

Mr. MOAKLEY. 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 253, nays 172, not voting 8, as follows:

[Roll No. 397]

YEAS—253

| | | |
|---------------|---------------|---------------|
| Aderholt | Ganske | Nethercutt |
| Archer | Gekas | Ney |
| Armey | Gibbons | Northup |
| Bachus | Gilchrest | Norwood |
| Baker | Gillmor | Nussle |
| Ballenger | Gilman | Ose |
| Barcia | Goode | Oxley |
| Barr | Goodlatte | Packard |
| Barrett (NE) | Goodling | Paul |
| Bartlett | Goss | Pease |
| Barton | Graham | Peterson (PA) |
| Bass | Granger | Petri |
| Bateman | Green (WI) | Phelps |
| Bentsen | Greenwood | Pickering |
| Bereuter | Gutknecht | Pickett |
| Berkley | Hall (TX) | Pitts |
| Biggart | Hansen | Pombo |
| Billray | Hastings (WA) | Porter |
| Billirakis | Hayes | Portman |
| Blagojevich | Hayworth | Quinn |
| Bliley | Hefley | Radanovich |
| Blunt | Hergert | Ramstad |
| Boehlert | Hill (MT) | Regula |
| Boehner | Hilleary | Reynolds |
| Bonilla | Hobson | Riley |
| Bono | Hoekstra | Roemer |
| Boucher | Horn | Rogers |
| Brady (TX) | Hostettler | Rohrabacher |
| Bryant | Houghton | Ros-Lehtinen |
| Burr | Hulshof | Roukema |
| Burton | Hunter | Royce |
| Buyer | Hutchinson | Ryan (WI) |
| Callahan | Hyde | Ryun (KS) |
| Calvert | Inslee | Salmon |
| Camp | Isakson | Sandlin |
| Campbell | Istook | Sanford |
| Canady | Jenkins | Saxton |
| Cannon | John | Scarborough |
| Castle | Johnson (CT) | Schaffer |
| Chabot | Johnson, Sam | Sensenbrenner |
| Chambliss | Jones (NC) | Sessions |
| Chenoweth | Kasich | Shadegg |
| Clement | Kelly | Shaw |
| Coble | Kennedy | Shays |
| Coburn | Kind (WI) | Sherwood |
| Collins | King (NY) | Shimkus |
| Combust | Kingston | Shows |
| Cook | Kleczka | Shuster |
| Cooksey | Knollenberg | Simpson |
| Cox | Kolbe | Sisisky |
| Crane | Kuykendall | Skeen |
| Cubin | LaHood | Skelton |
| Cunningham | Largent | Smith (MI) |
| Danner | Latham | Smith (NJ) |
| Davis (VA) | LaTourette | Smith (TX) |
| Deal | Lazio | Souder |
| DeLay | Leach | Spence |
| DeMint | Lewis (CA) | Stearns |
| Diaz-Balart | Lewis (KY) | Stenholm |
| Dickey | Linder | Stump |
| Doggett | Lipinski | Stupak |
| Doolittle | LoBiondo | Sweeney |
| Dreier | Lucas (KY) | Talent |
| Duncan | Lucas (OK) | Tancredo |
| Dunn | Luther | Tauzin |
| Ehlers | Manzullo | Taylor (MS) |
| Ehrlich | McCollum | Taylor (NC) |
| Emerson | McCrery | Terry |
| English | McHugh | Thomas |
| Etheridge | McInnis | Thornberry |
| Everett | McIntyre | Thune |
| Ewing | McKeon | Tiahrt |
| Fletcher | Metcalf | Toomey |
| Foley | Mica | Traficant |
| Forbes | Miller (FL) | Turner |
| Fossella | Miller, Gary | Upton |
| Fowler | Mollohan | Vitter |
| Franks (NJ) | Moore | Walden |
| Frelinghuysen | Moran (KS) | Walsh |
| Frost | Morella | Wamp |
| Galleghy | Myrick | Watkins |

Watts (OK)
Weldon (FL)
Weldon (PA)
Weller

Whitfield
Wicker
Wilson
Wise

Wolf
Young (FL)

NAYS—172

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Berman
Bishop
Blumenauer
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Dooley
Doyle
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gejdenson
Gephardt
Gonzalez
Gordon

Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchev
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Jackson (IL)
Jackson-Lee
Boyd (TX)
Jefferson
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meeke (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Miller, George
Minge
Mink
Moakley
Moran (VA)
Murtha

Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Sherman
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOT VOTING—8

Berry
McIntosh
Pryce (OH)

Rangel
Rogan
Sununu

Towns
Young (AK)

□ 1158

Messrs. EVANS, EDWARDS and COSTELLO changed their vote from "yea" to "nay."

Mr. PHELPS 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.

ANNOUNCEMENT FROM THE COMMITTEE ON RULES ON AMENDMENT PROCESS FOR H.R. 1402, CONSOLIDATION OF MILK MARKETING ORDERS

Mr. REYNOLDS. Mr. Speaker, a "dear colleague" letter will be delivered to each Member's office today notifying them of the plan by the Committee on Rules to meet the week of

September 13 to grant a rule which may limit the amendment process on H.R. 1402, Consolidation of Milk Marketing Orders.

Any Member who wishes to offer an amendment should submit 55 copies and a brief explanation of the amendment by 3:00 p.m. on Tuesday, September 14, to the Committee on Rules in Room H-312 in the Capitol. Amendments should be drafted to the text of the bill as reported by the Committee on Agriculture.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the Rules of the House.

□ 1200

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1621

Mr. CHAMBLISS. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1621.

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

There was no objection.

EXPRESSING THE SENSE OF THE CONGRESS THAT THE PRESIDENT SHOULD NOT HAVE GRANTED CLEMENCY TO TERRORISTS

Mr. PEASE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 180) expressing the sense of Congress that the President should not have granted clemency to terrorists, as amended.

The Clerk read as follows:

H. CON. RES. 180

Whereas the Armed Forces of National Liberation (the FALN) is a militant terrorist organization that claims responsibility for the bombings of approximately 130 civilian, political, and military sites throughout the United States;

Whereas its reign of terror resulted in 6 deaths and the permanent maiming of dozens of others, including law enforcement officials;

Whereas 16 members of the FALN were tried for numerous felonies against the United States, including seditious conspiracy;

Whereas at their trials, none of the 16 defendants contested any of the evidence presented by the United States;

Whereas at their trials, none expressed remorse for their actions;

Whereas all were subsequently convicted and sentenced to prison for terms up to 90 years;

Whereas not a single act of terrorism has been attributed to the FALN since the imprisonment of the 16 terrorists;

Whereas no petitions for clemency were made by these terrorists, but other persons, in an irregular procedure, sought such clemency for them;

Whereas on August 11, 1999, President William Jefferson Clinton offered clemency to these 16 terrorists, all of whom have served less than 20 years in prison;

Whereas the Federal Bureau of Investigation, the Federal Bureau of Prisons, and 2 United States Attorneys all reportedly advised the President not to grant leniency to the 16 terrorists;

Whereas the Federal Bureau of Prisons reportedly based its decision in part on the existence of audio recordings indicating that some of the 16 have vowed to resume their violent activities upon release from prison;

Whereas the State Department in 1998 reiterated two longstanding tenets of counterterrorism policy that the United States will: "(1) make no concessions to terrorists and strike no deals; and "(2) bring terrorists to justice for their crimes";

Whereas the President's offer of clemency to the FALN terrorists violates longstanding tenets of United States counterterrorism policy;

Whereas the President's decision sends an unmistakable message to terrorists that the United States does not punish terrorists in a severe manner, making terrorism more likely; and

Whereas the release of terrorists is an affront to the rule of law, the victims and their families, and every American who believes that violent acts must be punished to the fullest extent of the law: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that making concessions to terrorists is deplorable and that President Clinton should not have offered or granted clemency to the FALN terrorists.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. PEASE) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. PEASE).

GENERAL LEAVE

Mr. PEASE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H. Con. Res. 180, the concurrent resolution under consideration.

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

There was no objection.

Mr. PEASE. Mr. Speaker, I yield the balance of my time to the gentleman from New York (Mr. FOSSELLA), and I ask unanimous consent that he be permitted to control the time.

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

There was no objection.

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

Mr. Speaker, this House is about to vote on a resolution that I believe will simply allow Members in this House to send a clear and convincing signal to terrorists around this Nation, around this world contemplating acts of terrorism, that the United States has a zero tolerance policy towards terrorists.

The background for this is the group known as the FALN, a terrorist organization that wreaked havoc across this country in the 1970s and 1980s, and claimed responsibility for 130 bombings, killing innocent people, maiming innocent people across this country from New York to Chicago. Too many families were left without fathers. Too many families were left without husbands. Too many communities were left without, innocent people who died as a result of FALN activities.

Mr. Speaker, those people are rightfully convicted and sentenced to pris-

on, and now the White House wants to release some of these people back into society. This is the absolutely wrong signal we could be sending to the American people, absolutely wrong to terrorists contemplating acts of violence. And in the goodness of the Members here, can we at least vindicate the memory of the Berger family, of Officers Richard Pascarella who lost his eye, or Rocco Pastorella who lost a leg as a result of FALN activities?

We should be sending a convincing signal that there is no place in American society for all of this. That is why the FBI, the Bureau of Prisons, the U.S. Attorneys Office in Connecticut and Illinois that prosecuted these criminals recommended against clemency, and it has also been stated by someone that the supporters of this clemency included John Cardinal O'Connor from New York. In the New York Post, the top aid to John Cardinal O'Connor said yesterday the Archbishop of New York never backed clemency for FALN terrorists despite White House claims that he did. So just to correct the RECORD, I know some who are under the misimpression that he did.

Mr. Speaker, I encourage every Member of this body to understand who we are talking about. We are talking about people who believe themselves to be freedom fighters; but at the root of it, they believe that we can replace the rule of law if they do not get their way and bomb buildings, bomb restaurants, bomb office buildings in order to achieve their goals, and as a result we have experienced what that means. Innocent people lose their lives.

Think about Oklahoma City bombing, think about the World Trade Center bombing, think about 10 or 15 years if we were to let Terry Nichols free because he was nowhere near the bomb scene. I think the American people would be outraged, and well they should.

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

Mr. CONYERS. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in strong opposition to what is clearly a politically motivated and totally senseless resolution.

We are a Nation of laws, and if any matter is abundantly clear by our Constitution, it is that the President has the sole and unitary power to grant clemency. Is there any Member that does not understand that? Every President has the sole and unitary power to grant clemency.

For the first time in American history, the House of Representatives, under our present leadership, has determined that we should have a vote to determine whether clemency should be granted or whether the President is doing the same or doing the right thing from their point of view. Now the reason that he has the power to grant clemency is that it is that the Presi-

dent is uniquely positioned to consider the law and the facts that apply in each request for clemency.

Despite this long and uninterrupted history of congressional nonintervention through both Democratic and Republican Presidents, today the Republican Congress tells us that we have an emergency on our hands, an emergency. This matter has not even gone through the Committee on the Judiciary. It arrives here on the Floor after a lot of talk over the media over the weekend. We have an emergency on our hands that requires that we stop all of our legislative business so that we can express our opinion on a clemency that he has already granted.

Mr. Speaker, the majority is forcing us to vote on this phony emergency at the same time that our Nation faces serious economic and social issues which should be requiring our immediate attention. Thirteen children killed each day in this country by handguns, and yet the majority does nothing about gun safety; millions of Americans face serious health care insurance problems, and yet we do nothing about the Patients' Bill of Rights; billions of dollars of special interest money corrupting our political system, and yet the majority continues to ignore campaign finance reform.

The real reason that we are voting on this emergency resolution today is because the majority is looking to score some cheap political points. How sad. They were so eager to begin pointing the political finger that they skipped the normal hearings and markup as well as the floor process that this measure would require or that any measure would require that comes before the floor for disposition.

Now of course, if anyone would bother to look at the actual record, they would see that the clemency was justified and appropriate.

First off, the clemency is not absolute. It is conditional, and it is so conditional that it is really a parole. This is parole for life. The President attached several important serious conditions to the grant of clemency, any violations of which would immediately result in the revocation of the commutation. One condition was that the offenders had to renounce the use and advocacy of violence. Some inmates do not receive clemency because they declined to sign the pledge to renounce violence. Another condition restricted the grantees' freedom of travel and association. The grantees, even those related to one another, can no longer associate with each other.

Finally, the inmates received excessive sentences and have served terms far longer than comparable offenders. The individuals in question have served some 20 years in prison for nonviolent offenses. Although they possessed weapons, no one was harmed. Ultimately no person, no single person, was harmed. So this is far longer than average for most violent offenses. The reason they received such harsh sentences

was because they received consecutive sentences for various offenses even though almost all defendants who were prosecuted for multiple crimes received concurrent sentences.

So the resolution before us today is a tawdry one, a sham one, an embarrassing one, an insult to our Constitution and the Puerto Rican people who care so deeply about the clemency issue.

Can we not move forward?

Please vote no on this concurrent resolution before us.

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

Mr. FOSSELLA. Mr. Speaker, I yield myself such time as I may consume, and the purpose of this resolution in part was because the offer of clemency was given just several weeks ago and it was rejected by the prisoner because it appeared that they did not want to agree to the terms and the conditions, and we thought we could at least bring enough public pressure upon the White House to change the mind and rescind the offer.

That is why for those who think it is a partisan thing they have Senator MOYNIHAN, Bill Bradley, Hillary Clinton, all of whom oppose this clemency as well.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. GOSS).

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

Mr. GOSS. Mr. Speaker, I rise in strong support of this resolution because the seriousness of terrorism is a challenge to our national security, and I urge its strong support.

Mr. Speaker, I thank my friend from New York for yielding and I rise in support of this resolution. As most Americans were, I was deeply disturbed to learn that President Clinton would consider granting clemency to 16 members of the FALN terrorism group who were tried and convicted of participating in acts of terror. In an effort to make sense of an otherwise inexplicable decision by the President to offer freedom to these criminals, some have claimed that the President was somehow influenced by political considerations affecting the election aspirations of Mrs. Clinton. But even she has spoken out against the clemency offer. Combating terrorism is one of the highest priorities in protecting our Nation's security—and that means standing firm in our absolute intolerance of acts of terror. We must not send mixed signals to those who wish to wage war by wreaking havoc, triggering chaos and generating terror. Our message—from the President on down—is supposed to be clear and unmistakable: Promote or participate in terrorism and we will find you, punish you and make sure that no leniency is offered to you. With this act of irresponsibility, President Clinton has created a dangerous crack in our wall of resolve—he has broadcast to would-be miscreants and their political promoters that for every rule we can find an exception. We can expect from this a domino effect—as every activist group with an agenda will ratchet up the political pressure in hopes of finding favor with this seemingly easily-influenced President.

What will be next? Is the President planning to grant clemency to Johnathan Pollard, the convicted spy accused of betraying some of this Nation's most important secrets and causing tangible damage to our Nation's security? Those who are lobbying for that outcome have no doubt been cheered by the President's action in the FALN case. There is nothing wrong with political agitation for a cause—this is a free country after all. But when the President of the United States signals that it may be open season for special interests to get their way—even against the best judgments of the senior presidential advisors with expertise on the subject—then there is trouble ahead. The Congress has to speak out with one voice that we reject this type of ad-hoc policy, informed by political or other considerations in violation of our national security interests.

Mr. FOSSELLA. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Indiana (Mr. BURTON), chairman of the Committee on Government Reform.

Mr. BURTON of Indiana. Mr. Speaker, I will not take much time, but there has been some disturbing things that have come to my attention in the past couple of days that I think the Members ought to be aware of.

One is that we sent subpoenas to the White House asking the President to give us the rationale for this pardoning exercise he has been involved in with these terrorists; and the second, we sent a subpoena to the Bureau of Prisons asking them for any information or transcripts of telephone calls that may have been made by these convicted terrorists to others that may have indicated that they were still involved or wanted to be involved or were advocating additional terrorist activities.

I was informed that some people at the Justice Department have contacted us and said that the President and the Justice Department may claim executive privilege, and all I want to do is protest that because I think if they claim executive privilege, the American people will be kept in the dark about why these terrorists were pardoned. The President needs to make clear to the American people the reasons why these people were pardoned, number one; and, number two, we need to know if they were making telephone calls from the prisons advocating additional act of terrorism. If they were, they should not be on the streets under any circumstances.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. LAFALCE).

□ 1215

Mr. LAFALCE. Mr. Speaker, this is a sad day in the history of the House of Representatives. This resolution will pass. This resolution will pass overwhelmingly, but it should not be before us today.

When I initially heard the question posed a few weeks or so ago, should terrorists, should convicted terrorists be pardoned, I thought, what is the President doing? But, you know something? We are not talking about convicted ter-

rorists. Not one individual has been convicted of terrorism. Not one individual was indicted for terrorism. So strike the word from our language.

You are saying anybody who we find guilty of terrorism by association with a group. They were convicted of weapons possession; they were convicted of seditious conspiracy. What is seditious conspiracy? That is a desire to have independence for Puerto Rico from the United States.

Might they have been involved in something worse? Might they have been involved in terrorism? It may be, but they were not indicted for it, and they were not convicted of it. So it is inappropriate for us to be talking about that today.

Look at this resolution. The resolution reads, "Whereas, President William Jefferson Clinton offered clemency to these 16 terrorists."

He did not. He offered it to 14, not 16. The resolution is factually incorrect.

"Whereas, the FBI reportedly based its decision." "Reportedly." That means you do not know. You are reading a newspaper and saying, well, they report it, so it must be true.

And what is it that they reportedly based their decision upon? The existence of audio recordings indicating that some of the 16 have vowed to resume their violent activities. What is "some"? Is it one, or is it two, or is it 15, or is it 16 of the 16?

I would urge at least an abstention on this. There is no way that we should rush to judgment on this.

Mr. FOSSELLA. Mr. Speaker, I am proud to yield 3 minutes to the gentleman from Texas (Mr. DELAY), the distinguished majority whip.

Mr. DELAY. Mr. Speaker, I do think it is unfortunate that this debate has become what the definition of terrorism is.

Mr. Speaker, I rise in strong opposition to giving clemency to terrorists. This Nation cannot afford to give the world the impression that we are weak, but that is exactly what pardoning terrorists does. The act of pardoning criminals gives the impression that justice has already been done, but that is not the case.

An old adage says that justice is truth in action. Well, the truth of the matter here is that justice is being perverted. The President does have the sole power to grant clemency, but this House has the responsibility of expressing itself on the actions of the President. Clemency should not simply be given at the irresponsible whim of one leader. It should rest on the perception of justice held by the people.

Terrorism is an attack on the everyday sense of security of a people. Terrorists strike randomly and violently to break the will of governments and their citizens.

Now, dealing harshly with terrorists sends the message that a nation is not willing to suffer attacks on its actual safety or its sense of security. If for no other reason, government exists to protect the people. Pardoning terrorists

abandons the real necessity to deter others from these tactics. After all, what kind of message is sent by pardoning those who use violence against Americans to make political points?

Though no one should be surprised by this action by this President, in fact, this clemency for terrorists should go down as a metaphor for Clinton policy, which has been an ongoing comedy of capitulations.

Let us just look at his litany of failure in foreign policy:

North Korea continues to flaunt international law by speeding ahead with their nuclear program, with no consequences whatsoever.

Afghanistan and Sudan were bombed at the blink of an eye without any success at curtailing the terrorist bin Laden.

Iraq is periodically bombed, without getting any closer to the supposed objective of removing Saddam Hussein from power.

Russia, with its massive nuclear capability, is coming apart at the seams and selling weapons technology to scrape by, and we do nothing.

China is walking all over us, pure and simple.

Mr. Speaker, coddling terrorists shows the world that America is weak, but this simply reinforces the impression already constructed on 6 years of a foreign policy embarrassment.

So, Mr. Speaker, clemency for those who attack America's sense of security is a mistake, and I urge an "aye" vote on this resolution.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Illinois (Mr. GUTIERREZ).

Mr. GUTIERREZ. Mr. Speaker, we are debating today a concurrent resolution that states that it is the sense of Congress that "the President should not have granted clemency to terrorists." The resolution uses the word "terrorist" 10 or 15 sometimes.

I have heard the word terrorist used incalculable times during this debate, and I am sure I will continue to hear it throughout the rest of this morning. So I would like to talk about that word and its connection to these people who have been offered clemency, in a way that is a little more accurate, a little more honest, and perhaps a little less driven by politics.

They were convicted of crimes. Specifically they were convicted of weapons possession, car theft and robbery. These are not acts of terrorism. These individuals are not terrorists.

They are also convicted of seditious conspiracy, a political charge, a charge entirely unrelated to violence, a charge virtually never used in America in the second half of the 20th Century.

For these crimes, "crimes," that is an absolutely essential point, crimes in which not one person was seriously injured, crimes which did not cause one person to be killed, not one, they were sentenced to 90 years in prison. Ninety years.

In the late 1980s when they were sentenced, the length of their sentences for these nonviolent crimes was consistently longer than most criminals received for unspeakable acts of violence, more than for assault, for rape or for murder.

Now, we have heard supporters of this resolution talk about very serious acts of violence that were associated with the FALN, of which these people were associated with. These were terrible acts, they were wrong, and I am not here to defend them. As a Puerto Rican and an American, I express my deepest condolences to the victims and their families. Violence such as those acts should not be tolerated. But these were not the acts where these individuals were convicted. This is the plain and simple truth of the situation. That does not excuse what they did, and they have served very long sentences for what they were convicted of.

But for what they were convicted of, and that is the only fair standard in any democracy, they have served long enough. And that is why 10, 10 Nobel Peace prize winners support their release. That is why Coretta Scott King and former President Jimmy Carter and Archbishop Desmond Tutu support their release. That is why an unprecedented international coalition of human rights organizations, of religious, labor and business leaders support their release. That is why the United Council of Churches of Christ, why the United Methodist Church, why the Baptist Peace Fellowship, why the Episcopal Church of Puerto Rico, why the Presbyterians of Puerto Rico, why the Catholic Archbishop of San Juan, support their release.

These are reasonable people I just mentioned, concerned organizations that speak for hundreds of thousands of Americans. They have examined the facts, they have studied the evidence, and they have concluded that these people have served a long enough time for their crimes and they are no longer a danger to our society.

A strong supporter of independence for Puerto Rico, it is with a heavy heart that I think about violence that was associated with this movement long ago, and it is with a heavy heart that I think about the people that were hurt at the time, and it is with a heavy heart that I think about all of the anger and pain that is associated with it. And I hope with a sense of hopeful necessity and fairness and forgiveness that we can all come together and look for peace and reconciliation among the people of Puerto Rico and among the people of this great Nation, as we have done in Ireland and as we have done in the Middle East.

Let us be a leader here at home for peace and reconciliation.

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

Mr. Speaker, for those who have a problem with the word "terrorism" or "terrorist," terrorism is defined as the use of violence and threats to intimi-

date or coerce, especially for political purposes.

I would suggest anybody who has a problem with that language to read all of the public documents to demonstrate exactly what these people are.

Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Speaker, is this debate really about what the definition of terrorism is?

Mr. Speaker, terrorism has become a headline issue all too often. When President Clinton bombed strategic targets in Afghanistan and Sudan last year, he attempted to send a strong message to terrorists that terrorists must pay for their crimes. But on August 11 of this year, President Clinton sent a very different message to terrorists here at home by offering clemency to 16 terrorists.

Much has been said of the political motives of the clemency offer, but this is not the issue. This is an issue of terrorism and victims' rights. What about the countless victims who have been maimed and killed by the FALN bombs and guns?

Yesterday I met with Diana Berger, a constituent from Cherry Hill, New Jersey, who lost her husband in 1975 to these FALN terrorists. What about their rights?

Mr. Speaker, I urge everyone to vote in support of this very important resolution.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. LAFALCE.)

Mr. LAFALCE. Mr. Speaker, every person who has thus far spoken on behalf of this resolution has not only used the word "terrorist," but has called these individuals terrorists and has conveyed the impression that these individuals were convicted of terrorism.

That is 100 percent wrong. They were never convicted, they were never accused, they were never indicted. It is weapons possession, or robbery, or car theft, but it is not terrorism. You may not use that word with respect to individuals if they have not been convicted or accused of it.

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

Mr. Speaker, the people were not convicted of terrorism, because there was no federal statute dealing with terrorism when they were convicted.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA.)

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

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

Mr. Speaker, I totally associate myself with the statements made by our colleague from Staten Island (Mr. FOSSELLA), but I must say, this is incomprehensible that we are nitpicking over whether or not these members,

these people, were not only convicted felons, but openly associated with the FALN. They have publically committed themselves to terrorism. There is no question about that.

However, I want to spend the rest of my time and associate my remarks on this resolution in the name of Joseph and Thomas Connor, who lost their father in an FALN bombing, or, I am sorry, terrorist attack, in New York some years ago.

As they noted in their outspoken opposition to clemency in a Wall Street Journal editorial page article from the Connor brothers, "Not a day passes without our feeling the void left in our lives."

In the name of the Connor brothers and the others who have suffered at the hands of terrorists, we must pass this resolution.

Mr. Speaker, I rise to support the concurrent resolution expressing the sense of the House that the President should not have granted clemency to terrorists. Congress must speak out definitively.

Given the nature and scope of the crimes committed by the FALN, I find it incomprehensible that the Administration would make any offer to release any convicted felons associated with this group. The FALN has a history of violence against innocent civilians and there are indications that members of the group may be contemplating a return to terrorism. To release convicted members of this group in this context would be highly irresponsible.

The FALN members who have accepted clemency have promised to renounce violence in return. Since when do we take the word of terrorists? Terrorists who took 3 weeks after the offer and only after it became a political issue in the Clinton Senate campaign. I, for one, do not take convicted terrorists at their word. The President should not be risking lives on a promise that can be broken so easily. This is a mistake of overwhelming magnitude.

In my Congressional District, this matter is of more than academic interest. On January 24, 1975, the FALN bombed the Fraunces Tavern in New York City, killing four innocent individuals and injuring 53 others. One of those killed was Frank Connor, a Wall Street banker from Fair Lawn, New Jersey.

Mr. Connor was an American success story. The only son of an elevator operator and cleaning lady, he was born and raised in a working class neighborhood, went to a public college and worked his way up from the ground floor to a successful career in business. Mr. Connor was a husband and father. In fact, he was looking forward to a joint birthday party that evening for the ninth and eleventh birthdays of his sons, Joseph and Thomas. He obviously never made it home for that party and those young boys never saw their father alive again.

Today, Joseph and Thomas Connor are Wall Street bankers like their father and have been among the leading opponents of this misguided offer of clemency. I quote from an op-ed article Joseph and Thomas wrote for the Wall Street Journal: "Not a day passes without our feeling the void left in our lives."

In the named of the Connor brothers and others who have suffered at the hands of terrorists we must pass this resolution.

None of the 16 FALN members who have been offered clemency are alleged to have been involved in Mr. Connor's brutal murder. Nonetheless, they were core members of a group that used terror as an instrument of action. The FALN has not engaged in bombings since these terrorists were incarcerated.

Terrorists who commit murder or sponsor murder should expect to spend the rest of their lives behind bars. This clemency offer totally distorts the law; invites terrorists to U.S. action; and violates the fundamentals of a law and order democratic society.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

(Ms. VELÁZQUEZ asked and was given permission to revise and extend her remarks and include extraneous material.)

Ms. VELÁZQUEZ. Mr. Speaker, I rise in strong opposition to this resolution. You are talking here about violence and terrorism. What about terrorism when you keep Puerto Rico as a colony for over 100 years? For over 100 years all branches of the Federal Government have claimed plenarial or absolute power over Puerto Rico and its people.

□ 1230

How hypocritical it is of us, how embarrassing, that the greatest democracy in the world turns a blind eye to our own condition.

We seek to export democracy to all parts of the world, from Ireland to Kosovo. We celebrate where it takes hold, in South Africa and so much of Eastern Europe. But what about our own backyard? We do not have the integrity to look ourselves in the mirror and ask the difficult question. We do not have the courage to get our own house in order.

Today it is not about whether clemency should be granted, and many of us know it. This is a political issue and many of us know it. The only reason for this resolution is to embarrass the President and the First Lady. All Members need to do is to look at our history.

Allow me to provide some historical perspective which will hit closer to home. In 1979, Members of Congress on both sides of the aisle approved of President Carter's decision to commute the sentence of four Puerto Rican nationalists. Can anyone in this Chamber explain to me what is the difference between the release of four nationalists in 1979 and the release today of these 11 prisoners, political prisoners?

Do Members know what the difference is? It is that in 1979 we were not facing a senatorial race in New York. That is the difference. Not only that, but Members from both sides of the aisle congratulated President Carter for that humanitarian gesture.

The Republican leader at the time, Representative John Rhodes of Arizona, said the following on this very floor on September 7, 1979. I quote: "Mr. Speaker, the action of the Presi-

dent in releasing the prisoners meets my approval. I do think that enough time has elapsed." Those were the words of the Republican leader. In addition, other Republican Members of Congress, Members who are still in this body, expressed similar statements.

Mr. Speaker, I include for the RECORD the comments made by one of the cosponsors of this resolution, the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I want to commend the gentleman from Puerto Rico for his statement and for his support of this initiative. I join in commending the President for undertaking this humanitarian gesture.

In like manner, I hope that President Fidel Castro will honor the promises he made to our congressional delegation which visited with him in January of this year, at which time he stated that when the United States undertakes a humanitarian gesture releasing Puerto Rican prisoners, that he would entertain a reciprocal humanitarian gesture and release the American prisoners presently being held in the Cuban jails, some of whom have been imprisoned for as long as 15 years.

I thank the gentleman for yielding.

Mr. FOSSELLA. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from beautiful upstate New York (Mr. SWEENEY).

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

Mr. SWEENEY. Mr. Speaker, I just want to make one brief point. As a New Yorker who, like many Americans, is outraged at the actions taken here, and really quite confounded by my colleagues on the other side for their statements, what people are outraged about, what my constituents care about, is what appears to be the total disregard for the depth of the issues involved here, the rashness with which the President acted for what appears to be purely political purposes.

Members talk about people raising this issue for a political practice. It was the President who practiced it. We are outraged by it. It threatens the security of all of us.

Mr. Speaker, I, like so many Americans, am outraged that the President has risked undermining the security of the people, in order to score political points with New York's Latin community. There is no way to excuse the release of eleven convicted terrorists. None, whatsoever.

This nation has the most effective system of criminal justice system in the world, because, as a people, we insist on holding criminals accountable for their actions. The American people understand this, they have seen through the ruse that the President has tried to pull on them.

As a former campaign director on many high profile, high stakes elections, and as a candidate myself, I understand the passion involved in wanting to win. But, I also know there are some lines that you just don't cross. The latest action by the President to offer clemency to these terrorists clearly crosses this line.

Mr. Speaker, I want to applaud the leaders of New York's Latin community, especially our colleague from New York, Mr. SERRANO, for putting politics aside and sticking to their beliefs. They could have sat in quiet support of their political ally, the First Lady, but they didn't and I commend them for their honesty.

The political campaign process is intended to strengthen our system of government. But, what the Clinton-Gore campaign machine has done, undermines our judicial system. When the President, the chief enforcer of our laws, weakens this structure by releasing convicted criminals for cheap, political purposes, there is a serious problem. It denigrates American Democracy.

Support the Fosella Resolution!

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. SERRANO), a former member of the Committee on the Judiciary.

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

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

Mr. Speaker, I think the President did the right thing. As I said before during the rule debate, he did it, or he wanted to do it, actually, right before we had that horrible situation with the impeachment situation. He wanted to do it then as part of the observance, if you will, of the 100th anniversary of the invasion of Puerto Rico by the United States. He wanted to do it as a first step towards a national reconciliation, a national reconciliation which we support in other parts of the world but we do not support here.

We may not like to hear it, but the fact is that Puerto Rico is a colony of the United States. The fact is that since 1898, the American government has held Puerto Rico as a possession. As long as Puerto Rico remains a colony of the United States, we will have demonstrations, we will have lobbying, we will have plebiscites, we will have discussions.

I can almost assure that we will not have these kinds of discussions anymore because the people who came to Congress once and used violence here who were pardoned in 1979, with the support of Members who are still in this Chamber today, those people have renounced all forms of violence and now admit that the way to bring about the change in the political status in Puerto Rico is through the democratic process.

There is no democratic process in Puerto Rico. The 4 million American citizens who live in Puerto Rico do not have the right as an independent Nation to set their tone in the world and find their place, and they cannot vote for the Commander in Chief who has sent them to every war in the past. The people in Puerto Rico cannot send a Member here who has a vote, as I do from New York, to be able to argue these points.

We have to understand that what the President did he did at the request of Cardinal O'Connor from New York, notwithstanding what our local newspaper says. We have, and I tell the gentleman from New York this in case he brings it up, we have the letter from the Cardinal that says that he wants these people out of prison. He did it after people throughout the world said, for national reconciliation, do this. He did it after Members of Congress went to see him. I spent the last 6 years, a lot of hours, working on this issue.

I am not celebrating anything. How can we celebrate when people get out after 20 years in prison? Not one of them, as has been said on this floor, not one were accused or convicted of any violent acts.

So while Members condemn this action, in which I support the President, while Members use the word "terrorism," which scares the American people, and should, why not look also at the larger picture? Is it not about time that we resolve the issue of the status of an island that we invaded in 1898, that we took from Spain; incidentally, an island Spain invaded in 1493?

In closing, very shortly, as I said before, take some time to think about what we go through, we who are Americans and love this country and were born in Puerto Rico; we who serve in Congress and want to solve this problem soon. Think about that. Members might want to take some new action.

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

Mr. Speaker, again, the name of the Cardinal O'Connor has been invoked. Of course, we wish him well. He is convalescing. But his statement from Mr. Joe Swilling is that he has not taken a position on this. "I don't expect that he will." For those who have a problem, I guess it comes down to do you believe the Cardinal or do you believe the President. It is ultimately up to the Members here to decide.

Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, 45 years ago this year a bullet was fired into this Chamber. It does not matter who fired the bullet, who bought the bullet, who drove the getaway car. They were all involved in terrorism.

The debate today is about terrorism. I have heard a word used, "Phony emergency." They are about to be released. That is why it is an emergency. I hear it has been called a political resolution. Then we are joined by such politicians as Hillary Clinton, Senator Moynahan, and Bill Bradley.

Then we also hear we should be working on social issues in this Chamber. The same people who are using a political club of gun control are willing to release people that use bombs and guns and weapons in destroying families' lives.

Mr. Speaker, we can stop the release of these people, but if we do not, I urge those who have willingly said they

should be released then to invite those terrorists to their districts and allow them to live in their districts. But I do not want them in mine.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HANSEN). The Chair will remind all Members to refrain from characterizing the positions of individual Senators on the pending legislation.

Mr. FOSSELLA. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from New York for yielding time to me.

Mr. Speaker, I have listened with great interest to the tortured reasoning that has been brought forward in this Chamber, trying to muddy the waters.

Let us make it very simple, Mr. Speaker. This has nothing to do with politics or parsing words. This has everything to do with what is just and what is right.

My colleague, the gentleman from New York, spoke of what went on in this Chamber 20 years ago. Let us take that as an object lesson. Clemency and leniency was granted. It did not deter the FALN, that continued a decade-long campaign of terror resulting in bombing, resulting in deaths. I was not in this Chamber, I protested at that time as a private citizen.

But we have this simple question. It is one, Mr. Speaker, we should put to the President of the United States: Are we willing to take as the policy of the government of the United States forgiveness for acts of terror on the flimsy promise that people utter the statement, they will never do it again? We cannot trust the word from the top. We should not trust the words of terrorists.

Mr. FOSSELLA. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. Cox).

Mr. COX. Mr. Speaker, the President is the chief law enforcement officer of the United States. In that capacity he has the power to pardon convicted criminals. I know this from firsthand experience because I worked in the White House counsel's office which, for the President, performs the function of screening pardon applications.

Usually this pardon power is used to wipe the slate clean for convicted criminals after they have served their time and paid their debt to society. President Clinton, for example, has used the pardon power in this way 108 times, but he has only let people out of jail three times before, this despite the fact that thousands of people nationwide ask the President to be freed from the sentences that they have been asked to serve after conviction for serious crimes.

How did the President pluck these terrorist cases from the thousands that have asked him to be released from prison? It is because of Hillary Clinton's Senate campaign in New York. Now she says she opposes the release of

these prisoners from jail. Now that she has changed her mind, Hillary Clinton is right. Vote with Hillary Clinton. Vote yes on this resolution.

Mr. FOSSELLA. Mr. Speaker, I yield 1½ minutes to the gentleman from Colorado (Mr. TANCREDO).

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

The gentlewoman from New York said a little bit ago, asked the question, what is the difference between the grant of clemency today and what happened in 1979?

Let me tell the Members the difference. In 1979 we had not experienced two of our embassies being blown up by terrorists. In 1979 we had not experienced the World Trade Center being bombed. In 1979 we had not experienced the Murragh Federal building being bombed. That is the difference.

Today there is no greater threat to the United States of America. There is no army, no foreign army that is a greater threat to the United States than terrorism. That is the threat today, foreign terrorists and domestic terrorists.

That is why this decision, whether it was made for political reasons or personal conscience, I do not care. It does not matter to me what it was. We have talked about what may have motivated the President. It is not significant. It is not relevant.

The fact is that he is making this decision at the worst possible time. It is our responsibility in this House to voice a concern about the fact that terrorism does threaten the United States, today more than ever before.

I have heard words like the resolution is a sham and it is embarrassing. The only thing that is a sham and is embarrassing here is opposition to this resolution, because we are in fact in the most severe situation we have ever faced with regard to terrorism. So therefore to suggest that these people are not terrorists because that is not what they were convicted for, to suggest that we should not be using the word "terrorism" here to describe these people, is something like suggesting that we should not use the word "murderer or thief" to describe Al Capone simply because he was convicted of tax evasion, when we all knew that he was responsible for and guilty of many other crimes. So "terrorism" is the right word, and we should support this resolution.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. BECERRA), a former member of the Committee on the Judiciary.

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

Let us make it clear, violence cannot be tolerated in this country. We must prosecute vigorously anyone who commits violence, including terrorism. We must punish them vigorously as well.

□ 1245

But in this case, we are talking about crimes where the people convicted were not convicted of terrorism. They are not terrorists. They were, in fact, not even convicted of crimes of violence. They have served more time in jail than anyone in this country probably sitting in jail today has served for crimes of similar character, nonviolent crimes.

So what is the issue here? It is guilt by association. Those who vote for this resolution at the end really should be convicted of guilt by association, because what they are doing is they are saying, because they are using the label terrorism for people who are not convicted terrorists, they are trying to make all of us here believe that, if we vote no, we are soft on terrorism.

Timothy McVeigh was convicted. Terry Nichols was convicted. Should we now say that every one of the individuals that they associated with even if they should happen to have racist views should now serve time equal to the time of Timothy McVeigh and Nichols? Of course not. We do not convict people here by guilt from association. But that is what this does.

Today 13 children will die, most of those as a result of someone who has a firearm. Today there are 42 million Americans who do not have insurance and have to run through the risks of life and work without any type of protection in case they get injured or hurt.

This resolution is politically motivated. It will make for a very tough vote for Members. But at the end of the day, let us keep in sight what is really before us. These folks are being granted clemency, not because they are terrorists, but because they have served more time than other individuals in this country will have for the same type of crime.

This vote today has nothing to do with that. It has everything to do with sending out a message playing on people's fears about violence and terrorism and hopefully being able to use this next year in a political campaign commercial to say someone was soft on crime. Shame on us for doing that. Shame on us for doing guilt by association.

It is time for us to do something like giving people insurance, giving people protection from gun violence. Let us get to work and get through with this.

Mr. FOSSELLA. Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Speaker, I rise today in strong support of the resolution offered by the gentleman from New York (Mr. FOSSELLA).

Though we are a Nation that believes strongly in an individual's right to freedom of expression, we must condemn in the most forceful manner those individuals who work to extend their political expression into violent behavior.

It is well-known now that some have found it proper to offer clemency to

such individuals, despite the best recommendations of the FBI, the Bureau of Prisons, and several U.S. Attorneys.

This uncommon and ill-advised gesture of leniency has baffled many of us. It has appalled many of my colleagues in the New York delegation, and it has apparently confused some of those who aspire to be included in the New York delegation.

The offer of clemency represents a failure to acknowledge the primacy of public safety over politics, and I urge Members of this House to support this resolution condemning it.

The SPEAKER pro tempore (Mr. HANSEN). The gentleman from Michigan (Mr. CONYERS) has 1 minute remaining.

Mr. CONYERS. Mr. Speaker, I yield the balance of the time to the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) to conclude our debate on this.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I am very concerned about the people of Puerto Rico in this debate, because it would appear that the people of Puerto Rico would support violence, and they do not. On the contrary, Puerto Ricans love democracy and reject violence as a way of imposing their political ideas.

I have stated publicly that these persons, these prisoners are terrorists. They belong to an organization, the Armed Forces of National Liberation, that was involved in terrorist acts, and they committed acts of terrorism. They conspired to commit, and they supported them, they applauded them, and they financed them.

But a long time has elapsed since they have been in prison. A lot of pressure was put upon the President to release these people unconditionally. I was the lonely voice in Congress that raised the opposition to the unconditional release at that time.

I indicated to the President they should not be released unconditionally; and the conditions that they have imposed upon these people are reasonable conditions that will be imposed on any other criminal.

Their conditions: First of all, they have to ask for clemency. Second, they have to renounce violence for achievement of their political means, political aspirations. Third, they will be subject to all the conditions of parolees, so that they will be under supervision by the parole system. I oppose this resolution because the President has acted reasonably with conscience and also in a humane order.

Mr. FOSSELLA. Mr. Speaker, may I inquire about the time?

The SPEAKER pro tempore. The gentleman from New York (Mr. FOSSELLA) has 3 minutes remaining.

Mr. FOSSELLA. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, let us remind everybody why we are here. We are here again to send a signal to anybody contemplating terrorism on American soil that we will not tolerate it because we

regard the value of innocent human life. When our society begins to devalue innocent human life, we begin to head in the wrong direction.

We just heard the distinguished gentleman from Puerto Rico who admits that these people are terrorists. I hope that puts to rest those who still believe that these people are not terrorists.

The FBI, the Bureau of Prisons, the U.S. Attorneys office who found these people making bombs oppose clemency. Anybody with an ounce of common sense will tell us that it takes a network of individuals to perpetrate these crimes against humanity, that kill innocent people, that maim innocent people.

Let us put a face on it. Diana Berger is at home right now. She was 6 months pregnant when her husband was killed. Joseph and Thomas Conner grew up without a father.

These are the people we want to release, Carmen Valentine who accepted the President's offer of clemency, threatened the judge who sentenced her, "You are lucky that we cannot take you right now." She then proceeded to call the judge a terrorist and then said only the chains around her waist and wrists prevented her from doing what she would like to do, to kill him.

Is that the people we want back in society? People who have demonstrated no remorse, have offered no apologies, no contrition for the fact that innocent people have gone?

They consider these people who lost fathers, who lost family members casualties of war. God forbid it is anybody here. God forbid it is anybody at home right now.

Anthony Semft who was blinded when he responded to a bomb, we were asking Anthony, "Why are you so upset?" He said, "I did not think I had a voice. Nobody was speaking for me when the President offered clemency to these people." We are his voice. Now we can send and use that voice for the good of the people, the good of the innocent law-abiding people of this country, or we can take a stand and say, do you know what? We can set these terrorists free.

It is up to the Members of this House. Do we speak for Diana Berger? Do we speak for Officer Richard Pastorella who will never see again? Do we speak for Anthony Semft who believes that he does not have a voice? Or do we say that, do you know what, if you renounce violence, and by the way, some of the people who have offered clemency have not renounced violence or agreed to the terms and conditions, do we want somebody set free who will not even do those things?

Let us remember the power of clemency that we are talking about here exercised three times in 7 years which more than 3,000 people have requested and God knows how many others who want to be set free. If my colleagues are willing, if they are willing to say that anybody in prison who renounces

violence should be set free, then come down here and say it. But if we want to speak for the law-abiding citizens, we should keep these people behind bars where they belong.

Mr. BEREUTER. Mr. Speaker, this Member would ask his colleagues to consider carefully the following editorial from the September 8, 1999, edition of the Daily Nebraskan, entitled "Policy Problems—Clemency Move Looks Like Hypocrisy."

Once again, President Clinton did not think his actions through.

In mid-August, Clinton offered clemency to 16 members of a Puerto Rican nationalist group called FALN, which is a Spanish acronym for Armed Forces of National Liberation.

Law enforcement officials blame FALN for a least 130 bombings in the United States and Puerto Rico between 1974 and 1983.

As part of the clemency offer, Clinton gave the 11 men and give women until Friday to renounce political violence and pledge to disassociate with FALN.

The separatists have already served between 14 and 19 years for crimes such as bomb-making and conspiring to commit armed robbery.

When criticized, the White House was quick to point out that the clemency offer was extended to only those "not associated with the more violent acts that led to injuries.

With this offer, Clinton has made an abrupt about-face from the terrorism policy the espoused following the embassy bombings in Kenya and Tanzania last year.

Following those incidents, the United States bombed terrorist training headquarters and launched a manhunt for alleged mastermind Osama bin Laden while Clinton vowed that we would not bow to terrorists.

Now we are going to pardon the terrorists simply because they hail from a U.S. territory?

That is wrong.

Even President Clinton's wife now thinks so.

Speculation abounds that the president offered clemency to this group to help his wife's chances in next year's New York Senate race.

Initially, Hillary Clinton supported clemency, but with a move out of her husband's play book she reversed her position last weekend.

Regardless of the motives, this is simply a bad idea.

The United States should not condone terrorism in any form.

Clemency only reinforces terrorists' actions, and any pledge to renounce violence on their part would hardly be worth the paper it was printed on.

The SPEAKER pro tempore. All time for debate has expired.

The question is on the motion offered by the gentleman from Indiana (Mr. PEASE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 180, as amended.

The question was taken.

Mr. CONYERS. 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 311, nays 41,

answered "present" 72, not voting 10, as follows:

[Roll No 398]

YEAS—311

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|--------------|---------------|---------------|
| Aderholt | Foley | McCarthy (NY) |
| Allen | Forbes | McCollum |
| Andrews | Fossella | McCreery |
| Archer | Fowler | McHugh |
| Armey | Franks (NJ) | McInnis |
| Bachus | Frelinghuysen | McIntosh |
| Baird | Frost | McIntyre |
| Baker | Gallegly | McKeon |
| Baldacci | Ganske | McNulty |
| Ballenger | Gekas | Metcalfe |
| Barcia | Gibbons | Mica |
| Barr | Gilchrest | Miller (FL) |
| Barrett (NE) | Gillmor | Miller, Gary |
| Barrett (WI) | Gilman | Minge |
| Bartlett | Gonzalez | Mollohan |
| Barton | Goode | Moore |
| Bass | Goodlatte | Moran (KS) |
| Bateman | Goodling | Morella |
| Bentsen | Gordon | Murtha |
| Bereuter | Goss | Myrick |
| Berkley | Graham | Nethercutt |
| Biggart | Granger | Ney |
| Bilbray | Green (TX) | Northup |
| Bilirakis | Green (WI) | Norwood |
| Blagojevich | Greenwood | Nussle |
| Bliley | Gutknecht | Ose |
| Blunt | Hall (OH) | Oxley |
| Boehlert | Hall (TX) | Packard |
| Boehner | Hansen | Paul |
| Bonilla | Hastert | Pease |
| Bono | Hastings (WA) | Peterson (PA) |
| Boswell | Hayes | Petri |
| Boucher | Hayworth | Phelps |
| Boyd | Hefley | Pickering |
| Brady (TX) | Herger | Pickett |
| Bryant | Hill (IN) | Pitts |
| Burr | Hill (MT) | Pombo |
| Burton | Hilleary | Pomeroy |
| Buyer | Hobson | Porter |
| Callahan | Hoekstra | Portman |
| Calvert | Holden | Price (NC) |
| Camp | Holt | Quinn |
| Campbell | Horn | Radanovich |
| Canady | Hostettler | Ramstad |
| Cannon | Houghton | Regula |
| Capps | Hulshof | Reynolds |
| Cardin | Hunter | Riley |
| Castle | Hutchinson | Roemer |
| Chabot | Hyde | Rogers |
| Chambliss | Inslee | Rohrabacher |
| Chenoweth | Isakson | Ros-Lehtinen |
| Clement | Istook | Rothman |
| Coble | Jenkins | Roukema |
| Coburn | John | Royce |
| Collins | Johnson (CT) | Ryan (WI) |
| Combest | Johnson, Sam | Ryun (KS) |
| Condit | Jones (NC) | Salmon |
| Cook | Kaptur | Sandlin |
| Cooksey | Kasich | Sanford |
| Costello | Kelly | Saxton |
| Cox | Kennedy | Scarborough |
| Cramer | Kildee | Schaffer |
| Crane | Kind (WI) | Sensenbrenner |
| Cubin | King (NY) | Sessions |
| Cummings | Kingston | Shadegg |
| Cunningham | Klecza | Shaw |
| Danner | Klink | Shays |
| Davis (FL) | Knollenberg | Sherman |
| Davis (VA) | Kolbe | Sherwood |
| Deal | Kuykendall | Shimkus |
| DeLauro | LaHood | Shows |
| DeLay | Lampson | Shuster |
| DeMint | Largent | Simpson |
| Diaz-Balart | Larson | Sisisky |
| Dickey | Latham | Skeen |
| Dicks | LaTourette | Skelton |
| Doggett | Lazio | Smith (MI) |
| Dooley | Leach | Smith (NJ) |
| Doolittle | Levin | Smith (TX) |
| Doyle | Lewis (CA) | Smith (WA) |
| Dreier | Lewis (KY) | Souder |
| Duncan | Linder | Spence |
| Dunn | Lipinski | Spratt |
| Edwards | LoBiondo | Stearns |
| Ehlers | Lowe | Stenholm |
| Ehrlich | Lucas (KY) | Strickland |
| Emerson | Lucas (OK) | Stump |
| English | Luther | Stupak |
| Etheridge | Maloney (CT) | Sweeney |
| Evans | Maloney (NY) | Talent |
| Everett | Manzullo | Tancredo |
| Ewing | Mascara | Tanner |
| Fletcher | Matsui | Tauzin |

| | | |
|---------------|-------------|-------------|
| Taylor (MS) | Turner | Weldon (PA) |
| Taylor (NC) | Udall (NM) | Weller |
| Terry | Upton | Weygand |
| Thomas | Viscolsky | Whitfield |
| Thompson (CA) | Vitter | Wicker |
| Thornberry | Walden | Wilson |
| Thune | Walsh | Wise |
| Thurman | Wamp | Wolf |
| Tiahrt | Watkins | Wu |
| Toomey | Watts (OK) | Young (FL) |
| Traficant | Weldon (FL) | |

NAYS—41

| | | |
|---------------|--------------|---------------|
| Abercrombie | Hilliard | Oliver |
| Baldwin | Hinchey | Owens |
| Becerra | Hoeffel | Payne |
| Brady (PA) | Jackson (IL) | Rodriguez |
| Carson | Jones (OH) | Roybal-Allard |
| Clay | Kilpatrick | Rush |
| Clyburn | Kucinich | Schakowsky |
| Conyers | Lee | Scott |
| Davis (IL) | McKinney | Serrano |
| Dingell | Meek (FL) | Thompson (MS) |
| Engel | Meeks (NY) | Velazquez |
| Fattah | Menendez | Waters |
| Gutierrez | Mink | Wynn |
| Hastings (FL) | Napolitano | |

ANSWERED "PRESENT"—72

| | | |
|------------|----------------|---------------|
| Ackerman | Hoyer | Pallone |
| Berman | Jackson-Lee | Pascrell |
| Bishop | (TX) | Pastor |
| Blumenauer | Johnson, E. B. | Peterson (MN) |
| Bonior | Kanjorski | Rahall |
| Borski | LaFalce | Reyes |
| Brown (FL) | Lantos | Rivers |
| Brown (OH) | Lewis (GA) | Sabo |
| Capuano | Lofgren | Sanchez |
| Clayton | Markey | Sanders |
| Coyne | Martinez | Sawyer |
| Crowley | McCarthy (MO) | Slaughter |
| DeFazio | McDermott | Snyder |
| DeGette | McGovern | Stabenow |
| Delahunt | Meehan | Stark |
| Deutsch | Millender- | Tauscher |
| Dixon | McDonald | Tierney |
| Eshoo | Miller, George | Udall (CO) |
| Farr | Moakley | Vento |
| Filner | Moran (VA) | Watt (NC) |
| Ford | Nadler | Waxman |
| Frank (MA) | Neal | Weiner |
| Gejdenson | Oberstar | Wexler |
| Gephardt | Obey | Woolsey |
| Hooley | Ortiz | |

NOT VOTING—10

| | | |
|-----------|------------|------------|
| Berry | Pryce (OH) | Towns |
| Hinojosa | Rangel | Young (AK) |
| Jefferson | Rogan | |
| Pelosi | Sununu | |

□ 1314

Mr. SIMPSON and Mr. CUMMINGS changed their vote from "nay" to "yea."

Messrs. DIXON, ORTIZ and WEINER changed their vote from "nay" to "present."

Mr. FORD changed his vote from "yea" to "present."

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. PELOSI. Mr. Chairman, on the last vote, H. Con. Res. 180, I was detained in traffic while returning to the Capitol. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 398, I was unavoidable detained by heavy traffic. Had I been present, I would have voted "Present."

□ 1315

GENERAL LEAVE

Mr. WALSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and that I may include tabular and extraneous material of H.R. 2684.

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

There was no objection.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore. Pursuant to House Resolution 275 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2684.

□ 1316

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2684) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes, with Mr. PEASE (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Wednesday, September 8, 1999, the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ) had been disposed of and the bill was open for amendment from page 74, line 17, through page 75, line 18.

Are there further amendments to this portion of the bill?

Mr. SMITH of Michigan. Mr. Chairman, I have an amendment at the desk, and I ask unanimous consent that we be allowed to return to page 64 for consideration of this amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. WALSH. Mr. Chairman, I object. The amendment of the gentleman is out of order. That portion of the bill has already been completed, and by regular order he would not be allowed to reenter the bill.

The CHAIRMAN pro tempore. Objection is heard.

The Clerk will read.

The Clerk read as follows:

RADIOLOGICAL EMERGENCY PREPAREDNESS FUND

The aggregate charges assessed during fiscal year 2000, as authorized by Public Law 105-276, shall not be less than 100 percent of the amounts anticipated by FEMA necessary

for its radiological emergency preparedness program for the next fiscal year. The methodology for assessment and collection of fees shall be fair and equitable; and shall reflect costs of providing such services, including administrative costs of collecting such fees. Fees received pursuant to this section shall be deposited in the Fund as offsetting collections and will become available for authorized purposes on October 1, 2000, and remain available until expended.

EMERGENCY FOOD AND SHELTER PROGRAM

To carry out an emergency food and shelter program pursuant to title III of Public Law 100-77, as amended, \$110,000,000: *Provided*, That total administrative costs shall not exceed three and one-half percent of the total appropriation.

FLOOD MAP MODERNIZATION FUND

For necessary expenses pursuant to section 1360 of the National Flood Insurance Act of 1968, \$5,000,000, and such additional sums as may be provided by State or local governments or other political subdivisions for cost shared mapping activities under section 1360(f)(2), to remain available until expended.

NATIONAL INSURANCE DEVELOPMENT FUND

Notwithstanding the provisions of 12 U.S.C. 1735d(b) and 12 U.S.C. 1749bbb-13(b)(6), any indebtedness of the Director of the Federal Emergency Management Agency resulting from the Director borrowing sums under such sections before the date of enactment of this Act to carry out title XII of the National Housing Act shall be canceled, and the Director shall not be obligated to repay such sums or any interest thereon, and no further interest shall accrue on such sums.

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities under the National Flood Insurance Act of 1968, the Flood Disaster Protection Act of 1973, as amended, not to exceed \$24,333,000 for salaries and expenses associated with flood mitigation and flood insurance operations, and not to exceed \$78,710,000 for flood mitigation, including up to \$20,000,000 for expenses under section 1366 of the National Flood Insurance Act, which amount shall be available for transfer to the National Flood Mitigation Fund until September 30, 2001. In fiscal year 2000, no funds in excess of: (1) \$47,000,000 for operating expenses; (2) \$456,427,000 for agents' commissions and taxes; and (3) \$50,000,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund without prior notice to the Committees on Appropriations. For fiscal year 2000, flood insurance rates shall not exceed the level authorized by the National Flood Insurance Reform Act of 1994.

NATIONAL FLOOD MITIGATION FUND

(INCLUDING TRANSFER OF FUNDS)

Notwithstanding sections 1366(b)(3)(B)-(C) and 1366(f) of the National Flood Insurance Act of 1968, as amended, \$20,000,000 to remain available until September 30, 2001, for activities designed to reduce the risk of flood damage to structures pursuant to such Act, of which \$20,000,000 shall be derived from the National Flood Insurance Fund.

GENERAL SERVICES ADMINISTRATION

CONSUMER INFORMATION CENTER FUND

For necessary expenses of the Consumer Information Center, including services authorized by 5 U.S.C. 3109, \$2,622,000, to be deposited into the Consumer Information Center Fund: *Provided*, That the appropriations, revenues and collections deposited into the fund shall be available for necessary expenses of Consumer Information Center activities in the aggregate amount of \$7,500,000. Appropriations, revenues, and collections accruing to this fund during fiscal year 2000 in