesota [Mr. PENNY] and certainly the \$5 million is a step in the right direction, I go further than the gentleman from Minnesota [Mr. PENNY]. I go to a specific program, the Tree Planting Program, and I cut out three times what the gentleman from Minnesota [Mr. PENNY] cuts out, and it will not impact any other program in the Small Business Administration.

Mrs. MEYERS of Kansas. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Minnesota [Mr. PENNY].

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

Mrs. MEYERS of Kansas. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Chairman, I wonder if we could get unanimous consent to cut off debate in 10 minutes, 5 minutes to the gentleman from Kentucky [Mr. ROGERS] and 5 minutes to me.

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

Mr. ROGERS. Reserving the right to object, Mr. Chairman I think we have only three speakers here. One has already spoken.

Can we live with a total of 10 minutes?

Is that on the amendment to the amendment or the entire package?

Mr. SMITH of Iowa. Mr. Chairman if the gentleman will yield, that is on the pending amendment and all amendments thereto.

Mr. ROGERS. I think we can agree only on the McInnis amendment to the amendment, Mr. Chairman we can agree on a 10-minute limit.

Mr. SMITH of Iowa. Mr. Chairman, that is the whole thing, if it carries or loses. That would take care of the gentleman's amendment.

The CHAIRMAN. What is the gentleman's request?

Mr. SMITH of Iowa. Mr. Chairman, I ask unanimous consent that debate end in 10 minutes on this substitute amendment and all amendments thereto.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa for a 10-minute limitation on the amendment offered by the gentleman from Colorado [Mr. MCINNIS].

Mr. MCINNIS. Mr. Chairman, reserving the right to object, I would ask for my remaining time. I had 5 minutes. I would ask for the balance of my time.

The CHAIRMAN. The Chair will state to the gentleman that he does not have any balance to his time.

Mr. MCINNIS. Mr. Chairman, I withdraw my reservation of objection.

Mr. ROGERS. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

Mrs. MEYERS of Kansas. Mr. Chairman, I rise in strong opposition to the amendment of the gentleman from Minnesota [Mr. PENNY] and would like to correct some misinformation Members may have received about SBA programs.

I know that in the amendment as it stood originally, I want to say that before we get further down the road and I forget to say it. I have talked to NFIB today. They strongly object to the Penny amendment and will score it as a no in its original condition. I do not know, I cannot speak for them as it has been amended.

In a Dear Colleague letter, the gentleman claimed that the agency does not do the job of assisting small businesses. While I will be one of the first

to say that we can do more to help small businesses in this country.

The fact is that hundreds of thousands of small businesses have been helped by the SBA and its programs—programs that have allowed businesses to begin, to expand, to add more jobs, to drive our economy—and this assistance has occurred in every State, including Minnesota.

The gentleman from Minnesota claims that of approximately 15 million small businesses in the United States, only 23,000 accessed SBA programs during calendar years 1990 and 1991. I don't know where the gentleman got his information, but just looking at the SBA's loan and loan guarantee programs, the agency had 106,216 active loans being serviced in 1990, for a total value of \$12.7 billion and 109,259 active loans in 1991 for a total value of \$14.1 billion. The SBA 7(a) general business loan guarantee program, which is but one of SBA's loan programs, has already provided over 14,000 loans from the start of fiscal year 1993 through April 30 of this year. The 7(a) program will provide loan guarantees for approximately 26,000 more small businesses in the remainder of this fiscal year—that is if the program receives the funding it needs to meet loan demand for the rest of the fiscal year 1993.

While Mr. PENNY wants to eliminate funding for this and all other SBA programs, citing high default rates for SBA loans, the fact is that the SBA loss rate on its guaranteed loans was 2.2 percent in 1991. I would point out to my colleagues that the SBA has the best loan portfolio performance and the lowest loss rate of the 5 major Federal credit agencies, which are HUD, the Farmers Home Administration, the Veterans' Administration, the Department of Education and the SBA. The taxpayer's dollar is better protected being placed in the SBA 7(a) program to foster a small business than in most any other Federal loan guarantee program.

Furthermore, thousands of jobs are created or maintained through the assistance provided to small businesses under the 7(a) program. As of April 1993, about 383,000 jobs were created or preserved with the help of 7(a) loan guarantees—7,100 of which were in the gentleman's home State of Minnesota. Given the current credit crunch, in which lenders are reluctant to give to small business borrowers, many businesses who obtained loans with the SBA guarantee would not have gotten the loans they needed without this program. We are seeing this now, as the 7(a) program is out of money. Money for small businesses dried up when the 7(a) program shut down, because regulatory pressures keep banks from making the loans without the guarantee. I would also ask where the gentleman gets the facts to support his assertion that small business loans to go large businesses. SBA's 7(a) loans are given

only to businesses that meet small business size standard criteria.

The gentleman mentions in his Dear Colleague that the default rate for energy loans are nearly 40 percent. The energy loan program, which was mandated by Congress, was phased out 10 years ago. It did have a higher loss ratio than other programs, but it was relatively a very small program, accounting for only \$63 million in loans during the program's life.

In addition to loan and loan guarantee programs, the SBA also provides valuable training and counseling to small business owners through such entities as the Small Business Development Centers, the Small Business Institute, the Service Corps of Retired Executives or SCORE, and the like. In 1990, 833,000 small businesses were helped through one of SBA's business development programs. In 1991, that number was 857,000—many more than the 23,000 suggested by the gentleman from Minnesota.

We have over 110,000 employees in the Department of Agriculture working for the 2.3 million farms in this country. The Small Business Administration has only 3,800 employees advocating the interests of our 20 million small businesses. If the gentleman from Minnesota would like to take away the only voice of small business in the country, how does he believe our economy will improve and employment will grow? In his Dear Colleague, he gives little import to the 23,000 loans the SBA gave the last 2 years. Perhaps he should retire to the Cloakroom and read this morning's Wall Street Journal. There is an excellent article which shows that despite even the President's recent call for the Nation's banks to ease access to credit for small business, the banks still have their sign out—no small businesses need apply. I urge an emphatic "no" vote on this ill-conceived amendment.

□ 1400

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

Mrs. MEYERS of Kansas. I yield to the gentleman from Pennsylvania.

Mr. SANTORUM. Mr. Chairman, I thank the gentlewoman from Kansas [Mrs. MEYERS] for yielding to me.

Mr. Chairman, I rise in support of the amendment to the amendment, the amendment offered by the gentleman from Colorado [Mr. MCINNIS] for the tree-planting program. I just want to make a couple of quick points.

No. 1, the U.S. Forest Service spent last year \$53 million to plant approximately 213 million trees. There are plenty of trees being planted. We do not need the Small Business Administration in the tree-planting program. We need them in the loan program to help our small businesses.

Mr. Chairman, I would encourage a "yes" vote on the amendment offered by the gentleman from Colorado [Mr. MCINNIS] to the amendment offered by

the gentleman from Minnesota [Mr. PENNY].

Mr. SMITH of Iowa. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. LAFALCE], the chairman of the Committee on Small Business.

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

Mr. LAFALCE. Mr. Chairman, as my colleagues know, a "Dear Colleague" letter was sent out about a day or so ago with some fiction: rather than facts about the Small Business Administration indicating that there would be an effort to eliminate all the moneys for the Small Business Administration, save disaster loan money.

First of all, Mr. Chairman, let me point out that that is not the amendment before us today. It has been watered down from all the money other than disaster; first, a \$5 million reduction, and now a \$16 million reduction from S&E.

But, second, everything in that letter was fiction rather than fact. I will not go into that now. Let me just point out though that the loan guarantee program of the Small Business Administration alone has been virtually singularly responsible for virtually every small business loan in the United States these past several years. There has been a tremendous credit crunch going on. A small business person cannot go to a bank and get a loan without a guarantee. That is why the loan guarantee program of the Small Business Administration has doubled and tripled over the past several years.

Right now, Mr. Chairman, the window has been shut for over 2 months, and in the supplemental bill coming up we have over \$175 million in that bill in order to leverage 3.2 billion dollars' worth of loan guarantees which we will use between now, today, and September 30 of this year—\$3.2 billion. We need the salary and expenses, that money, to deal with this, to manage this, to service it.

I say to my colleagues, "Don't cut \$16 million from S&E. Don't cut \$5 million from S&E. We need every penny because every single year it seems it's necessary to deal with this credit crunch to virtually double the loan guarantee program."

Mr. SMITH of Iowa. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. ROEMER].

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

Mr. ROEMER. Mr. Chairman, I rise in strong opposition to the original amendment offered by the gentleman from Minnesota [Mr. PENNY], and I will give my colleagues an example of how effective the Small Business Administration has been in my district, not only for the taxpayer, but to create jobs.

I have a firm that started in the early 1980's called Biomet, with four people, and they took out a half-a-mil-

non-dollar loan from SBA. Today they have 200 people working at Blomet in Warsaw, IN, and they are paying back that \$500 million every 2 weeks in taxes to the U.S. Government.

Now that is a success story, and I think that the gentleman is usually right on target. Today he is a little bit off target.

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

Mr. ROEMER. I yield to the gentleman from Pennsylvania.

Mr. SANTORUM. Mr. Chairman, is any of that money from the tree planting program of the SBA that was used for this small businessman?

Mr. ROEMER. To the best of my knowledge, Mr. Chairman—

Mr. SANTORUM. The amendment before us right now is the tree planting program in which they are trying to cut \$16 million, of which of that \$16 million last year a million went into the district of the gentleman from New York [Mr. LAFALCE]. So I would just suggest that this is a very appropriate cut—

Mr. ROEMER. Reclaiming my time, Mr. Chairman, I would just say we should not be taking huge meat axes to the SBA budget at this point when the economy and jobs are so important to us.

Mr. SMITH of Iowa. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the facts are these:

This is the salaries and expenses account for the Small Business Administration. We have in the bill \$243,326,000. That account covers the Small Business Development Center Program, the SCORE Program, the minority programs, the microloan programs and outreach programs that are important to women and minorities. They are all funded in this one account.

Now, Mr. Chairman, what the gentleman from Minnesota [Mr. PENNY] did was reduce the account to 95 percent of current services. Most accounts in this bill are at 95 percent of current services. What the amendment to the amendment would do is reduce the account slightly more than that. It would not reduce any one program; it would reduce the entire account.

I am not going to stand here and tell my colleagues that the agency will close down if it is cut \$10 million or \$5 million. I am not going to ask for a rollcall vote however it goes, because we cannot fine tune it finely enough to know whether \$5 million or \$10 million is going to be the amount. Hopefully, in conference, we will be able to do all right by this agency. We will get some additional information. But I do want to present these facts to my colleagues.

Ninety-five percent, which the gentleman from Minnesota [Mr. PENNY] has in his amendment, of current services is not as much as I would like to give SBA. On the other hand, it is what the average agency in the bill is getting. So, I am not going to ask for a rollcall vote however this vote goes.

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

Mr. MACHTLEY. Mr. Chairman, I rise in strong opposition to this amendment.

As a member of the Small Business Committee, a committee which represents the Nation's 20 million small businesses, I would assert that the gentlemen from Minnesota's amendment would do nothing to improve a struggling economy.

In fact, to eliminate funding for the Small Business Administration would have a profound negative impact on the economy.

Given the tight market for small business loans, the SBA has become the sole hope for success among many small businesses.

In fact, 40 percent of all term loans made to small businesses in this country are made through the SBA 7(a) Program.

In 1990, the SBA, through its loan and loan guarantee programs, provided \$12.7 billion to small businesses.

In 1991, the SBA helped leverage \$14.1 billion in loans to small businesses.

In 1993, the SBA has already provided over 14,000 loans to entrepreneurs.

If the 7(a) Program had not run out of money last April, I am sure that this number would be even higher.

In fact, it is estimated that the SBA will provide loan guarantees for about 26,000 more businesses this year.

The gentleman from Minnesota claims that programs like the 7(a) have enormous default rates.

This is simply not the case.

The 7(a) Program has a loss rate of only 2.2 percent.

That is down from a default rate of 11.3 percent in 1983.

As my colleagues can see, the SBA is hard at work to improve its programs in order to provide efficient, effective service to the Nation's 20 million businesses.

The SBA has been particularly helpful in providing much needed relief to the New England region as it struggles to recover from the recent recession, which was exacerbated by numerous bank failures.

The New England Lending and Recovery Act, operated through the SBA, has helped shore up our regional banks, by pumping private capital back into surviving lending establishments.

In addition, through its small business development centers, small business institutes and service corps of retired executives, the SBA is playing an active role in helping businesses adjust to the continuing defense drawn-down which is occurring throughout the country.

Mr. Chairman, I commend the gentleman from Minnesota for his enthusiasm in cutting Government spending in an effort to create a healthy economy.

But cutting funding for important programs in the Small Business Administration isn't the best way to reach this objective.

If my colleagues are truly interested in economic revitalization they will realize that the SBA helps small businesses fuel our economy through expansion, job creation and increased revenues.

Mr. Chairman, I urge my colleagues to vote against the Penny amendment.

□ 1410

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Colorado [Mr. MCINNIS] to the amendment offered by the gentleman from Minnesota [Mr. PENNY].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. PENNY] as amended.

The amendment, as amended, was agreed to.

Ms. SHEPHERD. Mr. Chairman, I move to strike the last word.

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

Ms. SHEPHERD. Mr. Chairman, I rise in support of this bill, but I would also like to express my great concern about the status of the radiation exposure compensation trust fund, which will receive a zero appropriation level for fiscal year 1994 with passage of this bill. The trust fund has, since its inception, offered a formal apology and significant monetary relief for American nuclear testing radiation exposure victims and uranium miners. It is my understanding that the President's initial Justice Department budget request included \$75,250,000 for the radiation exposure compensation trust fund. It is also my understanding that this request was amended after the Justice Department discovered reserves over and above the \$75,250,000 that would fulfill grant requests through fiscal year 1994.

Since you have confirmed my understanding, I would also like to clarify that the intent of this zero appropriation was not to negate the need for Radiation Exposure Compensation Act as it was authorized, but simply to recognize that the trust fund has a sufficient current surplus to cover all expected radiation compensation exposure fund claimants into fiscal year 1994.

Mrs. THURMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the chairman of the subcommittee in a colloquy.

Mr. Chairman, March 13 was a very devastating time for seven of the nine counties that I represent in Florida as they became disaster areas during that storm, and one of the things that has come to our attention is that the citizens of west central Florida lack direct access to the National Weather Service radio service.

As the hurricane season begins, it is extremely important for the citizens of this area to have the most complete and up-to-date weather information. This part of Florida is very vulnerable to the effects of severe storms due to a high concentration of people living in low-lying coastal areas and, just as importantly, having a limited number of evacuation corridors.

I understand from local officials in my district that a site has been chosen to place the necessary technical equipment. The only thing they need now is the funding.

Is it correct that the money for these types of projects comes out of the National Weather Modernization Fund?

Mr. SMITH of Iowa. Yes, Mr. Chairman, if the gentlewoman will yield, the National Weather Service radio upgrade program is included in the modernization plan.

Mrs. THURMAN. Mr. Chairman, I believe it is vital that the National Weather Service radio system in this area of Florida is operational during the current hurricane season. Is it possible the necessary funding for this project can come from the fiscal year 1993 appropriations?

Mr. SMITH of Iowa. Yes. I will ask the Department of Commerce to look into the availability of this funding and report back to the subcommittee immediately.

Mrs. THURMAN. Mr. Chairman, is it possible that the funding can be made available immediately?

Mr. SMITH of Iowa. Mr. Chairman, I will respond to the gentlewoman's concerns as soon as I get a report back from the Department.

Mrs. THURMAN. Mr. Chairman, I thank the gentleman from Iowa.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1-11 as amended by Public law 100-504), \$7,962,000.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$22,994,000, and for the cost of guaranteed loans, \$219,459,000, as authorized by 15 U.S.C. 631 note: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$94,737,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans, authorized by 15 U.S.C. 631 note, \$75,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That none of the funds provided in this or any other Act may be used for the cost of direct loans to any borrower under section 7(b) of the Small Business Act to relocate voluntarily outside the business area in which the disaster has occurred.

In addition, for administrative expenses to carry out the direct loan program, \$76,101,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

SURETY BOND GUARANTEES REVOLVING FUND

For additional capital for the "Surety Bond Guarantees Revolving Fund", authorized by the Small Business Investment Act, as amended, \$12,369,000, to remain available without fiscal year limitation as authorized by 15 U.S.C. 631 note.

SBIC BANKRUPTCY PROVISION

None of the funds provided by this Act for the Small Business Administration may be used to guarantee any participating securities authorized by Public law 102-366 until

legislation has been enacted which directly or indirectly prohibits the filing of a petition under the Bankruptcy Code by a small business investment company licensed under subsection (c) or (d) of section 301 of the Small Business Investment Act of 1958 or regulations implemented to reduce risks to the Small Business Administration from companies licensed under section (c) or (d) of section 301 of the Small Business Investment Act of 1958.

THOMAS JEFFERSON COMMEMORATION COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Thomas Jefferson Commemoration Commission as authorized by Public law 102-343, \$62,000: *Provided*, That any unobligated balances of amounts made available for fiscal year 1993 shall expire on September 30, 1994.

Mr. SMITH of Iowa (during the reading). Mr. Chairman, I ask unanimous consent that this portion of the bill, through page 58, line 2, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order with regard to the material up to the point specified?

Are there any amendments to the language up to that point?

If not, the Clerk will read.

The Clerk read as follows:

LEGAL SERVICES CORPORATION PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, \$400,000,000: *Provided*, That none of the funds appropriated in this paragraph shall be expended for any purpose prohibited or limited by or contrary to any of the provisions of section 607 of Public Law 101-515 and that all references to "1991" in section 607 of Public Law 101-515 shall be deemed to be "1994".

POINT OF ORDER

Mr. DELAY. Mr. Chairman, I rise to make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DELAY. Mr. Chairman, I make a point of order against the language appearing in the bill on page 58, lines 3 through 12. The paragraph provides appropriations that have not been authorized by law and is in violation of House rule XXI, clause 2(a).

The CHAIRMAN. Does the gentleman from Iowa [Mr. SMITH] desire to be heard on the point of order?

Mr. SMITH of Iowa. Mr. Chairman, I concede the point of order.

The CHAIRMAN. For what purpose does the gentleman from Kentucky [Mr. ROGERS] rise?

Mr. ROGERS. Mr. Chairman, I regret that we must concede the point of order because the Legal Services Corporation continues to lack authorizing legislation.

I want there to be no misunderstanding about why no funds for the Legal Services Corporation will be included in this bill once it has passed the

House. It is not because my subcommittee did not fund the Legal Services Corporation. We did. In fact, the Legal Services Corporation got a 12-percent increase over 1993 while most other programs were being cut.

Once again, the problem is in the authorizing committee of Congress which has still not passed an authorization for the Legal Services Corporation since 1977.

Mr. Chairman, I support the Legal Services Corporation, and I hope the authorizers will act quickly so that we can work in conference with the Senate to fund this important program.

Once again, Mr. Chairman, I regret that the point of order must be conceded.

The CHAIRMAN (Mr. BROWN of California.) The gentleman from Iowa [Mr. SMITH] has conceded the point of order. The Chair upholds the point of order, and the paragraph is stricken.

The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for trade adjustment assistance and for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, the Public Law 91-304, and such laws that were in effect immediately before September 30, 1982, \$223,150,000: *Provided*, That none of the funds appropriated or otherwise made available under this heading may be used directly or indirectly for attorneys' or consultants' fees in connection with securing grants and contracts made by the Economic Development Administration.

POINT OF ORDER

Mr. PENNY. Mr. Chairman, I make the point of order that on page 58, lines 15 through 25, these are unauthorized appropriations and in violation of clause 2 of rule XXI of the rules of the House.

Mr. SMITH of Iowa. Mr. Chairman, I concede the fact that DEA is not authorized.

The CHAIRMAN (Mr. BROWN of California.) The distinguished chairman of the subcommittee concedes the point of order. The Chair sustains the point of order, and the paragraph is stricken.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, \$26,284,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

AMENDMENT OFFERED BY MR. HEFLEY

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

The Clerk read as follows:

Amendment offered by Mr. HEFLEY: Page 59, strike lines 1 through 8.

Mr. SMITH of Iowa. Mr. Chairman, I was not aware of this amendment.