The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. CHRISTENSEN. Madam Chairman, on August 3, 1998, I was unavoidably detained and missed roll call vote 379. If present I would have voted 'no' on the Shays-Meehan substitute. When it comes to restricting political participation, the courts have consistently ruled on the side of free speech. So-called good government proposals banning certain contributions, clamping down on issue advocacy, or otherwise restricting participation in the political process are unconstitutional in my opinion and infringe on free speech. It is important for voters to be accurately informed of a candidate's position, but in no way do I want to limit voter knowledge. Shays-Meehan would limit voter knowledge about issues and candidates and keep voters from being accurately informed of candidates' positions. I am absolutely opposed to any unconstitutional infringement of free speech, and would have voted 'no' on the Shays-Meehan substitute if present.

PERSONAL EXPLANATION

Ms. KILPATRICK. Madam Chairman, due to official business in the 15th Congressional District of Michigan, I was unable to record my vote on several measures. Had I been present, I would have voted ''aye'' on H.R. 3743, the Iran Nuclear Proliferation Prevention Act of 1998; ''aye'' on S.J. Res. 54, a Joint Resolution Condemning Iraq; and ''aye'' on passage of the Shays-Meehan amendment to H.R. 2183, the Campaign Finance Reform Bill.

Mr. BOEHNER. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having assumed the chair, Mrs. Emerson, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, had come to no resolution thereon.

## RESIGNATION AS MEMBER OF COMMITTEE ON COMMERCE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Commerce:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC, July 30, 1998.*

Hon. NEWT GINGRICH,
*The Speaker's Rooms, U.S. House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: I want to thank you for your kind letter this week celebrating our successes on privatization, and also to respond to your suggestions that we map out a blueprint for further achievements in the next session of Congress.

In fact, my staff and I discussed the same idea some weeks back, and we're excited about your request. As you and I discussed, we will focus on options for privatizing Amtrak, Social Security, the power marketing resources including TVA, and the United States Post Office. You can expect the report shortly after Thanksgiving.

We will lay out for you legislative options and document how other countries built political consensus to make tough decisions. I am convinced we can net the Treasury hundreds of billions of dollars, and at the same time provide better services to U.S. taxpayers.

Unfortunately, because of the time commitment to this project and future business plans in Wisconsin, I will have to make a difficult choice.

Today I am tendering my resignation from the Commerce Committee.

I'm proud of what the Committee accomplished during my tenure. With Chairman Tom Bliley's leadership, we speeded up the FDA's approval of new drugs saving thousands of lives. We deregulated the exploding telecommunications industry. Perhaps most important of all, our bold plan saved Medicare for our children.

I deeply appreciate your leadership and friendship. I look forward to finishing one last assignment for you.

Sincerely yours,

SCOTT KLUG.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

## ELECTION OF MEMBER TO COMMITTEE ON COMMERCE

Mr. BOEHNER. Mr. Speaker, I offer a resolution (H.Res. 515) and I ask unanimous consent for its immediate consideration and adoption.

The Clerk read the resolution, as follows:

H. RES. 515

*Resolved,* That the following named Member be, and she is hereby, elected to the following standing committee of the House of Representatives:

Committee on Commerce: Mrs. Wilson.

The SPEAKER pro tempore. Without objection, the resolution is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. ROGERS. 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. 4276 and that I may include tabular and extraneous material.

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

There was no objection.

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

The SPEAKER pro tempore. Pursuant to House Resolution 508 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4276.

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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. 4276) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1999, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Kentucky (Mr. ROGERS) and the gentleman from West Virginia (Mr. MOLLOHAN) will each control 30 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. ROGERS).

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

Mr. Chairman, this will be of interest to the Members on the schedule for the rest of the evening so that Members may be guided about the rest of the evening's activities.

It is the intent of the majority to proceed to the consideration of the Commerce, Justice, State appropriations bill and to do general debate and to take up the Legal Services Corporation amendment but to roll any votes that might be ordered until tomorrow, so that there would be no further votes this evening, in which case, then, the Committee would rise after the consideration of that amendment.

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

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

Mr. OBEY. Mr. Chairman, it was my understanding, also, that we would not proceed in title I beyond Legal Services; is that correct?

Mr. ROGERS. As I said, we would take up general debate and the Legal Services amendment only. I would have hoped that the gentleman would have agreed that we could do all of title I, and I would be happy to proceed with that if the other side would so agree.

Mr. OBEY. But the gentleman understands that the agreement that was just reached at this desk with his leadership was that we would go only as far as the amendment on Legal Services and no further tonight in title I.

Mr. ROGERS. I understand that is what the gentleman wants and I will abide by that. I would hope, would like, to proceed through title I and roll all the votes until tomorrow. And I see no reason why we should not do that, but I will abide by the agreement that the gentleman mentioned.

Mr. OBEY. I just think it is important for Members to understand that there will be no votes tonight because of the understanding that we will not proceed beyond the Legal Services amendment.

Mr. ROGERS. I would hope that the gentleman would agree to proceed with title I.

Mr. OBEY. Well, then there is no agreement. We might as well have motions to adjourn all evening. If the

agreements are not going to be stuck to for more than 5 minutes, then there is no reason to agree.

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) will suspend. The gentleman from Kentucky (Mr. ROGERS) controls the time.

The Chair recognizes the gentleman from Kentucky (Mr. ROGERS).

Mr. OBEY. Mr. Chairman, I move that the House do now adjourn.

The CHAIRMAN. The motion is not in order.

The Chair recognizes the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS. Mr. Chairman, H.R. 4276, the Commerce, Justice, State and Related Agencies appropriations bill for fiscal year 1999 provides the funding for a multitude of programs that directly benefit the people that all of us represent and that we are sworn to uphold, programs that fight crime and drugs, secure our borders, protect against terrorism, and administer justice; programs that affect our daily lives and livelihood, like the National Weather Service; programs that support our Nation's diplomacy throughout the world; and programs that put people back on their feet after a natural disaster strikes and that aid our Nation's small businesses.

But if this bill sets one priority, it is to provide increased funding to fight crime and empower Federal, State and local law enforcement with the resources they need to enforce our laws and prevent crime.

Mr. Chairman, the determination of this Nation and this Congress to reduce crime is showing results. In 1997, serious crime fell in the United States for the sixth year in a row by 5 percent. Due to the decisions of this Congress which over the last 3 years has increased funding for justice programs by $5.5 billion, a 45 percent increase, our citizens are a little less at peril than they were before. But as the shooting of our two brave and heroic Capitol Police officers a week ago Friday demonstrates so devastatingly, we do have yet a long, long way to go.

With no warning, crime can occur anywhere, any day, any minute, and our law enforcement officers and our citizens are at risk. We cannot let down our guard. This bill puts the lion's share of the resources available to us into law enforcement and crime prevention, and that is a priority that I believe every member of this House shares.

Overall, this bill provides $33.5 billion, $1.4 billion over the current year, and $1 billion less than the request. Of the total, $18.3 billion is for the Department of Justice, an increase of $524 million over current spending, to fight crime and drugs, strengthen our borders and protect against terrorism.

We provide $4.9 billion for State and local law enforcement. These are your policemen, the sheriffs and State police and local law enforcement agencies through your cities, $400 million more than we were requested and $47 million more than current year spending.

We restore the local law enforcement block grant which the President tried to eliminate. We put that back in at $523 million. And, Mr. Chairman, we included a quarter of a billion dollars for the juvenile crime block grant program for your localities.

We provide $283 million for juvenile crime prevention, a $44 million increase. We provide $1.4 billion for the COPS program. We direct $170 million of unobligated balances to be used for initiatives that include a new $25 million program for bulletproof vests for police officers all across the country. For the first time we are providing for this new program. And $20 million to help communities stop violence in our schools.

We also provide $279 million for the Violence Against Women Act, an increase of $9 million over current spending and over the Administration's request. We provide $104 million in new funding to help States and localities be prepared against chemical and biological terrorism, which is new money, for a new program.

We provide more than $8.4 billion for the War on Drugs, including a $95 million increase for the Drug Enforcement Administration, $31 million more than was asked of us. We increase the Drug Courts funding by $10 million. And we give $10 million for a new program to help small businesses create drug-free workplaces.

We provide a $216 million increase for controlling illegal immigration, including 1,000 new Border Patrol agents. We include a $47 million interior enforcement initiative to fund 50 quick response teams, one in each State, to force the INS to respond to your State and local police in every State when they find suspected illegal aliens. As it is right now, your State police, your local police, arrest a vanload of illegal aliens, they call the INS for help in removing them to the Federal jurisdiction, there is not even an answer on the telephone. INS does not even answer the phone.

□ 1930

We in this bill create 50 new quick response teams to respond to our local officials and take the illegals off our hands and deal with them on the Federal level, as we are supposed to do. We also include $62 million in offsetting collections from fees to fund backlog reduction action teams to mobilize in those districts with the longest naturalization backlogs, since the INS cannot seem to manage this on their own.

For the Department of Commerce, Mr. Chairman, we provide $4.8 billion which, setting aside the increases for the Census, is at the 1998 level.

For the 2000 decennial census we provide $956 million. That is an increase of $566 million as part of the ramp-up for the preparation for the Census in 2000. That is $107 million more than the administration asked us to appropriate, but we do that so that the Census can be conducted as the courts may or may not declare later on under any scenario, hopefully including an actual enumeration.

The Congress and the administration must come to an agreement on how the 2000 Census will be conducted. Based on high-level discussions last fall, higher than any of us in this room, the agreement was reached to make the decision next spring. Consequently this bill includes language to ensure that the decision is made at that time by reserving the last 6 months of funding until the President submits to the Congress a request by March 31 to provide the funding and we agree to vote by that time.

For the State Department and international organizations, United Nations arrearages aside, we provide $5 billion, $84 million below the current year, in part due to savings from the new overseas support system the Congress enacted last year called ICASS. For U.N. arrearages we provide $475 million, the amount included in the State Department's authorization conference report but subject to authorization. This ensures that U.N. reforms will have to be agreed to before this money can be released.

For the Legal Services Corporation we provide $141 million. We continue the restrictions that have been enacted previously by the Congress.

For the Small Business Administration the bill rejects the administration proposal to fund disaster loans out of the hides of disaster victims. The administration proposed zero funding for disaster loans. They propose zero funding for disaster loans and instead propose to raise by 50 percent the interest rates on loans to the very people who have been devastated by a hurricane or by flooding or by other disaster, people who by definition cannot borrow money on a commercial basis. We disallow that. Instead we provide $100 million to help those that are in need, and we are directing the administration to proceed accordingly.

Mr. Chairman, before I close I want to thank the gentleman from West Virginia (Mr. MOLLOHAN), my very able ranking member, for his help and support in drafting this bill and bringing it to this point. I also want to thank all the members of the subcommittee: The gentleman from Arizona (Mr. KOLBE) the gentleman from North Carolina (Mr. TAYLOR), the gentleman from Ohio (Mr. REGULA), the gentleman from New York (Mr. FORBES), the gentleman from Iowa (Mr. LATHAM), the gentleman from Colorado (Mr. SKAGGS), the gentleman from California (Mr. DIXON), and to pay tribute to the gentleman from Colorado (Mr. SKAGGS), who is making his last go-round on this bill. He has been a valued member of this subcommittee. He has chosen to leave this body after this term; he will be missed on this subcommittee especially.

Finally, I would just like to say that as we wind our way through the issues on this bill, and there are many, when

it is all said and done, the funding in this bill, particularly the funding for law enforcement and prevention programs, are targeted to make the neighborhoods and cities and towns across the country safer, more secure places for the people we are elected to represent. It is a life and death issue, Mr. Chairman, and that is something everyone of us are now so painfully aware of.

I urge the Members of this body to support this bill.

## DEPARMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4276)

| | FY 1998 Enacted | FY 1999 Estimate | Bill | Bill compared with Enacted | Bill compared with Estimate |
|---|---|---|---|---|---|
| TITLE I - DEPARTMENT OF JUSTICE | | | | | |
| General Administration | | | | | |
| Salaries and expenses | 76,199,000 | 89,488,000 | 79,488,000 | +3,289,000 | -10,000,000 |
| Narrowband communications (crime trust fund) | | 85,894,000 | | | -85,894,000 |
| Counterterrorism fund | 52,700,000 | 61,703,000 | 129,200,000 | +76,500,000 | +67,497,000 |
| Telecommunications carrier compliance fund | | 50,000,000 | | | -50,000,000 |
| Defense function | | 50,000,000 | | | -50,000,000 |
| Administrative review and appeals: | | | | | |
| Direct appropriation | 70,007,000 | 79,685,000 | 75,312,000 | +5,305,000 | -4,373,000 |
| Crime trust fund | 59,251,000 | 65,178,000 | 59,251,000 | | -5,927,000 |
| Total, Administrative review and appeals | 129,258,000 | 144,863,000 | 134,563,000 | +5,305,000 | -10,300,000 |
| Office of Inspector General | 33,211,000 | 34,610,000 | 36,610,000 | +3,399,000 | +2,000,000 |
| Total, General administration | 291,368,000 | 516,558,000 | 379,861,000 | +88,493,000 | -136,697,000 |
| Appropriations | (232,117,000) | (365,486,000) | (320,610,000) | (+88,493,000) | (-44,876,000) |
| Crime trust fund | (59,251,000) | (151,072,000) | (59,251,000) | | (-91,821,000) |
| United States Parole Commission | | | | | |
| Salaries and expenses | 5,009,000 | 7,621,000 | 7,400,000 | +2,391,000 | -221,000 |
| Legal Activities | | | | | |
| General legal activities: | | | | | |
| Direct appropriation | 444,200,000 | 477,328,000 | 462,265,000 | +18,065,000 | -15,063,000 |
| Crime trust fund | 7,969,000 | 8,183,000 | 8,160,000 | +191,000 | -23,000 |
| Total, General legal activities | 452,169,000 | 485,511,000 | 470,425,000 | +18,256,000 | -15,086,000 |
| Vaccine injury compensation trust fund (permanent) | 4,028,000 | 4,028,000 | 4,028,000 | | |
| Independent counsel (permanent, indefinite) | 9,500,000 | 9,500,000 | 9,500,000 | | |
| Antitrust Division | 93,495,000 | 97,588,000 | 98,275,000 | +4,780,000 | +687,000 |
| Offsetting fee collections - carryover | -18,000,000 | -11,000,000 | -30,000,000 | -12,000,000 | -19,000,000 |
| Offsetting fee collections - current year | -70,000,000 | | -68,275,000 | +1,725,000 | -68,275,000 |
| Direct appropriation | 5,495,000 | 86,588,000 | | -5,495,000 | -86,588,000 |
| United States Attorneys: | | | | | |
| Direct appropriation | 972,460,000 | 1,052,993,000 | 1,037,471,000 | +65,011,000 | -15,522,000 |
| Crime trust fund | 62,828,000 | 54,000,000 | 54,231,000 | -8,597,000 | +231,000 |
| Total, United States Attorneys | 1,035,288,000 | 1,106,993,000 | 1,091,702,000 | +56,414,000 | -15,291,000 |
| United States trustee system fund | 114,248,000 | 130,437,000 | 114,248,000 | | -16,189,000 |
| Offsetting fee collections | -114,248,000 | | -114,248,000 | | -114,248,000 |
| Direct appropriation | | 130,437,000 | | | -130,437,000 |
| Foreign Claims Settlement Commission | 1,226,000 | 1,335,000 | 1,335,000 | +109,000 | |
| United States Marshals Service: | | | | | |
| Direct appropriation | 467,833,000 | 486,436,000 | 477,611,000 | +9,778,000 | -8,825,000 |
| Crime trust fund | 25,553,000 | 26,407,000 | 25,553,000 | | -854,000 |
| Construction 1/ | | 6,300,000 | | | -6,300,000 |
| Justice prisoner and alien transportation system fund | | 10,000,000 | | | -10,000,000 |
| Total, United States Marshals Service | 493,386,000 | 529,143,000 | 503,164,000 | +9,778,000 | -25,979,000 |
| Federal Prisoner Detention | 405,262,000 | 450,848,000 | 425,000,000 | +19,738,000 | -25,848,000 |
| Fees and expenses of witnesses | 75,000,000 | 95,000,000 | 95,000,000 | +20,000,000 | |
| Community Relations Service | 5,319,000 | 8,899,000 | 6,699,000 | +1,380,000 | -2,200,000 |
| Assets forfeiture fund | 23,000,000 | 23,000,000 | 23,000,000 | | |
| Total, Legal activities | 2,509,673,000 | 2,931,282,000 | 2,629,853,000 | +120,180,000 | -301,429,000 |
| Appropriations | (2,413,323,000) | (2,842,692,000) | (2,541,909,000) | (+128,586,000) | (-300,783,000) |
| Crime trust fund | (96,350,000) | (88,590,000) | (87,944,000) | (-8,406,000) | (-646,000) |
| Radiation Exposure Compensation | | | | | |
| Administrative expenses | 2,000,000 | 2,000,000 | 2,000,000 | | |
| Payment to radiation exposure compensation trust fund | 4,381,000 | 11,717,000 | | -4,381,000 | -11,717,000 |
| Total, Radiation Exposure Compensation | 6,381,000 | 13,717,000 | 2,000,000 | -4,381,000 | -11,717,000 |
| Interagency Law Enforcement | | | | | |
| Interagency crime and drug enforcement | 294,967,000 | 304,014,000 | 304,014,000 | +9,047,000 | |
| Federal Bureau of Investigation | | | | | |
| Salaries and expenses | 2,445,471,000 | 2,584,885,000 | 2,420,342,000 | -25,129,000 | -164,543,000 |
| Counterintelligence and national security | 221,050,000 | 170,283,000 | 282,473,000 | +61,423,000 | +112,190,000 |
| FBI Fingerprint identification | 84,400,000 | 47,800,000 | 47,800,000 | -36,600,000 | |
| Subtotal | 2,750,921,000 | 2,802,968,000 | 2,750,615,000 | -306,000 | -52,353,000 |
| Crime trust fund | 179,121,000 | 215,356,000 | 215,356,000 | +36,235,000 | |
| Construction | 44,506,000 | 14,146,000 | 11,287,000 | -33,219,000 | -2,859,000 |
| Total, Federal Bureau of Investigation | 2,974,548,000 | 3,032,470,000 | 2,977,258,000 | +2,710,000 | -55,212,000 |
| Appropriations | (2,795,427,000) | (2,817,114,000) | (2,761,902,000) | (-33,525,000) | (-55,212,000) |
| Crime trust fund | (179,121,000) | (215,356,000) | (215,356,000) | (+36,235,000) | |

## DEPARMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4276)—Continued

| | FY 1998 Enacted | FY 1999 Estimate | Bill | Bill compared with Enacted | Bill compared with Estimate |
|---|---|---|---|---|---|
| **Drug Enforcement Administration** | | | | | |
| Salaries and expenses | 782,109,000 | 841,970,000 | 873,000,000 | +90,891,000 | +31,030,000 |
| Diversion control fund | -58,268,000 | -76,710,000 | -76,710,000 | -18,442,000 | ..... |
| Direct appropriation | 723,841,000 | 765,260,000 | 796,290,000 | +72,449,000 | +31,030,000 |
| Crime trust fund | 403,537,000 | 405,000,000 | 405,000,000 | +1,463,000 | ..... |
| Construction | 8,000,000 | 8,000,000 | 8,000,000 | ..... | ..... |
| Total, Drug Enforcement Administration | 1,135,378,000 | 1,178,260,000 | 1,209,290,000 | +73,912,000 | +31,030,000 |
| Appropriations | (731,841,000) | (773,260,000) | (804,290,000) | (+72,449,000) | (+31,030,000) |
| Crime trust fund | (403,537,000) | (405,000,000) | (405,000,000) | (+1,463,000) | ..... |
| **Immigration and Naturalization Service** | | | | | |
| Salaries and expenses | 1,657,886,000 | 1,867,353,000 | 1,619,514,000 | -38,372,000 | -247,839,000 |
| Enforcement and border affairs | ..... | ..... | (1,096,431,000) | (+1,096,431,000) | (+1,096,431,000) |
| Citizenship and benefits, immigration support and program direction | ..... | ..... | (523,083,000) | (+523,083,000) | (+523,083,000) |
| Crime trust fund | 608,206,000 | 738,000,000 | 866,490,000 | +258,284,000 | +128,490,000 |
| Subtotal, Direct and crime trust fund | 2,266,092,000 | 2,605,353,000 | 2,486,004,000 | +219,912,000 | -119,349,000 |
| Fee accounts: | | | | | |
| Immigration legalization fund | (1,259,000) | (998,000) | (998,000) | (-261,000) | ..... |
| Immigration user fee | (426,622,000) | (486,071,000) | (486,071,000) | (+59,449,000) | ..... |
| Land border inspection fund | (3,043,000) | (3,275,000) | (3,275,000) | (+232,000) | ..... |
| Immigration examinations fund | (785,342,000) | (826,402,000) | (906,000,000) | (+120,658,000) | (+79,598,000) |
| Breached bond fund | (235,272,000) | (144,870,000) | (169,870,000) | (-65,402,000) | (+25,000,000) |
| Immigration enforcement fines | (3,800,000) | (3,800,000) | (3,800,000) | ..... | ..... |
| Subtotal, Fee accounts | (1,455,338,000) | (1,465,416,000) | (1,570,014,000) | (+114,676,000) | (+104,598,000) |
| Construction | 75,959,000 | 118,170,000 | 81,570,000 | +5,611,000 | -36,600,000 |
| Total, Immigration and Naturalization Service | (3,797,389,000) | (4,188,939,000) | (4,137,588,000) | (+340,199,000) | (-51,351,000) |
| Appropriations | (1,733,845,000) | (1,985,523,000) | (1,701,084,000) | (-32,761,000) | (-284,439,000) |
| Crime trust fund | (608,206,000) | (738,000,000) | (866,490,000) | (+258,284,000) | (+128,490,000) |
| (Fee accounts) | (1,455,338,000) | (1,465,416,000) | (1,570,014,000) | (+114,676,000) | (+104,598,000) |
| **Federal Prison System** | | | | | |
| Salaries and expenses | 2,911,642,000 | 3,006,494,000 | 3,012,354,000 | +100,712,000 | +5,860,000 |
| Prior year carryover | -90,000,000 | -90,000,000 | -90,000,000 | ..... | ..... |
| Direct appropriation | 2,821,642,000 | 2,916,494,000 | 2,922,354,000 | +100,712,000 | +5,860,000 |
| Crime trust fund | 26,135,000 | 26,559,000 | 26,499,000 | +364,000 | -60,000 |
| Subtotal, Salaries and expenses | 2,847,777,000 | 2,943,053,000 | 2,948,853,000 | +101,076,000 | +5,800,000 |
| Buildings and facilities | 255,133,000 | 413,997,000 | 413,997,000 | +158,864,000 | ..... |
| Transfer from D.C. bill (P.L. 105-100) | 302,000,000 | ..... | ..... | -302,000,000 | ..... |
| Subtotal, Buildings and facilities | 557,133,000 | 413,997,000 | 413,997,000 | -143,136,000 | ..... |
| Federal Prison Industries, Incorporated (limitation on administrative expenses) | (3,266,000) | (3,266,000) | (3,266,000) | ..... | ..... |
| Total, Federal Prison System | 3,404,910,000 | 3,357,050,000 | 3,362,850,000 | -42,060,000 | +5,800,000 |
| **Office of Justice Programs** | | | | | |
| Justice assistance | 173,600,000 | 307,711,000 | 155,000,000 | -18,600,000 | -152,711,000 |
| State and local law enforcement assistance: | | | | | |
| Direct appropriations: | | | | | |
| Byrne grants (discretionary) | 46,500,000 | ..... | 47,750,000 | +1,250,000 | +47,750,000 |
| Byrne grants (formula) | 462,500,000 | ..... | 505,000,000 | +42,500,000 | +505,000,000 |
| Subtotal, Direct appropriations | 509,000,000 | ..... | 552,750,000 | +43,750,000 | +552,750,000 |
| Crime trust fund: | | | | | |
| Byrne grants (discretionary) | ..... | 47,750,000 | ..... | ..... | -47,750,000 |
| Byrne grants (formula) | 42,500,000 | 505,000,000 | ..... | -42,500,000 | -505,000,000 |
| Local law enforcement block grant | 523,000,000 | ..... | 523,000,000 | ..... | +523,000,000 |
| Boys and Girls clubs (earmark) | (20,000,000) | ..... | (20,000,000) | ..... | (+20,000,000) |
| Juvenile crime block grant | 250,000,000 | ..... | 250,000,000 | ..... | +250,000,000 |
| Youth violence courts | ..... | 50,000,000 | ..... | ..... | -50,000,000 |
| Juvenile prosecutor program | ..... | 100,000,000 | ..... | ..... | -100,000,000 |
| Community prosecutors program | ..... | 50,000,000 | ..... | ..... | -50,000,000 |
| Drug intervention treatment program | ..... | 85,000,000 | ..... | ..... | -85,000,000 |
| Indian tribal courts program | ..... | 10,000,000 | ..... | ..... | -10,000,000 |
| Juvenile drug prevention program 2/ | ..... | 5,000,000 | ..... | ..... | -5,000,000 |
| Drug courts | 30,000,000 | 30,000,000 | 40,000,000 | +10,000,000 | +10,000,000 |
| Upgrade criminal history records | 45,000,000 | 45,000,000 | 45,000,000 | ..... | ..... |
| State prison grants | 720,500,000 | 711,000,000 | 730,500,000 | +10,000,000 | +19,500,000 |
| State criminal alien assistance program | 420,000,000 | 350,000,000 | 420,000,000 | ..... | +70,000,000 |
| Violence Against Women grants | 270,750,000 | 270,750,000 | 279,750,000 | +9,000,000 | +9,000,000 |
| State prison drug treatment | 63,000,000 | 72,000,000 | 63,000,000 | ..... | -9,000,000 |
| DNA identification grants | 12,500,000 | 15,000,000 | 15,000,000 | +2,500,000 | ..... |
| Counterterrorism technologies 3/ | ..... | 10,000,000 | ..... | ..... | -10,000,000 |
| Grants to firefighters 3/ | ..... | 5,000,000 | ..... | ..... | -5,000,000 |

## DEPARMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4276)—Continued

| | FY 1998 Enacted | FY 1999 Estimate | Bill | Bill compared with Enacted | Bill compared with Estimate |
|---|---|---|---|---|---|
| Other crime control programs | 5,150,000 | 7,900,000 | 5,150,000 | ..... | -2,750,000 |
| Subtotal, Crime trust fund | 2,382,400,000 | 2,369,400,000 | 2,371,400,000 | -11,000,000 | +2,000,000 |
| Total, State and local law enforcement | 2,891,400,000 | 2,369,400,000 | 2,924,150,000 | +32,750,000 | +554,750,000 |
| Weed and seed program fund | 33,500,000 | ..... | 33,500,000 | ..... | +33,500,000 |
| Crime trust fund | ..... | 40,000,000 | ..... | ..... | -40,000,000 |
| Community oriented policing services (crime trust fund) | 1,400,000,000 | 1,400,000,000 | 1,400,000,000 | ..... | ..... |
| Police corps (crime trust fund) | 30,000,000 | 20,000,000 | 20,000,000 | -10,000,000 | ..... |
| Total, Community oriented policing services | 1,430,000,000 | 1,420,000,000 | 1,420,000,000 | -10,000,000 | ..... |
| Juvenile justice programs | 238,672,000 | 277,950,000 | 282,950,000 | +44,278,000 | +5,000,000 |
| Public safety officers benefits program: | | | | | |
| Death benefits | 31,003,000 | 32,059,000 | 32,059,000 | +1,056,000 | ..... |
| Federal law enforcement dependents assistance | 2,000,000 | 250,000 | 250,000 | -1,750,000 | ..... |
| Total, Public safety officers benefits program | 33,003,000 | 32,309,000 | 32,309,000 | -694,000 | ..... |
| Total, Office of Justice Programs | 4,800,175,000 | 4,447,370,000 | 4,847,909,000 | +47,734,000 | +400,539,000 |
| Appropriations | (987,775,000) | (617,970,000) | (1,056,509,000) | (+68,734,000) | (+438,539,000) |
| Crime trust fund | (3,812,400,000) | (3,829,400,000) | (3,791,400,000) | (-21,000,000) | (-38,000,000) |
| Total, title I, Department of Justice | 17,764,460,000 | 18,511,865,000 | 18,288,009,000 | +523,549,000 | -223,856,000 |
| Appropriations | (12,579,460,000) | (13,057,888,000) | (12,836,069,000) | (+256,609,000) | (-221,819,000) |
| Crime trust fund | (5,185,000,000) | (5,453,977,000) | (5,451,940,000) | (+266,940,000) | (-2,037,000) |
| (Limitation on administrative expenses) | (3,266,000) | (3,266,000) | (3,266,000) | ..... | ..... |
| TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES | | | | | |
| TRADE AND INFRASTRUCTURE DEVELOPMENT | | | | | |
| Office of the United States Trade Representative | | | | | |
| Salaries and expenses | 23,450,000 | 24,836,000 | 24,000,000 | +550,000 | -836,000 |
| International Trade Commission | | | | | |
| Salaries and expenses | 41,200,000 | 45,500,000 | 44,200,000 | +3,000,000 | -1,300,000 |
| Total, Related agencies | 64,650,000 | 70,336,000 | 68,200,000 | +3,550,000 | -2,136,000 |
| DEPARTMENT OF COMMERCE | | | | | |
| International Trade Administration | | | | | |
| Operations and administration | 283,066,000 | 292,452,000 | 284,123,000 | +1,057,000 | -8,329,000 |
| Offsetting fee collections | ..... | -6,000,000 | -1,600,000 | -1,600,000 | +4,400,000 |
| Direct appropriation | 283,066,000 | 286,452,000 | 282,523,000 | -543,000 | -3,929,000 |
| Export Administration | | | | | |
| Operations and administration | 42,000,000 | 48,356,000 | 43,900,000 | +1,900,000 | -4,456,000 |
| CWC enforcement | 1,900,000 | 3,877,000 | 3,877,000 | +1,977,000 | ..... |
| Total, Export Administration | 43,900,000 | 52,233,000 | 47,777,000 | +3,877,000 | -4,456,000 |
| Economic Development Administration | | | | | |
| Economic development assistance programs | 340,000,000 | 368,379,000 | 368,379,000 | +28,379,000 | ..... |
| Salaries and expenses | 21,028,000 | 29,590,000 | 25,000,000 | +3,972,000 | -4,590,000 |
| Total, Economic Development Administration | 361,028,000 | 397,969,000 | 393,379,000 | +32,351,000 | -4,590,000 |
| Minority Business Development Agency | | | | | |
| Minority business development | 25,000,000 | 28,087,000 | 25,276,000 | +276,000 | -2,811,000 |
| Total, Trade and Infrastructure Development | 777,644,000 | 835,077,000 | 817,155,000 | +39,511,000 | -17,922,000 |
| ECONOMIC AND INFORMATION INFRASTRUCTURE | | | | | |
| Economic and Statistical Analysis | | | | | |
| Salaries and expenses | 47,499,000 | 53,701,000 | 48,000,000 | +501,000 | -5,701,000 |
| Bureau of the Census | | | | | |
| Salaries and expenses | 137,278,000 | 160,102,000 | 140,147,000 | +2,869,000 | -19,955,000 |
| Periodic censuses and programs | 555,813,000 | 1,027,784,000 | 1,111,887,000 | +556,074,000 | +84,103,000 |
| Total, Bureau of the Census | 693,091,000 | 1,187,886,000 | 1,252,034,000 | +558,943,000 | +64,148,000 |
| National Telecommunications and Information Administration | | | | | |
| Salaries and expenses | 16,550,000 | 10,940,000 | 10,940,000 | -5,610,000 | ..... |
| Public telecommunications facilities, planning and construction | 21,000,000 | 15,000,000 | 21,000,000 | ..... | +6,000,000 |

## DEPARMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4276)—Continued

| | FY 1998 Enacted | FY 1999 Estimate | Bill | Bill compared with Enacted | Bill compared with Estimate |
|---|---|---|---|---|---|
| Information infrastructure grants | 20,000,000 | 22,000,000 | 16,000,000 | -4,000,000 | -6,000,000 |
| Total, National Telecommunications and Information Administration | 57,550,000 | 47,940,000 | 47,940,000 | -9,610,000 | |
| Patent and Trademark Office | | | | | |
| Salaries and expenses | 27,000,000 | | | -27,000,000 | |
| (Fees collected - current year) | (664,000,000) | | | (-664,000,000) | |
| Current year fee funding | | 653,526,000 | 653,526,000 | +653,526,000 | |
| Prior year fee funding | | 65,868,000 | 71,000,000 | +71,000,000 | +5,132,000 |
| (Prior year carryover) | (25,000,000) | | | (-25,000,000) | |
| Rescission | | -116,342,000 | -41,000,000 | -41,000,000 | +75,342,000 |
| Subtotal | (716,000,000) | (603,052,000) | (683,526,000) | (-32,474,000) | (+80,474,000) |
| Legislative proposal fees | | 182,000,000 | 102,000,000 | +102,000,000 | -80,000,000 |
| Total, Patent and Trademark Office | (716,000,000) | (785,052,000) | (785,526,000) | (+69,526,000) | (+474,000) |
| Offsetting fee collections | | -653,526,000 | -653,526,000 | -653,526,000 | |
| Offsetting fee collections - legis. proposal | | -182,000,000 | -102,000,000 | -102,000,000 | +80,000,000 |
| Total, PTO offsetting fee collections | | -835,526,000 | -755,526,000 | -755,526,000 | +80,000,000 |
| Total, Economic and Information Infrastructure | 825,140,000 | 1,239,053,000 | 1,377,974,000 | +552,834,000 | +138,921,000 |
| SCIENCE AND TECHNOLOGY | | | | | |
| Technology Administration | | | | | |
| Under Secretary for Technology/ Office of Technology Policy | | | | | |
| Salaries and expenses | 8,500,000 | 9,993,000 | 9,000,000 | +500,000 | -993,000 |
| National Institute of Standards and Technology | | | | | |
| Scientific and technical research and services | 276,852,000 | 291,636,000 | 280,470,000 | +3,618,000 | -11,166,000 |
| Industrial technology services | 306,000,000 | 366,691,000 | 287,000,000 | -19,000,000 | -79,691,000 |
| Construction of research facilities | 95,000,000 | 56,714,000 | 56,714,000 | -38,286,000 | |
| Advance appropriations, FY 2000 - 2002 | | 115,000,000 | | | -115,000,000 |
| Total, National Institute of Standards and Technology | 677,852,000 | 830,041,000 | 624,184,000 | -53,668,000 | -205,857,000 |
| Appropriations | (677,852,000) | (715,041,000) | (624,184,000) | (-53,668,000) | (-90,857,000) |
| Advance appropriations | | (115,000,000) | | | (-115,000,000) |
| National Oceanic and Atmospheric Administration | | | | | |
| Operations, research, and facilities | 1,512,050,000 | 1,508,762,000 | 1,470,042,000 | -42,008,000 | -38,720,000 |
| New offsetting collections - fisheries fees | | -19,781,000 | | | +19,781,000 |
| New offsetting collections - navigation fees | | -2,500,000 | | | +2,500,000 |
| Offsetting collections - fees | -3,000,000 | | | +3,000,000 | |
| Limited access system administrative fund | | -3,000,000 | | | +3,000,000 |
| IFQ/CDQ offsetting receipts | | 4,000,000 | | | -4,000,000 |
| Direct appropriation | 1,509,050,000 | 1,487,481,000 | 1,470,042,000 | -39,008,000 | -17,439,000 |
| (By transfer from Promote and Develop Fund) | (62,381,000) | (62,381,000) | (62,381,000) | | |
| (By transfer from Damage assessment and restoration revolving fund, permanent) | 5,000,000 | 5,000,000 | 5,000,000 | | |
| (Damage assessment and restoration revolving fund) | -5,000,000 | -5,000,000 | -5,000,000 | | |
| Total, Operations, research and facilities | 1,509,050,000 | 1,487,481,000 | 1,470,042,000 | -39,008,000 | -17,439,000 |
| Procurement, acquisition and construction | 491,609,000 | 621,595,000 | 538,439,000 | +46,830,000 | -83,156,000 |
| Advance appropriations, FY 2000 - 2011 | | 2,797,815,000 | | | -2,797,815,000 |
| Coastal zone management fund | 7,800,000 | 4,000,000 | 7,800,000 | | +3,800,000 |
| Mandatory offset | -7,800,000 | -4,000,000 | -7,800,000 | | -3,800,000 |
| Fishermen's contingency fund | 953,000 | 953,000 | 953,000 | | |
| Foreign fishing observer fund | 189,000 | 189,000 | 189,000 | | |
| Fisheries finance program account | 338,000 | 238,000 | 238,000 | -100,000 | |
| Total, National Oceanic and Atmospheric Administration | 2,002,139,000 | 4,908,271,000 | 2,009,861,000 | +7,722,000 | -2,898,410,000 |
| Appropriations | (2,002,139,000) | (2,110,456,000) | (2,009,861,000) | (+7,722,000) | (-100,595,000) |
| Advance appropriations | | (2,797,815,000) | | | (-2,797,815,000) |
| Total, Science and Technology | 2,688,491,000 | 5,748,305,000 | 2,643,045,000 | -45,446,000 | -3,105,260,000 |
| General Administration | | | | | |
| Salaries and expenses | 27,490,000 | 32,187,000 | 28,900,000 | +1,410,000 | -3,287,000 |
| Office of Inspector General | 20,140,000 | 21,662,000 | 21,400,000 | +1,260,000 | -262,000 |
| Total, General administration | 47,630,000 | 53,849,000 | 50,300,000 | +2,670,000 | -3,549,000 |
| National Oceanic and Atmospheric Administration | | | | | |
| Operations, research and facilities (rescission) | -20,500,000 | | | +20,500,000 | |
| Procurement, acquisition and construction (rescission) | | | -5,000,000 | -5,000,000 | -5,000,000 |

## DEPARMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4276)—Continued

| | FY 1998 Enacted | FY 1999 Estimate | Bill | Bill compared with Enacted | Bill compared with Estimate |
|---|---|---|---|---|---|
| United States Travel and Tourism Administration | | | | | |
| Salaries and expenses (rescission) | -3,000,000 | | | +3,000,000 | |
| Total, Department of Commerce | 4,250,755,000 | 7,805,948,000 | 4,815,274,000 | +564,519,000 | -2,990,674,000 |
| Total, title II, Department of Commerce and related agencies | 4,315,405,000 | 7,876,284,000 | 4,883,474,000 | +568,069,000 | -2,992,810,000 |
| Appropriations | (4,338,905,000) | (5,079,811,000) | (4,929,474,000) | (+590,569,000) | (-150,337,000) |
| Rescissions | (-23,500,000) | (-116,342,000) | (-46,000,000) | (-22,500,000) | (+70,342,000) |
| Advance appropriations | | (2,912,815,000) | | | (-2,912,815,000) |
| (By transfer) | (62,381,000) | (62,381,000) | (62,381,000) | | |
| TITLE III - THE JUDICIARY | | | | | |
| Supreme Court of the United States | | | | | |
| Salaries and expenses: | | | | | |
| Salaries of justices | 1,654,000 | 1,690,000 | 1,690,000 | +36,000 | |
| Other salaries and expenses | 27,591,000 | 29,405,000 | 29,405,000 | +1,814,000 | |
| Total, Salaries and expenses | 29,245,000 | 31,095,000 | 31,095,000 | +1,850,000 | |
| Care of the building and grounds | 3,400,000 | 5,871,000 | 5,400,000 | +2,000,000 | -471,000 |
| Total, Supreme Court of the United States | 32,645,000 | 36,966,000 | 36,495,000 | +3,850,000 | -471,000 |
| United States Court of Appeals for the Federal Circuit | | | | | |
| Salaries and expenses: | | | | | |
| Salaries of judges | 1,887,000 | 1,943,000 | 1,943,000 | +56,000 | |
| Other salaries and expenses | 13,688,000 | 14,885,000 | 14,200,000 | +512,000 | -685,000 |
| Total, Salaries and expenses | 15,575,000 | 16,828,000 | 16,143,000 | +568,000 | -685,000 |
| United States Court of International Trade | | | | | |
| Salaries and expenses: | | | | | |
| Salaries of judges | 1,483,000 | 1,506,000 | 1,506,000 | +23,000 | |
| Other salaries and expenses | 9,966,000 | 10,316,000 | 10,316,000 | +350,000 | |
| Total, Salaries and expenses | 11,449,000 | 11,822,000 | 11,822,000 | +373,000 | |
| Courts of Appeals, District Courts, and Other Judicial Services | | | | | |
| Salaries and expenses: | | | | | |
| Salaries of judges and bankruptcy judges | 227,674,000 | 238,329,000 | 238,329,000 | +10,655,000 | |
| Other salaries and expenses | 2,454,726,000 | 2,710,394,000 | 2,610,000,000 | +155,274,000 | -100,394,000 |
| Direct appropriation | 2,682,400,000 | 2,948,723,000 | 2,848,329,000 | +165,929,000 | -100,394,000 |
| Crime trust fund | 40,000,000 | 60,000,000 | 60,000,000 | +20,000,000 | |
| Total, Salaries and expenses | 2,722,400,000 | 3,008,723,000 | 2,908,329,000 | +185,929,000 | -100,394,000 |
| Vaccine Injury Compensation Trust Fund | 2,450,000 | 2,515,000 | 2,515,000 | +65,000 | |
| Defender services | 329,529,000 | 360,952,000 | 360,952,000 | +31,423,000 | |
| Fees of jurors and commissioners | 64,438,000 | 68,173,000 | 67,000,000 | +2,562,000 | -1,173,000 |
| Court security | 167,214,000 | 179,055,000 | 174,100,000 | +6,886,000 | -4,955,000 |
| Total, Courts of Appeals, District Courts, and Other Judicial Services | 3,286,031,000 | 3,619,418,000 | 3,512,896,000 | +226,865,000 | -106,522,000 |
| Administrative Office of the United States Courts | | | | | |
| Salaries and expenses | 52,000,000 | 56,156,000 | 54,500,000 | +2,500,000 | -1,656,000 |
| Federal Judicial Center | | | | | |
| Salaries and expenses | 17,495,000 | 18,470,000 | 18,000,000 | +505,000 | -470,000 |
| Judicial Retirement Funds | | | | | |
| Payment to Judiciary Trust Funds | 34,200,000 | 37,300,000 | 37,300,000 | +3,100,000 | |
| United States Sentencing Commission | | | | | |
| Salaries and expenses | 9,240,000 | 9,900,000 | 9,600,000 | +360,000 | -300,000 |
| General Provisions | | | | | |
| Judges' pay raise | 5,000,000 | | | -5,000,000 | |
| Total, title III, the Judiciary | 3,463,635,000 | 3,806,860,000 | 3,696,756,000 | +233,121,000 | -110,104,000 |
| Appropriations | (3,423,635,000) | (3,746,860,000) | (3,636,756,000) | (+213,121,000) | (-110,104,000) |
| Crime trust fund | (40,000,000) | (60,000,000) | (60,000,000) | (+20,000,000) | |
| TITLE IV - DEPARTMENT OF STATE | | | | | |
| Administration of Foreign Affairs | | | | | |
| Diplomatic and consular programs | 1,705,600,000 | 1,664,882,000 | 1,641,490,000 | -64,110,000 | -23,392,000 |
| Registration fees | 700,000 | 700,000 | 700,000 | | |
| Security | 23,700,000 | 25,700,000 | 25,700,000 | +2,000,000 | |
| Total, Diplomatic and consular programs | 1,730,000,000 | 1,691,282,000 | 1,667,890,000 | -62,110,000 | -23,392,000 |
| Salaries and expenses | 363,513,000 | 367,778,000 | 365,235,000 | +1,722,000 | -2,543,000 |
| Capital investment fund | 86,000,000 | 118,340,000 | 80,000,000 | -6,000,000 | -38,340,000 |

## DEPARMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4276)—Continued

| | FY 1998 Enacted | FY 1999 Estimate | Bill | Bill compared with Enacted | Bill compared with Estimate |
|---|---|---|---|---|---|
| Office of Inspector General | 27,495,000 | 28,717,000 | 28,000,000 | +505,000 | -717,000 |
| Representation allowances | 4,200,000 | 4,300,000 | 4,200,000 | | -100,000 |
| Protection of foreign missions and officials | 7,900,000 | 8,100,000 | 8,100,000 | +200,000 | |
| Security and maintenance of United States missions | 404,000,000 | 640,800,000 | 396,000,000 | -8,000,000 | -244,800,000 |
| Emergencies in the diplomatic and consular service | 5,500,000 | 5,500,000 | 5,500,000 | | |
| (By transfer) | | | (4,000,000) | (+4,000,000) | (+4,000,000) |
| Commission on Holocaust Assets in U.S. (by transfer) | | | (2,000,000) | (+2,000,000) | (+2,000,000) |
| Repatriation Loans Program Account: | | | | | |
| Direct loans subsidy | 593,000 | 593,000 | 593,000 | | |
| Administrative expenses | 607,000 | 607,000 | 607,000 | | |
| (By transfer) | | | (1,000,000) | (+1,000,000) | (+1,000,000) |
| Total, Repatriation loans program account | 1,200,000 | 1,200,000 | 1,200,000 | | |
| Payment to the American Institute in Taiwan | 14,000,000 | 16,426,000 | 15,000,000 | +1,000,000 | -1,426,000 |
| Payment to the Foreign Service Retirement and Disability Fund | 129,935,000 | 132,500,000 | 132,500,000 | +2,565,000 | |
| Total, Administration of Foreign Affairs | 2,773,743,000 | 3,014,943,000 | 2,703,625,000 | -70,118,000 | -311,318,000 |
| International Organizations and Conferences | | | | | |
| Contributions to international organizations, current year assessment | 901,515,000 | 930,773,000 | 915,000,000 | +13,485,000 | -15,773,000 |
| Prior year assessment | 54,000,000 | | | -54,000,000 | |
| Subtotal | 955,515,000 | 930,773,000 | 915,000,000 | -40,515,000 | -15,773,000 |
| Contributions for international peacekeeping activities, current year | 210,000,000 | 231,000,000 | 220,000,000 | +10,000,000 | -11,000,000 |
| Prior year assessment | 46,000,000 | | | -46,000,000 | |
| Subtotal | 256,000,000 | 231,000,000 | 220,000,000 | -36,000,000 | -11,000,000 |
| Arrearage payments | | 475,000,000 | 475,000,000 | +475,000,000 | |
| International conferences and contingencies | | 1,223,000 | | | -1,223,000 |
| (By transfer) | | | (15,000,000) | (+15,000,000) | (+15,000,000) |
| Total, International Organizations and Conferences | 1,211,515,000 | 1,637,996,000 | 1,610,000,000 | +398,485,000 | -27,996,000 |
| International Commissions | | | | | |
| International Boundary and Water Commission, United States and Mexico: | | | | | |
| Salaries and expenses | 17,490,000 | 19,179,000 | 18,490,000 | +1,000,000 | -689,000 |
| Construction | 6,463,000 | 7,125,000 | 7,000,000 | +537,000 | -125,000 |
| American sections, international commissions | 5,490,000 | 5,867,000 | 5,490,000 | | -377,000 |
| International fisheries commissions | 14,549,000 | 14,549,000 | 14,490,000 | -59,000 | -59,000 |
| Total, International commissions | 43,992,000 | 46,720,000 | 45,470,000 | +1,478,000 | -1,250,000 |
| Other | | | | | |
| Payment to the Asia Foundation | 8,000,000 | 15,000,000 | 8,250,000 | +250,000 | -6,750,000 |
| Total, Department of State | 4,037,250,000 | 4,714,659,000 | 4,367,345,000 | +330,095,000 | -347,314,000 |
| RELATED AGENCIES | | | | | |
| Arms Control and Disarmament Agency | | | | | |
| Arms control and disarmament activities | 41,500,000 | 43,400,000 | 41,500,000 | | -1,900,000 |
| United States Information Agency | | | | | |
| International information programs | 427,097,000 | 461,728,000 | 457,146,000 | +30,049,000 | -4,582,000 |
| Technology fund | 5,050,000 | 5,050,000 | | -5,050,000 | -5,050,000 |
| Educational and cultural exchange programs | 197,731,000 | 199,024,000 | 200,000,000 | +2,269,000 | +976,000 |
| Eisenhower Exchange Fellowship Program, trust fund | 570,000 | 600,000 | 600,000 | +30,000 | |
| Israeli Arab scholarship program | 400,000 | 400,000 | 400,000 | | |
| International Broadcasting Operations | 364,415,000 | 388,690,000 | 383,957,000 | +19,542,000 | -4,733,000 |
| Emergency appropriations (P.L. 105-174) | 5,000,000 | | | -5,000,000 | |
| Broadcasting to Cuba (direct) | 22,095,000 | | | -22,095,000 | |
| Radio construction | 40,000,000 | 25,308,000 | 25,308,000 | -14,692,000 | |
| East-West Center | 12,000,000 | 5,000,000 | | -12,000,000 | -5,000,000 |
| North/South Center | 1,500,000 | 2,500,000 | | -1,500,000 | -2,500,000 |
| National Endowment for Democracy | 30,000,000 | 31,000,000 | 31,000,000 | +1,000,000 | |
| Total, United States Information Agency | 1,105,858,000 | 1,119,300,000 | 1,098,411,000 | -7,447,000 | -20,889,000 |
| Arms Control and Disarmament Agency | | | | | |
| Arms control and disarmament activities (rescission) | -700,000 | | | +700,000 | |
| Total, related agencies | 1,146,658,000 | 1,162,700,000 | 1,139,911,000 | -6,747,000 | -22,789,000 |
| Total, title IV, Department of State | 5,183,908,000 | 5,877,359,000 | 5,507,256,000 | +323,348,000 | -370,103,000 |
| Appropriations | (5,179,608,000) | (5,877,359,000) | (5,507,256,000) | (+327,648,000) | (-370,103,000) |
| Emergency appropriations | (5,000,000) | | | (-5,000,000) | |
| Rescissions | (-700,000) | | | (+700,000) | |
| (By transfer) | | | (22,000,000) | (+22,000,000) | (+22,000,000) |

## DEPARMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4276)—Continued

| | FY 1998 Enacted | FY 1999 Estimate | Bill | Bill compared with Enacted | Bill compared with Estimate |
|---|---|---|---|---|---|
| TITLE V - RELATED AGENCIES | | | | | |
| DEPARTMENT OF TRANSPORTATION | | | | | |
| Maritime Administration | | | | | |
| Operating-differential subsidies (liquidation of contract authority) | (51,030,000) | ..... | ..... | (-51,030,000) | ..... |
| Maritime Security Program | 35,500,000 | 97,650,000 | 97,650,000 | +62,150,000 | ..... |
| Operations and training | 67,600,000 | 70,553,000 | 67,600,000 | ..... | -2,953,000 |
| Maritime Guaranteed Loan (Title XI) Program Account: | | | | | |
| Guaranteed loans subsidy | 32,000,000 | 6,000,000 | 16,000,000 | -16,000,000 | +10,000,000 |
| Administrative expenses | 3,725,000 | 4,000,000 | 3,725,000 | ..... | -275,000 |
| Total, Maritime guaranteed loan program account | 35,725,000 | 10,000,000 | 19,725,000 | -16,000,000 | +9,725,000 |
| Total, Maritime Administration | 138,825,000 | 178,203,000 | 184,975,000 | +46,150,000 | +6,772,000 |
| Commission for the Preservation of America's Heritage Abroad | | | | | |
| Salaries and expenses | 250,000 | 250,000 | 280,000 | +30,000 | +30,000 |
| Commission on Civil Rights | | | | | |
| Salaries and expenses | 8,740,000 | 11,000,000 | 8,740,000 | ..... | -2,260,000 |
| Commission on Immigration Reform | | | | | |
| Salaries and expenses | 459,000 | ..... | ..... | -459,000 | ..... |
| Commission on Security and Cooperation in Europe | | | | | |
| Salaries and expenses | 1,090,000 | 1,090,000 | 1,170,000 | +80,000 | +80,000 |
| Equal Employment Opportunity Commission | | | | | |
| Salaries and expenses | 242,000,000 | 279,000,000 | 260,500,000 | +18,500,000 | -18,500,000 |
| Federal Communications Commission | | | | | |
| Salaries and expenses | 186,514,000 | 212,977,000 | 181,514,000 | -5,000,000 | -31,463,000 |
| Offsetting fee collections - current year | -162,523,000 | ..... | -172,523,000 | -10,000,000 | -172,523,000 |
| Direct appropriation | 23,991,000 | 212,977,000 | 8,991,000 | -15,000,000 | -203,986,000 |
| Offsetting fee collections | ..... | -172,523,000 | ..... | ..... | +172,523,000 |
| Federal Maritime Commission | | | | | |
| Salaries and expenses | 14,000,000 | 14,500,000 | 14,000,000 | ..... | -500,000 |
| Federal Trade Commission | | | | | |
| Salaries and expenses | 106,500,000 | 112,867,000 | 110,490,000 | +3,990,000 | -2,377,000 |
| Offsetting fee collections - carryover | -18,000,000 | -11,700,000 | -30,000,000 | -12,000,000 | -18,300,000 |
| Offsetting fee collections - current year | -70,000,000 | ..... | -76,500,000 | -6,500,000 | -76,500,000 |
| Direct appropriation | 18,500,000 | 101,167,000 | 3,990,000 | -14,510,000 | -97,177,000 |
| Gambling Impact Study Commission | | | | | |
| Salaries and expenses | 1,000,000 | ..... | ..... | -1,000,000 | ..... |
| Legal Services Corporation | | | | | |
| Payment to the Legal Services Corporation | 283,000,000 | 340,000,000 | 141,000,000 | -142,000,000 | -199,000,000 |
| Marine Mammal Commission | | | | | |
| Salaries and expenses | 1,185,000 | 1,240,000 | 1,240,000 | +55,000 | ..... |
| Securities and Exchange Commission | | | | | |
| Salaries and expenses | 315,000,000 | 118,098,000 | 23,000,000 | -292,000,000 | -95,098,000 |
| Current year fees | ..... | 205,000,000 | 214,000,000 | +214,000,000 | +9,000,000 |
| 1998 fees | ..... | 18,000,000 | 87,000,000 | +87,000,000 | +69,000,000 |
| Subtotal | 315,000,000 | 341,098,000 | 324,000,000 | +9,000,000 | -17,098,000 |
| Offsetting fee collections | -249,523,000 | ..... | ..... | +249,523,000 | ..... |
| Offsetting fee collections - carryover | -32,000,000 | ..... | ..... | +32,000,000 | ..... |
| Direct appropriation | 33,477,000 | 341,098,000 | 324,000,000 | +290,523,000 | -17,098,000 |
| Small Business Administration | | | | | |
| Salaries and expenses | 254,200,000 | 281,100,000 | 246,750,000 | -7,450,000 | -34,350,000 |
| Office of Inspector General | 10,000,000 | 11,300,000 | 11,300,000 | +1,300,000 | ..... |
| Business Loans Program Account: | | | | | |
| Direct loans subsidy | ..... | 5,724,000 | 2,000,000 | +2,000,000 | -3,724,000 |
| Guaranteed loans subsidy | 181,232,000 | 163,000,000 | 132,540,000 | -48,692,000 | -30,460,000 |
| Administrative expenses | 94,000,000 | 94,000,000 | 94,000,000 | ..... | ..... |
| Total, Business loans program account | 275,232,000 | 262,724,000 | 228,540,000 | -46,692,000 | -34,184,000 |
| Disaster Loans Program Account: | | | | | |
| Direct loans subsidy | 23,200,000 | ..... | 100,000,000 | +76,800,000 | +100,000,000 |
| Administrative expenses | 150,000,000 | 166,000,000 | 116,000,000 | -34,000,000 | -50,000,000 |
| Total, Disaster loans program account | 173,200,000 | 166,000,000 | 216,000,000 | +42,800,000 | +50,000,000 |

## DEPARMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4276)—Continued

| | FY 1998 Enacted | FY 1999 Estimate | Bill | Bill compared with Enacted | Bill compared with Estimate |
|---|---|---|---|---|---|
| Surety bond guarantees revolving fund | 3,500,000 | 3,300,000 | 3,300,000 | -200,000 | ..... |
| Total, Small Business Administration | 716,132,000 | 724,424,000 | 705,890,000 | -10,242,000 | -18,534,000 |
| State Justice Institute | | | | | |
| Salaries and expenses 4/ | 6,850,000 | 12,000,000 | 6,850,000 | ..... | -5,150,000 |
| Total, title V, Related agencies | 1,489,499,000 | 2,044,426,000 | 1,661,626,000 | +172,127,000 | -382,800,000 |
| Appropriations | (1,489,499,000) | (2,044,426,000) | (1,661,626,000) | (+172,127,000) | (-382,800,000) |
| (Liquidation of contract authority) | (51,030,000) | ..... | ..... | (-51,030,000) | ..... |
| TITLE VI - GENERAL PROVISIONS | | | | | |
| GOVERNMENT-WIDE | | | | | |
| Defense function (by transfer) | (33,169,000) | ..... | ..... | (-33,169,000) | ..... |
| International function (by transfer) | (45,432,000) | ..... | ..... | (-45,432,000) | ..... |
| Domestic function (by transfer) | (31,061,000) | ..... | ..... | (-31,061,000) | ..... |
| Total, title VI, general provisions | ..... | ..... | ..... | ..... | ..... |
| (By transfer) | (109,662,000) | ..... | ..... | (-109,662,000) | ..... |
| TITLE VII - RESCISSIONS | | | | | |
| DEPARTMENT OF JUSTICE | | | | | |
| General Administration | | | | | |
| Working capital fund (rescission) | -100,000,000 | -45,326,000 | -45,326,000 | +54,674,000 | ..... |
| Legal Activities | | | | | |
| United States trustee system fund (rescission) | ..... | ..... | -17,000,000 | -17,000,000 | -17,000,000 |
| TITLE VIII - EMERGENCY SUPPLEMENTAL APPROPRIATIONS | | | | | |
| National Oceanic and Atmospheric Administration | | | | | |
| Operations, research and facilities | 7,000,000 | ..... | ..... | -7,000,000 | ..... |
| Grand total: | | | | | |
| New budget (obligational) authority | 32,123,907,000 | 38,071,468,000 | 33,974,795,000 | +1,850,888,000 | -4,096,673,000 |
| Appropriations | (27,018,107,000) | (29,806,344,000) | (28,571,181,000) | (+1,553,074,000) | (-1,235,163,000) |
| Emergency appropriations | (5,000,000) | ..... | ..... | (-5,000,000) | ..... |
| Advance appropriations | ..... | (2,912,815,000) | ..... | ..... | (-2,912,815,000) |
| Rescissions | (-124,200,000) | (-161,668,000) | (-108,326,000) | (+15,874,000) | (+53,342,000) |
| Crime trust fund | (5,225,000,000) | (5,513,977,000) | (5,511,940,000) | (+286,940,000) | (-2,037,000) |
| (By transfer) | (172,043,000) | (62,381,000) | (84,381,000) | (-87,662,000) | (+22,000,000) |
| (Limitation on administrative expenses) | (3,266,000) | (3,266,000) | (3,266,000) | ..... | ..... |
| (Liquidation of contract authority) | (51,030,000) | ..... | ..... | (-51,030,000) | ..... |

1/ Funded under Federal Prison System.
2/ Funded under Juvenile Justice.
3/ Funded under Counterterrorism Fund.
4/ President's budget proposed $6,000,000 for State Justice Institute.

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

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

Mr. Chairman, I want to take this opportunity first at the beginning of this general debate to compliment the gentleman from Kentucky (Mr. ROGERS), our chairman, on the fine job he has done in putting together this bill. How I appreciate his willingness to consider my views and minority views on the issues as we have processed this legislation, and I want to take also an opportunity to commend our staff: Jim Kulikowski, Jennifer Miller, Mike Ringler, Cordia Strom and Janet Stormes with the Committee on Appropriations' majority, and Mark Murray, David Reich and Pat Schlueter with the minority, and Sally Gaines and Elizabeth Hall with my personal staff. They all have done an excellent job, worked tremendously hard on this bill and are indispensable to its success.

Before discussing the bill I would like to take a moment to recognize the fine contributions of a very distinguished member of our subcommittee, the gentleman from Colorado (Mr. SKAGGS), Mr. Chairman. The gentleman from Colorado (Mr. SKAGGS) is one of our subcommittee's most active, involved members, focusing in particular on NOAA and on the international accounts, and in our subcommittee, as the entire Congress, he works in a true bipartisan fashion. He always strives to elevate the debate. The gentleman from Colorado (Mr. SKAGGS) also acts very much according to his conscience, at times even pursuing issues beyond this body and into the courts. I have a great deal of respect for him, a sentiment that I know is shared by colleagues on both sides of the aisle, and just as the people of Colorado appreciate his hard work in regard to education, to the environment, to parks and to wilderness protection, we appreciate his service to this institution and his contributions to policy debate.

So, Mr. Chairman, it is with real regret and fondest best wishes as we look to his retirement, we wish him and his family all the best in the years ahead and again appreciate his fine service and friendship to this institution.

Mr. Chairman, there are a lot of things to like about this bill in addition to the contributions of the gentleman from Colorado (Mr. SKAGGS) to it. Few will find fault with the robust sums provided for the Department of Justice and law enforcement. I am particularly pleased with the funding level provided for community policing.

The COPS program has been extraordinarily successful. It has thus far put 76,771 policemen on the beat. The President is to be applauded for his leadership in proposing the COPS program. His vision has paid dividends. Proof positive of this program's success lies in the fact that violent crime across this country is down.

Some were initially skeptical of the ability of a program run from Washington to significantly impact local crime in a positive way. Some thought a better way was to send the money back to the States to let them decide how it would be best spent. Our subcommittee took these views into consideration and responded by providing, in addition to the COPS program, a block grant to the States to permit local planning and local decision-making. The local law enforcement block grant program is again funded in this bill, and I believe that the combination of these two programs coming from both sides of the aisle is an approach the Federal Government can be proud of in terms of helping States and localities fight crime.

A number of Members have expressed interest in assuring that adequate funds are provided for juvenile delinquency and other prevention programs. As my colleagues are all well aware, last year we followed the course outlined in the bipartisan House-passed H.R. 1818, the Juvenile Crime Control and Delinquency Prevention Act of 1997. We have once again tried to follow this path by providing 125 million for the juvenile delinquency prevention block grant.

Moving on to the Commerce Department, Mr. Chairman, I feel this bill in most instances deals fairly with commerce. The gentleman from Kentucky (Mr. ROGERS) has continued his support for such important initiatives as the Public Works Grant Program, the Manufacturing Extension Partnership and the scientific research conducted by the National Institutes of Standards and Technology. Additionally, this bill provides needed funding increases for the critical activities of the National Weather Service. Also in NOAA this bill provides an increase for coastal zone management grants and robust funding for such popular initiatives as navigation safety programs, marine sanctuaries and Sea Grant.

However, there are several areas in the Commerce title of the bill that need to be improved. For example, this bill provides only 180 million for the ATP program, significantly less than the amount requested by the administration. Additionally, I regret that the mark of the gentleman from Kentucky (Mr. ROGERS) only provides 43 million for new awards. I am hopeful that we can improve these numbers as this bill continues through the process. Additionally, only 21 million is provided for the public telecommunications facilities program, much less than is needed to help public radio and television stations convert to digital systems.

And finally with respect to Commerce I would like to express my opposition to the language included in this bill with regard to the decennial census. I intend to offer an amendment later during consideration of this bill to address this issue, however I think it is important to note at this time that the President has indicated he would veto this bill over the census language. As well he should, Mr. Chairman. This language is dangerously flawed and runs the risk of sabotaging the decennial census. As we move forward, I sincerely hope we can avoid this issue being a major stumbling block to getting this bill signed. I believe the amendment I will offer represents a compromise that should be agreeable to all parties.

With respect to United Nations, funds are provided for payment of arrearages to the United Nations subject to authorization. The subcommittee, under the leadership of the gentleman from Kentucky (Mr. ROGERS), has been on the forefront of demanding reform at the United Nations. We have made some progress in that regard.

With regard to funding for regulated agencies under our jurisdiction, I just want to mention two where I have strong views. First, I am very concerned with the large cuts the gentleman from Kentucky (Mr. ROGERS) has proposed for the salaries and expenses accounts of the Small Business Administration. I should say at the same time, however, that I understand his frustration over the gimmicks employed by OMB and budget crafting process, and I hope that this message does not fall on deaf ears.

Second, I must express sincere reservations in the strongest terms about the woefully inadequate funding provided for the Legal Services Corporation in this bill. One hundred forty-one million is not even close to what is needed to provide legal, civil-legal assistance for our most vulnerable citizens. I intend to offer an amendment later in the debate to address this deficiency in our bill, and as mentioned earlier during debate on the rule, my amendment will increase funding for Legal Services from 141 million to 250 million.

Mr. Chairman, I want to take this occasion to further inform my colleagues that even my amendment will not provide sufficient funding for this vital program, and I intend to work with other Members hard in conference to improve this funding level even further, perhaps approaching the $300 million mark that is in the Senate bill, and that is closer to the mark that we ought to have.

This list is not exhaustive, Mr. Chairman, but merely serves to highlight a few key areas of the bill, some areas of the bill where the bill is strong and some where we have a lot of work to do.

Again I want to thank the gentleman from Kentucky (Mr. ROGERS) for his cooperation and his consideration of minority views throughout the process.

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

Mr. ROGERS. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio (Mr. REGULA), one of the very able members of our subcommittee who also serves as chairman of Subcommittee on Interior of the Committee on Appropriations.

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

Mr. REGULA. Mr. Chairman, I thank the gentleman from Kentucky (Mr. ROGERS) for yielding this time to me, and I want to say he did a great job of balancing the many very difficult issues in the subcommittee. It was tough to balance out the multitude of requests.

One of the highlights of this bill is the initiative to combat juvenile delinquency. It is disturbing to note that since 1989 arrests of juveniles in Ohio for violent crimes have risen 44 percent and 20 percent of all violent crimes nationally are committed by youths under the age of 18.

□ 1945

There are many solutions being sought, and this bill contains a $42.2 million increase for funding for juvenile justice programs, to fund the same. The increased funding is directed not only toward law enforcement initiatives to punish violent juvenile offenders, but, perhaps more importantly, it is also directed to quality intervention and prevention programs to help our youth from falling into the delinquency trap.

There is a lot of truth that an ounce of prevention is worth a pound of cure. The juvenile justice programs provide funding for the Ohio Attorney General's juvenile crime initiative called OASIS, Ohio's Accelerated School-Based Intervention Solution. This program is aimed at providing teens with in-depth support during the middle school years so they can avoid moving into a life of delinquency and incarceration.

Project OASIS represents an effective solution crafted by a Federal, State and local partnership. I strongly support this, because it really is a partnership among all levels of government.

I would also like to thank the chairman for once again recognizing the importance of engaging students in continued research and outreach on coastal and ocean environments under the JASON project. The bill includes $2 million for the second year funding for the JASON project to build on the successful partnership that it has developed with the Department of Commerce.

The JASON project serves over 2.5 million students across the United States, including students in Wooster, Ohio, by providing an exciting interactive program of education that makes science more accessible and real to students. It is real time. Students can interact.

I know in one instance in the JASON project they were on the bottom of the Monterey Bay, interacting with students in schools in Ohio that were equipped, as well as across the Nation. This additional funding will allow the JASON project to develop further curricula and to expand the number of students participating.

Another important aspect funded in this bill is the $4.1 million increase above the amount requested for the Commerce Department's International Trade Administration. I support this increase because expanding exports as well as protecting domestic companies against unfair foreign trade practices are both crucial to the creating and maintaining of high wage jobs in the United States.

The Commerce Department is performing important work by promoting U.S. exports abroad and enforcing U.S. trade laws at home to ensure that the United States companies have a level playing field in the global marketplace.

I strongly urge my colleagues to support this bill, and I look forward to working with the chairman when the bill reaches conference.

Mr. MOLLOHAN. Mr. Chairman, I am delighted to yield 4 minutes to the distinguished gentleman from Colorado (Mr. SKAGGS).

Mr. SKAGGS. Mr. Chairman, I thank my friend for yielding me time.

I want to first express my thanks to the chairman, the gentleman from Kentucky (Mr. ROGERS), and the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member, and especially the fine staffs for the typically excellent work they have done in putting this bill together.

The Commerce-Justice-State appropriations bill funds an extraordinarily wide array of programs that this government undertakes on behalf of its people. To name just a few, our country's entire law enforcement corps, the criminal and civil justice systems, regulation of commerce, ensuring that securities and communications laws are enforced, research in the planet's atmosphere and oceans, our diplomatic corps, and on and on and on. I am glad to have worked with the gentleman from Kentucky (Mr. ROGERS) and the gentleman from West Virginia (Mr. MOLLOHAN) on this bill, and especially appreciate the help they have given me personally on it.

Among the many areas where I believe we have produced positive results are in the funding of the National Oceanic and Atmospheric Administration effort to maintain a much more comprehensive weather database, information crucial to predicting long and short term weather disasters; funding for NIST and the NOAA Space Environment Center; improvement in our trade statistics, which will enable future debates about trade policy to be held on a much more informed basis; and many other requests which I am grateful to the chairman and ranking member for assistance.

As both gentlemen know, I have some problems with some areas of the bill, particularly Legal Services, the census, and an amendment I will be offering on TV Marti, but I did want to engage the distinguished chairman briefly on one point having to do with funding for NOAA. I appreciate all the work that he has done to accommodate my requests in this area.

One pending item in the bill that is important to U.S. weather forecasting and supercomputing capabilities is the High Performance Computing and Communication program. This offers several benefits to the country, including the acceleration of very site-specific weather forecasting warnings by 6 to 12 hours. In addition, this program has the potential to provide a real shot in the arm for the U.S. supercomputer industry. Finally, its parallel computing system can save us a lot of money by automatically converting millions of lines of computer code that will otherwise have to be done at much greater expense.

I know the chairman is aware of these benefits, and I appreciate his inclusion of the funding and report language on the HPPC in this bill. So I hope the chairman will make every effort to provide full funding for the HPPC as we move to conference with the Senate.

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

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

Mr. ROGERS. Mr. Chairman, I thank the gentleman for yielding. Let me just say that I appreciate the gentleman's concerns. The gentleman is a very valued member of this subcommittee, as we have mentioned, but one of the most valuable contributions that the gentleman makes and has made has been the intellectual firepower that he brings to very technical subjects like this, which this subcommittee desperately needs.

But the gentleman has been a very tireless and effective advocate for these types of programs over the years, and we are going to miss his counsel on this and many other subjects on the subcommittee, not to mention his friendship. Of course, we could go on and on about the gentleman, because after all, his ancestry is from that great Commonwealth of Kentucky, if I am not mistaken.

Mr. SKAGGS. Grayson County, in particular.

Mr. ROGERS. We will do what we can to accommodate the gentleman's concerns as we work in conference with the Senate.

Mr. SKAGGS. I thank the gentleman very much.

Mr. ROGERS. Mr. Chairman, I yield 4 minutes to the gentleman from Iowa (Mr. LATHAM), one of the very able members of our subcommittee.

Mr. LATHAM. Mr. Chairman, I rise today in strong support of the bill. As a member of the subcommittee, I know this is a difficult bill to work on as it funds some of the most important and diverse functions of the Federal Government. The gentleman from Kentucky (Mr. ROGERS), who chairs this subcommittee, has worked with both sides of the aisle to craft a bill that properly reflects Congress' priorities, particularly in the area of law enforcement.

Each year there are new and greater challenges confronting law enforcement officials throughout the Nation. In order to be successful, Federal, State and local officials need to work together in a coordinated effort to combat criminals that are increasingly better organized, more lethal, and more technologically advanced.

My home State of Iowa, like many States throughout the Midwest and the West, has become inundated with methamphetamine production and trafficking. In fact, the tri-State Siouxland region of Iowa, Nebraska and South Dakota has become the meth distribution capital of the country, where the drug costs up to $30,000 a kilo.

According to DEA officials, more than 20 Mexican organizations run operations in this region and supply 90 percent of Iowa's meth. However, domestic producers are also a significant problem. In 1994 Iowa law enforcement officials seized only one clandestine meth lab, and 10 in 1996. Despite increased law enforcement efforts, that number has jumped to 111 through only half of this year.

Our bill provides greater resources for the DEA to focus on the methamphetamine epidemic in America's heartland. DEA is funded at more than $1.2 billion, which includes a $24.5 million increase targeted at meth production and trafficking, and more than $4 million in increased funding provided to assist small communities in my district and throughout rural America with the expensive and technically challenging removal of hazardous wastes generated at clandestine meth lab sites.

The bill directs an additional $50 million in resources to local law enforcement in the war on meth through the COPS Methamphetamine Drug Hot Spots Program. Included in this is funding to continue the innovative Tri-State Methamphetamine Training Center in Sioux City, Iowa, which provides police officers in rural areas with training in comprehensive counter-drug operations that their communities would normally not be able to afford or have access to.

Continuing our efforts to stem the flow of illegal aliens, this year's bill again provides funding for 1,000 new Border Patrol agents. However, there are also a number of important INS-related provisions in our bill.

The INS has been slow to implement a provision I included in the immigration reform legislation enacted in 1996 that charged INS to establish a program to deputize State and local law enforcement agents, thus enabling them to assist with identifying criminal aliens.

However, our bill provides $21.8 million to set up 50 innovative INS Quick Response Teams to aid local law enforcement with identifying and removing illegal aliens. This is critical to areas throughout rural America where the INS has simply failed to respond to calls from local authorities to identify criminal aliens and take them into custody.

Also included in the bill is language under the COPS Technology Program permitting technology such as video teleconferencing equipment to be purchased under this grant program. This equipment will enable local police to identify criminal aliens by conferencing directly with INS officials at regional offices. The INS is currently testing this innovative pilot program in San Diego County, which, again, is a result of my provision in the 1996 reform act.

I would like to take the remainder of my time to thank the chairman for responding to the needs of Iowa. The chairman recognizes the unique needs of rural America and has provided law enforcement officials at all levels with the resources necessary to meet head-on the challenges they face and they will face in the coming years.

Again, I urge my colleagues to support this great bill.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 3 minutes to the distinguished gentleman from California (Mr. DIXON), a very able member of our subcommittee.

Mr. DIXON. Mr. Chairman, I thank the ranking member for yielding me time.

Mr. Chairman, I reluctantly rise to support this bill, for in my opinion it is defective in basically three areas. One deals with the census. We have provided full funding for the census but basically say that they can only spend half of that money until March 31, 1999, when supposedly we will be able to reconcile our differences.

The problem with that is that, unfortunately, the Census Bureau testimony is that they do not spend money in half year increments. So to fully fund but only allow them to spend half the money is to impact their ability to use either system to count the census in the year 2000.

The second is the Legal Services Corporation. If we really believe that people of short means, of small means, are to be represented in the civil courts of our country, we recognize that $141 million is not enough money.

So in these two issues I think the bill is totally deficient, and I urge Members to support the ranking member's amendments at the appropriate time.

The third issue is EEOC. There was a request, based on the backlog of those people who have complaints and that they should be adjudicated, to increase it by $37 million. We have only increased it by half that amount, and I hope that as we move this bill along, that we will increase it further.

There are many good things. As the chairman and the ranking member have pointed out, the Juvenile Crime Prevention Program is funded at $295 million and the community COPS Program is fully funded. As several Members have pointed out, the methamphetamine problem in our country is growing, and we have dedicated $30 million to fight that battle. We have also provided a new program and incentive to decrease the backlog in the naturalization process in our country.

□ 2000

Most important for California, we have provided $585 million in funding for the State Criminal Alien Assistance Program, the same level as last year, but $85 million above the budget request.

These are good programs, but when we look at the bill and we see that we are going to continue to have a deficit in the way we fund the Census Bureau, when we look at Legal Services and EEOC, as we move along, I hope that we will much improve those areas. I encourage all Members to support the amendments of the ranking member in those two areas.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. SMITH), the able chairman of the Subcommittee on Immigration and Claims.

Mr. SMITH of Texas. Mr. Chairman, I thank the gentleman from Kentucky for yielding time to me.

I rise in support of H.R. 4276. This bill, Mr. Chairman, takes important steps to deal with illegal immigration and related crimes, such as alien smuggling and drug smuggling. As in previous years, the bill provides for 1,000 new border patrol agents and 140 support personnel for those agents. These new agents can help the United States regain control of its borders.

H.R. 4276 also addresses the INS's longstanding unresponsiveness to the problems imposed on communities by criminal illegal aliens. Too often the INS has failed to deport criminal aliens arrested by State and local police officers. The bill directs the INS to set up an around-the-clock 800 number that State and local officers can call to arrange for apprehension and removal of criminal aliens.

The bill also directs the INS to deputize State law enforcement officials when requested, as authorized by the 1996 immigration reform law, so they can assist the INS in removing criminal aliens from the United States. Too often the INS has released criminal aliens into American communities because of inefficient use of limited detention space. H.R. 4276 provides substantial resources for a major increase in detention spaces available to the INS.

Finally, Mr. Chairman, the bill directs the INS to maintain the integrity of immigration benefits by investigating and rejecting fraudulent applications. Equally as important, it also mandates improved speed and efficiency for serving immigration applicants, and provides important funding for that purpose, funding which was not requested by the administration.

I urge my colleagues to support and vote for H.R. 4276, the Commerce, Justice, State, and the Judiciary appropriations bill.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentlewoman from California (Ms. PELOSI), who is an outstanding Member of our full committee.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, as a former member of this subcommittee, I have an appreciation for the breadth of jurisdiction that the distinguished chairman and ranking member have to deal with, and I commend them for their great leadership in bringing this legislation to the floor. I do hope, as the process moves on, that I will be able to support the bill, because dealing with all of the issues that we have to deal with, as has been mentioned, there are some controversial ones.

One of them deals with the children of America. I do not know if Members have seen, but a couple of weeks ago Columbia University released a study that said that one in four children under the age of six in America lives in poverty.

How could this be, in a country this great? Maybe one of the reasons is that we do not have an accurate count of our children. Fifty-two percent of the undercount in the 1990 Census were children. They represent 25 percent of those counted but 52 percent were part of the undercount, a gross undercounting of the children.

That is why I support the Mollohan amendment, because I think it addresses the controversy of the Census in a very, very smart way. It accomplishes three important goals: It prevents any interruption in the funding of the 2000 Census; it takes into account possible action by the Supreme Court to review the sampling question; and it provides for third-party review of the Census Bureau's plan for counting the 2000 Census.

The 1990 Census was seriously deficient, particularly as it failed our minority communities, and as I have said, the children of America. We cannot meet the needs, minister to the needs of America's children, if we do not have an accurate count of those children. In the minority community, almost 9 million people were not counted in the process, including one in 10 African American males, one in 20 Hispanics, and one in 10 young Asian males.

On top of this, there were 26 million errors in the last Census, 1.6 percent of the population was undercounted, 4.5 million people were counted twice, and the concerns go on, which I will submit for the RECORD.

Mr. Chairman, in conclusion, I say that the Constitution requires that we have a Census. Every American counts. I urge my colleagues to vote for the Mollohan amendment when it comes up, to bring about a fair and accurate Census for America's children.

Mr. Chairman, I rise in strong support of the Mollohan amendment. The Mollohan amendment accomplishes three important goals—it prevents any interruption in funding of the 2000 census; it takes into account possible action by the Supreme Court to review the sampling question; and it provides for third party review of the Census Bureau's plans for counting the 2000 census.

The 1990 census count was seriously deficient, particularly as it failed our minority communities. Almost 9 million people were not counted in the process, including one in ten African-American males, one in twenty Hispanics and one in ten young Asian males. On top of this, there were 26 million errors in the last census, 1.6% of the population was undercounted, 4.5 million people were counted twice and another 13 million people were counted in the wrong place. In fact, the 1990 census was the first census since 1790 to be less accurate than the census preceding it.

We can do better than this and we owe it to all segments of our communities to make the strong effort to approve the Mollohan amendment to keep the census fair, accurate and representative of our diverse population.

Full funding is necessary. Full funding of the census is necessary to prevent any delays in the preparation by the Census Bureau to proceed with its improved plans for 2000. The Mollohan amendment still leaves room for the Supreme Court to act on the census question without any interruption of plans by the Bureau to modernize, organize personnel and facilities and engage in contracting now. The Bureau has a plan; give them the money they need to implement the plan so that a severely deficient process can be improved.

Secretary Daley has stated: ''This kind of living with a sword over the Census Bureau's head does not lend well to long-term planning. . . If Congress is going to have a fight and vote over what method ought to be used. . . . they should not hold hostage the census.''

The Bureau plan uses good science. The Census Bureau plan includes augmenting the traditional count with statistical sampling. Traditional methods by direct enumeration would be used to count most Americans through the use of mail surveys and interviews, with the remaining 10 percent hard-to-reach households estimated based on the characteristics of the 90% reporting from within the census tract.

This plan is supported by the National Academy of Sciences, the General Accounting Office and the Commerce Department's Inspector General. The General Accounting Office reports: ''Sampling households that fail to respond to questionnaires produces substantial cost savings and should improve final data quality.''

A report of the blue Ribbon Panel on the Census of the American Statistical Association states: ''Because sampling potentially can increase the accuracy of the count while reducing costs, the Census Bureau has responded to the Congressional mandate by investigating the increased use of sampling. . .We endorse the use of sampling for these purposes; it is consistent with the best statistical practice.''

On the Constitutional Question about ''actual enumeration,'' Stuart M. Gerson, Assistant Attorney General during the Bush Administration, stated in a 1991 memo to the Commerce Department's General Counsel that the origin of the term 'enumeration' in the Constitution ''is more likely found in the accuracy of census taking rather than in the selection of any particular method. . .Nothing. . .indicates any additional intent on the part of the Framers to restrict for all time. . .the manner in which the census is conducted.'' Gerson went further to state that a headcount ''might be subject to political manipulation in the form of a congressional refusal to appropriate sufficient funds. . .or by overly restrictive local review procedure. On the other hand, Census Bureau statisticians might perform a statistical adjustment in a manner yielding highly accurate results.''

''Actual enumeration'' under the Constitution, translated into an actual headcount, makes no more sense today than the notion of the constitutional framers to count only 3/5 of all Black male slaves in the census. Actually, times have not changed in that respect if you look at the 1990 census which was effective in counting only 9/10 of our nation's Black males. We can do better than this and we have an obligation to utilize the best possible methods available to us.

According to many analyses of Constitutional interpretation, the founding fathers were more concerned about accuracy of the census rather than the specific methods employed to obtain the count. The Carter Bush and Clinton Administrations all concluded that the Constitution permits the use of sampling and other modern statistical methods as part of the census. All of the courts which have considered the question have concluded that the Census Bureau may use sampling and other statistical methods to improve the accuracy of a good-faith direct counting effort. The Census Bureau should have the discretion to determine the best possible science and modern technology for conducting a fair and accurate census count.

The Census Bureau has a plan—recommended by the National Academy of Sciences—for improving the 1990 census and we should put it to work. Accuracy is important to all communities in America—for their representation in Congress and for the return investment by the federal government. They depend on the federal dollars for roads, schools, senior centers, Medicaid and other vital support systems that are determined by the count and that improve the quality of life in their communities.

Make the census accurate and let the Bureau do its work NOW. We cannot be happy with the fact that millions of people, and particularly minorities, are left out of the count. Every American counts. Vote YES on the Mollohan amendment to bring about a fair and accurate census for the year 2000.

Mr. ROGERS. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. HYDE), the very able chairman of the Committee on the Judiciary.

Mr. HYDE. Mr. Chairman, I thank the chairman for yielding time to me.

Mr. Chairman, I rise today to urge my colleagues to support H.R. 4276, the Commerce, Justice, State appropriations bill for the fiscal year 1999. I want to thank my colleagues at the committee for working closely with the Committee on the Judiciary in deciding what amendments to the substantive law should be included in this spending bill, and I deeply appreciate the cooperative spirit.

The CJS bill comes to the floor on the heels of H.R. 3303, the Department of Justice appropriation authorization act for fiscal years 1999 through 2000, the first reauthorization of the Department passed by the House in years.

With respect to the Justice Department, I want to commend the Committee on Appropriations for producing a strong, balanced spending bill. Working within tight budget controls, Commerce, Justice, State reflects the Congress' continuing commitment to provide resources for America's top domestic priority, fighting crime.

Over the past 3 years we witnessed a dramatic drop in most categories of crime across America. This decline has been breathtaking. Many factors have converged to bring it up. Some, like demographic changes, were purely fortuitous, but we do know that specific crime-fighting measures have made a difference, and Congress has played an important role in funding some of these measures.

For example, tens of thousands of police officers and crime-fighting equipment have been put on the streets through local law enforcement block grants and the COPS grant program. While I believe that Congress should not necessarily fund these programs in perpetuity, now is not the time to let up on the criminals. We must continue to fight to make our communities safe again. This bill will provide $4.9 billion for State and local law enforcement, $400 million more than the President's budget request.

Mr. Chairman, the bill will also provide substantial funding for counterterrorism, protection against biological and chemical weapons, and the continuing fight against drugs.

Mr. Chairman, H.R. 4276 is a strong, balanced bill that will, with respect to the Justice Department, give it the resources it needs to carry out its many diverse missions. I again congratulate the gentleman from Kentucky (Mr. ROGERS) and his committee for their intelligent cooperation with the Committee on the Judiciary, and I urge my colleagues to support passage of this important legislation.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 1¾ minutes to the distinguished gentleman from Indiana (Mr. VISCLOSKY), a member of our full committee.

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

Mr. VISCLOSKY. Mr. Chairman, I thank the gentleman for yielding me the time. I want to take my time to profoundly thank the gentleman from Kentucky (Mr. ROGERS), the chairman, and the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), as well as the staffs on both the majority and minority side, for their courtesy and consideration in ensuring that the COPS bulletproof Vest initiative was fully funded at the figure of $25 million.

This initiative, which was enacted into law in June of this year, was originally sponsored by the gentleman from New Jersey (Mr. LOBIONDO) and myself. It received the bipartisan cosponsorship of 306 individuals in this body, and was passed overwhelmingly by both Houses of Congress.

Essentially, it provides grants for police departments throughout this country to buy bulletproof vests to protect their officers. Prior to the tragedy of 10 days ago in the Capitol, the gentleman from Kentucky (Mr. ROGERS), as chairman, and the gentleman from West Virginia (Mr. MOLLOHAN), as ranking member, saw the dire need for this legislation, given the fact that before the end of today in America two police officers will be shot, and one out of every four police officers in America today does not have a bulletproof vest.

So I do want to thank both gentlemen, the members of the committee and their staffs, for doing the right thing and for saving innumerable lives of police officers throughout the United States of America.

Mr. Chairman, I rise to express my sincere appreciation to Chairman ROGERS and Ranking Member MOLLOHAN for including funding for a new program, the COPS Bulletproof Vests Initiative. The bill before us directs $25 million for the creation of a new grant program to help provide state and local law enforcement officers throughout the country with bulletproof vests.

Funding for this program was authorized in Public Law 105–181, which is based on legislation that I, together with our colleague from New Jersey, Mr. LOBIONDO, first introduced in the House last November. The measure received strong bipartisan support in the House, attracting 306 co-sponsors before it was voted on and signed into law.

Bulletproof vests and body armor have saved the lives of more than 2,000 police officers. Unfortunately, figures indicate that approximately 25 percent of the nation's 600,000 law enforcement officers don't currently have access to a vest. The Fraternal Order of Police, the National Sheriff's Association, the International Union of Police Associations, and the Police Executive Research Forum have all endorsed the bulletproof vest program that is funded by this bill.

Once again, I wish to thank Chairman ROGERS and Ranking Member MOLLOHAN, as well as all of my other colleagues who helped bring this important program to fruition.

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

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

Mr. MOLLOHAN. Mr. Chairman, I just wanted to compliment the distinguished gentleman from Indiana for his work on this issue, which is poignantly important, as we saw so tragically here right close to home in the Capitol last week. Police officers are at risk, and his work is certainly appreciated by all of them across the country and all of us. I want to compliment him.

Mr. ROGERS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, there have been a number of calls into the cloakrooms from Members inquiring about whether or not there will be further votes this evening.

For the convenience of the Members, especially, I would like to state that there will be no further votes tonight. We will conclude general debate on the bill, and consider the legal services amendment, debate only. The vote will be postponed until tomorrow, and after that debate, the committee would then rise, so Members can know there will be no further votes this evening.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 2½ minutes to the distinguished gentlewoman from Georgia (Ms. MCKINNEY).

Ms. MCKINNEY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I would like to thank the gentleman from Kentucky (Chairman ROGERS) for the assistance that he has given me, but right now I rise against Republican Census politics. It does not make much sense, by the way, either. If Republicans have their way, it will return us to the days where poor people and people of color either do not count, or, at best, count as three-fifths of a person.

During the last Census in Georgia, counters came from rural Alabama to count people in Atlanta public housing. This was not just a funny story about the country mouse visiting his city slicker cousin, it was Dixie politics. Do Members think it was an accident that the residents in Atlanta public housing did not get counted? Let me assure every Member in this House that that was no mistake.

Nationally, this same Census missed one in ten African American males, one in 20 Hispanics, and one in 10 young Asian males. That is why every major civil rights group has endorsed the plan created by the nonpartisan National Academy of Sciences to correct the undercount, using the most modern statistical methods available.

But the Republicans, for purely partisan political reasons, would like to hold the funding for the Census Bureau hostage so they can force the Bureau to use outdated techniques that are guaranteed to lead to an inaccurate count.

Mr. Chairman, the Census is America's family portrait. I recently took a portrait of my Washington, D.C. staff, which looks very much like America. If the Republicans have their way some of my staff will disappear, because the Republicans do not want a fair and accurate Census.

This is my staff, which looks very much like America. I call it my rainbow staff, and some of them are in the gallery now. Unfortunately, Mr. Chairman, this is my staff after a Republican Census. If I am not careful, I would not even be counted in the Republican Census.

It appears that Republicans are absolutely satisfied with certain people not being counted because it preserves their political power. The only way we are going to make sure that every man, woman, and child is included in America's family portrait is by putting Republican racial fear-mongering aside and let the Census Bureau do its job. America needs a fair and accurate Census.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Florida

(Mr. MCCOLLUM), the very able chairman of the Subcommittee on Crime.

Mr. MCCOLLUM. Mr. Chairman, I thank the gentleman for yielding me the time. I rise tonight to strongly support H.R. 4276, the Commerce, Justice, State appropriations bill. It contains numerous provisions that I think very much adequately fund key crime-fighting provisions that the Justice Department and the Committee on the Judiciary want in all respects.

First of all, there is a tremendous increase in funding in here for the Drug Enforcement Administration. Part of what we need to take cognizance of is the fact that we have now seen more drugs, particularly cocaine and heroin, fill our streets than at any time in history, at lower prices. We see double the teenage use in the United States since 1993, and this increase is one small but significant step in the right direction to turn that around.

□ 2015

Secondly, we have $250 million in juvenile accountability block grants in this bill to support what this House passed. The Senate has yet to pass an authorization; we passed it last year in H.R. 3. It will go to those States that will assure the Attorney General that young people will be held accountable for the very first misdemeanor crime, because experts tell us that if that does not happen, they are going on to much more likely difficult times of greater violence later on. There are many other features of that bill that this provision supports.

Third, there is $525.5 million for truth in sentencing prison construction grants going to those States that adopt truth in sentencing provisions; that is, that require those who commit violent crimes to serve at least 85 percent of their sentences. About half of the States have already made that commitment; we need to get the other half of the States to do the same.

Last but not least, there is $523 million to continue the local government law enforcement block grants that allow every city and county in this country to fight crime as they see fit with these grants, based upon their population and their crime statistics.

These are enormously important funding provisions in order for us to reduce the amount of violent crime in this country. We still have far too much. The amount of crime at the violent level is still four times greater in this country per capita than it was in 1960, but the funding in this bill will go a long way in these particular provisions to help reduce that and to fight it. I urge a ''yes'' vote on this bill.

Mr. MOLLOHAN. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Chairman, I thank my friend for yielding the time to me.

Let me just say that I think all Americans want the most accurate census possible. I do not think Americans want politics to be played. I do not think Americans like this kind of thing. The whole purpose of the census every 10 years is to get an accurate description of what America is all about, an accurate count.

If we look at the chart over here, it shows the estimated number of people who will be missed using the 2000 census plan as proposed by using statistical sampling. And how many people will be missed if we use the old 1990 method? Five million people missed, 5 million Americans not counted in the census if we use the 1990 method. And if we use the 2000 method that we are proposing, statistical sampling, very few people will be missed.

That should be the bottom line for anybody. Politics should not be played. We should not have to do this time and time again. Everybody knows that the only way to get an accurate sampling, accurate statistics, is by using statistical sampling. The 1990 census was a disaster. Everybody knows that at least 4 million people were not counted.

The Bush Administration census director at the time said enumeration cannot count everybody. So unless the census is allowed the option of employing statistical sampling to improve its accuracy of the count, the next census will miss even more people.

So the bottom line, again, for us and for the American people should be, which will give us more accurately what the American population is? It certainly is using statistical sampling.

Mr. MOLLOHAN. Mr. Chairman, I yield 2½ minutes to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for his kindness, and I thank the chairman of the committee for working collaboratively on some of the very important issues that we have surrounding Commerce, Justice.

Let me acknowledge the importance of the Police on the Beat program that has been so effectively utilized in my community in Houston. I also want to comment on the need for juvenile justice prevention programs and would like to thank the committee for its prevention dollars, but also would like to say we need more of those, because I believe the prevention angle for juveniles is much more effective than incarceration.

I am disappointed in the funding of Legal Services Corporation; $141 million does not equate to justice for our poor and underserved.

But I would like to speak most extensively on the need for an accurate and forthright count of those of us who live in this great Nation. To point to this particular board that shows who the victims of this undercount will be, I use the term ''undercount'' because no one likes that term. One feels badly that they are left out. Only 26 percent of our population are children. Yet if we do not have sampling, 52 percent of them will be undercounted. What does that mean? No education, no housing, and no health care.

The 1990 census was the first in history to be less accurate than its predecessor. The Census Bureau has a plan that will count everyone, and that is sampling. It is not polling, it is statistical sampling, approved by the National Academy of Sciences, the American Statistical Association and the Population Association of America. This is not voodoo tricks. This happens to be real science.

This is real science, Mr. Chairman. For all of those who have debated on the floor of the House to say we are simply doing polling, no, we are not. Sampling follows the constitutional analysis of enumerating and counting everyone, because how would we like to see a circumstance where someone attempts to count everyone on a block, they go at 4:00 in the afternoon and 50 percent of those who live on that block are not there. Their numbers will say there are only half of who actually lives on the block. Statistical sampling will say on this block there are this many numbers of people by our statistical analysis, and we will get the correct number of people who live on that block and not have to miss them because we came at 4:00 in the afternoon.

I support the Mollohan amendment that is a fair response to this controversy. It says, let us get ready to take the census in the year 2000. Let us not wait because we are in debate about whether sampling is constitutional. It provides for an opportunity to do both. I do not want 52 percent of our children to be undercounted. I want education, housing and health care to be fair for all Americans.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA), chairman of the Subcommittee on Technology of the House Committee on Science.

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding the time to me. I would like to engage the gentleman in a colloquy on an issue of critical importance to our U.S. competitiveness.

On June 4 of this year the Subcommittee on Technology, which I chair, held a hearing addressing the upcoming U.S. submission to the International Telecommunications Union of proposed standards for the third generation wireless telecommunications standard, commonly known as 3G. One issue which seemed to generate a significant degree of consensus was the need to ensure that any future global standard not strand technologies which are currently in use. One method to ensure U.S. technologies are not stranded is to require backwards compatibility.

The Federal Communications Commission, the National Telecommunications and Information Administration and the Department of State all share responsibility for protecting U.S. interests during the ITU standard-setting process. With the significant investment made by U.S. developers, manufacturers and service providers of wireless telecommunication technologies, I believe the FCC, NTIA and

the Department of State should work diligently to ensure that these investments are not rendered worthless through the international standard-setting process.

Since the FCC, NTIA and the Department of State all fall within Commerce, Justice, State appropriations, I would ask the chairman to work with these agencies to ensure that no U.S. technologies are stranded as a result of the ITU standard-setting process.

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

Mrs. MORELLA. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I thank the gentlewoman for bringing this issue to our attention. I look forward to working with her and all of the involved Federal agencies on the issue.

Mrs. MORELLA. Mr. Chairman, I thank the gentleman. I know it sounds complicated. It is so important. I thank the gentleman very much.

Mr. MOLLOHAN. Mr. Chairman, I yield 2½ minutes to the distinguished gentlewoman from New York (Mrs. Maloney).

Mrs. MALONEY of New York. I thank the gentleman for yielding me the time.

Mr. Chairman, every American deserves to be counted in the census, and we must have the most accurate census possible.

The 1990 census was the first in history to be less accurate than its predecessor. It missed millions of Americans, predominantly children and minorities. The Census Bureau has a plan that will count everyone. For political reasons, our opponents' plan will not do that, and we must not let that happen. They will not fund the plan that is needed for the entire year.

Virtually every expert agrees that the way to get the most accurate count possible is by using modern scientific methods to supplement the traditional head count. Here we have a list of many of the people who already support the plan that the Census Bureau has put forward, that the Mollohan amendment supports.

Funding the Census Bureau for only six months, as the opposition suggests, will cripple its ability to adequately plan and prepare for the largest peacetime mobilization undertaken by the United States Government, that of counting all of our people.

I stand in support of the Census Bureau's plan and the Mollohan amendment.

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

Mrs. MALONEY of New York. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I just noticed from the chart that the gentlewoman is emphasizing the National Academy of Sciences in her presentation, which makes the point that after the failed 1990 census, this Congress asked the National Academy of Sciences, the most respected body that we call on time and time again to give us nonpartisan advice, we called upon them and asked them, how do we do the 2000 decennial census in a way that takes care of the problems that resulted in the 1990 census being a failure?

The National Academy of Sciences came up with scientific sampling as the way to make sure that we counted everybody in this country. I just want to compliment the gentlewoman for her excellent work on this issue and think that this is the right starting point to emphasize that organization, which has such credibility in this country.

Mrs. MALONEY of New York. Mr. Chairman, it is not only the National Academy of Sciences, it is every statistical association. We have many editorials that I would like to put in the RECORD from clear across the country supporting modern scientific methods. Also it was approved by the Bush Administration, and Dr. Barbara Bryant put the plan in place under the Bush Administration. We were moving forward with a plan to count everyone.

The only person that I know who objects to it is the Republican National Committee that has raised many objections to getting an accurate count of all Americans.

Mr. Chairman, I include for the RECORD the following editorials:

EDITORIALS Y2K II

There'll certainly be hell to pay if the nation's banking, power and communication systems shut down because computers confuse the year 2000 with the year 1900. Government will get blamed for not doing enough in advance to handle the problem. But at least public officials will be able to say that the disaster was not originally of their making. That's not the case with the second Y2K meltdown that's impending: a failed 2000 Census, which took another step toward reality yesterday in the House Appropriations Committee.

On a party-line vote the committee's Republicans moved to give the Census Bureau only half of its funding for next year and to release the rest next March—if and when Congress has voted on how the census should be conducted. This was a blatant and dangerous move to keep the bureau from even planning to implement statistical sampling as a counting method.

It's important that the Census Bureau be fully funded from the get-go in fiscal 1999 because much of the agency's vital preparatory work for 2000 needs to be done early in the year—regardless of how the sampling issue finally gets decided. Offices must be leased, employees hired, questionnaires printed and computers bought—which can't happen efficiently without full funding. Moreover, if there are delays approving a second trance of funding in March, offices will have to be closed and employees let go, making a botched census even more likely—again, regardless of how the sampling issue is resolved.

The responsible way to handle the sampling issue is to let the Supreme Court decide whether or not use of modern statistical methods violates the constitutional mandate of an ''actual enumeration'' of the population each decade. We do not see how the Court can possibly decide that it does in view of the changes that have previously been made in the census. Until 1970, census-takers actually went around counting the number of persons in households. Since the, written questionnaires have been the main counting method, supplemented by personal visits. It's been conclusively determined that both methods systematically undercount the population, especially in minority and poor communities. So the Census Bureau wants to supplement visits and mailers with sampling to achieve a more accurate count.

We'd bet that the Court will find that what the Framers meant by ''actual enumeration'' was ''a realcount'' of the population—as opposed to guesswork or political logrolling—to determine distribution of Congressional seats and government benefits. But we could be wrong. If so, there won't be sampling in 2000. If the court decides that sampling is OK, though. Republicans will have no legitimate reason to oppose the practice. To block it, they'd have to say they want minorities to be undercounted—a disgraceful proposition that's unsustainable politically or morally. The GOP has every right to want sampling to be conducted in an honest, professional manner. But it's covered this problem by creating a bipartisan census oversight board.

So, we urge the full House—or the Senate—to assure full funding for census preparations. One Y2K problem is plenty.

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[From the Washington Post, July 15, 1998]

GAMES WITH THE CENSUS

The House Appropriations Committee is scheduled today to take up the bill that contains funds for the year 2000 census. It ought to provide full funding for the kind of census the administration has proposed—first a normal count, then the use of sampling and other statistical techniques to determine how many people were missed and adjust the final figures accordingly. That's the only way to combat the increasing undercount of lower-income people and minority groups especially that has skewed the census in recent years.

But the Republican leadership doesn't want to do it. They argue that sampling is illegal, in that the Constitution requires an ''actual enumeration,'' and that even if not illegal it is suspect and susceptible to manipulation. They also worry that a census adjusted to eliminate the undercount could cost them seats and, conceivably, even control of the House in the next redistricting. On the other hand, they don't want to be put in the position of seeming in an election year to advocate less than full rights for minority groups and the poor.

To avoid that, they worked out a deal last year with the administration. This year's appropriations bill would be for six months only. They would thus be ensured of another chance to vote on the issue after the election; meanwhile they would have more time to seek a ruling from the courts. At the same time, preparations for a census including sampling could go forward, and when the big vote finally came, the administration would have a hostage—both sides would, in a sense—in that the census issue, because of the appropriations' placement in a bill funding three departments, would be intertwined with those three departments (State, Justice, Commerce), and thus the conduct of foreign affairs and most federal law enforcement. A veto over the census issue would involve a broader government shutdown for which neither party would want to be responsible.

That was the deal. The Republicans now propose to get out from under it by putting just the funding for the decennial census on a six-month basis. Nor would they provide even all the funding needed for the six months. Next spring they'd be able to hand the president a take-it-or-leave-it proposition—fund the census on their terms or not

at all—with no cost to themselves in terms of shutting down other functions of government. In the meantime, they would foul up, for lack of sufficient funding, the normal preparations for the census. This would be to avoid the awful prospect of an accurate count two years from now. Administration officials say the president will veto the current bill if it deviates from last year's understanding. So he should.

[From the Scranton Times, June 27]

KEEP OF POLITICS OUT OF CENSUS

Samuel J. Tilden surely wished there had been an accurate census way back in 1870. If there had, you see, he would have been elected president of the United States in 1876.

Mr. Tilden, who had broken up the Tweed Ring in New York City, went on to become governor of New York (and later, the chief benefactor of the New York Public Library). And, in the presidential election of 1876, he actually received more popular votes than his Republican opponent, Rutherford B. Hayes.

In the Electoral College, however, Mr. Hayes received one more vote than Mr. Tilden, and became president. Only later did scholars discover that, because of an error in the 1870 census, the Electoral College votes had not been properly distributed, and that Mr. Tilden should have been elected.

That is a dramatic example of the impact of the census, even 122 years ago. Today, the census retains the potential for those kinds of problems but it is even more important, affecting the life of virtually every American. Census data are used for everything from establishing congressional districts, to distributing federal funds, to controlling the test-marketing of new products.

GOP WORRIED ABOUT CONGRESSIONAL SEATS

Unfortunately, as the 2000 Census draws near, the only issue that matters in Congress is the determination of congressional districts. Republicans who now control Congress actually are arguing against accuracy in the 2000 count, with largely spurious claims.

It is now known that the 1990 Census was the first one since 1940 to be less accurate than the one before it. In 1980, the census missed about 1.2 percent of the population. In 1990, it missed 1.8 percent. That would not be particularly alarming but for the fact that the count consistently missed certain groups more than others. It under counted blacks by a whopping 4.4 percent, for example. Republicans in Congress worry that actually counting those folks next time would result in some congressional districts more likely to vote Democratic.

CONSTITUTION PROVIDES FOR INNOVATION

The National Science Foundation and a host of experts on the census have recommended the use of sophisticated statistical sampling methods to complement actual enumeration in order to achieve a more accurate count, and the administration plans to do that.

Republicans have raised the spurious claim that the Constitution requires actual enumeration. The Constitution mandated actual enumeration only in the first census, however. It states: ''The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct.'' The manner that Congress by law should direct should be enumeration plus statistical sampling, using every proven statistical technique at the government's disposal.

[From the Buffalo News, Mon, June 15, 1998]

MAKE THE CENSUS AN ACCURATE COUNT

Why are Republicans afraid of a more accurate census?

It's the question that remains after the courtroom wrangling the other day between lawyers for House Speaker Newt Gingrich and those representing cities like Buffalo that have significant numbers of minorities and poor people.

Gingrich was in federal court trying to block the Census Bureau's plans to use statistical sampling methods that almost all experts agree would make the 2000 headcount far more accurate than the 1990 attempt.

For reasons having to do with everything from distrust of government to the transiency rates of the poor, the traditional door-to-door effort to count people every 10 year misses lot of minority and poor Americans. Most of them live in urban cities like Buffalo and New York. With a variety of federal and state aid programs pegged to population figures, cities and states that are the victims of census undercounts miss out on money they need and deserve.

Equally important, the census counts also affect the drawing of congressional districts. That, in turn, impacts on elections and helps determine, which party controls the House and state legislatures.

The technical dispute is over the ''enumeration'' called for in the U.S. Constitution. Republicans insist that the term means there must be an actual head count and no sampling.

The Census Bureau, cities and minority groups, arguing the other side point to accompanying language saying the census shall be conducted ''in such manner'' as Congress directs. Logic dictates that the framers would never have included that language if they were mandating only one way to conduct the census and meant to leave no room for improvements, such as through sampling.

But the argument really is more about political power than logic. Republicans privately fear that a census that reveals more minorities and poor people could lead to a redrawing of legislative districts in ways that threaten GOP office holders. That could shift the balance of power in the House or in some state legislatures.

Of course, such a fear seems to assume that Republicans feel they have nothing to say to minorities or poor people. Is that what GOP leaders mean to concede? Any party that feels it has ideas that can compete for the minds of voters shouldn't worry about the prospect of having more Americans counted, no matter where they live.

The bottom line is that the census should be as accurate as possible. Instead of fighting to cheat cities like Buffalo by perpetuating undercounts of certain populations, the GOP should be fighting with ideas that can attract those newly-counted Americans.

[From the Pittsburgh Post-Gazette, Sun. June 14, 1998]

CENSUS SENSE—THE USE OF ''SAMPLING'' IS SCIENTIFIC AND CONSTITUTIONAL

Since 1790, the United States has conducted a census every 10 years as required by the Constitution. As difficult and error-prone as this process always has been—George Washington and Thomas Jefferson thought the first count was too low—the task has become more difficult as the nation has become bigger and more mobile. Unless an adjustment is made, the 2000 census threatens to be the most inaccurate yet.

The record for error was set in 1990—the first census in recent history to be less accurate than the one before. The Census Bureau estimates that 10 million people were missed in the 1990 census and 6 million were double counted. Thus the census undercounted approximately 4 million people. The Bush administration rejected requests to adjust the figures.

Republicans are again resisting adjustments, this time in the method to be used for the 2000 census. They oppose using sampling, which the Census Bureau, the National Academy of Sciences and the Clinton administration say will make the count more accurate—and cheaper.

The issue may seem arcane but the stakes are high. Of the $125 billion that went to state and local governments in 1990, about half involved calculations based on census data. And, or course, the census is used to determine the apportionment of U.S. House seats, a fact that worries the GOP because the census disproportionately undercounts pro-Democratic minorities.

Naked self-interest, however, is dressed up in respectable arguments. Two lawsuits have been filed to prevent census sampling, one of them brought by House Speaker Newt Gingrich. The main contention is that sampling is unconstitutional, because Article 1, Section 2, of the Constitution requires that an ''actual enumeration'' be made.

To read this section as saying that sampling is banned as a supplement to actual counting is absurd. As the Census Bureau itself notes, the Justice Department has given an opinion on sampling on three occasions—during the Carter, Bush and Clinton administrations—each time concluding that sampling is constitutional.

Because the opposition has been so overstated, the average American could be forgiven for assuming that the Census Bureau intends to go out and use a few strategic samples in lieu of a count, much like public opinion or TV rating pollsters. That is far from truth.

Census forms will still be mailed out—short forms to five out of six households and a long form for the sixth. Just as in 1990, when only 65 percent of the forms were returned, census workers will go out and try and reach those who did not respond.

But because experience shows that it is impossible to contact everyone (and expensive to try), the census workers will aim to reach a minimum of 90 percent of the households in each census tract. The difference will be imputed on the basis of the data of those who were reached in follow-up visits. In addition, a sample of 750,000 households nationwide will be made as a safety check on the calculations.

Sampling is not weird science; many experts in the field favor the method. It also has ample precedent. As it is, the Census Bureau takes 200 sample surveys each year. Some sampling in a major census was done as long ago as 1940.

As a panel from the National Research Council observed, ''It is fruitless to continue trying to count every last person with traditional census methods of physical enumeration.'' Census day 2000 is April 1. The nation will be ill-served if partisan politics obstructs the use of the best way to get the most accurate count.

[From the Chicago Tribune, June 6, 1998]

THE WISDOM OF CENSUS SAMPLING

Trying to count every one of the 260 million-plus people who reside in the United States is a literally impossible task. No matter how much time, money and effort the Census Bureau expends, it can never hope to get a perfectly accurate count. In the 1990 effort, the bureau concluded, it missed some 8.4 million people and counted 4.4 million people not once but twice. And relying on old techniques, the count is getting steadily less accurate.

That's of some importance, since congressional seats and federal money are divided up by population. but it is a deeply divisive issue in Washington.

The Clinton administration and its allies in Congress, along with the National Academy of Sciences and the great majority of experts in the field, favor a census Bureau plan to use a statistical method known as ''sampling'' to estimate the millions of people who escape the old-fashioned head count. Republicans, fearful that most of these people are the sort who tend to vote Democratic, are resisting that suggestion. They have filed a lawsuit challenging the method on constitutional grounds and, if they lost in court, they hope to block it with legislation.

The president raised the volume on the issue last week with a speech in Houston—where, he said, the last census missed some 67,000 people. By this estimate, sampling would cut the number of people which are missed by the census to just 300,000. It would also save money.

Republicans claim the use of this method would violate the Constitution, which calls for ''actual enumeration'' of the population. But the full provision says, ''The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct''—which suggests that legislators have considerable latitude.

Nor is it obvious that ''actual enumeration'' means individually counting every person, particularly when that is known to be a seriously inadequate measure. George Bush's Justice Department issued an opinion that sampling is constitutional. A federal court is expected to issue a decision on these questions next month.

But Republicans have not made the case that a ban on sampling would make for the most accurate count possible. However inconvenient its political consequences for some, that goal has to take priority over everything else.

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[From the Christian Science Monitor, Apr. 28, 1998]

DOWN FOR THE COUNT?

Every census of a vast country like the United States is an estimate. Millions don't respond to the mailed census forms, and every front door can't be visited by follow-up head counters, particularly in tightly packed urban areas.

The count came up so short in 1990 (at least 10 million) that the Census Bureau devised a plan for using sampling methods to arrive at a more accurate estimate next time around, in 2000. Sampling is an almost universally accepted statistical tool. But Republicans in Congress have dug their heels in—no sampling!

Why? Sampling's critics may say it's because the Constitution specifies an ''actual enumeration.'' But the Constitution also says that the counting shall be done ''in such manner'' as Congress directs. There's nothing barring techniques like sampling. The real issue here is political, not constitutional. Some in the GOP don't really want a more accurate count of the hardest-to-find Americans, the poor and new immigrants who typically vote Democratic. Larger numbers in those categories could affect the political character of congressional districts allotted to states after 2000, when the new census becomes the basis for reapportionment. Specifically, it might become harder to create ''safe'' Republican House seats.

But the effects of an undercount go beyond representation. They can slow the distribution of a range of federal assistance programs, since localities partake according to their populations. Beyond governmental concerns, businesses assessing markets and researchers analyzing society rely on census numbers.

After 1990, the calls for improvement were loud. The sampling procedures drawn up by the Census Bureau are a far cry from ''guessing.'' as some charge. The counting process would begin with the traditional mailed census questionnaire, sent to every dwelling on a master address list for the country. In 1990, about 65 percent of households responded. Follow-up interviewers will contact a large number of those who don't respond, with an emphasis on areas with high rates of non-response. The bureau hopes this will boost the total contacted to 90 percent.

But that leaves 10 percent uncounted, and now the going gets tougher. This is where sampling would have its biggest impact. A sampling of 25,000 census ''blocks'' would be chosen for a second close, physical canvassing of every residence—a step that wouldn't be practical for the whole country. The results of this canvass would be compared to the earlier head count. ''Estimation factors'' would emerge that could be used to correct counts in all blocks, with a close eye to corresponding demographic features like homeownership, race, and age of residents.

This spring, the bureau will conduct some dress rehearsals of this system in geographically varied parts of the country. Congress allowed for that much. But a full-scale gearing up for 2000 remains problematic.

Preparations for the dress rehearsals have underscored another problem facing the census: It's difficult to find workers to conduct the count. With today's very low unemployment, few jump at the short-term, no-benefits census jobs. This problem will be exacerbated if Congress orders a labor-intensive, no-sampling national head count.

Meanwhile, the Census Bureau is having to split its management—one part moving ahead with the sampling plan, another working on contingency plans in case Congress flatly rules out sampling. Congress's own General Accounting Office just issued a report warning that continuing indecision over census methods could imperil the 2000 count.

One other note: If the GOP leadership in Congress has it way and demands an ''actual'' count, the price could be at least $1 billion higher than the sampling approach.

For a more sensible, and accurate census, Washington's politicians should back off and let the experts in the Census Bureau apply their apolitical expertise.

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[From the New York Times, Jan. 17, 1998]

TAKING LEAVE OF THE CENSUS

The resignation of the Census Bureau's Director, Martha Farnsworth Riche, does not bode well for hopes that the 2000 Census will be more accurate than the flawed effort in 1990. Ms. Riche, a respected professional demographer, says she has accomplished her goal of redesigning the census process, but regrettably she will not see the difficult task to completion. Her departure robs the agency of the leadership needed to resist political efforts to hijack the census.

Ms. Riche has had to battle fierce political opposition from Republicans on the use of statistical sampling to supplement the traditional head count in the upcoming census. The 1990 Census, which did not use sampling, was the most costly in history and yet missed 10 million Americans and counted 6 million twice or in the wrong place, according to analyses by the National Academy of Sciences. That is because census counts depend entirely on locating people at specific addresses. New immigrants, those in shared housing, migrant workers, the homeless, the poor and young people tend to be undercounted. As these populations grow, particularly in larger cities, the traditional counting approach has become less and less accurate.

Professional statisticians and economists, including experts convened by the National Academy, have said that taking a sampling of those who do not return their census forms by mail and using that sample to estimate the uncounted population would be far more accurate than sending field workers out to make fruitless door-to-door counts. Ms. Riche has been a sensible proponent of this plan.

But Republicans have fought sampling because they believe that the missing millions could turn out to be minorities living in areas that vote Democratic, possibly giving Democrats an advantage since census figures are used to draw state and Federal legislative districts. In a compromise deal hammered out between the White House and Republican leaders last November, the Census Bureau was allowed to go forward with a small dress rehearsal using both sampling and traditional counting techniques this year. In exchange, House Speaker Newt Gingrich will be allowed to use government money to bring a lawsuit to stop the use of sampling in the actual census in 2000.

Ms. Riche's departure could leave the Census Bureau without a guiding force when the sampling battle resumes in Congress after this testing period. It appears unlikely that the Republicans will approve a nominee to the post who supports sampling. Yet Ms. Riche bluntly says there is probably no one in the professional community who thinks an accurate census can be taken without sampling. The Administration may decide to shy away from a confirmation battle by naming an acting director to the agency instead. The politics that drives this debate now threatens to undermine what should be a politically neutral government task.

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[From the Los Angeles Times, Oct. 2, 1997]

IF THE CENSUS IS FAULTY, THE CITIES WILL PAY DEARLY—GOP OPPOSITION TO SAMPLING COULD HIT CALIFORNIA HARD

When a congressional conference committee takes up the debate in coming days over how to conduct the 2000 census, the Senate version of the bill should prevail. That version would sensibly permit the Census Bureau to use scientifically sound sampling methods to augment the direct count, thus avoiding an undercount like the 1990 fiasco that probably cost California a couple of seats in the House of Representatives and up to $1 billion in federal population-based funding.

If conference action fails to eliminate the House ban on funding for statistical sampling, President Clinton needs to make good on his threat to veto the appropriations bill that funds the Commerce, State and Justice departments, a measure to which the House attached its sampling ban. House Republicans let the government shut down in a similar standoff last year. Are they prepared to do that again?

The Constitution requires a decennial census. This head count, which is nearly as old as this nation, is becoming increasingly inaccurate because of the changing face of America. The growth of hard-to-count populations such as immigrants, the urban poor and, in some areas, the rural poor frustrates an accurate tally where individuals are physically counted. The 1990 census missed 834,000 residents of California, according to a census study completed after the official count. That costly failure also denied many Californians the fundamental right to equal representation in Congress. That's unjust.

The House GOP leadership opposes sampling, which is commonly used in public

opinion polling, on the grounds that it falls short in terms of accuracy, constitutionality and safeguarding against political manipulation. In taking that position, the GOP disregards the scholarly assessment of the National Academy of Sciences.

Republicans call for a physical head count, which tends to favor affluent, married suburbanites—the traditional Republican voter base—over the poor, minorities, single people and transients who dominate many cities. Although the Justice Department in the last three administrations has interpreted the Constitution as allowing sampling, GOP leaders insist that the document specifies an actual enumeration and they refuse to proceed without a constitutional test in the Supreme Court.

On this issue, the Republicans aren't constitutional purists, they're partisans. The only heads they are counting are those in the GOP column. Ultimately this debate is not about population figures, it's about politics. If all Americans are counted, according to some projections, additional congressional districts will be required in areas dominated by minorities and the poor, who traditionally vote Democratic. Changes in political boundaries could cost the GOP up to a dozen seats—and perhaps its majority in the House—some analysts say. Those are the numbers that fuel this partisan controversy.

If the Republican majority succeeds in forcing the Census Bureau to rely on outdated methods, the GOP will probably save several seats. But that victory would be achieved at the expense of a level playing field, especially in California. The California congressional delegation, Democrats and Republicans alike, should support the census takers in the effort to gain a complete count. Democracy is not served if the numbers don't add up.

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[From the Los Angeles Times Editorials, Sept. 4, 1997]

THE NEXT CENSUS HAS TO SEEK ACCURACY, NOT POLITICAL GAIN—MODERN TECHNIQUES CAN ENSURE FAIRNESS FOR CALIFORNIA

California lost, big time, in the 1990 census. The Census Bureau believes that a severe undercount missed 834,000 resident, costing the state a House seat and billions of federal dollars.

To prevent another huge undercount in 2000 and to take a more accurate measurement, the Census Bureau wants to use scientific, statistical, computer sampling techniques to augment the traditional head count. The National Academy of Sciences supports this approach. So does the Clinton administration. But House Republicans plan to block the reform when the census spending bill comes up for a vote later this month. At stake is the potential loss of up to 24 Republican seats in the House, some political analysts say. But the fundamental right to equal representation should not rise or fall on such political stakes.

If all California residents are counted in the next census, the state could gain one or two congressional seats and a larger, fairer share of the billions in federal funds that are parceled out on the basis of population.

Undercounts tend to miss immigrants and ethnic and racial minorities, poor people and children. Transiency is a problem. To count more of the hard-to-reach population, the Census Bureau plans to send out thousands of human counters and four mailings, including forms and reminders. Forms will also be available at post offices, churches, conveniences stores, homeless shelters and other public places and through community groups. A toll-free telephone line will serve people who prefer to call in. Census officials claim sophisticated computer software should eliminate double counting caused by duplicate forms. This new community-oriented approach would work even better in tandem with computer sampling.

The House Republican leadership opposes the proposed methodology, which is commonly used in public opinion polling, on the grounds of accuracy, constitutionality and potential for political manipulation. They prefer a physical head count only, which tends to favor married homeowners who live in suburbs—the traditional Republican voter vase—over single, transient, minority renters who live in cities. The critics insist that the Constitution specifies an actual enumeration, although the Justice Department in the three past administrations has interpreted that language to allow sampling and the National Academy of Sciences offers scholarly approval.

The purely political stakes are high for both critics and supporters of sampling. The heads the Democrats and Republicans want counted are those represented on their side of the aisle. Still, accuracy, not politics, should be the key test for the 2000 census. Sampling is part of a sound strategy for gaining an accurate count.

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[From The Atlanta Constitution, Aug. 1997]

POWER STRUGGLE BEHIND CENSUS DEBATE

A long-simmering fight on Capitol Hill over how the United States counts its citizens in 2000 may strike many Americans as arcane. What difference does it make, they may wonder, whether the Census Bureau tries to count every nose or instead uses statistical sampling techniques to fill in the gaps in its tallies?

It could make a big difference. The census of 1990 undercounted U.S. population by an estimated 4.7 million people, the majority of whom are poor people in urban or rural areas and often are hard to detect through traditional means of census-taking. A more accurate census would have required federal programs to redistribute funds in proportion to the population findings.

More to the point, an exact count would have meant changing the political map of U.S. House districts—probably to the advantage of Democratic candidates because the undercounted Americans—the poor and minorities—are typically Democratic constituencies.

And that is the crux of the dispute over the methods of the next census. Some Republicans on Capitol Hill are dead-set against procedural changes they think could cost them control of the U.S. House.

The arguments against changing the current system are flimsy. They contend the U.S. Constitution's mandate of an ''enumeration'' of Americans every 10 years implies ''counting one by one.'' U.S. courts have ruled otherwise, maintaining that enumeration means making the most accurate count possible, period.

Some Republicans also suggest that statistical sampling could be subject to manipulation by the Clinton administration in 2000. That is irresponsible fearmongering. The Census Bureau has a proud history of statistical professionalism and independence from politics, and should be relied on to resist any attempt to undermine its accuracy.

The limited use of statistical sampling planned by the Census Bureau has the enthusiastic backing of the National Academy of Sciences, the community of statistics and demographers and even President George Bush's director of the census in 1990, Barbara Bryant, a respected Republican pollster. Undoubtedly, Republicans who oppose the technique for the 2000 census use it themselves to get the most precise political data they can lay their hands on.

When Congress reconvenes next month, these naysayers will do their darnedest to deny this tool to the Census Bureau. Fair-minded Republican and Democrats must resist them. Statistical sampling is a proven and efficient way to assure the most accurate and honest count of Americans humanly possible.

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[From Newsday, June 16, 1997]

THE NEXT CENSUS OUGHT TO COUNT ALL AMERICANS

The political truce that has finally allowed the flood-relief measure to move through Congress despite Republican objections over statistical methods to be used in the 2000 Census was only temporary. The census fight won't go away because it isn't really about statistics. It's about politics, of the worst kind.

For years, census officials and other statistical experts have agreed the census has undercounted minorities, immigrants and poor people in the nation's inner cities and rural areas. But Republicans have long opposed techniques to get a more accurate measure: They believe the people who would be counted would likely be Democrats, or at the least would enhance cities' political strength relative to more Republican-oriented suburbs.

That's why, before the 1990 Census, then-Commerce Secretary Robert Mosbacher overruled the census director and ordered that there be no adjustment for the undercount. The result: The 1990 Census was the least accurate ever, with upwards of 200,000 uncounted in New York City alone and the loss of billions of dollars in federal aid to some states, localities and school districts.

Now the bureau is preparing for the next census, and intends to use some statistical sampling techniques to take a better measure. The approach has been endorsed by three separate panels of the National Academy of Sciences and several groups of professional statisticians.

The Clinton administration is backing the numbers crunchers, and it is right. Republicans, panicked they might lose congressional seats with a more accurate inner-city count, intend to fight again. They are acting out of self-interest, not the national interest.

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[From the Bangor Daily News, July 27, 1997]

2000 AND COUNTING

To many Americans, one of the most puzzling things about the Beltway brawl last month over disaster relief was the insistence by Republican leadership that help for flooded North Dakotans be tied to Census 2000.

The census? That boring decennial national head count? That mundane, constitutionally mandated enumeration of every man, woman and child? What's the big deal and what's the problem?

Well, the big deal is the census is a very big deal, if for no other reason than that it determines how many members of Congress, and thus how much clout, each state gets. The problem is that the 1990 census, while respectably accurate overall, revealed a continuing and unacceptable trend: certain groups, rural Americans and blacks especially, are habitually undercounted and the gap is growing.

And, the census is getting extraordinary expensive. The last one cost $2.6 billion, with much of that going to conduct house-to-house follow-ups on the 35 percent of Americans who did not mail back their initial forms. The Census Bureau estimates Census 2000, if done with 1990 techniques and if it attempts to correct the chronic undercount, could run as high as $4.8 billion.

Congressional leadership has made it clear there is no way they'll spend that much, yet, paradoxically, leadership also is staunchly opposed to a proposal the Census Bureau has to save as much as $1 billion by augmenting the follow-up with sampling and statistical analysis.

With overblown rhetoric that would cause most folks to blush, opponents call the plan, which has the endorsement of the esteemed National Academy of Sciences, a ''risky scheme of statistical guessing.'' This from the same politicians who use sampling and statistical analysis to gauge the public's mood before every election, who use these proven and finely boned techniques to declare victory five minutes after the polls close.

Unconstitutional, they say. That sacred document requires an actual enumeration. Yes, it does, but if the Constitution were followed to the letter, felons could buy machine guns off the shelf and any Mormon male with enough hair on his chest could have 16 wives. Were they to speak today, the Founders might say ''Golly, we had no idea the country would get so big, the population so mobile and so suspicious of government. Just get most accurate tally possible.''

The most undercounted segment of the population is black America and, as the recent revisitation of the abominable Tuskegee Syphilis Study reminded us, blacks have just cause to be wary when someone from the government comes knocking on the door to ask a lot of personal questions. Reluctance to count them better raises a spectre of racism the GOP doesn't need and the nation can't abide.

GOP leadership says the main reasons they're against sampling is that the census is used to determine everything from congressional districts and the distribution of federal money to the makeup of state legislatures and local school boards, so the Clinton administration will find a way to manipulate the numbers to its advantage.

Certainly, this administration is no stranger to the concept of manipulation, but the charge is a little hard to take from the Party of Watergate, the mother of all manipulations. A bipartisan approach to funding the census and a nonpartisan approach to overseeing it is the logical solution.

But logic is exactly what's missing here. Rep. Christopher Shays of Connecticut is one Republican who's appalled at his leadership's stubbornness and shortsightedness.

''It's embarrassing to have my party opposed, supposedly on scientific grounds, to something scientists support,'' Shays said the other day. ''Politically, it's a mistake. The big gainers from a better 1990 census would have been the West and the South—defintely not Democratic strongholds. Leadership is dead wrong on this.''

Dead wrong, but there's time to get right. The Census Bureau will stage a dress rehearsal of the new techniques in a few selected regions next year. Congress should give the trial run a fair hearing and then decide either to go with a head count that is accurate and affordable or to stick with the exorbitant and flawed. As it stands, Census 2000 is a disaster waiting to happen.

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[From the St. Louis Post-Dispatch, July 19, 1997]

GOP PLAYS GAMES WITH THE CENSUS

The battle over the 2000 census is heating up again in Congress. Republicans insist on an actual count of each and every American—something that has long proved to be impossible. The Census Bureau wants to use statistical sampling to account for the last 10 percent of the population that's hard to find and routinely missed. The bureau is right.

But this week, the House Government Reform and Oversight Committee issued a statement attacking statistical sampling, while a House Appropriations subcommittee in funding the bureau's normal operations for next year prohibited any of the money being used for statistical sampling.

This is just plain bad faith. Earlier this year, Republicans tried to force President Bill Clinton to accept a ban on statistical sampling by including it in a disaster relief bill. Mr. Clinton parried and forced them to drop it. In return, the Census Bureau promised to report in 30 days the details of just how statistical sampling would work. That deadline hasn't yet arrived, but Republicans are going ahead with their prohibition anyway, making the matter a clearly partisan issue, which it is, of course, since Democrats might benefit by statistical sampling while Republicans won't.

So Republicans don't care about the facts. But they do care about losing congressional seats if those people who are routinely missed—mainly minorities and children—are fully counted. There's no question that an actual body count will miss some of them, as it did in 1990, when 4.7 million people or 1.8 percent of the population wasn't counted, including 67,000 Missourians and 162,000 Illinoisans. Some 5 percent each were Hispanics, African-Americans and Indians.

Statistical sampling, widely used by pollsters, marketers and sociologists, can overcome this problem. Several committees of the National Academy of Science have endorsed it, and the bureau is eager to use it. It may be reasonable for Congress to wait for a detailed explanation of how statistical sampling will be applied. It is unreasonable to rush to judgment now. An accurate count is too important to be jeopardized by partisan politics.

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[From The Commercial Appeal, July 19, 1997]

NATIONAL HEAD COUNT

To insist that the nation's census in 2000 be done by tapping every American on the head, so to speak, is to ensure a deliberate undercount.

Yet that's the position of some conservative Republicans—for a not very honorable reason. They fear a more accurate count would favor the Democrats.

Counting every American is physically and financially impossible. The census is conducted largely by mail backed by enumerators pounding the streets. Even so, many are still missed, largely among city dwellers, the poor and minorities, who are presumed to be Democrats.

No one really knows. Some Republicans believe a more accurate count would actually favor the GOP by catching up with the explosive growth of the Sun Belt.

The count is critical because the decennial census determines who gets how many House seats and who gets what percentage of federal aid.

To ensure a more accurate count, the Census Bureau plans to use statistical samples, revisiting some of the households that fail to answer mail questionnaires and revisiting certain neighborhoods. The bureau says the extrapolations will produce a count that misses only 0.1 percent of the population.

Statistical sampling is a tested technique, refined to a level of great accuracy, and its use in other surveys, both private and government, goes unremarked.

However, a group of congressional Republicans is determined to block any use of statistical sampling. In this, they are wrong—''dead wrong,'' says Rep. Christopher Shays (R–Conn.), co-chairman of the census caucus.

In one other respect, they are right: Statistical sampling can be prone to political manipulation, and certainly the stakes are high enough to make it worthwhile for someone to try.

Better their efforts be directed to ensure that the statistical sampling is subject to stern, independent, outside scientific scrutiny and audit. The census must not only be accurate but must be seen to be fair and accurate.

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[From the Houston Chronicle, June 23, 1997]

ACCURACY A MUST—MUCH RIDING ON CORRECT CENSUS COUNT FOR HOUSTON

In Congress, even the method for counting the American people is regrettably politicized. With the 2000 Census approaching, Republicans and Democrats are at odds, imagine that, over what method the Census Bureau should use to count the nation's population.

Republicans want to physically count each and every one, while the Democrats favor using statistical sampling, a method never before used but one Census officials believe will yield a more accurate count.

For years, the Census Bureau has infamously undercounted the population, particularly in Texas. In the 1990 count, more than 4 million people in the country—an estimated 500,000 in Texas—were missed.

Undercounting the population is not inconsequential. Texas and other states where undercounts were greatest lost out on additional House seats and, more important, billions of federal dollars ranging from Medicaid to highway construction funds. State officials believe missed heads in the 1980 Census cost Texas roughly $600 million in federal money. That is funding that, in fairness, the state of Texas cannot afford to concede again.

The Census has been particularly inept at counting inner-city minorities and the poor. An estimated 5 percent of all Hispanics and blacks were not counted in 1990. In Houston, where Hispanics and blacks account for more than half of the population, that's a major problem.

Republicans argue that the Constitution mandates that every American be physically counted. However, doing so is a practical impossibility. As well, maintaining the status quo with the traditional count contradicts the GOP's movement to make government more accountable.

Understandably, House Republicans are being dutifully protectionist about their slight seat margin, one that they feel will be threatened by more minorities being counted.

But Texas Republicans should know better than most the stakes riding on an accurate count. Houston has a great deal at stake with the accuracy of the next Census, and political party interests shouldn't take a front seat over the greater interests of the community as a whole.

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[From the Houston Chronicle]

COUNTING HEADS—NO REASON TO KEEP U.S. CENSUS INACCURATE

The purpose of the U.S. census is to get the most accurate count possible. If using modern statistical sampling to augment the actual head count makes the census more accurate, who could reasonably object?

No one, but then politicians afraid of losing power do not always act reasonably.

Since Thomas Jefferson conducted the first U.S. census in 1790, census takers have known that there are discrepancies between the actual number of residents and the number counted in the census. Some people are not counted; some are counted twice.

Statistical sampling is nothing more than counting some neighborhoods twice to measure accuracy. It's not a guesstimate that can

be manipulated for partisan advantage. It serves the same useful purpose as an audit of financial records to make sure the numbers are correct.

In his visit to Houston Tuesday, President Clinton was right to say that the issue transcends partisan politics: ''We should all want the most accurate method.''

However, some Republicans believe, without much evidence or logic, that a more accurate count would significantly favor Democrats by counting urban residents that have been missed in the past. Congressional Republicans therefore oppose using statistical sampling to make the count more accurate.

They have little to fear from census accuracy. Only a couple of states might lose one congressional seat each, and the number of residents who show up at the polls and vote Democratic will not increase no matter how many residents are counted.

An accurate census serves all Americans and harms no political party. True, state and federal funding formulas would be significantly affected, but wouldn't the nation be better off if government spending were based upon accurate rather than grossly inaccurate population numbers?

Politicians who argue for keeping the census inaccurate place themselves in an untenable position. In another context they would insist the sailors compute their approximate position with a sextant and reject satellite technology accurate to a few yards.

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[From the Dallas Morning News, May 29, 1997]

CENSUS—CONGRESS NEEDS TO FUND NEW APPROACHES

Ah, spring, and a census taker's fancy turns to . . . statistical sampling methodologies conducive to enhanced accuracy in the decennial enumeration. How exciting.

But hold on there. Knowing the actual population of the United States is very important indeed. Census figures serve as a basis for the allocation of congressional seats and the lines for congressional and state legislative districts. In a democratic republic, how much more important can things get? Not much.

Yet civil service professionals at the Census Bureau are warning that unless Congress extends the necessary funding to upgrade the government's demographic techniques, the 2000 census could be the least accurate to date. Inner cities and rural areas will be particularly susceptible to a worsening undercount.

Capitol Hill Republicans aren't fazed. They fear that changing the status quo could undermine them and help the Democrats—which is why the disaster relief funding bill, the larger piece of legislation in which the sampling proposal is hidden, did not come up for a vote before Congress adjourned for the Memorial Day recess.

To be sure, The Dallas Morning News has in the past registered its concern over ''census adjustments.'' Still, concerns such as the following have been answered one by one:

Accuracy. The 1990 census was the first to be less accurate than its predecessor. Now, even the Bush administration appointee who oversaw the 1990 census has endorsed sampling as promoting accuracy.

Constitutionality. The Constitution says that all people shall be counted. But numerous legal experts believe that sampling is a reasonable option that would pass muster with the Supreme Court.

Politicization. Could sampling be susceptible to political manipulation by one party or the other? That's a risk anywhere in government. Trust has to be placed in the professionalism and integrity of civil service professionals at the Census Bureau.

The most important issue in this debate over how to conduct the census should be achieving the most accurate census possible. That will promote fairness and confidence in our political system. Toward this end—whether on the basis of scientific accuracy or cost—objections to sampling are falling by the wayside, and rightly so.

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[From the Bakersfield Californian, May 28, 1998]

NEW CENSUS SUPPLEMENT GOOD

The plan by the federal Bureau of the Census to supplement the actual national population count in the year 2000 with statistical projections is a good one. The purpose is to make up for people who are missed.

The problem of under-representation of significant numbers of people has been consistent and growing in recent census counts.

The primary purpose of the decennial census that is mandated by the U.S. Constitution is to apportion the 450 seats in the House of Representatives among the states proportionally by population. An undercount concentrated in a few areas could result in a change in congressional representation.

But the data from the census also is used as the basis on which federal funds for a wide variety of programs worth an estimated $100 billion are distributed to states and localities. Areas will large, traditionally undercounted populations—often moniorities and immigrants—such as California and Kern County could lose millions of dollars of federal program funds to which they are entitled.

States also use the information for how they distribute funds locally, and the private sector uses the information extensively for marketing research.

It is estimated that the error rate in the 1990 census averaged 1.6 percent nationally, but was higher on average in California at 2.7 percent. It was higher than that in some areas of the state.

Although the undercount among whites nationally was less than 1 percent, for minorities it ranged between 2.5 percent and 5 percent (for Latinos). Thus, for areas with readily growing minority and immigrant populations like Kern County, the error can be costly.

The problem is compounded because of a decreasing rate of voluntary compliance with the census. Following the main head count in the year 2000, special census takers will go into selected census tracts to determine how many people were missed. Then the Census Bureau will make adjustments.

Already the decision is being swamped in phony constitutional and mathematical arguments, mostly made by congressional Republicans.

Contrary to their claim, the Constitution does not bar use of techniques to supplement means normally used to take the census. Thus the year 2000 census should be no different legally than past ones.

Mathematically, the science of statistics can be extraordinarily accurate. Much of science, medicine and commerce depend on it.

The fact that much of the objection is partisan is telling. It is based on the assumption that the majority of the undercounted populations are among minorities who are presumptively Democrats. If so, a few congressional seats might shift to democrats.

Whether that is true or not, we would rather have an accurate national profile than a count that is incorrect by errors of omission for the sake of partisanship.

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[From the Ft. Worth Star Telegram, May 14, 1997]

CENSUS POLITICS

In case you don't understand why there should be a flap about how to conduct the national census in 2000, it's because of two factors:

1. The nation's nose-counters apparently have never been able to count everyone—not even in 1790, when America's population was less than 4 million. Oddly enough, the best guess is that the 1990 Census failed to find approximately 4 million residents. The problem is that census-takers seem to be undercounting more each decade.

2. Politics, plain and simple. More than 10 years ago it became evident to professional politicians that the people the census was missing were mostly urban minorities who might be counted upon to vote Democratic. As a result, Democrats generally favor using scientific techniques (''statistical sampling'') to make up for the undercount. Republicans generally oppose it, insisting upon an ''accurate'' head count that the National Academy of Science says is impossible.

According to one political newsletter, Republicans fear they might lose as many as 24 House seats to redistricting if statistical sampling is used.

The Constitution requires an ''enumeration,'' period.

So the question seems to be: Do we use scientific sampling in an effort to come closer to the actual number of Americans, or do we count heads and settle for knowing that the census is as much as 2 percent off?

It is well to remember that the politicians who decry using a scientific sampling based on 10 percent of the uncounted homes are happy to stake their political futures on polls that are based on much smaller samplings. As we said, this is now mostly about partisan politics rather than ''enumerating'' the population.

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[From the Boston Globe, May 13, 1997]

EDITORIAL

For the first time in history, the 1990 Census was less accurate than its predecessor, failing to find about 4 million Americans—roughly a million more than were undercounted in 1980.

The Census Bureau's plans to rectify this problem have suddenly become a hot issue in Washington, not because of the proposed sampling technique—professionals say it is sensible and conservative—but because of politics.

Most of those missed by the Census are poor, both urban and rural; many are minorities. They are not fictitious people whom bureaucrats theorize must exist; they are real people who live in real dwellings that the bureau knows to be occupied, but they have failed to return mailed Census forms or answer the knock of enumerators.

Although many of them are not registered to vote, they are individuals who deserve to be counted, to be recognized, and to be represented in public life. It is this last consideration that has caused a flap in Washington. If a significant portion of the undercount is restored, a number of congressional districts—perhaps as many as two dozen—may be drawn in a way that is likely to benefit Democrats.

Republicans, led by Senate majority leader Trent Lott and House Speaker Newt Gingrich, have asked Census director Martha Farnsworth Riche to abandon the proposed sampling, but she has responded that it is the best hope for an accurate count. Congress will not and should not pay for a massive personal enumeration that would track down every last individual.

House Republicans may move this week to attach a prohibition against this technique to a supplementary appropriation for disaster relief. The Senate backed off a similar attachment, and the House should do the same.

The goal should be clear: the most accurate account possible, without excessive made-up estimates that would help Democrats and without an acknowledged undercount that helps Republicans. The country needs an accurate count of its residents regardless of political considerations.

The CHAIRMAN. The Chair would advise Members that the gentleman from Kentucky (Mr. ROGERS) has 2½ minutes remaining and the right to close, and the gentleman from West Virginia (Mr. MOLLOHAN) has 2 minutes remaining.

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

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

Mr. ROGERS. Mr. Chairman, I yield the balance of my time to the gentleman from Florida (Mr. Miller), chairman of the House Subcommittee on the Census.

Mr. MILLER of Florida. Mr. Chairman, it is too bad that politics has been brought into play on this issue of the census, because the census should not be a partisan issue. There should not be a Republican census. There should not be a Democratic census.

Unfortunately, President Clinton has decided it is going to be his way or no way, and he designed unilaterally this polling technique to use on the census.

I know the President has written about all the times he cannot make a decision without reading a poll. They do polling every day at the White House to make decisions.

□ 2030

And he says, well, it works for me in politics, I will use polling for the census.

Now, everyone says on the other side that we want to count everyone. Well, let me tell my colleagues so everyone knows what the plan is. The plan deletes and does not count 27 million people. Let me repeat that. There are 27 million people, approximately, that are not going to be counted under the Clinton plan because the Clinton plan only wants to count 90 percent of the people to start with.

Of course, they want to talk 90 percent of 100 percent, and we do not know what 100 percent is to start with, so they will have to explain that one. But the fact is they are not going to count 27 million people. So how can we count everyone with a plan that does not count those 27 million?

He has proposed a plan that is moving towards failure. The General Accounting Office and Inspector General says this is a high risk plan, and the risk of failure keeps increasing. What they are going to do with those 27 million that they refuse to count is they are going to create virtual people. They are going to clone people and then say these are the 27 million people.

That is not the way the plan should be put together. We need to work together. We need to make a decision, Republicans and Democrats, and the decision is appropriately to be made next March. That is when we will have the results of the dress rehearsal. That is when we will hear more about the court cases, and that is when the monitoring board will issue their report.

So let us put off the decision, as we all agree can be done, until next March, and we will work together. That is the only way we can have a census that is trusted by the American people. If we have a Clinton census that automatically refuses to count 27 million people, it will not be trusted by the American people.

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

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

Mr. ROGERS. I ask the gentleman, was it not the agreement of the President and the Speaker of the House that the decision on how to proceed on the census would be postponed for the first 6 months.

Mr. MILLER of Florida. Right.

Mr. ROGERS. And that the decision would be made in February of 1999.

Mr. MILLER of Florida. In the Clinton budget submitted this past February the President talked about a March 1 date when the decision will be made. That is when we should make the decision.

Mr. ROGERS. And does the gentleman agree with that?

Mr. MILLER of Florida. Absolutely.

Mr. ROGERS. And is that what is in this bill?

Mr. MILLER of Florida. That is what is in this bill, and the Mollohan amendment just wants to put off the decision and say only the President can make the decision and Congress is irrelevant. That is not the Democratic way.

Mr. LANTOS. Mr. Chairman, the appropriations bill covering the Departments of Commerce, Justice, and State includes funding for Radio Free Europe/Radio Liberty. I want to express my strong support for this appropriation.

In the euphoria following the fall of the Berlin Wall and the collapse of the Soviet Union, many people initially thought that Radio Free Europe/Radio Liberty was now part of the past and could be downsized or even closed. It was assumed that the surrogate radios had fulfilled their mission of serving as a substitute for free radio broadcasting that did not exist in these countries.

But the events of the decade since the fall of the Berlin Wall have demonstrated that many of the Newly Independent States and the countries of Central and Eastern Europe have serious political and economic problems. Authoritarian rule—some have suggested dictatorial rule—threatens the future of Belarus and Slovakia. Unresolved military conflicts have prevented progress in Tajikistan, Armenia, Azerbaijan, and Georgia. In still other countries—including Russia, Ukraine, and Romania—political and economic reforms are far from complete. Throughout this area, government structures remain little reformed from Soviet times; on the contrary, they are extraordinarily more corrupt.

Mr. Chairman, up to the collapse of the Soviet Union in 1991, RFE/RL in general played a key role in bringing critical information to people who were systematically denied access to any other source of news. The demise of Soviet power happened precisely because more and more people in the USSR and the communist countries of Central and Eastern Europe learned the truth about the Soviet system and demanded changes.

At present, Mr. Chairman, RFE/RL presently broadcasts in 23 languages of Central and Eastern Europe and the Newly Independent States. In many of these states, RFE/RL remains a lifeline for people who want to see democracy flourish in their own countries, functioning much as it did for the last 48 years. As a surrogate radio, RFE/RL does not broadcast U.S. government propaganda. Indeed, it has never carried any editorials by U.S. government officials. Despite some press reporting to the contrary, RFE/RL was never simply an anti-communist enterprise. Even though the radio operated on the basis of funds appropriated by the Congress, it has been an independent radio network—with its fundamental commitment to accurate, factual, and timely reporting. That principle underlies all truly free and democratic societies.

In the former communist countries which are making steady progress toward democracy and free market economies, RFE/FL has been able to expand its role of surrogate broadcasting into genuine partnership. In many of the countries to which it broadcasts, RFE/RL has opened bureaus, maintains extensive stringer operations, and has entered into contracts with local broadcasters and other media outlets. From the polling that is done, it is apparent that audiences want something from the radio as well. They demand not only news and information, but they also want guidance about how to make the transition from communism to democracy and a free market. They listen to RFE/RL programming as a check against what they are hearing from their own media—a check that helps assure the honesty of the local media, which is still dominated by people trained in the communist past.

Mr. Chairman, many of the democratic leaders of Central and Eastern Europe and the Newly Independent States rely on RFE/RL to support the development of political pluralism, the reform of their economics, and the independence of their media. As Czech President Vaclav Havel said: ''These radio stations are significant even after the end of the Cold War. . . not only because human rights are not fully respected [and] democracy has not yet fully matured, but also because they set a goal for the new independent media, creating a healthy competitive environment.''

While taking on these new responsibilities, RFE/RL has successfully relocated, downsized, and incorporated new technologies. It has gone from some 1,600 full-time employees to just 432, and its budget has been reduced from $220 million per year to just $75 million. Such draconian cuts would have destroyed most organizations—but RFE/RL continues to flourish. There is a role—albeit a transformed role—for the radio in the post-Cold War World.

Mr. Chairman, there are three important reasons for this. First, in recognition of what the radio has done and continues to do for the people of Central and Eastern Europe and the countries of the former Soviet Union, Czech President Havel offered FRE/RL a home in Prague at virtually no cost—$12 per year. Second, employees of the radio have shown their commitment to the ideals of RFE/RL by

doing more for less—producing the same number of hours of programming with only one quarter of the staff and one third of the budget. And third, many of us now realize that overcoming the communist past of these countries is a far more difficult task than many of us first assumed.

RFE/RL has also been creative in applying new technologies to its tasks. For example, it is now providing news and analysis via the Internet. People can hear and see what is being broadcast by using RFE/RL's website and RealAudio. More than 2.5 million people visit the website every month—a number that has grown dramatically over the last 2 years. Increasingly, these are visits by citizens of the countries to which the radio broadcasts.

Earlier this year, Mr. Chairman, the Congress passed and President Clinton signed into law legislation that directed RFE/RL to begin to broadcast to Iran and Iraq, two countries whose media is anything but free and whose governments have been less than friendly to the United States. We have entrusted to RFE/RL the operation of these Farsi and Arabic language broadcasts in recognition of its past and present role in promoting a free and independent media as a means to promote democracy and international cooperation. These two broadcast services will be on the air in the early fall.

Mr. Speaker, it is my hope that RFE/RL will continue to broadcast well into the twenty-first century. The radio has made and continues to make a dramatic difference in one of the most historic and sweeping revolutions of our time. With its expanded mission, RFE/RL can play an important role in providing a model of what responsible journalism truly is and in prodding the people of these nations toward the development of truly democratic and pluralistic societies. For all of these critical reasons, Mr. Chairman, I urge my colleagues to support the RFE/RL.

Mr. DELAY. Mr. Chairman, I rise to discuss an important issue in the Commerce, Justice, State Appropriations bill. Since 1996, under Chairman ROGERS' leadership, the Appropriations Committee has had before it various proposals, including implementation plans, reports and the like, to attempt to come to grips with the delays in the implementation of the Communications Assistance for Law Enforcement Act of 1994 of CALEA that have prevented both the telecommunications industry and law enforcement from complying with its provisions. Nothing, to date, has resolved the issue which affects all of the telecommunications industry, including long distance and local telephone companies, cellular carriers, PCS providers and equipment manufacturers, and the FBI. On October 25 of this year, if the industry is not in compliance with CALEA, fines and penalties of upwards of $10,000 per day may well be levied against all carriers big, as well as, small. Through no fault of their own, the technology and standards are still not set for implementation purposes nearly four years after enactment of the law.

Mr. Chairman, I hope this issue can be dealt with this year by the authorizers. I note that on June 22, Judiciary Committee Chairman HYDE brought to the floor and passed by voice vote H.R. 3303, the DOJ Authorization bill, which included provisions to delay both the compliance date and reimbursement ''grandfather'' date in CALEA. Furthermore, last week Chairman Hyde wrote a letter to Senate Judiciary Committee Chairman HATCH to strongly encourage him to pass the bill in the Senate, a copy of which I am including in the RECORD. If the authorizers are not successful, though, we may need to again and finally resolve this festering problem later this year. Certainty, CALEA's implementation, is critical to both the FBI and the telecommunications industry.

COMMITTEE ON THE JUDICIARY,
HOUSE OF REPRESENTATIVES,
*Washington, DC, July 16, 1998.*

Hon. ORRIN G. HATCH,
*Chairman, Committee on the Judiciary, U.S. Senate, Dirksen Senate Office Building, Washington, D.C.*

Dear ORRIN: as you know, on June 22, the House of Representatives passed the ''Department of Justice Appropriation Authorization Act'' for fiscal years 1999, 2000, and 2001 (H.R. 3303). That bill is now pending before the Senate Judiciary Committee. This important bipartisan legislation is a comprehensive three-year reauthorization of the Justice Department's activities and programs.

Authorization is the process by which Congress creates, amends, and extends programs in response to national needs. It is perhaps the most important oversight tool that Congress can employ. With respect to the Department of Justice, the law requires that all money appropriated must first be authorized by an act of Congress. Notwithstanding this obligation to authorize, Congress has not properly reauthorized the Department's activities as whole since 1979. Since that time, several attempts have failed either because of bad timing or because the reauthorization bills were loaded with controversial amendments.

This 19-year failure to properly reauthorize the Department has diminished the role that the two judiciary committees have traditionally played in overseeing the structure and funding of the Department's activities and programs. The inability of our two committees to regularly reauthorize the Department deprives the Congress of the institutional knowledge and collective wisdom that we have gained through regular oversight. H.R. 3303 is an attempt to improve the efficiency of the Department and an opportunity to reaffirm the authority and responsibility of the authorizing committees.

Let me now briefly summarize H.R. 3303. The bill contains four titles. Title I authorizes appropriations to carry out the work of the various components of the Department for three fiscal years. Title I largely adheres to the Department's budget request for fiscal year 1999 by providing nearly $15.5 billion, and it would authorize a 5% increase for fiscal years 2000 and 2001. Title II reauthorizes for two additional years a number of successful programs whose authorizations will expire at the end of fiscal year 1998. Title III would grant permanent authorization for certain inherent and noncontroversial functions of the Department. The Department has requested permanent authorizing authority in the past, and proposed authority has appeared in several reauthorization bills since the last reauthorization in 1989. Title IV would, among other things, repeal the permanent open-ended authorization of the United States Marshals Service.

Included as part of the authorization legislation was language amending the Communications Assistance for Law Enforcement Act (''CALEA'')—amendments which I fully support. Specifically, section 204 of H.R. 3303 extends the time frame for CALEA compliance and clarifies the ''grandfather'' status of existing telecommunications network equipment facilities and services. These amendments are necessary because of the unfortunate delays that have prevented both law enforcement and the telecommunications industry from fully implementing the provisions of CALEA.

Because of these delays, I decided to add section 204 to the Department of Justice Authorization bill. It should be emphasized that section 204 does not alter the underlying substance of CALEA. I have been a supporter of the CALEA statute from its inception and continue to support its full implementation. Nevertheless, with the statutory deadlines only a short time away and recognizing the reality that further work needs to be done before the CALEA requirements go into effect, I went forward with section 204.

This is to urge you to give H.R. 3303, including the amendments to CALEA, your active and timely consideration. If you have any questions regarding the Department of Justice Authorization legislation in general, or section 204 in particular, please do not hesitate to contact me or the House Judiciary Committee's Chief of Staff, Tom Mooney. I look forward to working with you and your staff on this important matter.

Sincerely,

HENRY J. HYDE,
*Chairman.*

Mr. SMITH of New Jersey. Mr. Chairman, I want to congratulate Chairman ROGERS, as well as my good friend Mr. MOLLOHAN, the distinguished ranking minority member, and other members of the subcommittee for reporting a bill that protects the American taxpayer while allowing the State Department and our other foreign policy institutions to conduct a foreign policy that promotes American interests and American values around the world.

As chairman of the Subcommittee on International Operations and Human Rights, the principal authorizing subcommittee for the Department of State and our other foreign policy agencies, I am particularly pleased that the appropriation for resolution of the dispute over United Nations arrearages is made expressly conditional on enactment of an authorization bill. This ensures that we will not write a blank check to the United Nations without insisting on the reform conditions contained in H.R. 1757, the Foreign Affairs Reform and Restructuring Act—reforms which will save the American taxpayer many millions of dollars in the long run.

The bill also provides adequate funding for our public diplomacy programs—the National Endowment for Democracy, as well as the international information programs, exchanges, and freedom broadcasting services conducted by the United States Information Agency. I am pleased that the Committee report expressly supports the Tibet Scholarships, the East Timor Scholarships, and the South Pacific Scholarships. This list should certainly not be read to exclude the scholarship and fellowship programs for students and academics from Burma who have been forced into exile by the military dictatorship in that country. These are all small programs targeted at people who particularly need them. They not only promote American values, but do so efficiently, at far less cost per participant than larger programs.

The funding provided in the bill for international broadcasting is unfortunately somewhat lower than the amount authorized in H.R. 1757. Each of our broadcasting services—the Voice of America, Radio Free Europe/Radio Liberty, Radio Free Asia, and Radio/TV Marti, and WorldNet—works in its own way to promote freedom and democracy. I want to call particular attention to our ''surrogate'' services—those which supply people who do not

enjoy freedom of expression with the kinds of broadcasting they themselves would conduct if their governments would only allow it.

The surrogate broadcasting service with the longest and most glorious history is Radio Free Europe/Radio Liberty (RFE/RL). It is now generally acknowledged that FRE/RL was an important part of the reason the free world won the Cold War. By providing the peoples of the Soviet Union and occupied eastern and central Europe with information and ideas to which their governments tried to deny them access, we kept hope alive. The end of the Cold War in Europe, however, did not make these services obsolete. On the contrary, they are still desperately needed in countries such as Serbia and Byelorussia, whose governments still deny fundamental freedoms. Even in countries whose press has become free during the last decade, RFE/RL continues to set the standard for professional journalism. And RFE/RL is uniquely suited to fill the needs of the people of Iraq and Iran for freedom broadcasting. As both Houses of Congress have acknowledged by passing the conference report to H.R. 1757, the world still needs RFE/RL, and there is no particular reason to believe that this need will suddenly disappear in the year 2000. Radio Free Europe/Radio Liberty is not a relic but a treasure.

Radio Free Asia and Radio/TV Marti also provide the message of freedom to people whose governments deny freedom of expression. The bill provides $22 million for Radio Free Asia (RFA), the amount we provided in H.R. 1757. This should be sufficient not only to provide 24-hour broadcasting to China in Mandarin, Cantonese, and Wu, but also to initiate the important Uighur service as recommended in the Committee report. I also urge RFA to find a solution—more powerful transmitters, new transmission sites, whatever it takes—to the systematic jamming undertaken by the government of Viet Nam. And it is terribly important that we take similar action in order to bring TV Marti to a wider audience, rather than concede defeat to the Castro regime as some would suggest.

Finally, I want to express my disappointment that the bill does not fund the East-West Center or the North-South Center. Each of these institutions promotes understanding with an area of the world to which other U.S. institutions give inadequate attention, and both the East-West Center and the North-South Center operate at very lost cost compared to these other institutions. I particularly want to commend the East-West Center for its efforts to keep the line of communication and understanding open between policy makers in the United States and the Pacific Island nations. Too many ''Asia-Pacific'' institutions and programs seem to regard the Pacific as a place you have to fly over in order to get to Asia. The East-West Center is a happy exception to this rule. The nations of the Pacific, like those of Latin America, are our historic allies. They share our values. They need us, and we need them. I urge the funding for the East-West Center and the North-South Center to restored in conference.

Mr. DOOLEY of California. Mr. Chairman, I rise in opposition to the bill, and to the misguided census process that this bill attempts to establish.

The 1990 Census left out millions of people, resulting in the most inaccurate census in history. One out of every twenty Hispanics was not counted—meaning that a total of 1.1 million Latinos were completely excluded from our national census.

To correct this problem, and to ensure an accurate Census 2000, many of us in Congress support the use ''sampling'', a statistical technique that will ensure we get the best count possible.

And my California Republican colleagues agreed with me when we sent a delegation letter to the Census director in 1992, criticizing the 1990 census. In a bipartisan California delegation letter, Republicans and Democrats wrote, and I quote:

> It has been widely accepted that the 1990 census missed as many as 10 million people and was demonstrably flawed. . . We cannot simply ignore the inaccuracies of the current data. We are not professional statisticians and leave to those experts at the Bureau and the others in the scientific community.

The letter went on to say, and again I quote:

> The decision on whether or not to adjust should not be a decision based on the politics of one region losing population while another gains population. Rather, there can only be winners if there is a process adopted to more accurately reflect the population of the United States.

Well, I have news for my colleagues. We have a process to more accurately reflect the population of the United States, and it's called statistical sampling. Unfortunately, now, in spite of the empirical evidence indicating that statistical sampling is the best way to get an objective, accurate census, our Republican colleagues are doing everything in their power to block the implementation of a fair and accurate census.

Making the census more accurate shouldn't be about politics and partisanship. It should be about making sure that every Amercian—regardless of ethnicity or geography.

I urge my colleagues to support the Mollohan Amendment, which would move us closer to a fair and accurate census.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendments printed in House Report 105–641 may be offered only by a member designated in the report and only at the appropriate point in the reading of the bill, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by a proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he or she has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote of any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

The Clerk read as follows:

H.R. 4276

*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, 1998, and for other purposes, namely:

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $79,448,000, of which not to exceed $3,317,000 is for the Facilities Program 2000, to remain available until expended: *Provided,* That not to exceed 43 permanent positions and 44 full-time equivalent workyears and $8,136,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 1998: *Provided further,* That not to exceed 41 permanent positions and 48 full-time equivalent workyears and $4,811,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: *Provided further,* That the latter two aforementioned offices shall not be augmented by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis or any other type of formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Attorney General, $129,200,000, to remain available until expended, to reimburse departments and agencies of the Federal Government for any costs incurred in connection with—

(1) providing bomb training and response capabilities to State and local law enforcement agencies;

(2) providing training and related equipment for chemical, biological, nuclear, and cyber attack prevention and response capabilities to State and local agencies; and

(3) providing grants, contracts, cooperative agreements, and other assistance authorized by sections 819, 821, and 822 of the Antiterrorism and Effective Death Penalty Act of 1996.

AMENDMENT OFFERED BY MR. MOLLOHAN

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

The Clerk read as follows:

Amendment offered by Mr. MOLLOHAN:

On page 2, line 25, after the dollar amount, insert the following: ''(reduced by $40,000,000)''.

On page 21, line 18, after the dollar amount, insert the following: ''(reduced by $60,000,000)''.

On page 25, line 14, after the dollar amount, insert the following: ''(increased by $40,000,000)''.

On page 64, line 23, after the dollar amount, insert the following: ''(reduced by $20,000,000)''.

On page 70, line 20, after the dollar amount, insert the following: ''(reduced by $10,000,000)''.

On page 85, line 19, after the dollar amount, insert the following: ''(reduced by $9,000,000)''.

On page 92, line 25, after the dollar amount, insert the following: ''(reduced by $10,000,000)''.

On page 99, line 8, after the dollar amount, insert the following: ''(increased by $109,000,000)''.

On page 99, line 9, after the dollar amount, insert the following: ''(increased by $109,000,000)''.

Mr. MOLLOHAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. MOLLOHAN. Mr. Chairman, I rise today to join my colleague, the gentleman from Pennsylvania (Mr. FOX), in offering an amendment to increase funding for the Legal Services Corporation. Simply stated, the Mollohan-Fox amendment increases funding for the Legal Services Corporation from $141 million to $250 million.

As my colleagues may know, the Legal Services Corporation, LSC, has provided legal assistance to many of the neediest, most vulnerable of our citizens for 24 years. These are people who have little means and, therefore, no place to go for legal help. Some are in life-threatening situations, such as domestic abuse, many.

The largest percentage of cases closed by LSC attorneys in 1997 was in the area of family law, comprising about 36 percent of the 1.5 million cases closed in 1997.

There are many success stories associated with the work of Legal Services Corporation. In my own State of West Virginia, for example, the Legal Aid Society of Charleston was contacted by a woman after her husband had forced her and her 2-week-old baby out of their house. With the help of Legal Aid she was able to obtain a permanent restraining order against her husband, sole custody of her child, child support, and basic health benefits for the child.

Then there was a 47-year-old woman in Wheeling, West Virginia, in my district, whose only income was from Social Security disability. She had total renal shutdown and was on dialysis and medication. These expenses were being covered under a Medicaid waiver. The woman was told her waiver would be revoked. She did not have the funds to pay for this treatment. So, in effect, revocation of the waiver was a death warrant. The Legal Aid office got her waiver reinstated.

Many of my colleagues will recall that in fiscal year 1996, our subcommittee, under the leadership of the gentleman from Kentucky (Mr. ROGERS), put in place a number of restrictions to increase accountability at the Legal Services Corporation. A competitive bidding system has been adopted for all grants and contracts, and all grantees are now required to provide audited financial statements.

A number of prohibitions on Legal Services' grantees are in place. Any Legal Services Corporation grantee is prohibited from participating in redistricting litigation, class action suits, welfare reform advocacy, prisoner representation, lobbying, abortion litigation, illegal alien representation, and collecting attorneys' fees. Last year the Congress provided for debarment of grantee organizations that violated these restrictions.

All this is by way of saying that the Legal Services Corporation has gone a long way to address the concerns many had raised with some of its past practices. The fact is the Legal Services Corporation has, in good faith, implemented these reforms.

I would like to point out to my colleagues that the Mollohan-Fox amendment does not seek to change a single one of these restrictions. This amendment simply increases funding for grants to basic field programs by $109 million. Offsets for the amendment are as follows:

Bureau of Prisons, $60 million; the Judiciary $20 million, State Department Diplomatic and Consular Affairs, $10 million; USIA Radio Construction, $9 million; Maritime Administration, title XI loan guarantees, $10 million; a shift of $40 million from the counterterrorism fund to the Office of Justice Programs to gain needed outlays. This does not in any way affect the amount of funds available or their use.

I filed a more detailed description of these offsets in the record so that my intentions on all of them are clear.

To give my colleagues some idea of how dramatically we have decreased Legal Services' funding, Mr. Chairman, in fiscal 1995, we appropriated $415 million for this purpose; 323 grantees provided services to almost 1.7 million clients from 1,100 locations across the Nation.

If the Legal Services Corporation funding level falls to $141 million, as proposed in this bill, the number of clients would fall from 1.7 million in 1995 to less than a million. Neighborhood offices will decrease from 1,100 in fiscal year 1995 to about 550. Half. No aid will be available in thousands of counties throughout this country.

As many of my colleagues know by now, the Senate, in its appropriation bill, already has provided $300 million for the Legal Services Corporation. Frankly, as we move through the appropriations process, I intend to work hard to get as near to the Senate level as possible. The need is there, and especially so since the recent Supreme Court ruling that interest on lawyer trust accounts, IOLTA funds, are the private property of clients.

Mr. Chairman, I urge my colleagues to support this amendment.

Mr. FOX of Pennsylvania. Mr. Chairman, I rise in support of this amendment.

Mr. Chairman, I rise today to offer with my colleague, the gentleman from West Virginia (Mr. MOLLOHAN), this important amendment in support of funding for low-income legal aid assistance. I commend the gentleman from Kentucky (Mr. ROGERS) and the gentleman from West Virginia and his staff for their work on this very challenging appropriation bill. I am pleased to join my good friend from West Virginia and my good friend, the gentleman from Minnesota (Mr. Ramstad), in offering this extremely important amendment.

Last year we came to this floor and offered a similar amendment to restore the same funding as last year to this important program. We spoke of the reforms we had just recently enacted and asked Members to support a level of $250 million in funding. In that vote, 246 Members, Mr. Chairman, supported our efforts, including 45 of my Republican colleagues. This year we ask our colleagues to do so again to help assist those in each of their districts.

I am convinced under the leadership of the new President, John McKay, and Chairman Douglas Eakley, the Legal Services Corporation will be extremely vigilant in the defense of the new reform standards this Congress set for Legal Services agencies. Among these reforms are prohibitions on class action lawsuits, redistricting and political advocacy as well as additional prohibitions on abortion, prisoner litigation and legal assistance to illegal aliens.

Opponents of Legal Services continue to try and cite a litany of abuses which do not exist. While questionable activities should be carefully investigated by both Legal Services and Congress, the truth is, Mr. Chairman, that the majority of grantees are working to be honorable participants in the reformed system which Congress developed only 2 years ago. We have debated this point time and again, however, today I wish to focus on the good work being performed by some of these important local agencies.

For instance, in my own area of Montgomery County, Pennsylvania, a staff attorney assisted an 83-year-old woman, whose 85-year-old husband is now in a nursing home with Alzheimer's and Parkinson's disease, in negotiating a favorable payment arrangement with her energy company on a delinquent electric and gas bill. The company was threatening to turn off service and threatening a lawsuit as well, Mr. Chairman. The attorney was able to work out a payment schedule which allowed the woman to pay her regular bill and a small additional amount each month on the arrears without a termination of service or a judgment against her.

The same is found true with domestic violence cases, where the legal aid office represented this 35-year-old female victim of domestic violence. As a result of their representation, and her protection from abuse case, she was granted exclusive possession of the marital residence, legal and physical custody of her children, and her husband was directed to attend substance abuse and gambling counseling. Several months after the hearing, the client related that her husband's counseling was proceeding well and his relationship with the children, as well as with the wife, was much better than it had been in years.

So we see success is coming forward in this program. I appeal to those who have questions and concerns about the

program to take some time to reflect on the good work of their local programs in their districts. We are never going to agree with every case, but this is an issue of whether we agree with the concept of helping those with low-income funding so that they have equal access to the courts and equal representation in those courts.

So, in closing, I want to repeat that the Legal Services Corporation is working hard to be a working partner with Congress, Mr. Chairman, to uphold the reforms and to stop grantees that are overstepping their bounds. In offering this amendment, we are simply trying to ensure that low-income individuals and families have equal access to our justice system.

Please support the Mollohan-Fox-Ramstad amendment to restore funding to current levels for Legal Services and to ensure equal justice under the law.

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

Mr. Chairman, as the ranking member of the authorizing subcommittee on the Legal Services Corporation, I rise today in strong support of the Mollohan amendment to restore or to increase funding to this crucial program.

The LSC was authorized by the Nixon administration in 1974 to ensure at least a minimum level of access to the system of civil justice for those who could not otherwise afford it. In most areas, little or no legal services were available for the poor before Federal support for this crucial program was initiated. Today, there is little chance that most States and municipalities, already hard-pressed to meet budgetary demands, will take on the additional obligation of providing legal services if the Federal funding is substantially reduced, as proposed in this bill. This is especially true, of course, in light of the Supreme Court's recent ruling on the IOLTA question, which will remove a major funding of the legal services.

A study released by the American Bar Association 2 years ago concluded that approximately 80 percent of poor Americans do not have the advantage of an attorney when they are in serious situations in which a lawyer's advice and assistance in their civil law matters would make a crucial difference. Even before the 1996 cutback in Legal Services funding, local legal services programs were able to meet only a small fraction of the demands for their services. A study in 1993, revealed that nearly half the people who actually applied for assistance were turned away because of lack of program resources, and that was before the funding cuts.

□ 2045

With legal services funding considerably depleted and with the IOLTA decision, it is certain that even more people are being denied legal services because they cannot afford it and their Government will not help them get it.

Cutbacks in legal services were implemented under the assumption that many attorneys were using Legal Service funds to focus on political agendas and class action lawsuits rather than helping poor Americans solve their legal problems.

The political agenda's allegation I do not believe was ever true. But, in any event, Congress subsequently passed laws to address these concerns and they should not be before us today.

The Legal Services Corporation helps those who cannot otherwise help themselves. One out of every four children under 6 and one in every five children under 18 lives in poverty. Seventy percent of all legal services cases deal with children. More than 2 million children received assistance from Legal Services grantees in 1996 alone.

The great reduction of Federal funding incorporated in this bill will deny these children legal assistance for obtaining financial support from an absent parent, a decent home to live in, adequate nutrition and health care, relief from a violent living situation, or access to education and vocational skills. Legal Services also represents many senior citizens who could not otherwise afford representation.

It must be acknowledged, finally, that contrary to the arguments of those opposing Legal Services funding, pro bono work alone cannot possibly provide the same caliber and quantity of legal services that the Legal Services Corporation does. Pro bono services are now at an all-time high. But even if this level of services were doubled or tripled, it would fall short of what would be necessary to replace services now being provided by Legal Services attorneys.

Moreover, the great reduction in legal services contemplated in this bill for all practical purposes eliminate much of the legal services that we have now, would destroy the referral structure and training through which pro bono services are provided.

Mr. Chairman, this Nation rests on a foundation of access to and fair treatment by our legal institutions. The Legal Services Corporation was created under President Nixon with bipartisan support in order to ensure that at least a minimum level of access to our legal institutions would be available everywhere in the United States.

The current trend of reductions in the budget could lead an outside observer to believe that Congress has changed its mind and is no longer interested in the legal rights of those that do not have the monetary resources to go fight for them. I sincerely hope that is not true.

Mr. Chairman, I urge my colleagues to support this amendment to maintain at least a minimal level of funding to support this program and by so doing to support the rights of those who need their help the most in order to be heard.

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

Mr. Chairman, thanks to my chairman the gentleman from Kentucky (Mr. ROGERS) and the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member.

I strongly support the Mollohan-Fox amendment to increase funding for the Legal Services Corporation. The people I represent direly need access to the legal system. The bill, as reported by the committee, cuts next year's funding for the Legal Services Corporation by 50 percent. That is a very big cut, from this year's level of $238 million to $141 million. That is a very big cut.

This cut is a continuation of the House Republicans' efforts to tear down a legal system that President Nixon and the Congress jointly created in 1974. Last year, the committee also recommended a level of $141 million. There is no budgetary need, Mr. Chairman, to cut Legal Services by 50 percent. There is no budgetary need for that.

The other body, the Senate version of this bill increases Legal Services funding by $17 million, even though the total size of the Senate bill is more than $700 million smaller than the bill we are considering. There is no budgetary need to cut Legal Services Corporation.

Do my colleagues know who the majority party seems to be attacking? They seem to be attacking the poor, particularly women and children. I have asked the head of the Legal Services of Greater Miami to tell me about the type of cases they serve every day. Many of these cases are so pitiful that it hurts to even hear them recount it.

There is a case that involved a woman who wanted her 6-year-old daughter who is mentally retarded because of Downs Syndrome to attend a regular kindergarten in her neighborhood school. Legal Services got the school district to agree to mediation. As a result of this mediation process, the school district agreed to train the regular teacher to handle this child and she is now a full participant in a regular first grade class. This could not have happened if it were not for the intervention by Legal Services.

Mr. Chairman, if these had been wealthy people, they would have hired private lawyers because their cause is just. But they are not wealthy, and so they go to Legal Services for help in getting justice. This is not the time, Mr. Chairman, to be cutting legal services.

I call to the attention of my colleagues another one of the cases in my district. Mrs. Dee and her three young children had rented an apartment from the Dade County Housing Authority. For many years, there was a backup of sewage, garbage, and human waste from the entire building flowing through her apartment out of her toilets, faucets, and tub.

As a result, Mrs. Dee's possessions were contaminated and they were water logged. Her apartment became mildewed, which exacerbated her children's asthma and heart conditions. These are signs of poverty.

Despite the extreme seriousness of the situation, Mrs. Dee was unable to convince the Housing Authority to either repair the building plumbing or transfer her to another apartment. Therefore, she sought the services of Legal Services of Greater Miami.

Legal Services sought an immediate transfer of this family and compensation for the loss of Mrs. Dee and her family's possessions. After heated negotiations, Legal Services recovered enough money for the lost possessions and a transfer to another apartment.

I repeat that this is not the time to cut the Legal Services Corporation in that they are providing a function, particularly for the poor, particularly for children.

I urge my colleagues to support the Mollohan-Fox amendment.

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

I strongly urge my colleagues to favorably support the amendment being offered by the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member, and also my colleague the gentleman from Pennsylvania (Mr. FOX).

In our Nation, where we guarantee those who have been alleged to have committed the most atrocious criminal acts the right to counsel, for this Congress to do anything less than our absolute best to provide legal services to Americans who cannot afford it I think would be shrinking from our responsibilities.

So I rise in support of this amendment. I would ask that my colleagues look at the fine tradition of Legal Services, understand how it has made a positive impact on the life chances of literally millions of Americans in terms of their pursuit of all of those things that we hold dear as a society.

I hope that this House would find it within their collective resolve to overwhelmingly support this amendment.

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

Mr. Chairman, I rise in strong support of the amendment to restore $109 million funding for the Legal Services Corporation. We must bring up the House appropriation level for this worthy program. Even $250 million is not enough, but it is a step in the right direction.

The Supreme Court recently restricted certain legal service programs. Now is the time to increase the current level of $283 million rather than to cut the budget in half. Legal Services programs have been unfairly targeted by those who wrongfully believe that they are political. These accusations are merely a smoke screen for denying funding for the programs that help those who need it the most.

Legal Services programs are the livelihood for the poor, and those are the rights that they are entitled to. One of the key things that we must recognize is that these individuals have rights. Many of our legal protections today came from the cases made possible by the Legal Services work. Protections such as due process, voting rights, property rights, women's rights, and many other areas came from the Legal Services Corporation programs.

In today's society, we need lawyers, as my colleagues well know, and any person's rights that are violated, everyone else is in danger, rights such as voting rights violations, other violations about not getting the minimum wage, other violations that involve withholding of wages for outrageous reasons. Other violations includes paying women less for the same type of work that men are doing. Other violations include youngsters not having access to textbooks because of various other reasons.

I urge my colleagues to raise the level and to vote on this particular key amendment. I ask my colleagues to vote in assuring that these individuals have certain rights.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. RODRIGUEZ. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank my good friend, the gentleman from Texas, for his kindness. I join the gentleman in supporting the Legal Services Corporation and the Mollohan amendment. I rise to support it.

The gentleman is right, there is a great need for this service all over the Nation and particularly in Texas. I have seen the Gulf Coast Legal Foundation in my community work very hard in helping victims of domestic violence, helping with divorce cases, helping children in poverty, assisting the elderly and representing migrant farm workers.

We are told with these terrible cuts we will see neighborhood offices fall from 1,100 to 550. We will see lawyers fall from 4,800 Legal Services attorneys to 2,150 and there will be only one Legal Service Corporation attorney for 23,600 poor Americans. That is injustice. That is not justice.

Just as an example, helping Michelle Blue and her son Cody, who had been beaten and threatened with a knife by Michelle's husband, although Michelle wanted a divorce she could not afford an attorney so the abuse continued. It took a lawyer from the Legal Services Corporation to help Michelle in order to avoid the beating and the stalking and to get her a restraining order.

They also help homeless children who have been evicted from their homes and have problems with getting back into the schools. They go and help those who are most in need.

This terrible cut, putting them down to $141 million, cutting them 50 percent, is going to make our country not the country of laws and justice but one of unequal justice.

I believe that the Mollohan amendment answers the great concern of ensuring that this Nation does not discriminate, whether you are poor or not poor; that you have the same kind of justice, the same kind of freedom and the same kind of rights.

I hope that our colleagues will join us on behalf of all of those across this Nation, and particularly those who reside in my district in the State of Texas, as the gentleman has so ably represented. There is a great need for all Americans to have the right kind of justice.

Mr. RODRIGUEZ. Mr. Chairman, reclaiming my time, I agree with the gentlewoman totally, and I recognize that anyone's rights that are violated, we run the risk of losing our own rights. It is important for us to understand that and recognize that. I urge my colleagues to raise the level of the spending by $109 million and to vote for the amendment.

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

Mr. Chairman, I rise in support of the Mollohan-Fox amendment to increase Legal Services Corporation funding by $109 million to $250 million.

Mr. Chairman, the Legal Services Corporation is important to assisting vulnerable people in our society. Women and children are among the most vulnerable, who without assistance often find themselves in abusive situations that they cannot control.

The impact of these situations is significant and may result in homelessness and the loss of necessary financial resources for food, maintenance and health care.

To give one example from my own district, as a result of domestic violence and in fear for her safety and that of her five children, a woman left her husband of 15 years. He had been the primary support for the family. She was able to on her own obtain housing, although it was still neither decent nor safe.

Still, because of her financial situation, she was threatened with eviction. Legal Services helped her to get section 8 housing and the family was able to relocate to decent housing with adequate space. This stabilized the family during a very disruptive and unsettling time, to say the least.

Millions of children are the victims of abuse from their parents and others who are responsible for their care. This abuse goes on somewhere in the country every minute of the day. Legal Services in Maryland represents children who are neglected or abused. Such neglect or abuse ranges from a child being left alone by a parent or not being provided a nutritional meal, to physical or sexual abuse that results in severe injury and all too often death.

Legal Services has helped the infant that has been abandoned at birth, the child who is left unattended, the child who is beaten, burned by cigarette butts because he would not stop crying, or scalded by hot water to teach him a lesson.

These children are vulnerable, and without the protection of the law they

would be endangered and lost. Legal Services advocacy, on behalf of children, assures that they will not be the subject of abuse. It helps to secure services for children such as housing support, health care, food, educational programs and necessary counseling.

The work of Legal Services on behalf of families and children touches at the heart of what we value in this country: Decent housing, adequate health care, food and a safe environment.

Because of the importance of safety in our society, Legal Services programs have supported legislation to prevent abuse and to protect the abused. In general, the States are not allocating funds for civil legal services for poor citizens, and without this federally funded program the most vulnerable members of our society will not have the ability to get inside the courtroom door to seek judicial protection of their rights.

I urge support for the amendment.

□ 2100

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

Mr. Chairman, I rise in support of the Mollohan-Fox amendment. For over a decade now, the gentleman from Florida (Mr. MCCOLLUM) and I have worked to reform the Legal Services Corporation. The gentleman from Kentucky (Mr. ROGERS) has offered considerable help to this effort as well. But tonight we are not debating whether or not to reform the LSC or change the delivery system for legal services altogether. We are simply setting a funding level where the Legal Services Corporation can continue to function and provide civil legal care for those in our country who cannot otherwise afford it.

I fully understand the arguments for taking a hard look at changing our current delivery system for providing legal services to the poor. I intend to continue a careful examination of how we provide daily legal support for low-income individuals, and I hope to work with the authorizing committee to see if we can address this matter in the appropriate context. But until that happens, I support continuing to fund the Legal Services Corporation at $250 million for fiscal year 1999. This is exactly the funding level which the gentleman from Florida (Mr. MCCOLLUM) and I proposed in our LSC reauthorization bill of the 104th Congress.

All of the arguments we might hear tonight come down to one fundamental question, whether we believe that the Federal Government has a role to play in ensuring that the poor have access to the courts. I believe that they do. I will be the first one to tell my colleagues that the LSC has had its share of problems over the years and I am sure we will hear about some of them tonight. And while I am not convinced that the current structure is the best way to deliver these services, I am not willing to demolish the LSC absent any other well-developed approach to caring for the people that depend on legal assistance in their daily lives. But that is precisely what we will do if we cut their funding to $141 million.

As a lifelong supporter of a balanced budget, I understand budget realities and know we cannot fund every program at the level we want. That is why I commend the sponsors of this amendment who have worked extremely hard to find the offsets to pay for this amendment in a fair and reasonable manner.

Finally, it is important to remember that we continue all of the restrictions agreed to on the Legal Services Corporation in the effort to make sure that this program works for its original purpose. And while LSC may not have been perfect over the past year, I do believe they have made sincere efforts to abide by these restrictions. In my State of Texas, it is very noticeable.

I urge my colleagues to support the Mollohan-Fox amendment.

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

Mr. Chairman, I walked over here a minute ago from my office. It is a beautiful night here in the Nation's capital. The sun is setting, the temperature is pleasant, one of our fine military bands is performing on the Capitol steps. It is easy to feel pretty good about things. At a time of economic prosperity, thank goodness, we all generally do feel pretty good about things, but we should bear in mind that there is an enormous underclass in this society that is hurting. And to the extent that we deny them redress of their legal grievances by so shamefully underfunding the Legal Services Corporation, we issue an invitation to their abuse, by landlords, by employers, by estranged partners who are tempted to domestic violence because they know that without the funds being raised to some decent level in this bill, the chance that there will be a lawyer able to handle the case, to right the wrongs that these people are enduring, is minimal. And so it is an invitation to further wrong in this society.

That band that is playing out there on the Capitol steps and its sister organizations throughout the United States military is funded at a level now that exceeds what this bill proposes for the Legal Services Corporation. And so the amendment that the gentleman from West Virginia (Mr. MOLLOHAN) is proposing and which I rise to support is absolutely essential to get us up into some more decent range. But make no mistake, we will have barely scratched the surface. Far more people out there that will need legal representation because they cannot afford to hire a private lawyer will go unserved than will go served, even with this increase.

This program was created by that noted social engineer back in the late 1960s, Richard Nixon. For all of the problems that we associate with President Nixon, he understood that this Nation, if it is to be a proud Nation, if it is a Nation that is going to live up to its stated principles of equal justice for all, has got to do something about this problem. That is what the Legal Services Corporation is all about. There are tens of thousands of private lawyers out there that work on a pro bono basis, but even with that free help to go along with the daunting efforts made by the underpaid legal services programs lawyers, we are barely scratching the surface.

We should be proud of this program, Mr. Chairman. This is something that lives up to the fundamental ideals that we hold as a people. And rather than having been cowed and intimidated and compromised into being grateful for a few crumbs, this Congress ought to stand up and be proud that we recognize our responsibility to the least among us, to be true to our principles to fund this program at a decent level. I trust we will adopt this amendment, but in doing so, let us not delude ourselves that we have solved the problem.

I rise in support of this amendment to restore some of the basic funding for the Legal Services Corporation (LSC).

It is fitting we are considering this amendment during the portion of the bill containing funding for the Department of Justice because this amendment is fundamentally about justice. Our constitutional guarantee of equal justice under law is a hollow promise without equal access to the courts. For the nation's poor, not having a lawyer effectively means not getting to court or even to an administrative hearing. LSC provides representation to those who would otherwise go without it. We owe it not only to the poor, but to that first principle of equal justice for all, to fund legal services sufficiently for the poor to have real access to the civil justice system.

While I certainly support this amendment, it is only a start. We need to do more—much more than is in this amendment, and much more than we have been doing in recent years. The combination of budget cuts and unwarranted restrictions on the ability of LSC to effectively represent clients is slowly strangling legal services programs and gutting the principles upon which it was founded.

We must take this modest first step toward bringing LSC funding back to a decent level.

LSC provides legal representation to this nation's poorest citizens. When it was founded by President Richard Nixon in 1974, LSC was designed to become a permanent, vital part of the American justice system.

Cases involving families and children, housing, income, and consumer protection account for over 80% of LSC's work. Without the Mollohan amendment, this bill would cut LSC by almost 50%. It's not hard to figure who will pay the price for any further funding reductions—women, children, and low-income older Americans, farmers and veterans.

Mr. Chairman, LSC's work is carried on by staff lawyers who are willing to work for reduced pay. Last year, over 150,000 private attorneys participated as volunteers providing pro bono representation for Legal Service Corporation clients. As a former volunteer attorney for LSC, I can attest that the lawyers I

worked with were far too busy trying to meet the basic legal needs of their clients to engage in some of the activities that detractors assert.

Mr. Chairman, if we are going to ensure that justice is not available only to the highest bidder, the work of LSC must continue. This amendment is the right thing to do; it is the least we can do.

I strongly urge a yes vote.

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

Mr. Chairman, first of all before the gentleman from Colorado (Mr. SKAGGS) leaves, I have heard some of the debate here tonight. We will deeply miss him for his heartfeltness for all Americans in this country. It has been an honor and privilege for me to have the opportunity to serve with him. He will be missed.

Mr. Chairman, I rise in support of the Mollohan-Fox amendment tonight. I also do appreciate the gentleman from Texas (Mr. STENHOLM) and the gentleman from Florida (Mr. MCCOLLUM) for their work on the reforms that they have done. I find it interesting that every year for the last 6 years that I have been here that this particular amendment comes back every year, year after year after year. I go home and I talk to my legal service providers, and I talk to them about what this budget in particular means to them. It is providing about 50 percent of their budget. They already are turning back half of those applying for legal services because of lack of resources. With more than 2 million individuals living below the poverty line in Florida, I fear that drastic reductions in funding for these services will deeply impact the ability to meet the needs of the people who truly cannot afford the high cost of legal services.

Mr. Chairman, people's rights as citizens of this country have little use if they are not protected. Programs funded by Legal Services Corporation are needed to ensure that everyone, regardless of their income, operates on a level playing field in our judicial system. Otherwise, America's poor have few ways of pursuing their right to equal treatment under the law. In my home State of Florida, Legal Services Corporation provides more than 43 percent of legal aid funding for legal counsel for about 1.6 million people below the poverty line. This program, and I need to emphasize this, is a partnership between public funding and private pro bono work. Contrary to what Members might hear, this program does not go to fund left-wing litigation but is instead used to help real people with real, everyday problems. These are ordinary Americans facing difficulties that may not be resolved if they have not received legal help.

Here are a few examples from my own district of what the Legal Services Corporation is really used for, and these are but just a sample. When a 13-year-old child in need of emergency surgery for an intestinal hernia found herself caught in bureaucratic red tape, the local Legal Services Corporation helped her grandmother prepare the required legal paperwork and get the needed hearing so that she could get the operation done in the next day. When a woman was beaten, locked out of her house and custody of her children was given to her abusive husband, Legal Services was able to help her get that custody and receive child support. Both went into counseling, and this is important because we hear a lot of stories about how they just want to break up marriages, and eight months later the two agreed to a trial period of living together. The divorce was dropped, and they have been doing well ever since. When SSI turned down benefits to a 14-year-old child who had suffered a serious skeletal disability since birth, Legal Services stepped in and helped him schedule a hearing with a judge. Today he now receives the benefits that allow him to obtain the necessary treatments and enjoy a better quality of life.

Mr. Chairman, the current low funding level for Legal Services Corporation would hurt real people like the ones I just described. Over half of all the cases deal directly with family and housing issues. All people, regardless of their income, have a right to be represented in court. If Legal Services is not funded adequately, what rights will be taken away? In order to preserve the principle of equal justice for all, we must continue to maintain this needed program.

I urge my colleagues to support this amendment.

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

Mr. Chairman, I rise today in support of the amendment to restore funding for the Legal Services Corporation. The Legal Services Corporation plays a vital and indispensable role in providing access to our civil justice system for the poor and destitute in our Nation who would otherwise be financially incapable of seeking justice in our courts of law.

Today many critics of our justice system believe that justice belongs solely to those who can afford it. With the ever increasing cost of litigation, the legal landscape in this country lends some credence to this perspective. The Legal Services Corporation serves as a safety net for the poor in that it gives them the ability to pursue their rights as American citizens, irregardless of economic status. Without such a safety net, these Americans would not be able to petition the courts for a remedy for their wrongs they may have suffered. For these Americans, their rights would be no rights at all. For where there is no remedy, there is no right. Unfortunately, this bill cuts funding for the Legal Services Corporation in half compared with the funding level for this year. I urge my colleagues to oppose the bill and restore funding for this program to restore the rights of our fellow Americans.

In my own congressional district, thousands of residents are in need of these services on a daily basis. I also take my hat off and commend and congratulate all of those Legal Services attorneys, paralegals and other personnel who make use of their talents and skills each and every day to try and make sure that the poorest members of our society have access to our judicial system. Especially do I commend that group of attorneys and paralegals whose offices are down the hall from mine in my district office, where I see countless people coming in and out every day who would not be able to have any redress except for the fact that they are there.

Again, I commend the gentleman from West Virginia (Mr. MOLLOHAN) and the gentleman from Pennsylvania (Mr. FOX) for this amendment and would urge that we make America one America when it comes to justice and the pursuit of it by providing legal services for all of our citizens.

□ 2115

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

Mr. Chairman, today I want to speak in support of the Mollohan-Fox-Ramstad amendment to restore funding to the Legal Services Corporation. If this amendment is not accepted, the Legal Services Corporation will suffer another devastating blow. As currently written, this bill provides only $141 million for the Legal Services Corporation. This is a 50 percent reduction, or a cut, of 142 million from Legal Services funding year 1998 budget.

Mr. Chairman, such a reduction would crush an already vulnerable Legal Services, thereby rendering it even more difficult to provide legal services for the poor.

Let us be clear. Legal Services has already been cut to the bone. This worthy program cannot survive another massive reduction in funds. We have cut legal services from a budget of 415 million in fiscal year 1955 to 283 million in fiscal year 1998. The effects of these cuts are already being felt by those low-income clients that depend on legal services organizations.

Mr. Chairman, in my own State of California the Legal Services Corporation provided legal services to 217,015 clients in 1997. Those represented included our most vulnerable citizens, including the elderly, battered women and families who are barely surviving poverty. Moreover, if the Mollohan-Fox-Ramstad amendment is not accepted, we, as legislators, would effectively be abandoning the longstanding commitment to legal services for the poor.

To make matters worse, in the State of California many of the poor are already without service because of Governor Pete Wilson's veto of the State bar fee authorization last year. The poor in California have been failed by their Governor, and this amendment is really their last hope.

Moreover, the deep cuts in legal services will mean that whole sectors of our society will be left without access to the Legal Services Corporation. In many poor and rural regions of the country there will be no publicly-funded legal assistance available to the poor.

We must not forget that 40 percent of the 23 million people over 18 who live in poverty in this country are the working poor. They also depend on legal services organizations for legal assistance. One Legal Services Corporation for every 23,600 poor Americans is simply not enough. In fact, the number of Legal Services lawyers servicing the poor will fall from 4,871 in funding year 1995 to a mere 2,115 in the next fiscal year. This means that thousands of poor people in the South, Southwest and large parts of the Midwest will have virtually no legal services representation.

The American public supports federally-funded legal services for those individuals who would not otherwise be able to afford an attorney's service in certain civil matters. The provision of adequate Federal funding for legal services cannot be provided elsewhere. Pro bono services will never be able to replace federally-funded legal services. In fact, most pro bono services are provided through legal services organizations. Private attorneys are recruited by and use the system of legal services organizations to volunteer their time.

I have worked alongside Legal Services attorneys throughout my life in public office, and I have seen firsthand the work they do. It is tremendous. Many of my constituents and many of my colleagues' would have no other legal representation without the existence of Legal Services Corporation.

It is for these reasons that I call on my colleagues to support the Mollohan-Fox-Ramstad amendment.

Mr. Chairman, I alluded to senior citizens, and this particular group in our society must have some support and some services from their government. Many of them are being caught up in schemes where they are losing their homes. There are many unscrupulous individuals out there who misrepresent who they are, and it is spreading across this Nation. We are going to find that these particular problems will be dropped in the laps of Congress because the States are not protecting our seniors from those who put their sights on their homes and come up with all kind of sophisticated schemes by which they take these people's homes. Mr. Chairman, the only defense they have are the Legal Services Corporations. If we reduce the amount of money that we are going to put to support Legal Services Corporation, that means more seniors are going to lose their homes to these unscrupulous schemes.

I ask my colleagues to please support this amendment.

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

Mr. Chairman, I rise in support of the Mollohan-Fox amendment, and I ask my colleagues to support it.

Mr. Chairman, imagine what our country would be like if there were no court system, if there were no access to a means to resolve disputes in our country, and then you can see what it is like for poor people who do not have access to the courts.

It used to be that we had in our country a system of resolving these disputes by simply going out into the middle of the street and pulling out a sword and dueling. That is not a very satisfactory way to resolve a dispute. What we have when you do not have access to the courts is the most sinister people, the most powerful people having the ability to take advantage of the most vulnerable people in our society.

So, when people have access to the courts, who does it benefit? It not only benefits poor people, because they can resolve their differences through an orderly process, it benefits rich people because they do not have to pay for the results of not having the ability of people to resolve their disputes in an orderly way. It makes for an orderly society, which is really what our whole system of justice and our system of courts is designed to do.

This amendment is especially important this year because the Supreme Court recently held that interest that is paid on lawyers' trust accounts can no longer be converted to legal services for the poor.

When I was the president of the Mecklenburg County Bar in Charlotte, North Carolina, we were wrestling with this problem of how to provide legal services for the poor, as most States were wrestling with that problem, and over time people came up with this idea that since lawyers put money from real estate closings and other transactions into their trust accounts and interest cannot be distributed or paid on those trust accounts, that perhaps we could take the interest from those trust accounts and pay for legal services for the poor, and that became a multi-million-dollar source of revenues for the payment of legal services for the poor.

But recently the Supreme Court of the United States said that cannot be done because those trust funds that go into those lawyer trust accounts, if they are to draw interest, that interest belongs to the people who own the money that went into the trust account in the first place. So that money has to be distributed to the individuals who own the trust funds. That is not poor people.

So the major source of legal services for the poor went out the window several months ago, a source of funds that actually was providing more legal services to poor people in this country than the appropriations that are provided in this appropriations bill or in last year's appropriations bill.

So, this year this amendment is doubly, triply important if poor people are going to have legal services and access to the courts.

What is this about? It is about an orderly means of resolving differences between people. Rich people are not the only ones that have disputes; poor people have them too. They should have access to the courts.

Mr. Chairman, I encourage my colleagues to support this amendment.

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

Mr. Chairman, I rise in support of the Mollohan-Fox-Ramstad amendment.

From 1980 to 1986 I served with the Native American Program of Oregon Legal Services, and as someone who grew up in South Africa, a country which at that time had no regard for civil rights, I really know how important it is to protect and enhance, and I stress ''enhance,'' citizens' access to legal services.

Legal Services Corporation provides something that is very special. It provides special expertise that is not available if someone just goes out and seeks a random pool of pro bono lawyers. The Legal Services Corporation provides dependable quality legal services for those who cannot afford it, and this program needs full funding. What that full funding will mean is it will prove that Congress has commitment to the poor.

But I want to talk about a very special group. We have heard a lot about children and women who are affected, but I want to talk about a very special group of people who will be very affected by the Mollohan-Fox amendment. Those are the group who are tribal governments, poor tribal governments who rely in many cases on the Legal Services Corporation to provide a special expertise in a body of law that not many people understand, which is the body of Indian law. Indian law protects a very special treaty and natural resources rights of Indian tribes.

The Indian tribes come to the eight States that have Native American programs. There are already eight States attached to the ordinary Legal Services Program, and these States provide that very special expertise and, even more important, dependability. Because if we look into Indian cases, cases of treaty rights or natural resource rights, we will see that those cases last sometimes two decades. Well, a pro bono lawyer cannot be expected to cover that case for that amount of time, but in order to protect those treaty rights and those special natural resources rights it is absolutely essential to have that dependability, and above all, to have that expertise, and that is what the Legal Services Corporation provides.

So although there are many, many good attorneys providing legal services across the country on a pro bono basis, they cannot provide the long-term service, and in the case of Native American tribes it is very hard for them to provide the expertise.

□ 2130

So I am very pleased that the gentleman from West Virginia (Mr. MOLLOHAN) and the gentleman from Pennsylvania (Mr. FOX) and the gentleman from Minnesota (Mr. RAMSTAD) have put this amendment in to restore the funding for the Legal Services Corporation.

This is not just ordinary law. This is law that is provided on a very special basis and without it, without it we would see a great diminishment of the civil rights not only of poor people, but also of those tribes that we have in this Congress a very special responsibility, a trust responsibility.

So I urge my colleagues to vote for the Mollohan-Fox-Ramstad amendment to restore the funding for the Legal Services Corporation.

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

Mr. Chairman, I rise in strong support of the Mollohan-Fox amendment to increase funding for the Legal Services Corporation by $109 million. I particularly want to congratulate the gentleman from West Virginia (Mr. MOLLOHAN) and the gentleman from Pennsylvania (Mr. FOX) for bringing forward this amendment, again, because it is a very valuable effort.

The Legal Services Corporation was established by Congress in 1974 to ensure that all Americans, Americans of every stripe, have equal access to the justice system. We should not go back on that commitment, and we cannot expect that some process or program of solely voluntary donations, which has been suggested, by wealthy Americans, will provide poor Americans who cannot afford to pay for access to the justice system, that they would be provided that equal access.

But the bill before us would cut Legal Services funding by 50 percent from last year, and that would have an immediate effect on Legal Services clients. Thousands of low income people would be denied their chance of equal justice in my district alone, and that can be multiplied all over the country.

Funding over the last four years has gone from $400 million in fiscal year 1995, to $278 million in fiscal year 1996, to $283 million in fiscal year 1997 and again $283 million in fiscal year 1998, all of those years when we have been trying to get control of the enormous deficits that built up year after year during the Reagan and Bush administrations.

It is truly mind-boggling to me that in fiscal year 1999, a year when we are expecting a multi-billion dollar surplus, that this Republican Congress would propose cutting Legal Services funding by 50 percent, to a number lower than the funding for Legal Services has been at any time since 1980 under Republican and Democratic Presidents.

Now, Mr. Chairman, I could cite dozens of legitimate cases of legal services being provided in my district compared with those that have been suggested as illegitimate cases by various people, as abusive cases of the program, but I just want to cite one that shows the vital role that Legal Services plays in the lives of ordinary people.

A woman from my district separated from her husband because of physical abuse, and she had custody of their children. While she was hospitalized recovering from that very physical abuse, her abusive husband obtained a custody order that she was in no position to contest, being that she was in the hospital, and placed the children with his parents.

With Legal Services' assistance, this mother was able to regain custody of her children, she was able to end that abusive relationship, obtain housing, and then go on to obtain a Bachelor's Degree, so she can now support herself and her children on her education. We need to ensure that every citizen has access to equal justice.

Last year, in similar circumstances, this House voted for the same Mollohan-Fox amendment by a vote of 246 to 176 in a recorded vote. I urge my colleagues to pass the Mollohan-Fox amendment this year by an even larger margin than it was voted by last year, and send an obviously correct message.

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

Mr. Chairman, I rise in support of the Mollohan-Fox amendment to restore some of the cuts in legal assistance for the poor. As a former Legal Services program board chairman who helped to establish a Legal Services program over 20 years ago, I can attest firsthand to the importance of Legal Services to individuals in my district who cannot afford a lawyer.

As a result of legal aid, many of the unscrupulous businesses who once operated with relative impunity are now held in check. I am concerned that if we further reduce the Federal support for these programs, we will give license to the resurgence of such operators to prey on those who are vulnerable and unable to respond because of the cuts in Legal Services.

Mr. Chairman, despite the existence of Legal Services programs for the poor, there have never been sufficient funds to reach anywhere near the number of people who need assistance. For example, the American Bar Association in 1995 did a study that revealed that 43 percent of those asking for services had to be turned away because of lack of funding to provide for services.

The 1995 funding level was $415 million. Last year the Legal Services Corporation received only $283 million, and even with this amendment, the funding will only be $250 million.

So, Mr. Chairman, we have already drastically cut the funding for Legal Services. At this point there is no justification for so drastically reducing the Legal Services Corporation as the current bill requires. I hope that we will assure at least the minimum Federal support that this amendment calls for, so that some of those who are defenseless and helpless against the unscrupulous in our society will have some recourse.

I implore my colleagues to support the modest funding for Legal Services for the poor by supporting the Mollohan-Fox amendment.

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

Mr. Chairman, I strongly support the Mollohan-Fox amendment. Cutting the funding of the Legal Services Corporation to $141 million would be a disaster for families living in poverty across this Nation.

Legal Services attorneys deserve our thanks and our appreciation. They help our poorest and most vulnerable citizens navigate the complicated bureaucracy of our court system in search of justice and fairness.

Many of my colleagues may not think of Legal Services as a women's issue, but it is. More than two-thirds of the clients served by Legal Services are women. The funding cuts in this bill will force Legal Services to abandon many of the critical legal services that it provides to poor women, particularly victims of domestic violence.

In 1997, Legal Services programs handled over 58,000 cases in which clients sought legal protection from abusive spouses. In fact, family law, which includes domestic violence cases, makes up over one-third of the cases handled by Legal Services programs each year.

In addition to helping domestic violence victims, the lawyers at the Legal Services Corporation help poor women to enforce child support orders against deadbeat dads. They also help women with employment discrimination cases. Slashing funding for Legal Services means barring the door of the courthouse for tens of thousands of women who have nowhere else to turn for help. How can we at this time abandon these women to violence and abuse and greater poverty?

Please support Legal Services. Let us protect poor families who need this help desperately. Let us vote for this amendment.

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

Mr. Chairman, I speak not from a prepared text, but from experience. In 1977 I graduated from Georgetown Law School. I returned home to the Lehigh Valley of Pennsylvania, where I served for approximately 5 years as a volunteer lawyer with Lehigh Valley Legal Services.

Mr. Chairman, during that period of time I became aware of how extraordinarily important this program is for equal justice under the law. In 1981 the Legal Services program in which I participated had 13 attorneys; today, we have six. Offices have been closed; representation, because of inadequate funding, has been denied.

Mr. Chairman, when I was a student at Georgetown, I used to walk between this building and the Supreme Court of

the United States. When I did so, on hundreds of occasions, I would look up to those words carved over the entryway to the Supreme Court and I, for one, would be inspired: ''Equal Justice Under Law.'' If we fail to pass the Mollohan amendment, we establish, as a matter of policy, our lack of faith in that commitment.

At home today in the Lehigh Valley, a citizen will obtain competent representation in cases that involve an immediate and essential hearing, typically on matters of housing, domestic relations and custody. The cases in my hometown where this representation is provided rarely, if ever, involve politically oriented issues or ideologically explosive issues. This is about equal justice to ordinary citizens who happen to be poor.

What confronts this Chamber tonight is whether or not we will provide to those citizens, in matters of basic civil justice, the kind of representation that is available to other citizens who are financially better qualified.

I am leaving the Congress of the United States at the end of this term, and I am going to close a loop. One of the first things I am going to do as a private practitioner when I return to the Lehigh Valley is to volunteer my time and energy representing those people. But we who are volunteers cannot possibly carry the burden alone.

Legal Services, federally funded in the case of my hometown to the extent of almost 50 percent of the annual budget, must be provided if we are going to stand true to what I read so many years ago carved over that doorway to the Supreme Court of the United States. Tonight, when we vote, we will decide whether or not we truly believe in equal justice under law. To carry forward that principle, I strongly urge an affirmative vote for the Mollohan-Fox amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to speak in support of the Mollohan amendment which will govern how we proceed on H.R. 4276, the Commerce Justice, State Appropriations bill. I am grateful to the Rules Committee for allowing the Mollohan amendment to be considered which would restore full funding for the Legal Services Corporation in FY 1999 at $415 million. This cut will result in the virtual abandonment of the long-standing federal commitment to the legal protection of working poor Americans, including victims of spouse and child abusers, dead-beat parents, and consumer fraud.

The programs funded by LSC have provided effective and meaningful access for the poor to our courts. In 1997, LSC-funded programs provided services to almost 2 million clients, benefitting approximately 4 million individuals, the majority of them children living in poverty. The vast majority of cases handled by programs are noncontroversial, individual cases arising out of the everyday problems of the poor.

Cutting this funding will mean that the number of clients will fall from 1.7 million in FY 95 to less than a million; the number of neighborhood offices will fall from 1,100 in FY 95 to approximately 550, the number of LSC attorneys serving the poor will fall from 4,871 in FY 95 to 2,150; there will be only one LSC lawyer for every 23,600 poor Americans; no legal assistance to clients in thousands of counties throughout the country; and legal services programs will be forced to severely limit their services, resulting in the substitution of brief advice and referral for complete legal representation in most cases.

While domestic violence occurs at all income levels, low-income women are significantly more likely to experience violent victimization that other women, according to the U.S. Bureau of Justice Statistics. Medical researchers assert that 61 percent of women who head poor families have experienced severe physical violence as adults at the hands of male partners. The Legal Aid Society of Charleston, West Virginia was contacted by a woman after her boyfriend put her and her 2-week baby out of the home at gunpoint. She obtained a 90-day domestic violence petition against him in magistrate court. She needed the assistance of the Legal Aid lawyers in getting a permanent restraining order and custody. The Legal Aid lawyers obtained a final court order awarding the woman custody of the child.

A woman in Oklahoma was hospitalized for several months as a result of suffering years of physical and psychological abuse at the hands of her husband. In the subsequent divorce and child custory battle the husband used her hospitalization against her. With the help of the Legal Aid laywer, the woman was granted a divorce, custody of their child, and a permanent restraining order against her ex-husband. We must restore the money to the Legal Services Corporation.

In 1997, LSC-funded programs closed some 146,000 cases in which the client was 60 or older. This represents approximately 10 percent of all LCS cases. Some LSC-funded programs have special elderly law units, but all programs provide services to the elderly.

One out of every four children under six and one in every five under eighteen live in poverty. Elimination of federal funding of legal services will deny them legal assistance on obtaining financial support from an absent parent, a decent home to live in, adequate nutrition and health care, relief from a violent living situation, access to education and vocational skills. The working poor represent 40 percent of the 23 million people over eighteen living in poverty in the United States. Access to legal services can preserve employment that makes the difference between remaining productive and independent or joining the ranks of the dependent poor. We need to restore, the funding of the Legal Services Corporation for our poor, our elderly, women who are victims of domestic violence, and migrant workers. Please support the Mollohan-Fox Amendment.

Mrs. MORELLA. Mr. Chairman, I would like to thank Chairman ROGERS for his work to fund the programs of the National Institute of Standards and Technology (NIST).

NIST is the nation's oldest Federal laboratory. It was established by Congress in 1901, as the National Bureau of Standards (NBS) and subsequently renamed NIST.

As part of the Department of Commerce, NIST's mission is to promote economic growth by working with industry to develop and apply technology, measurement, and standards. As the nation's arbiter of standards, NIST enables our nation's businesses to engage each other in commerce and participate in the global marketplace.

The precise measurements required for establishing standards associated with today's increasing complex technologies require NIST laboratories to maintain the most sophisticated equipment and most talented scientists in the world. NIST's infrastructure, however, is failing and in need of repair and replacement.

NIST currently has a maintenance backlog of almost $300 million. In addition, NIST requires new laboratory space that includes a higher level of environmental control (control of both vibration and air quality) than can be achieved through the retrofitting of any of its existing facilities. In order to meet this pressing need, NIST must construct an Advanced Measurement Laboratory (AML).

As part of the sums appropriated for NIST, H.R. 4276 includes $56.7 million for construction, renovation and maintenance of NIST's laboratories. This funding level is below the $67 million authorized by the House when it passed H.R. 1274, the NIST Authorization Act of 1997, but matches the President's request.

While a considerable amount of money still needs to be appropriated before the AML's construction is fully funded, this year's appropriation, when is combined with the $95 million appropriated last year for construction and maintenance, is a significant down-payment on the laboratory. I am hopeful that with Chairman ROGERS' continued support, we can find the money next year to complete funding and begin construction of the AML.

I would like to again thank Chairman ROGERS for his support of NIST and its facility needs.

Mr. DOOLITTLE. Mr. Chairman, the Legal Services Corporation often strays from its primary mission of providing legal counsel in cases to people who cannot afford it. It is clear that the LSC often pursues an activist and ideological agenda that hardly benefits its poor clients.

It is ridiculous that we continue to fund a program so irresponsible that the Congress would actually have to take the kind of action we took in fiscal year 1996 and spell out what ought to be clear ahead of time for an organization funded with federal taxpayer dollars. Congress actually had to make explicit that the LSC may not get involved in redistricting, they may not get involved in abortion litigation, or prison litigation, or welfare litigation, or pro-union advocacy, or union organizing, or fee-generating cases, or representation of public housing tenants charged with possession of illegal drugs or against whom eviction proceedings have begun as a result of illegal drug activity, and a prohibition on representing illegal aliens. That is an indictment right there on the inclinations of the individuals in this irresponsible agency.

I believe as much as anyone in protecting the rights of poor people, but I do not believe we have to build a bigger and bigger welfare state, of which this is a part, in order to accomplish those objectives.

If legal representation of the poor at public expense is so important, let the attorneys donate their time, let the States handle the matter, where they are a little closer to the people and where these kinds of abuses cannot continue to occur. And yes, they do continue to occur.

For example, when it comes to protecting children, the LSC has actually been often

counterproductive to that goal. In 1997 Northwest Louisiana Legal Services argued for preserving a woman's parental rights to her children, despite clear evidence she had physically abused them. The case began in 1991. The State investigated it. They assumed temporary custody. Legal Services still got involved, claiming that terminating parental rights was improper. These children had been severely beaten and burned, and yet our taxpayer dollars went through Legal Services to defend this type of individual.

Providing free legal services to the poor is perfectly appropriate for local and State entities to carry out. I think we will not end the abuses as long as the remote Federal Government continues to fund a program of this sort.

Obviously these organizations have no interest in respecting the intent of Congress, when we have cited repeated violations of the very restrictions that were already in the law that continue to happen. This is not the job of the United States government. It is the job of the State governments or of local bar societies.

Mr. RAMSTAD. Mr. Chairman, I join my colleagues from Pennsylvania and West Virginia in sponsoring this amendment to prevent the drastic 50% cut in Legal Service Corporation funding.

Without adequate funding for Legal Services, our poorest, most vulnerable citizens will be unable to have legal representation in civil matters.

''Equal Justice Under Law,'' which Americans read every day across the street on the Supreme Court building, will be empty words.

This proposed 50% cut, to $141 million, follows a 33% reduction in FY 1996, and no increases in FY 1997 or FY 1998. This amendment would be a great improvement from the current level in the bill, but it still represents a $33 million cut from last year's appropriation.

In my home state, severe cuts in LSC funds have ready meant that tens of thousands of Minnesotans who needed legal help had to be turned away. Because of reduced funding, Legal Services in Minnesota closes 4,000 fewer cases each year.

Legal services in my state is struggling in spite of generous support from state and private sources. In Minnesota, over 3,000 attorneys already donated over 30,000 hours of legal services—worth over $3.5 million—each year. Minnesota lawyers pay an extra $50 in their annual licensing fee to support legal services. Individual lawyers and firms currently contribute over $500,000 each year.

Even greater numbers of poor people have been shut out of the civil justice system in other states, where private support is not as strong: LSC programs across the nation are already serving 300,000 fewer low-income Americans because of decreased resources. If limited to this bill's drastic level they will have to turn away an additional 400,000 vulnerable Americans.

On top of this, a recent Supreme Court decision is further threatening resources for legal aid to the poor. In 1997 Interest on Lawyer Trust Accounts (IOLTA) programs accounted for 11% of funding for LSC programs, But, now, the availability of IOLTA funding for legal aid programs has been called into question by the courts.

Some claim that private bar can step in and meet the legal needs of the poor if funding for the LSC is cut by this magnitude. But throughout the country the private bar and individual lawyers are already working hard to provide legal services for indigent people.

However, they cannot meet these critical needs alone, any more than doctors can treat all the medical needs of the poor or grocers can feed all the hungry without pay.

We cannot effectively provide legal services to the poor without a public-private partnership. LSC funds are critical in matching private lawyers with needy clients, and LSC-funded staff is needed to handle intake, screening, referral, training and support for private lawyers.

Although government entities are not often known for efficiency, ninety-seven cents of every LSC dollar go directly to delivery of legal assistance. And federal oversight and accountability over those dollars are ensured.

Tight restrictions required by Congress are being enforced by LSC under the strong leadership of President John McKay: no class action suits; no lobbying; no legal assistance to illegal aliens; no political activities; no prisoner litigation; no redistricting representation; and no representation of people evicted from public housing due to drugs.

Some of my colleagues point to a few, well-publicized cases that appear to be abusive. There is almost always more to the story, and in many cases no LSC-funded program was involved or the LSC is enforcing sanctions against the abuses. But even if all of the alleged abuses were true, these would represent a mere handful of aberrations in a program that last year served 2 million clients, benefiting 4 million Americans, most of whom were low-income seniors, women and children. I wish all federal programs could have such a remarkable record.

Legal Services actually saves taxpayers money by establishing child support orders and maintaining private health insurance for children. Legal Services protects the victims of domestic violence and child abuse. Legal Services combats consumer fraud and unlawful discrimination.

If our justice system is only accessible to the wealthy—to those with means—then it cannot truly be just. I urge my colleagues to support basic fairness and equality under the law by restoring Legal Services funding.

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

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

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

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

Mr. ROGERS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHIMKUS) having assumed the chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4276) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1999, and for other purposes, had come to no resolution thereon.

□ 2145

## SPECIAL ORDERS

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from American Samoa (Mr. FALEOMAVAEGA) is recognized for 5 minutes.

Mr. FALEOMAVAEGA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

## EXPRESSING APPRECIATION FOR SUPPORT ON SHAYS-MEEHAN LEGISLATION, AND URGING MEMBERS TO VOTE TO RESTORE FUNDING FOR LEGAL SERVICES FOR THE POOR

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

Mr. FOX of Pennsylvania. Mr. Speaker, I rise tonight first to thank the House for their support for the important Shays-Meehan legislation. This legislation is a landmark in that it will provide for the first time in many, many years an opportunity for the House to have meaningful campaign finance reform.

The bill makes four major changes to our campaign finance system.

One, it completely eliminates Federal soft money as well as State soft money that influences the Federal elections.

Two, it strengthens the definition of ''express advocacy'' to include those radio and TV advertisements that clearly identify a Federal candidate which are run within 60 days of an election, or include unambiguous support for or opposition to a clearly identified Federal candidate run at any time.

Number three, Mr. Speaker, it improves the Federal Election Commission disclosure and enforcement. It requires the Federal Election Commission reports to be filed electronically. It provides for Internet posting of this and other disclosure data.

Number four, it establishes a commission to study further reforms to our campaign finance system.

In addition, the bill makes other important reforms, including foreign money and fund-raising on government property being prohibited. It expands the ban on unsolicited franked mass mailings. It also makes other reforms which, in the opinion of those who have been observing the House for many years, go to the important end game of