LAHOOD) having assumed the chair, Mr. HANSEN, 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. 4516) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes, pursuant to House Resolution 530, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment. If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 373, nays 50, not voting 12, as follows:

[Roll No. 313]

YEAS—373

Abercrombie
Ackerman
Aderholt
Allen
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cooksey
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hunter
Hutchinson
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Moakley
Mollohan
Moore
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—50

Andrews
Becerra
Brown (OH)
Chenoweth-Hage
Conyers
Costello
Davis (FL)
Delahunt
Dingell
Doggett
Evans
Farr
Fattah
Ford
Frost
Gejdenson
Gephardt
Green (TX)
Hoyer
Hulshof
Inslee
Kennedy
Kind (WI)
Lee
Lofgren
Lucas (KY)
Luther
Miller, George
Minge
Moran (KS)
Moran (VA)
Paul
Payne
Pelosi
Peterson (MN)
Phelps
Roemer
Rothman
Royce
Sanford
Schaffer
Sensenbrenner
Shays
Smith (WA)
Stark
Tanner
Towns
Waters
Watt (NC)
Waxman

NOT VOTING—12

Cook
Cubin
Engel
Filner
Hobson
Hyde
Kuykendall
McCollum
Rangel
Roybal-Allard
Vento
Wynn

1310

Messrs. FARR of California, MINGE, PETERSON of Minnesota, SHAYS and TOWNS changed their vote from ''yea'' to ''nay.''

Mr. DAVIS of Illinois changed his vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HOBSON. Mr. Speaker, I regret that I was not present during rollcall votes 311, 312, and 313. Had I been present, I would have voted ''yea'' on rollcall vote 311, ''no'' on rollcall vote 312, and ''yea'' on rollcall vote 313.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4655

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent to remove the name of the gentleman from Florida (Mr. FOLEY) as a cosponsor of H.R. 4655, my bill.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 4609, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 529 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 529

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4690) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2001, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: page 102, lines 15 through 17. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until

a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

1315

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), my colleague and my friend, pending which I yield myself such time as I may consume. During the consideration of this resolution, all time is yielded for the purpose of debate only.

Mr. Speaker, the legislation before us is an open rule that will allow us to have a full and open and fair debate of the issues contained within H.R. 4690, the Commerce, Justice, State, Judiciary and Related Agencies Appropriation Bill for Fiscal Year 2001.

This open rule waives all points of order against consideration of the bill. The rule provides one hour of general debate to be equally divided between the chairman and the ranking minority member of the Committee on Appropriations.

The rule provides that the bill shall be considered for amendment by paragraph.

The rule waives clause 2 of the rule XXI against provisions in the bill, except as clarified by the rule. Clause 2 of rule XXI prohibits unauthorized or legislative provisions or transfers of funds in an appropriations bill.

The rule authorizes the chairman of the Committee of the Whole to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

The rule permits the chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote.

Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, the underlying legislation is very important. H.R. 4690 provides funding for the Departments of Justice, Commerce, and State, as well as funding for the Federal Judiciary.

Very briefly, the Department of Justice is tasked with providing American citizens protection through effective law enforcement.

The Department of Commerce has four basic missions: promoting the development of American business, increasing foreign trade, improving the Nation's technological competitiveness, and encouraging economic development.

The State Department has a mission to advance and protect the worldwide interests and assets of the United States.

Finally, appropriations for the Judiciary cover the Supreme Court as well as lower Federal district courts.

Mr. Speaker, passage of this rule and the underlying legislation will ensure our Government has adequate funding to fight the war on drugs and crime.

This Republican Congress has a record of success on drug and crime prevention programs contained within this legislation. Under the funding priorities set by these yearly appropriations, our Nation's violent crime rate has decreased for 5 straight years.

In fact, the bill provides an increase of $1.75 billion over last year's level for the Department of Justice. That is $128 million more than the President requested.

The total funding for the Department of Justice under this legislation is more than $20 billion. That number is far too large for us to comprehend. However, each one of us is affected by these programs that are funded by and within this Department.

The program within the Department of Justice that immediately comes to my mind is the ''weed and seed'' program. Through this program, law enforcement officers receive community-policing training with a special emphasis on mediation skills. Officers are taught to literally pull the weeds, the troublemakers, out of communities and replace them with seeds, law-abiding citizens, which will help a community grow and prosper.

Vicki Martin, a friend of mine, who heads the Ferguson Road Initiative in Dallas, Texas, is our team leader using the weed and seed dollars provided by the Department of Justice. By using this Federal money, Vicki Martin and the Ferguson Road Initiative have successfully increased the quality of life for persons within my congressional district.

Not only does this legislation fund the agencies that make Americans safer at home, it also provides security for Americans serving abroad.

All of us were troubled by the bombings of United States embassies in Africa just a few years ago. A report after those bombings revealed severe security lapses at other U.S. Government facilities abroad also.

This legislation will demonstrate Congress's commitment to protect our overseas posts and employees by providing $1.06 billion for worldwide security improvements.

Mr. Speaker, I would like to take 1 minute to comment on one issue within this bill that is also very important to me.

In light of recent attacks to private sector Web sites, I have become increasingly aware and concerned about the vulnerability of the Federal Government's computer systems to terrorist attack. Tragically, the current administration has failed to address this as a significant threat.

Recently the United States General Accounting Office reported that almost every Government agency is plagued by poor computer security. Specifically, the GAO reports that weaknesses in computer security at the Defense Department provide computer hackers the opportunity to modify, steal, and destroy sensitive data. The Department of State mainframe computers for domestic operations are also very susceptible to cyber terrorists according to the GAO.

In my view, the lack of attention paid to cyber security by the Clinton-Gore administration is one of the biggest and most glaring examples of mismanagement and is a threat to our national security.

I had wished to offer an amendment to this appropriations measure to address this issue of cyber security. I had hoped that at least $10 million of the money allocated to the State Department for security improvements would be directed to tighten information security at the Department.

I understand this amendment would constitute legislating on appropriations and would first need to be considered by the appropriate authorizing committee. This being the case, I chose not to offer this amendment to the appropriations bill. However, I am pleased that the gentleman from Kentucky (Chairman ROGERS) has agreed to work with me to see that that important issue is addressed in the coming year.

By avoiding controversial legislative provisions on appropriations bills, the House leadership has moved appropriations bills in a manner consistent with finishing properly by the end of this fiscal year.

Accordingly, I encourage other Members who intend to offer amendments to this appropriations that are legislative in nature to join me in supporting this rule and working to address other issues in their proper context and through the regular order of the House.

Mr. Speaker, with this Commerce, Justice, State, Judiciary appropriations bill, the Committee on Appropriations has once again managed to balance a wide array of interests and make tough choices with limited resources. This legislation funds important programs to reflect our national priorities while keeping within the confines of a balanced Federal budget.

I commend the gentleman from Kentucky (Mr. ROGERS) and the gentleman from New York (Mr. SERRANO) for their work on this legislation.

Mr. Speaker, I urge my colleagues to continue the careful manner in which this legislation was crafted and to support the rule.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Texas (Mr. SESSIONS) for yielding me the time.

Mr. Speaker, this is an open rule and it will allow for consideration of H.R. 4690.

As my colleague from Texas has explained, this rule will provide for general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

This allows germane amendments under the 5-minute rule, which is the normal amending process in the House. All Members on both sides of the aisle will have the opportunity to offer amendments that do not violate the rules for appropriation bills.

Mr. Speaker, we live in a time of unparalleled economic growth. Never before has any nation experienced the prosperity this country now enjoys. We can afford investing in our future.

However, once again, we are faced with an appropriations bill which does not adequately fund critical Government programs for law enforcement, international diplomacy, civil rights, and scientific research.

This bill cuts the President's request for international peacekeeping by $241 million. This is shortsighted because money for peacekeeping is an investment in avoiding a more tragic and expensive war.

Provisions in the bill will prevent the United States from paying its full dues in the United Nations. This undercuts our position as a world leader.

The bill reduces the President's request for the Federal Trade Commission by $30 million. This is at a time when the FTC is launching an investigation, and we are asking them to do this, into the high prices of gasoline in the Midwest at the request of many of us.

The FTC is also in the middle of an investigation of the high prices of prescription drugs. Now is not the time to jeopardize these critical issues.

The bill underfunds Community Oriented Policing Services, gun enforcement initiatives, antitrust enforcement and consumer protection, counterterrorism, antidrug campaigns, and civil rights enforcement.

The bill underfunds Violence Against Women programs. I am especially familiar with the effects of cuts in these programs. In my district, the Artemis Center for Alternatives to Domestic Violence has successfully used these grants to assist victims and reduce domestic violence in the Dayton, Ohio, area. However, cuts in the last few years have threatened the effectiveness of this group.

The list goes on and on.

The Committee on Rules considered a number of Democratic amendments that would increase funding for programs covered under this bill. The Republican-controlled Committee on Rules rejected every one.

Now is the time that we must use the national wealth to invest in the future.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise today in opposition of the rule and the underlying funding of the Commerce, Justice, State appropriations bill. This bill simply does not provide enough funding for one of the most important crime prevention programs we have today, the COPS program, and it weakens several other important programs, as well.

I remember standing here just last October to speak against last year's CJS appropriations bill because it underfunded the COPS program. It is amazing to me that we must once again have this fight about funding what is a proven, effective, and necessary program to fight crime in our communities. With pork barrel projects funded year after year, I cannot understand why we cannot agree on full funding for the COPS program.

A number of amendments to increase funding for the COPS program will be offered today, and I hope everyone will support them. Because the main principle behind the COPS program is to put officers in this Nation's communities and on the streets, fighting crime in our cities, our suburbs, and our towns.

Currently, over 80 percent of law enforcement agencies employ the community policing philosophy making it the predominant crime fighting strategy in America. I am sure my colleagues have all heard of the excited response from their local police departments when we tell them that they have just received one of the COPS grants.

This program works. On May 12, 1999, the United States Department of Justice and COPS funded the 100,000th officer ahead of schedule and under budget. That is 100,000 officers working on the front lines to protect our communities and our citizens, making a visible difference, and contributing to the drop in crime that has lasted 8 consecutive years.

I support the President's plan to continue the COPS program for an additional 5 years to add up to 50,000 more police officers on the beat.

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I support the COPS programs that fund additional prosecutors, cops in schools and training and technology equipment for law enforcement. I cannot support this appropriations bill because it falls far short of the President's request of $1.3 billion to fully fund the COPS program.

I am a former police officer, a cochair of the Law Enforcement Caucus and of the Democratic Crime and Drugs Task Force. I have spent years working on law enforcement and crime-related issues, and I am here on the floor today to tell my colleagues that this bill does not do enough. It does not do enough for the COPS office; it does not do enough to fund crime prosecutions, for violence against women grants, or crime fighting technologies. It weakens the Federal Government's important role in protecting civil rights by cutting funding for the EEOC, the Legal Services Corporation, and the civil rights division. I will vote against this bill because I know we can and we should do better to ensure our communities are safer, our police departments are better equipped, and our individual rights are better protected.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the ranking member very much on the Committee on Rules for yielding me this time. I know the hard work that is done by all the Members in this body. It is unfortunate that in this process there could not be more collaboration on the appropriations that could lend themselves to bipartisan support.

This appropriations bill, Commerce, Justice, State and the Judiciary, does not do justice and it is supposed to have oversight over those agencies that are to render justice. It does not do justice. It does not recognize that we are in the most prosperous times of our life, more prosperous than we were ever in the 20th century and now at the beginning of the 21st century we have much to offer the American citizens.

I said just a few days ago that we spend a lot of time talking about tax cuts, but we do not realize that the moneys that we appropriate are really an investment in America's future. They are an investment in America's security. Why for the life of me would we cut this particular appropriations $2.5 billion less than the President's request? Why would we take a very popular program, one that has worked, one that does not discriminate whether you are in a large inner city or whether you are in a rural hamlet or a village. The Cops On the Beat program overall has proven to be very successful. Over time in the Committee on the Judiciary we have heard testimony after testimony of officers who have come forward from different communities and said, We could not have the kind of patrol and security and outreach to the community if we did not have the Cops on the Beat program. Yet that program is underfunded almost to the extent of extinction.

Then the bill cuts the Legal Services Corporation. Mr. Speaker, I was on the board of the Gulf Coast Legal Foundation in my own community. What those Legal Services Corporation lawyers do around the Nation is they affirm and confirm that all of us are created equal, working families who are

low income, who need child support or need help in their family law matters, who need rental assistance or landlord-tenant issue assistance. These are the kinds of clients that every year we come to the floor and we bash them and we in essence say, ''Go get yourself a Fifth Avenue lawyer.'' And if you can't afford it, forget it. Paupers don't need to come into the courtroom because we're not worried about poor people. I do not understand what the purpose in of cutting the Legal Services Corporation.

This rule, of course, is an open rule, so I guess one would say you should support it. I do not, because frankly we have a situation that promotes a bill that does not answer the concerns of the American people and point of orders against Democratic amendments have not been waived. The digital divide is not taken care of. I for one believe that this was an excellent opportunity that we could provide those resources.

Mr. Speaker, we are going to have a long and vigorous debate on this legislation. I intend to offer amendments dealing with late amnesty. I think we need more dollars to deal with the border patrol. I do appreciate the work of the ranking member and as well the chairman. These issues that we have dealt with and have not been resolved, I hope the Republican majority will waive the points of order and deal with this important crisis that we are facing dealing with thousands of individuals who have been in this country working, but they are still considered illegal immigrants because the INS has not seen fit to remove these problems that have prevented them from applying for legal citizenship. We will have that debate, and I hope that we will have a vigorous debate. I would like my colleagues to support me in those amendments.

Finally, let me say the great disappointment that I have additionally found with this bill along with the other issues that I have cited that although America promotes peace in this Nation and we know that there is strife on the continent of Africa. In fact, I met with the ambassador to the United States from Uganda. I was in the Security Council just a few days ago at the United Nations. Yet this body is cutting $240 million from the peacekeeping efforts in Sierra Leone. This is wrongheaded and misdirected. We are going in the wrong direction, Mr. Speaker. I hope we can correct this as we move this appropriations process forward.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the former chairman of the Committee on Appropriations, now the ranking minority member.

Mr. OBEY. I thank the gentleman for yielding me the time.

Mr. Speaker, there are a number of reasons why I am going to vote against this rule and against this bill. First of all, we just voted on an amendment that was a nongermane amendment that the Committee on Rules put in order which was offered by a member of the majority side. But now on this bill every single Democratic amendment that was requested to be made in order by the Committee on Rules was denied. That is the procedural reason why I am voting against it.

Secondly, it just boggles my mind. If you take a look at this bill, this Congress just voted to give the 400 richest families in America a $200 billion tax cut. Now it has to squeeze out all other programs in order to try to keep that commitment to the wealthiest 2 percent of people in this country.

For instance, it says that it is going to slash the Legal Services Corporation, which is the corporation that helps poor people have legal defense when they have a lawsuit. It is insufficient in the area of civil rights. It is certainly destructive in the area of peacekeeping with its budget cuts. We have all Members of this House crying all over the floor about what is happening with gas prices. Yet this bill cuts $50 million below the request for Justice Department and Federal Trade Commission programs to pursue antitrust actions and other noncompetitive actions in the marketplace.

I would especially like to focus for one moment on that latter issue. On the agriculture subcommittee bill when it was before the Committee on Appropriations, I offered an amendment to try to do something about the monopolistic practices that occur in the food industry, where you have just literally a handful of companies, four or five, who control the majority of processing for poultry, for beef, for pork and for other food products in this country. That works to make farmers serfs rather than farmers; and it does not do anything very helpful for consumers as well. In this bill, we see the same problem.

The primary obligation we have in the capitalist system is to see to it that for consumers and for every business in this country, we have truly competitive marketplaces. You do not have those marketplaces if you do not have the ability of government to check out what practices are endangering those free marketplaces, whether they occur in the computer industry, in poultry processing, you name it.

Yet this bill has whacked the Justice antitrust division; it has whacked the Federal Trade Commission and in the process has made it very difficult for those agencies to pursue their job of keeping the American marketplace a truly competitive marketplace. We have to understand that with this changing economy, we have these huge new corporate entities that are being created overnight, and not just on the Internet. You have got one company that has become so big in the last year, its increase in market capitalization, its increase, I am talking about Oracle, is larger than the combined market capitalization for Ford, Chrysler, and General Motors combined. We need to have the Justice Department and the Federal Trade Commission with sufficient resources to attack those problems.

And when we see the oil industry gouging people as they are gouging them today in the Midwest on gasoline prices and we see Members of Congress stumbling over each other to get to the nearest microphone to rise in protest against that, what do we see this body doing? We see them cutting the President's request for the Federal Trade Commission, the agency charged with the responsibility to review not only those anticompetitive market practices but dozens of others by dozens of other companies in the economy.

This bill is totally inadequate to defend the rights of consumers, it is totally inadequate to assure every corporation in America that they are competing on a level playing field, and it is antibusiness when it does that. There is nothing more pro-business than seeing to it that an American entrepreneur or an American corporation has the ability to compete in a real marketplace. This bill denies that. We ought to vote down both the rule and the bill.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Mr. Speaker, I rise to speak on the rule to correct a misconception that may be going around the House. I had requested a waiver from the Committee on Rules for an amendment to increase the Legal Services Corporation. I did that because I am troubled every year by the fact that we come to this floor with a very low amount for Legal Services, fully understanding that in the House the amount will go up and in conference the amount will even go higher. So I wanted to avoid us that pain by asking for a waiver from the Committee on Rules. That did not take place. So I will still be presenting an amendment.

However, the amendment, and this is what I want to clarify, will be offsetted. It will have offsets and it will bring us up to $275 million. So there is a misconception going around the House that we will be presenting an amendment that Members cannot vote for in a bipartisan fashion. That is not correct. The amendment that I will be presenting will allow us to bring for the time being the Legal Services Corporation up to $275 million, and there will be offsets that I will be presenting.

Also, Members should know that that particular amendment will be part of the early process of the discussion rather than later on.

Mr. HALL of Ohio. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

There are a few things that obviously I need to respond to that have been discussed here in the discussion of the rule. First of all, I do recognize that

there are people in Congress who want to spend more and more and more and more and more money. My years in Congress have taught me that virtually every single vote is about more spending or less spending, more rules and regulations or less rules and regulations, and about whether we are going to have a balanced budget or not. I learned a long time ago that you cannot please everybody in this House of Representatives.

But to hear my colleagues say that COPS was underfunded to the point of extinction is an exaggeration that cannot go without an explanation. In fact, the COPS, which is the Community Oriented Policing Services, is funded to the tune of $595 million. I do not consider that to the point of extinction. I consider that to the point of there was a realistic discussion that we have to live within a balance of how much money we are going to be spending.

We had a vote earlier in the year to determine what the budget would look like. As I recall, not one member of the minority party would even offer the President's budget for consideration or vote on the floor of the House of Representatives.

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Yet what they want to talk about over and over is the President's budget, what the President's budget does; and yet not one Democrat would even sponsor the President's bill on this floor.

We do have a Republican bill that passed, and that is the budget that we are working within; and proudly we are going to say that we would not spend a penny of Social Security, and we would make sure that we balance the budget.

Secondly, the gentleman from Wisconsin (Mr. OBEY) had an opportunity to state that the Federal Trade Commission must have sufficient resources to attack problems like the growing market capitalization of Oracle.

Mr. Speaker, we have just been through another vigorous debate in this country about how another large company like Oracle was treated; they are Microsoft.

Mr. OBEY. Will the gentleman yield?

Mr. SESSIONS. I will not yield.

Mr. OBEY. That is not what I said.

Mr. SESSIONS. I will quote: ''To attack the problems like the growing market capitalization.''

Mr. OBEY. Market capitalization, but not Oracle. I was using Oracle as an example of increased market capitalization.

The SPEAKER pro tempore. (Mr. HANSEN). The gentleman from Texas (Mr. SESSIONS) controls the time.

Mr. SESSIONS. I will accept the gentleman's explanation that perhaps he did not mean Oracle, what the gentleman was talking about was a large company like Oracle when he said that, and I will accept the gentleman's explanation. I do accept the gentleman's explanation.

What I will tell you, Mr. Speaker, is that the Republican Congress is proud of these large companies that employ millions of Americans, and I do understand that. I think these companies get it that this Justice Department would sooner have people like Bill Gates and others to be Germans or Chinese or from another country; they do not want them here in this country.

Mr. Speaker, I will say that I believe that they add not only to the confidence of this country but also the might and the strength that we have of the capitalization, of jobs, of the technology, of e-commerce and are solving problems in our country. I am proud of what this rule does.

I am proud of the balance that we have had in this bill, and I would remind my colleagues that this is an open rule allowing any Member of Congress to offer any germane amendment; and this being the case, I urge my colleagues to support this rule.

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. HALL of Ohio. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 225, nays 188, not voting 21, as follows:

[Roll No. 314]

YEAS—225

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Condit
Cooksey
Cox
Crane
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
Manzullo
Martinez
McCarthy (NY)
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—188

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Edwards
Etheridge
Evans
Farr
Fattah
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Roemer
Rothman
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)

Waxman	Weygand	Wu
Weiner	Wise	
Wexler	Woolsey	

NOT VOTING—21

Barcia	Engel	Meek (FL)
Brown (FL)	Filner	Murtha
Cannon	Hyde	Rangel
Clement	Kleczka	Roybal-Allard
Cook	Kuykendall	Ryun (KS)
Cubin	Linder	Vento
Dooley	McCollum	Wynn

1407

Ms. WOOLSEY changed her vote from ''yea'' to ''nay.''

Mr. SHOWS changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

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 within which to revise and extend their remarks on H.R. 4690, and that I may include tabular and extraneous material.

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

There was no objection.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 529 and rule XVIII, 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. 4690.

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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. 4690) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2001, 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 New York (Mr. SERRANO) each will control 30 minutes.

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

Mr. ROGERS. Mr. Chairman, I yield myself 11 minutes.

Mr. Chairman, we present to you H.R. 4690, making appropriations for the Departments of Commerce, Justice, and State, and the Federal Judiciary and related agencies for fiscal year 2001. This bill provides funding, Mr. Chairman, for the largest variety of Federal agencies of any bill. The impact ranges from safety on our streets, to the conduct of diplomacy around the world, even to predicting the weather from satellites in outer space. So we will have a chance to talk about a big chunk of the Federal Government when we talk about this bill.

The bill requires a very delicate balancing of needs and requirements. We continue in the bill to recognize the very tight funding restraints under which we are required to live because of the 1997 Balanced Budget Act. At the same time, we must keep in mind the most fundamental needs of our Nation, and we have to provide sufficient funds to ensure that those needs are met.

This bill recommends, Mr. Chairman, a total of $34.9 billion in discretionary spending, and that is within our allocation from the Congress and the full committee. Within that limited allocation, we focused funding on priority areas to maintain our investments and to address key priorities, including maintaining our efforts in the war on crime and drugs by fully funding current operations for Federal law enforcement and the courts, as well as the growing detention needs in our prisons and our INS detention centers.

We maintain our crime fighting partnership with States and our localities to ensure that they have the tools they need to fight the war on crime and drugs, as well as the emerging threats of domestic terrorism; and we all know that it is in our local communities and in our States where the biggest war on crime and drugs and terrorism has to take place.

We maintain other important programs at current operating levels, including the weather service, weather satellites, trade promotion, law enforcement, State Department operations and small business assistance programs, as well as to provide full funding to complete the Decennial Census.

We continue and we strengthen our efforts to provide the most secure environment possible for our diplomatic personnel as they carry out their vital work overseas. We strengthen our efforts to address the growing crisis in detention, the continued problem of illegal immigration, and new and emerging crime threats as we move into the 21st century.

Within our limited resources, we have tried to stay the course, preserve proven programs, and address the highest priority problems. We have deferred funding for proposals for new programs that are undefined, untested, and unauthorized by the Congress, and may be impossible to sustain in future years.

For the Department of Justice, the biggest part of this bill, we recommend $20.3 billion for discretionary spending. That is $1.75 billion over the current year; and the vast majority of that increase is just to maintain current operating levels of Justice and to address the growing detention crisis. Of the increase, 45 percent, $789 million, is for increased detention costs to house Federal prisoners, criminal and illegal alien populations that are being detained in this country.

The bill also includes a $415 million increase for Federal law enforcement operations, FBI, DEA, U.S. Attorneys and U.S. Marshals, just to maintain their current operations and provide targeted increases for firearms prosecutions, drugs, cyber-crime, and national security threats.

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In addition, $329 million is provided to ensure that Federal, State and local law enforcements are able to continue to operate in the new technology arena that the world has entered.

For INS, the Immigration Service, in addition to detention funding, we also provide increases for another round of new Border Patrol agents and technology that supports them, and for interior enforcement within the U.S., and to try to reduce the enormous naturalization backlog that now is years long.

The bill also includes a total of $4 billion for our State and local law enforcement partners as they fight the crime on the local level, including the COPS program. These programs are all maintained at pre-rescission fiscal year 2000 levels.

For the Department of Commerce, $4.4 billion is recommended, and that is a net decrease of $287 million below the comparable 2000 year level, excluding the one-time cost for the decennial Census, which we had to fund last year.

The bill maintains funding for most Commerce agencies at the current year level and provides some increases for key programs, including the weather service, weather satellites, NIST core research programs, and the U.S. and Foreign Commercial Service in our embassies overseas.

These increases have been offset by eliminating low-priority NOAA programs and the Advanced Technology Program, as well as savings from nonrecurring, one-time construction costs at the National Institute of Standards and Technology.

What this bill does not do, Mr. Chairman, is fund a number of new or expanded Commerce programs requested in the budget, unauthorized and, in some cases, even undefined, and we have not funded significant program expansions whose future funding levels may not be able to be sustained in future years.

For the Judiciary, from the Supreme Court down to the district courts, we recommend $3.49 billion, that is an increase of $245 million above the current year. That is just to allow the courts to maintain their current operations and to provide for a limited number of programmatic increases, and to allow the new judges that are being appointed and new courthouses being opened in order to staff those offices. These increases are in line with those provided