

Mr. Speaker, these are daunting statistics. And what makes matters worse is that this administration has done little to combat this rising tide of drug use. The Clinton administration's 1995 budget proposed to cut 621 drug enforcement slots, and although Congress fought most of the cuts, 227 agents still lost their jobs with the Drug Enforcement Agency.

Mr. Speaker, this is a serious problem which demands serious answers. And the only answer we get from President Clinton when asked if he would inhale if he had it to do over again is, "Sure, if I could. I tried before."

THE SPEAKER AND ETHICS

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, 1 year ago, the Speaker of this House was unable to find a room anywhere in this Capitol Hill complex for the Democrats to have a hearing on Medicare cuts, and so we were outdoors—outdoors—for many long days talking about what they were trying to do behind closed doors. And when seniors came to the Hill a year ago to ask the questions of the committees who were in charge, Speaker GINGRICH had them arrested and we had to go get them out. And now when we have charges against the Speaker that have been analyzed by an outside independent counsel, we are not allowed to see them. What is going on here?

POINT OF ORDER

Mr. CHRYSLER. Mr. Speaker, I make a point of order.

The SPEAKER pro tempore. The gentleman will suspend. The gentleman will state his point of order.

Mr. CHRYSLER. Mr. Speaker, the gentleman from Colorado is violating House rules by referring to matters before the Ethics Committee which are specifically forbidden in House rules.

Mrs. SCHROEDER. May I be heard on the point of order, Mr. Speaker?

The SPEAKER pro tempore. The gentleman may be heard.

Mrs. SCHROEDER. My question is, what does this House do when not only just a regular Member of the House but the chief officer of the House, the third in line for the presidency, has these serious charges and we cannot see them even though they were publicly funded? Why can we not discuss them on this House floor and why are we told we must go outside to discuss them as we had to do Medicare cuts?

The SPEAKER pro tempore. For reasons previously stated, the Chair sustains the point of order and asks the gentleman to proceed in order.

Mrs. SCHROEDER. Mr. Speaker, I thought the gentleman from Georgia [Mr. LEWIS] made a very emotional and correct approach. There comes a time when we all must stand up and say, what are these rules for? Are they to keep the American people from learning the truth?

I am shocked that the United States of America that believes in free speech is gagging Members of Congress about the third most important elected official in America, and I am stunned the other side is insisting on that.

CONFERENCE REPORT ON H.R. 3259, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1997

Mr. GOSS. 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 upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3259) to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

□ 1045

The SPEAKER pro tempore (Mr. CAMP). The gentleman from Florida [Mr. GOSS] is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSEN], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, this rule is standard for a conference report, and is a fair product given our time constraints as we conclude this session of the Congress. The rule before us waives all points of order against the conference report accompanying the bill H.R. 3259, to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the U.S. Government, the community management account, and the Central Intelligence Agency retirement and disability system and for other purposes. In addition the rule provides that the conference report shall be considered as read.

Mr. Speaker, I was honored to have participated in the tremendous effort that led to the completion of this bill. As a member of the House Permanent Select Committee on Intelligence—generally known as HPSCI—I was proud to serve under the tough and fair leadership of my chairman, Mr. COMBEST, in crafting this bill. It is a product I think we can all be proud of, born of bipartisan and bicameral cooperation and negotiation.

Mr. Speaker, I thought my colleague from California, Mr. BEILENSEN, put his finger on an important point yesterday in our Rules Committee meeting, as he often does, when he said that no one pays much attention to our Nation's

intelligence programs. The truth is that, given the very nature of the topic, intelligence matters do not have a natural public constituency and do not generally arise for discussion around America's dinner tables. But, as Mr. BEILENSEN also pointed out, perhaps that is as it should be—and I would argue that fact is a testament to the successes we have had with our intelligence operations, for the most part. Yes, there have been some high profile problems—and we have worked hard to be sure we deal with them expeditiously and effectively. But overall, the way you know that there is good news in the intelligence world is when you hear no news at all. That is how the intelligence business works—the success stories are those that never become stories at all, because good, accurate, and timely intelligence allowed us to prevent bad things from happening.

Mr. Speaker, it is my view that the changing world around us makes good intelligence more necessary than ever before. There are more varied threats and more dispersed targets and the need for us to have well-tuned and properly trained eyes and ears has never been greater. The Intelligence Oversight Committees of this Congress recognize that and have conducted our oversight in a thoughtful and comprehensive manner. In addition to the efforts of our House committee, known as IC 21, which made some very important recommendations for adapting our intelligence capabilities to be ready for the next century, there was also the so-called Aspin-Brown Commission Review, which I was privileged to serve on. These efforts have laid down the groundwork and we now must move ahead in developing consensus and implementing meaningful change. Finally, Mr. Speaker, let me say that everyone understands the intense competition that exists in our finite budget world when it comes to the expenditure of America's tax dollars.

We know that that intelligence is a necessary commodity that saves lives and allows for prudent decisionmaking by our leaders, decisions that are not just involved with the military, although we all know that is a major component, but decisions also in other vital areas, such as fighting terrorism and dealing with the international drug problems.

I think this bill addresses these needs, although I think we must guard against expanding international law enforcement activity at the expense of intelligence operations.

Mr. Speaker, this is a fair rule, and it is a good bill.

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

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

Mr. Speaker, I thank my good friend, the gentleman from Florida [Mr. GOSS], for yielding the customary half hour of debate time to me.

Mr. Speaker, we do not oppose House Resolution 529, the rule for the conference report on H.R. 3259, the Intelligence Authorization Act for fiscal year 1997, which the gentleman from Florida explained so well. We do, however, have concerns about the waivers of several standing House rules that the resolution provides, and wanted to mention them to the membership.

The resolution protects against possible points of order, provisions that violate rules that prohibit conference committees from including provisions, one, that are outside the committee's scope; two, that are not germane to the legislation; three, that violate the Budget Act; and four, that provide appropriations in a legislative bill.

The resolution also waives the 3-day layover rule, whose purpose is to ensure that Members have the opportunity to examine a conference agreement, and with respect to this particular measure, the classified annex to the report. We are not yet convinced that the House is so short on time just now that disregarding this important rule is necessary.

Many of us believe that we should be much more cautious in general about providing such significant waivers in so routine a fashion. Many waivers are purely technical in nature, and we all know that in order to keep House operations moving along, it is sometimes necessary to exempt some legislation or provisions of legislation from certain standing rules of the House. But Members should at the least be told exactly what is being protected by waivers and the necessity and the reason for them before being asked to vote on a rule granting them.

Mr. Speaker, with respect to the conference agreement itself, we continue to be disturbed about several provisions in the bill, and most especially those dealing with funding levels. Total spending authorized in the conference report exceeds the amount appropriated for fiscal year 1996 by 4.2 percent and is 2.3 percent above the President's fiscal year 1997 request.

We only have to pick up the morning newspapers to be reminded that the world is still a very dangerous place and we must not remain silent without and within our borders. But we are operating under severe and very real budget constraints, and we are suggesting only that intelligence programs and activities should be subject to the same level of severe scrutiny as are other functions of the Federal Government.

A considerable amount of effort, Mr. Speaker, has been spent over the last 2 years on proposals for intelligence reform. We are pleased to see that some steps have been taken in the conference report to enhance the ability of the Director of Central Intelligence to get a handle on spending within the intelligence community. But we do have reservations about the provisions creating, in the name of reform, four new deputy or assistant directors of Central

Intelligence who require Senate confirmation.

The legislation creates new assistant DCI's for collection, analysis, and for production, and for administration under a new deputy DCI for community management. However, the legislation only gives these new ADCI's a coordination function. Placing four officials requiring Senate confirmation into an organization of approximately 100 people seems excessive and an unnecessary layer of bureaucracy. In addition, this is an area where the management staff is supposed to be professional or outside politics, and so I express the hope that future Congresses will handle these appointments with a great deal of caution to avoid their politicization.

The conference report also contains a provision that is intended to clarify that law enforcement agencies may request that intelligence agencies collect information overseas on non-United States persons. While we appreciate the fact that many of the most serious national security threats to the United States now arise in the intersections between law enforcement, intelligence and diplomacy, we do hope there will be careful oversight of how these three communities are working together in order to ensure respect for the civil liberties of the people of the United States.

We also have concerns, Mr. Speaker, about the apparent lack of meaningful, substantive reforms to give the Director of Central Intelligence more authority over the intelligence functions of the Department of Defense.

Many of us agree with the blue ribbon commissions that have issued reports advising that the only way to ensure that our national security operations are coordinated, are not being duplicated by another intelligence office, is to put one person in charge of the entire community. Unfortunately, the conference agreement has only very minor provisions designed to strengthen, indeed, very modestly, the authority of the Director of Central Intelligence.

I hope the Congress will revisit this issue next year and be successful in placing authority and responsibility in a single office, so that one person can exercise that authority as necessary.

Mr. Speaker, if I might, ending here, I would like to add a brief personal note. As many of my colleagues know, I had the privilege of serving on the Permanent Select Committee on Intelligence for 7 years, two of those years as its chairman. Those were among the most challenging and rewarding years in Congress for me.

I simply want to thank my colleagues, those with whom I served on the committee, many of whom remain only committee, and those who have followed us, for the dedication and the enormous amount of time and energy they give to the work of the committee, especially the gentleman from Texas, the chairman, Mr. COMBEST, and the gentleman from Washington, Mr.

DICKS, the ranking member, and also our mutual friend, and also my colleague on the Committee on Rules, probably the only person around here who has much of a background in intelligence and really knows what he is talking about, the gentleman from Florida, Mr. GOSS, for the dedication and enormous amount of time and energy that they give to the work of the committee. And also I would like to personally attest to the fact that the committee staff is among the best in Congress, and I thank them too, as I know we all do, for helping make this committee outstanding.

Mr. Speaker, to repeat, we are not opposed to this rule providing waivers for the conference report on the intelligence authorization bill. We urge our colleagues to approve it, so we may expedite consideration of the conference agreement.

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

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

Mr. Speaker, I understand that the gentleman from California [Mr. BEILENSEN] has yielded back the balance of his time, and I have no further speakers, but I would be remiss if I did not take a minute to thank Mr. BEILENSEN for his extraordinary service to this House, to his country, to the Permanent Select Committee on Intelligence, to the Committee on Rules, and to his many other endeavors in this institution. He is a credit to himself, clearly, but not only that, he leaves this House better than he found it, and I think he leaves this country better than it was before he started in public service. I am very proud to say that, and count him among my friends.

I demurred from participating last night in the colloquy for Mr. BEILENSEN and Mr. MOORHEAD, where many nice things were said, primarily because it was done by Californians. But I want Mr. BEILENSEN to understand that Floridians feel the same way, although we have to be a little more circumspect how we say it.

I also wanted to say with the point on the rule that Mr. BEILENSEN brought up, the discussion that took place yesterday on the waivers, we did have some conversation on the record in the committee, and much of what Mr. BEILENSEN has talked about was testified to by the gentleman from Texas, Chairman COMBEST, and the gentleman from Washington, Mr. DICKS, and I believe has properly been attended to. It is a matter in the classified annex, but I agree with Mr. BEILENSEN's general philosophy on that.

I can assure the gentleman that I am satisfied, having participated in some of that, that I think everything is in order, and I know the gentleman would accept the statements of Mr. COMBEST and Mr. DICKS.

Mr. Speaker, having said all that, I have nothing further to add, except I urge support of 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 resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. COMBEST. Mr. Speaker, pursuant to House Resolution 529, I call up the conference report on the bill (H.R. 3259) to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the U.S. Government, the community management account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 529, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of September 24, 1996, at page H10937.)

The SPEAKER pro tempore. The gentleman from Texas [Mr. COMBEST] and the gentleman from Washington [Mr. DICKS] each will control 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. COMBEST].

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

Mr. Speaker, I rise in support of the conference report for H.R. 3259, the Intelligence Authorization Act for fiscal year 1997.

H.R. 3259 authorizes appropriations for the intelligence activities of the U.S. Government. H.R. 3259 makes a modest increase of 2.3 percent over the President's request; it is 2.2 percent higher than last year's appropriation, adjusted for inflation. We continue to believe that intelligence, more than ever, must be our first line of defense, of warning and of analysis. Dollars well-spent on intelligence are, I believe, fewer than dollars we would be forced to spend elsewhere if our intelligence capabilities decreased.

I also wish to call my colleagues' attention to a number of provisions in this bill that will set the intelligence community on the road to a 21st century structure and function.

At the outset of this Congress, the Permanent Select Committee on Intelligence embarked on a major study, IC21: The Intelligence Community in the 21st Century. Committee majority staff produced what I believe is already recognized as a landmark study on how the Intelligence Community can be transformed so as to be best able to deal with the national security issues we may face in the future.

We did not get enacted all of the many recommendations we made. Indeed, I recognized at the outset of IC21 that we were unlikely to get it all done in one Congress. Like so many of the major national security reforms of the past—the National Security Act, Goldwater-Nichols—this is a multiyear, multi-Congress effort.

But I think H.R. 3259 makes a useful start, largely by beginning to give the Director of Central Intelligence the management tools he needs so that his capabilities begin to match his responsibilities as head of the entire Intelligence Community.

Finally, I wish to thank all of the members of our committee on both sides of the aisle who have worked so hard on this legislation, and those Members of the other body with whom we share responsibility for this important legislation. I also want to thank our staff, who have put in long hours and, more importantly, serious and creative thoughts and hard work in the crafting of this bill.

□ 1100

Mr. DICKS. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of the conference report on H.R. 3259.

At the outset I want to commend the gentleman from Texas, Chairman COMBEST, for the effort he has devoted to bringing this legislation back to the House. I also want to join him in complimenting our staff. I think the staff of the Permanent Select Committee on Intelligence is extraordinarily professional and effective and does a very good job for this institution.

The intelligence authorization had relatively smooth sailing in the House last May, but its passage through the Senate was difficult, to say the least. On more than one occasion it appeared likely that there would be no authorization bill for intelligence programs and activities in fiscal year 1997. In my judgment, that result would have been bad for the congressional oversight process and bad for the intelligence agencies.

Chairman COMBEST's persistence and his willingness to compromise when it was necessary, without sacrificing the essence of the positions taken by the House, contributed immeasurably to our having reached this point in the legislative process.

The conference report contains an overall authorization level which is 2.3 percent above the amount requested by President Clinton in part because a significant amount recently requested by the administration for counterterrorism activities is included. Even with this initiative, the conference report is 1.5 percent below the level approved by the House in May.

I believe the increase above the request is justifiable given the costs inherent in many sophisticated intelligence collection systems, and the absolute necessity of ensuring that our policymakers and military commanders have access to the most comprehensive, reliable, and timely information possible on which to base their decisions and actions. Intelligence is expensive, but the cost of not having information about threats to our national security is incalculable.

The Permanent Select Committee on Intelligence devoted a great deal of

time in this Congress to the questions of how the intelligence community should be structured for the next century. In that endeavor the committee was joined not only by its Senate counterpart but by the Aspin-Brown Commission, on which I served, and several other groups. Out of these efforts emerged many thought-provoking ideas, some of which deserve further consideration.

What did not emerge, however, was a consensus on the question of whether or not the community needed fundamental organizational change. There was simply no showing and certainly no conclusion by executive branch officials that the current structure hinders the effective conduct of intelligence activities.

The relationship between the Secretary of Defense and the Director of Central Intelligence on intelligence matters, particularly the intelligence budget, is key to the management of the intelligence community. Currently that relationship works. In the absence of any evidence that it cannot continue to do so, there is simply no impetus for radical change.

The conference report does, however, make some changes in the community's structure. Despite my support for the conference agreement, I have reservations about placing additional layers of bureaucracy on the community's organizational charts. It is not all clear what purpose three Assistant Directors of Central Intelligence will serve, nor is it clear what shortcomings in the existing structure they are to remedy.

When the reform process began last year, its stated purpose in the House and in the other body was to produce a more streamlined, flexible intelligence community. I am concerned that what we have done, instead, is to create more Senate-confirmed positions whose occupants will spend most of their time searching for something productive to do.

Despite these reservations, I intend to support the conference agreement because I believe that, on balance, it makes progress in some technical collection areas in which innovation is necessary. I urge my colleagues to give it their support as well.

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

Mr. COMBEST. Mr. Speaker, I yield myself such time as I may consume to make certain the record is complete and say that I join with my colleague from Washington in concerns about the three new deputies in CIA. That was the recommendation made in the other legislative body. We arrived at a conference report which did include that, but I do have those reservations and concerns as well.

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

Mr. DICKS. Mr. Speaker, I yield 6 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

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

Mr. RICHARDSON. Mr. Speaker, first let me commend the gentleman from Texas, Chairman COMBEST, and the ranking member, the gentleman from Washington, Mr. DICKS, for the comity and excellent relationship they have that enable our committee to be bipartisan, especially in an area that is as critically important to the country as intelligence and national security.

This is a committee that works well together. Sure, we have disagreements and differences in style and sometimes substance, but, in general, both Members make sure that the bipartisanship is there.

Second, let me say that I think this bill is important because it is the first major piece of legislation where the shift into human intelligence is dramatic, the way it should be. As we are going to face challenges that are no longer related to one country but are transnational, problems of international terrorism and drugs and nuclear outlaws and rogue states and economic competition, it is critically important we beef up our intelligence capabilities, our human intelligence capabilities.

It is critically important that we understand Islamic fundamentalism. That is going to take more linguists. To be perfectly candid, it will take more spies. It is going to take more James Bonds. This is something that should not be viewed as being a bit far-fetched, but it basically means that covert operations are going to be needed once again to deal with these problems of nuclear nonproliferation and the problems of rogue states and international outlaws and terrorism and narcotics. These problems are transnational.

I think President Clinton very accurately outlined the threats to our country in his speech to the United Nations yesterday in which very proudly the United States led the effort to stop nuclear testing, and the treaty was signed. Only three states did not support this. We are moving in a very important direction, especially since nuclear proliferation is one of the biggest challenges that the Western world and the United States will face in the days ahead.

Mr. Speaker, I support this conference report that provides an authorization for intelligence and intelligence-related activities. I want to highlight one specific section that I had a little bit to do with, section 309 of the conference agreement, which deals with the use by U.S. intelligence agencies of American journalists as intelligence agents or assets.

Section 309 is similar to an amendment to the House bill which I authored and which, after modification by the gentleman from Pennsylvania, Congressman MURTHA, was adopted by a vote of 417 to 6. The enactment of the conference report will place in statute

for the first time a policy statement that correspondents or representatives of the U.S. media organizations may not be used to collect intelligence.

Nothing could be more detrimental to the safety of U.S. journalists who work in dangerous places overseas and who by the very nature of their profession must be constantly asking questions and trying to discover information than to be suspected as a spy for the United States. This could have drastic consequences, and in some cases it has.

As I noted when my amendment was debated in the House last May, there is a distinction between reporters as commentators on Government and reporters as instruments of government. The prohibition in this conference report on the use of American journalists as intelligence agents or assets will underscore and strengthen that distinction.

The language in section 309 would not prevent those journalists who choose to provide information to a U.S. intelligence agency from doing so. It also recognizes that there may be extraordinary circumstance in which the prohibition needs to be waived in the interest of our national security. In those rare cases, however, the national security determination must be made in writing and the intelligence committees must be informed.

Mr. Speaker, section 309 is consistent with the independence guaranteed to the press by our constitution, and it is consistent with the proper discharge of our responsibility to protect as best we can American journalists who travel or work in difficult circumstances overseas. I urge that we better ensure the safety of those journalists by passing this conference agreement.

Mr. Speaker, in conclusion, again I want to thank the chairman of the committee for his very liberal and positive use, in my judgment, of allowing me to undertake international missions, sometimes on behalf of the administration, other times on behalf of the committee. He has been extremely cooperative every single time, and I am most grateful.

And to the ranking member, Mr. DICKS, the same thanks for his unyielding support. I want to commend both gentlemen for their bipartisan effort in running this committee.

Mr. Speaker, I support the conference report to provide an authorization for the coming fiscal year for intelligence and intelligence-related activities.

I want to highlight section 309 of the conference agreement which deals with the use by U.S. intelligence agencies of U.S. journalists as intelligence agents or assets. Section 309 is similar to an amendment to the House bill which I authored and which, after modification by Congressman MURTHA, was adopted by a vote of 417 to 6.

The enactment of the conference report will place in statute for the first time a policy statement that correspondents or representatives of U.S. news media organizations may not be used to collect intelligence. Nothing could be more detrimental to the safety of U.S. journal-

ists who work in dangerous places overseas and who, by the very nature of their profession must be constantly asking questions and trying to discover information, than to be suspected of being a spy for the United States. As I noted when my amendment was debated in the House last May, there is a distinction between reporters as commentators on government and reporters as instruments of government. The prohibition in this conference report on the use of U.S. journalists as intelligence agents or assets will underscore and strengthen that distinction.

The language in section 309 would not prevent those journalists who choose to provide information to a U.S. intelligence agency from doing so. It also recognizes that there may be extraordinary circumstances in which the prohibition needs to be waived in the interests of our national security. In those rare cases, however, the national security determination must be made in writing and the intelligence committees must be informed.

Mr. Speaker, section 309 is consistent with the independence guaranteed to the press by our Constitution and it is consistent with the proper discharge of our responsibility to protect as best we can American journalists who travel or work in difficult circumstances overseas. I urge that we better ensure the safety of these journalists by passing this conference agreement.

Mr. DICKS. Mr. Speaker, will the gentleman yield?

Mr. RICHARDSON. I yield to the gentleman from New Mexico.

Mr. DICKS. Mr. Speaker, I want to commend the gentleman from New Mexico [Mr. RICHARDSON] for his extraordinary service to the committee. He has undertaken a series of international initiatives which have been completely successful and important to our country. I just want him to know how much I personally appreciate his work and efforts and his tireless energy, especially in the area of human rights and protecting Americans internationally.

Mr. COMBEST. Mr. Speaker, will the gentleman yield?

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

Mr. COMBEST. Mr. Speaker, I would say to the gentleman from New Mexico that this is the first time I have ever been commended for my liberal views, but I appreciate that.

I would be remiss as well, and was planning to rise to pay commendation to the gentleman from New Mexico. I have served with him the entire time I have been on the Permanent Select Committee on Intelligence. In fact, I think the gentleman from New Mexico is serving continuously longer than any other member of the committee.

He has done yeoman work which not only the Congress but the American people are aware of and has traveled extensively, probably our most extensive traveler, but he is quite successful. The only thing I have ever asked of Mr. RICHARDSON when he travels is he bring more back than he took with him, and he has done a great job.

Mr. DICKS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California [Ms. WALTERS].

Ms. WATERS. Mr. Speaker, I rise to discuss an important intelligence matter that is not contained in this conference report and, hopefully, I can establish a colloquy with the ranking member, the gentleman from Washington, Congressman DICKS, on this matter.

I am speaking about recent reports that hired CIA operatives sold drugs in the United States to fund the Nicaraguan contra operations in the early 1980's. The crack cocaine operation started by those that were involved in this particular project caused the introduction of the substance to south central Los Angeles and to other inner-city communities.

Now, news of this scandal has spread across America like wildfire, and there has been a flurry of activities around these reports. Today, I would first like to commend Congressman DICKS, along with the gentleman from California, Congressman DIXON, and the gentleman from Texas, Congressman COMBEST, for their response to the request to open investigations around this issue.

I would like to ask Congressman DICKS, who is here with us today, whether or not he feels it is possible for the Permanent Select Committee on Intelligence to provide the kind of investigation that can satisfy the citizens of this country, one way or the other, that our Government, the CIA, DEA, was or was not involved in this kind of activity.

The reason I ask the gentleman this is because of his seniority on the committee. He knows the quality of the work there. There is a lot of suspicion from the calls that I receive that there will not be the kind of investigation that will reap the kind of information that we need to put this issue to rest.

I would like to ask the gentleman whether or not he thinks this committee is up to the chore, up to the job. What can we expect?

Mr. DICKS. Mr. Speaker, will the gentlewoman yield?

Ms. WATERS. I yield to the gentleman from Washington.

□ 1115

Mr. DICKS. Mr. Speaker, first of all, I want to commend the gentlewoman for her attention to this very serious matter. As someone who has a McClatchy paper in my district, when I read these two articles, I was stunned by them. Of course, the conclusions drawn there are done by inference. As you know, the Central Intelligence Agency denies complicity in this series of events.

Having said that, first of all, I think I wanted to give my assurance, and certainly I would like to have the chairman have an opportunity to comment here as well, my assurance that our committee will look into this completely and fully because we take it as a very serious matter.

I called Director Deutch when I read the articles and told him that I thought this was going to be a very se-

rious problem and that he had to personally get involved and find out as much about this as he could.

The Director has done that, and he has asked that. He has also stated that he does not believe that the CIA was involved, but he has asked the independent inspector general to completely look at this matter. That is underway. We are going to have an investigation over the next 60 days.

Then there will be a report to the committee, which we will then look at, as we conduct our own investigation going back and looking at events surrounding the Iran-Contra affair and previous reports that were done on this issue, because this is not the first time that this issue has come up.

Also, I am told that the Attorney General has directed the Justice Department's inspector general to also conduct an investigation into the Department's knowledge and involvement, if any, in this issue, the involvement of the CIA in this issue. So we have the Justice Department looking at this; General McCaffrey has also said, the drug czar for the President, that they are looking at it; and the Director of the CIA and this committee and our counterpart in the Senate I assume will look at it as well.

I hope for the sake of the American people that we are able to investigate this matter. I hope and pray that the story is not accurate. I think it would be a devastating blow to the intelligence community, to the country, and to thousands of Americans who have been affected by crack cocaine if this, in fact, proved to be true or if there was even knowledge about it and no action was taken at the time.

I will just give the gentlewoman, the only pledge I can give you is that the minority member of the Select Committee on Intelligence, the gentleman from California [Mr. DIXON], has been very much involved. We will vigorously pursue this to try to find the truth and to present it to the American people.

Maybe the gentleman from Texas [Mr. COMBEST] would like to enter into this at this juncture.

Mr. COMBEST. Mr. Speaker, will the gentlewoman yield?

Ms. WATERS. I yield to the gentleman from Texas.

Mr. COMBEST. Mr. Speaker, just to make certain that there is a complete record, first of all, all of the assurances that the gentleman from Washington has given, I certainly stand behind and support. Congressman DIXON, a member of our committee, is the first Member of the House that brought this to our attention. I think that was simultaneous with the gentlewoman's understanding of the potential problem. The assurances were given at that time to Congressman DIXON that there would be a complete investigation. The staff was asked to embark immediately on a full, thorough, and tenacious investigation.

There are a number of other reports and investigations this committee has

done that are not mentioned in this conference report either. So it is not that we are sliding your concerns about this matter. Those are matters that would not be normally brought up in a conference report.

I would also like to mention to the gentlewoman, and, Mr. Speaker, I will include in the RECORD a letter that the gentlewoman from California [Ms. WATERS] sent to me, a response that I sent to her in regard to the committee's actions and the fact that the Central Intelligence Agency had begun an IG's report, had also contacted the Attorney General as well; and a letter to me from the Speaker in which he references a contact that he had received from Ms. WATERS and his concerns and his requests that the committee report back to the Speaker, who is ex officio on this committee as well, so that there is a complete paper trail in this discussion on the part of the CONGRESSIONAL RECORD about the committee's interests, the Speaker's interest, the gentlewoman's interest, the interest of the gentleman from Washington, Congressman DIXON's interest. It is a matter that I hope as well does not prove true, but it is not one that we have any preconceived discussions or decisions about. We will investigate it with all vigor.

I thank the gentlewoman for yielding.

Mr. Speaker, I include for the RECORD the letters to which I referred:

OFFICE OF THE SPEAKER,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 18, 1996.

HON. LARRY COMBEST,
Chairman, House Permanent Select Committee
on Intelligence, Washington, DC.

DEAR CHAIRMAN COMBEST: Enclosed is a letter and enclosures I have received from Congresswoman Maxine Waters concerning a recent series of articles that appeared in the San Jose Mercury News that allege CIA involvement in the introduction, financing and distribution of crack cocaine in Los Angeles.

I request that your committee investigate the allegations contained in these articles in an effort to determine the truth of the matter. I would appreciate your reporting to me the findings and conclusions of your investigation as soon as they are available.

Thank you for your attention to this matter.

Sincerely,
NEWT GINGRICH,
Speaker of the House.

Enclosure.
U.S. HOUSE OF REPRESENTATIVES,
PERMANENT SELECT COMMITTEE
ON INTELLIGENCE,
Washington, DC, September 18, 1996.

HON. MAXINE WATERS,
Cannon Building, Washington, DC.

DEAR REPRESENTATIVE WATERS: I am writing in response to your letter of September 17, 1996, concerning press allegations about CIA assets being involved in crack cocaine distribution in California.

I have already instructed the staff of the Intelligence Committee to investigate these allegations and have sent letters to DCI Deutch and Attorney General Reno requesting the cooperation of their agencies with our efforts.

I know you have seen the press reports that DCI Deutch has instructed the CIA Inspector General to investigate these allegations as well. I think this is a worthwhile

step. It has been Committee practice to withhold any final statements on issues of this sort until the Inspector General has reported. I think it is prudent that we follow this course on this issue.

I understand your concern and appreciate your interest. Please feel free to contact me or the Committee staff director, Mark Lowenthal, if we may be of further help on this matter.

Sincerely,

LARRY COMBEST,
Chairman.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 17, 1996.

Hon. LARRY COMBEST,
Chairman, Permanent Select Committee on Intelligence, The Capitol, Washington, DC.

DEAR MR. COMBEST: I call your attention to an astonishing series of articles which appeared August 18-20, 1996 in the San Jose Mercury News. This report traces the origins of the crack cocaine trade in South-Central Los Angeles to the early Central Intelligence Agency (C.I.A.)-directed effort to raise funds for the Contra rebels seeking to overthrow the Nicaraguan government in the early 1980s. The CIA-connected agents who smuggled cocaine into the United States, converted it into crack, and sold it on the streets of Los Angeles. They subsequently expanded their business into other inner city neighborhoods throughout this country.

Because of their seriousness, I believe these charges must be examined, in detail, as quickly as possible by Congress. As the chairman of the Intelligence Committee, I believe you can begin this process.

What is being alleged is that portions of the United States government—in particular, members of our intelligence community—may have exposed, indeed introduced, the horror of crack cocaine to many American citizens. I, and many people in communities across America, are horrified by the documented travails of these activities. As policymakers, we have an obligation to uncover the truth in this matter.

I believe Congress, and in particular the United States House of Representatives, must take swift, serious, and forceful action to show the American people we are determined to examine the allegations leveled by these reports. Moreover, we must show our determination to punish the drug dealers who have literally destroyed thousands of American families through the horrors of crack cocaine and the violence associated with it.

I understand we are approaching the end of this session of Congress. However, I believe these charges are so serious that they warrant Congress' immediate attention, even if that necessitates extraordinary procedures.

I look forward to working with you on this most serious matter. Your committee is charged with one of the most important responsibilities in Congress. With your help, I believe we can start a process that will give us answers to the serious questions raised by the San Jose Mercury News. Thank you in advance for your cooperation.

Sincerely,

MAXINE WATERS.

Mr. DICKS. Mr. Speaker, if the gentlewoman will continue to yield, I would also like to insert in the RECORD a letter that the chairman and I sent to Mr. Deutch. I do not believe that was mentioned by the chairman.

I would also like to put in the RECORD a response that was given to us from John Moseman, director of congressional affairs, and also another let-

ter that was sent to me by Mr. Deutch after I had talked to him on the phone about this issue on, late in August, just to complete the RECORD.

The letters are as follows:

CENTRAL INTELLIGENCE AGENCY,
Washington, DC, September 4, 1996.

Hon. NORMAN D. DICKS,
Ranking Democratic Member, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

DEAR MR. DICKS: As you and I discussed in a 4 September conversation, allegations have been made by the San Jose Mercury News that the Central Intelligence Agency engaged in drug trafficking to support the Contras in their effort to overthrow the Sandinista government in Nicaragua. Specifically, the Mercury News alleges or infers a relationship between the Agency and drug smuggling activities in which two Nicaraguan nationals, Oscar Danilo Blandon Reyes and Juan Norwin Meneses Cantarero, were engaged.

I consider these to be extremely serious charges. The review I ordered of Agency files, including a study conducted in 1988 and briefed to both intelligence committees, supports the conclusion that the Agency neither participated in nor condoned drug trafficking by Contra forces. In particular, the Agency never had any relationship with either Blandon or Meneses, nor did it ever seek to have information concerning either of them withheld in the trial of Rick Ross.

Although I believe there is no substance to the allegations in the Mercury News, I do wish to dispel any lingering public doubt on the subject. Accordingly, I have asked the Agency's Inspector General to conduct an immediate and thorough internal review of all the allegations concerning the Agency published by the newspaper.

I will write again to report to you when the Inspector General's review is completed. I have asked that the review be finished within 60 days.

An similar letter is being sent to Chairman Combest.

Sincerely,

JOHN DEUTCH,
Director of Central Intelligence.

U.S. HOUSE OF REPRESENTATIVES,
PERMANENT SELECT COMMITTEE
ON INTELLIGENCE,
Washington, DC, September 17, 1996.

Hon. JOHN M. DEUTCH,
Director of Central Intelligence,
Washington, DC.

DEAR DR. DEUTCH: We have read with concern the recent series of articles that appeared in the San Jose Mercury News alleging Central Intelligence Agency involvement in the introduction, financing and distribution of crack cocaine into communities of Los Angeles. According to the articles, these activities were undertaken to provide a continuing stream of support to the Nicaraguan Democratic Resistance in their efforts to overthrow the leftist Sandinista government.

These allegations, if true, raise serious concerns about the activities of the United States intelligence community in support of the Nicaraguan Democratic Resistance. To effectively discharge the responsibilities of this Committee, we have instructed the staff to undertake an investigation of the charges leveled in the Mercury News. In order to complete this undertaking it will be necessary for staff to review certain documents in the possession of the CIA and to interview relevant Agency personnel. In this regard, we request that necessary information and personnel be made available to the Committee staff. The documents necessary for the

Committee to complete its investigation will be specified as the investigation proceeds.

Allegations of the sort contained in the Mercury News erode public confidence in the Central Intelligence Agency. While we commend your decision to have the Inspector General investigate this matter, the Committee must conduct its own inquiry as part of its oversight responsibilities. Your cooperation in this matter will be greatly appreciated.

Sincerely,

LARRY COMBEST,
Chairman.
NORM D. DICKS,
Ranking Democratic Member.

CENTRAL INTELLIGENCE AGENCY,
Washington, DC, September 17, 1996.

Hon. NORMAN D. DICKS,
Ranking Democratic Member, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

DEAR MR. DICKS: I am writing in response to your letter of 6 September 1996 to Director Deutch, in which you expressed concern about recent press allegations that the Central Intelligence Agency engaged in drug trafficking in association with the Contras in Nicaragua. We appreciate the concern noted in your letter and stand ready to assist you and the Committee in your review of these extremely serious charges.

The briefing that Agency officers provided to you and Mr. Dixon on 11 September 1996 conveyed our assessment that the Agency neither participated in nor condoned drug trafficking by Contra forces. As the Director has stated, though, we believe it is essential to dispel any public doubt on this subject. In particular, the Director shares your view that the extent and disposition of any knowledge by CIA officials of Contra involvement in drug trafficking must be assessed.

As you know, the Agency Inspector General (IG) has launched an investigation of the allegations and we will keep you apprised of progress and results of that work. Beyond the IG effort, however, I want to reiterate Director Deutch's assurances that we will cooperate fully with you and the Committee in any inquiry you may conduct.

Sincerely,

JOHN H. MOSEMAN,
Director of Congressional Affairs.

Ms. WATERS. Mr. Speaker, I would like to thank the chairman and the ranking member for the cooperation that they have shown thus far in moving toward this investigation. It has been mentioned on any number of occasions that we have had these kinds of investigations, but this one, I think, is very special and different.

While in the past there has been some mention of drugs, there has not been an investigation that tried to determine whether, in fact, there was an introduction of large amounts of cocaine into south central Los Angeles and spread out among the gangs in south central Los Angeles and further to other gangs in other cities, and the proceeds from this drug activity being given to the Contras to fund the FDN.

So it takes a little bit of a different turn here when we look at whether or not CIA operatives were involved in this drug trafficking into inner-city areas. And of course my interest is well known. Part of my district is south

central Los Angeles, where that is identified in the San Jose Mercury News report, and part of that district that I represent is plagued with crack cocaine addiction, crack-born babies, violence, gang warfare, turf warfare.

So if I seem a little bit overzealous on this issue, I beg your understanding. It is something that is near and dear to me and an issue that I really do feel we need to get at in this Congress. We have had the so-called war on drugs, but as I read through the records and I see where there was a lot of drug activity around this Contra funding and where we have had operatives involved with drugs who ended up getting off with no time, little time, and all the conversations and the notations in some of the diaries of leading figures in this activity, I want you to know that it leaves me no choice but to be overzealous and to be very, very persistent and to work cooperatively with all of you to try and keep people focused on this new link, this direct link, of drugs into the inner cities.

And maybe it will help us to create a real war on drugs, not just rhetoric, not just public relations efforts, but a real effort by the Congress of the United States to rid our communities of drugs and crack cocaine, one of the most awful drugs that any human being could have ever introduced.

Mr. COMBEST. Mr. Speaker, if the gentlewoman will continue to yield, one other matter that I think would be pertinent to mention at this time: The gentleman from Ohio [Mr. STOKES], who in fact at one time was chairman of this committee and was a member of the Iran-Contra Committee, we understand there is a letter on its way to the committee from Mr. STOKES requesting that he be granted access to documents during the time he served as chairman to further investigate part of the Iran-Contra papers.

I have discussed this with Mr. DICKS and we have, are going to take that up with the where the committee would have to vote to approve that. The committee will have absolutely no objection to that and will take that up this afternoon at a hearing at 2:00, assuming that we have that letter. So we are trying to move as expeditiously as possible to help Mr. STOKES in his inquiries as well.

Ms. WATERS. Mr. Speaker, it is my understanding that, as chairman of the committee, you automatically have subpoena powers; is that correct?

Mr. COMBEST. The gentlewoman is correct.

Ms. WATERS. And that you may choose to use those subpoena powers at any point in your investigation and your hearings?

Mr. COMBEST. The gentlewoman is correct.

Ms. WATERS. I thank the gentleman very much. I just wanted to put that on the RECORD, because the question has been asked of me by people calling in.

Mr. DICKS. I want to commend the gentlewoman for her leadership on this

issue and tell her that we will work very closely with her.

Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Speaker, as the discussion just concluded indicates, a free and democratic country such as ours faces a peculiar predicament in trying to deal with secrets, with spying, with the activities of the intelligence community in a way that is as consistent as possible with our democratic values and the principles of open government. It is a ticklish and delicate responsibility that this committee undertakes on behalf of the full membership of the House.

I just want to commend both the gentleman from Texas, our chairman, and our ranking member from Washington State and the fine staff that the committee has for this ongoing effort.

One of the things that we are able to talk about in debate and in the open is the efforts that are ongoing to try to deal with the system of classification of national security information. This bill continues the effort that has been under way for a couple of years now to push the intelligence community, both with regard to greater discipline in classifying information and improved activity toward declassification of old material or material that no longer really has national security significance, so that as much as possible we can bring the records of this Government into the public domain, when they present no further risk to national security, and honor as much as we possibly can the important principle that this is the people's government and they ought to know as much as they can about what goes on.

Related to that is, again, an important provision in this bill that continues the efforts that have been under way for a couple of years as well, to bring into public domain and access, information gathered through our intelligence assets that relate to very pressing global and domestic environmental issues.

I think we all recognize that much of this country's foreign policy and national security issues will derive directly or indirectly from the pressures of environmental degradation, population growth, all that goes with that.

It is important that we make available to the civilian community, the folks outside the national security establishment, as much of the information as we can relating to these issues that happens to have come into our possession through overhead imagery and other assets that the intelligence community has.

This bill, along with pushing on declassification in general, also increases the funding levels for moving some of this material out of the classified realm and sharing it with appropriate agencies of government, civilian researchers, and others that can put to productive use this very significant information that we happen to acquire

through out intelligence capabilities. I want to thank again Mr. COMBEST and Mr. DICKS for their willingness and help in bringing the bill along in this respect.

I urge adoption of the conference report.

Mr. DICKS. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Oregon [Ms. FURSE], my good friend and colleague.

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

I want to refer to the conversation that took place earlier regarding the crack situation, the articles of crack cocaine being brought in to fund the Nicaraguan war.

There are two points I would like to make: One, that did not just happen in east Los Angeles. It is my understanding from this article that a notorious drug dealer who plagued Portland, OR, the gangs moved into Portland, OR, and they brought the crack cocaine, is also implicated in this issue. So this is a nationwide problem that every one of us needs to be concerned about.

The second issue I would like to bring to the chairman and the ranking member is an issue of immigration. We are going to deal with an immigration bill later today, but I wanted to quote from a judge who talked about a notorious person, a Mr. Meneses, who was very involved in this. He was arrested in 1991 in Nicaragua. The judge, Judge Martha Quezada, said, "How do you explain the fact that Norwin Meneses, implicated since 1974 in the trafficking of drugs, has not been detained in the United States, a country in which he entered, lived, departed many times since 1974?"

The contras who were funded with this drug money had their base camps in Honduras at the time. There are allegations that some of them were involved in cases of disappearances in Honduras. Right now, in a landmark case, Honduran military officers have been indicted for their involvement with human rights violations and their trial is pending. Some of those military officers had very close ties to the contras.

During the early 1980's the United States sent millions of dollars to the Honduran military as a bulwark against the Sandinista government in Nicaragua and against the guerrillas in both El Salvador and Guatemala. We built and operated military bases, airfields, and sophisticated radar systems on Honduran territory. The United States Government also helped to establish, train, and equip a special military unit which was responsible for kidnapping, torture, disappearance, and murder of at least 184 Honduran citizens; students, professors, journalists, and human rights activists.

Human rights investigators have been thwarted by a dearth of information within Honduras. Our Government has records that would be useful to those in the Honduran Government who are attempting to bring justice and prosecute those who are guilty of human rights atrocities.

Mr. Speaker, I want to stress the importance of declassification of documents, the funding for which is authorized in this conference report. The State Department has provided

some initial documents to the Honduran Government. My colleagues, Mr. LANTOS and Mr. PORTER, cochairs of the Congressional Human Rights Caucus, are circulating a letter to the President right now that asks for declassification of documents that will help shed light on the situation of human rights abuses in Honduras during the time of our contra-drug connection.

I urge my colleagues to sign Mr. LANTOS' and Mr. PORTER's letter, and to continue our quest for truth in the morass of problems caused by United States involvement in war against the Nicaraguans.

□ 1130

So I want to congratulate the chairman and the ranking member for taking this so seriously because it really does implicate so many of the institutions we hold in such high esteem in this country, and I want to say that the citizens of Portland, OR, are extremely concerned that these drugs came into our fair city and have so hurt the lives of young people.

Mr. COMBEST. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. MCCOLLUM], a member of the committee.

Mr. MCCOLLUM. Mr. Speaker, I thank the gentleman for yielding this time to me. I am very concerned about the allegations I have heard discussed this morning about the CIA having had a role in drug trafficking back during the Iran-contra period, mainly because I do not personally think there is any truth to it and I have some personal knowledge about it.

I recall that when I was the ranking member and when we were in the minority on my side of the aisle and I was the ranking member of the Crime Subcommittee of which I am now chairman, then-Chairman Bill Hughes of New Jersey and I spent 2 years investigating the question that is raised by the newspaper accounts that have been reported this morning. We sent committee staff actually live down into the Nicaraguan scene to investigate these allegations. A lot of time, staff time, was spent, and the net result of the 2-year investigation was there was no substantial credible evidence that this occurred.

Mr. Speaker, what we have out here this morning and what we have seen discussed in the last week or so are some newspaper accounts of a statement made by a known criminal in California in a case which has been released to the public now where he has made these allegations, but there is no corroboration of it. I understand that Mr. Deutch, who is the director of the Central Intelligence Agency, has said he will thoroughly look into this again, but I feel very confident that based on what I know and having been through this process for 2 years with an investigative team, that there is going to be no credible evidence turned up to corroborate this.

I do not doubt there may have been some drug dealing by somebody who was in some way connected historically

with a group that was involved with the contras, but to say they were out there raising money at the behest of the U.S. Government, the CIA was helping them, and that kind of innuendo, I think is putting the horse before the cart and making some conclusions or suggested conclusions that just are not warranted at this time, and I would urge my colleagues to refrain from jumping to any conclusions about this matter.

Let the CIA do its investigation.

Ms. WATERS. Mr. Speaker, will the gentleman yield?

Mr. MCCOLLUM. I yield to the gentlewoman from California.

Ms. WATERS. Mr. Speaker, I would like to caution the gentleman, before he takes such a tough stand in defense of the CIA, that there has been testimony under oath in Federal court in northern California by Mr. Blandon that he indeed under oath said he worked for the CIA, and it is also recorded and documented that he was a known drug dealer.

So I want to caution the gentleman that there is testimony under oath in Federal court by one of the CIA operatives, and the gentleman from Florida needs to know that.

Mr. MCCOLLUM. Mr. Speaker, I want to reclaim my time and say, so one person has said this under oath; I do not doubt he has. I am suggesting his credibility is seriously in question, has been all along. We knew about Mr. Blandon at the time that we did our investigation in the Subcommittee on Crime several years ago, and that was one of the primary reasons why we did the investigation, was because of this whole trail.

I am not saying it is not possible, and I am not saying that we should not have the CIA look into it. I am happy they are doing it. All I am suggesting is that this morning there has been nobody questioning these articles. In this discussion we have been sounding like we are taking it as probably true. I think it is probably not true, but we will wait and find out. But my judgment from what I know of it is it is probably not going to be corroborated.

Mr. WATT of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. MCCOLLUM. I yield to the gentleman from North Carolina.

Mr. WATT of North Carolina. Mr. Speaker, I just want to caution the gentleman not to do exactly what he is cautioning everybody else not to do. Everybody else has talked about allegations. It is the gentleman who has come to the floor and sprung instinctively to the defense of somebody that we have not even charged with doing anything other than "let's investigate," and for the gentleman to come to the floor and say I have concluded that I do not think these allegations have any basis is the gentleman doing exactly what he is cautioning us not to do.

Mr. MCCOLLUM. Reclaiming my time, I have not concluded anything. I

am telling my colleagues that at the time we spent 2 years investigating this very subject matter in the Subcommittee on Crime there was no credible evidence to corroborate the allegations that were made. If there had been, we would have been putting it forward back several years ago, and what is now being put on the table in public knowledge in court is very comparable to what we had 2 years ago; and I just doubt, and I am not saying I am concluding it, but I doubt seriously further investigation is going to turn up more, but I am happy to have further investigation. I just do not want it to go past today with all these comments being spread on the record, with innuendoes out there, with the impression being left everybody who knows anything about this in Congress thinks it might be true. I think it in all probability is not, but I do not know that for a fact, just like I was not sure a 100-percent back when we did the investigation. But we sure did not turn up anything, and we spent a lot of time looking for it.

Mr. COMBEST. Mr. Speaker, how much time is remaining on both sides?

The SPEAKER pro tempore (Mr. CAMP). The gentleman from Texas [Mr. COMBEST] has 23 minutes remaining, and the gentleman from Washington [Mr. DICKS] has 2 minutes remaining.

Mr. COMBEST. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. DICKS], and I ask unanimous consent that the gentleman from Washington be permitted to control that time.

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

There was no objection.

Mr. DICKS. Mr. Speaker, I appropriate that courtesy and I yield 2 minutes to the gentleman from New York [Mr. HINCHEY].

Mr. HINCHEY. Mr. Speaker, I want to express my appreciation to the chairman and the ranking minority member of the committee for their expressed interest in the issues that have been raised this morning by the gentlewoman from California and Oregon.

We are aware of a recent series of articles that appeared in the San Jose Mercury News which once again draws very disturbing attention to allegations that the Central Intelligence Agency during the early years, the decade of the 1980's conspired with former members of the Samosa government in Nicaragua to bring into this country large quantities of cocaine, and that cocaine traffic was used to finance the early years of the war that was lost by the contras against the Nicaraguan Government; and furthermore, that those large quantities of cocaine were distilled into crack cocaine, and that crack cocaine epidemic then swept from California and the West Coast all the way across this country and constituted the worst epidemic of drug abuse that we have seen in the history of our Nation.

This is an issue that needs detailed, thorough examination.

The reason these stories persist is because prior investigations by this body and other bodies have failed to reach into the very depths of the problem and uncover precisely what went on here.

I am not suggesting that there was a coverup, but what I am suggesting however is this: that there was an inadequate investigation by the Iran-Contra Committee and by other investigative bodies that looked into this issue in the past.

This issue will not die, it will not go away until it is resolved once and for all, until we get to the very bottom of it, until we know precisely and exactly what occurred, and it is critical that we do so because the veracity and authenticity of very important agencies within this Government are at stake, and until we know exactly what happened and who was involved in it and what went on, this issue will not rest.

It is the responsibility of this Congress to look at this matter and to look at it with the utmost care, concern and in the greater depth and detail, and I am very grateful that we have had these expressions of support in this regard from both the chairman and the ranking member this morning. This is something that we have to get to the bottom of.

Mr. DICKS. Mr. Speaker, I yield 4 minutes to the gentlewoman from California [Ms. PELOSI] who is a valued member of our Permanent Select Committee on Intelligence.

Ms. PELOSI. Mr. Speaker, I thank our ranking member for giving me this time today and for his leadership, as well as that of the gentleman from Texas [Mr. COMBEST], of the Permanent Select Committee on Intelligence.

While we do not always agree on many of the issues before the committee, I do want to associate myself with the comments that went before regarding the investigation of the potential drug Contra crack cocaine into the United States and especially into the African-American community.

Before I go into that, though, I want to associate myself with the remarks of my distinguished colleague, the gentleman from Colorado [Mr. SKAGGS], that he made on the declassification issue and on the environmental issues related to the resources of the intelligence community and to thank him for his leadership on those two scores, as well as others, that come before our committee. They are both very important, and in the interest of time I will just associate myself with his remarks and spend my time on the issue of the crack cocaine.

I think it is perfectly appropriate that we have the exchange that we have had. Certainly we do not want to just make accusations, we want to see what is real about them in order for us to keep faith with the American people, with the intelligence community, and as my colleagues know, that is a big order.

I would just like to say that when I first came to Congress, which was 9 years ago, shortly thereafter we had a conference in our community, headed up by Dr. Cecil Williams of the Glide memorial to see why we had this epidemic of crack cocaine among African-American women. There were those in the African-American community who thought, and others of us who shared their view, that there was an attempt to target these women as well as targeting the African-American family. It seemed like an act of the devil, and I had hoped that it was not true, and I still do hope that it is not true.

So that is why when the articles came out in the newspaper and we heard other rumors of this, it rang true, it related to something, and hopefully again it is not true, but it does beg the question. If the Central Intelligence Agency was not involved, and let us hope they were not, did they know that the Contras were involved in drug trafficking at a time when the United States was funding the Contras? If they did not know, if the Central Intelligence Agency did not know that the Contras were engaged in drug trafficking to get money, why did they not know? Is it not the business of the Central Intelligence Agency?

So while I respect the first response that we have received from Director Deutch, whom I hold in high regard, I do think that we have to look into this, and that is why I was so pleased to hear our chairman, the gentleman from Texas [Mr. COMBEST], respond to the gentlewoman from California [Ms. WATERS] that the subpoena powers would be available; that is my understanding, and that I thank the gentlewoman from California [Ms. WATERS] for her leadership and the gentleman from New York [Mr. HINCHEY] for speaking out on this issue.

But we are at a crossroads. Much has been said about the end of the cold war and the rest. We are at a crossroads now where we look at the intelligence community and say why are we committing x number of billions of dollars in resources to this? Why is it justified? And there has to be a justification in this stiff competition for the dollar.

At the same time, we have to have confidence. We want our President, whoever that President is, to have the best possible intelligence to help make his decisions to help make the world a safer place. We do not want to see us going into a place where intelligence funding is justified by economic espionage or other things that are not appropriate to it; those that are appropriate in the realm of the economy, sure, but not just across the board.

And at this very time we have this very serious question about the integrity of the intelligence community in the past decade, of the CIA in the past decade, at a time where this Congress was divided in a way that new Members have not even seen the likes of.

So I want to associate myself with those, especially the gentlewoman

from California [Ms. WATERS], who have expressed grave concern about this issue and again leave on the table the question if this did occur, let us find out, and if it was occurring, this transfer, the sale of crack cocaine for money for the Contras was taking place, and the CIA did not know about it, why did they not know about it?

Mr. COMBEST. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. LEWIS], a valued member of the committee.

Mr. LEWIS of California. Mr. Speaker, I thank very much my chairman for yielding me this time, and I must say that I would like to associate myself with many of the remarks of my colleague from California [Ms. PELOSI] who serves with me on the Permanent Select Committee on Intelligence. She could say, as I would, that very much of our work is done behind closed doors.

□ 1145

During the short time that I have been on the committee, I am amazed at the number of hours that we spend looking at these agencies that are so important to our country.

Mr. Speaker, I would start with that comment. The FBI and the CIA and agencies that relate to intelligence work are critical to the interests of our country here at home as well as in the world.

In this time of very significant change in the world, the President needs now more than at any other time excellent sources of information available to him as he represents our interests here at home, but especially abroad. I must say that because we meet behind closed doors, oftentimes the stories of the successes of those agencies are not heard about, let alone told or believed.

On the other hand, I can certainly understand the concern of many of my colleagues, like the gentlewoman from Los Angeles, CA [Ms. WATERS], about the potential impact of any government activity that might affect a community that we would hope to serve here in this Congress, especially as it relates to drugs. Stories in a newspaper are one thing. Believing those stories automatically is another. For goodness sakes, in my own campaigns I have seen stories developed by so-called reputable people that I wish somebody would question before they conclude.

Having said that, it is very, very important that we recognize the impact of drugs upon our society, and not allow a story like this to take our eye off the ball. The ball involves those people who make a living importing drugs and then delivering them to our communities. We should take our gangs and the repeated sellers and throw the key away when they are killing our young people because of their activities.

It is very important that we recognize that the President knows well the successes of these agencies and knows

of their importance to his work. At the same time, we in the committee are committed to doing everything we can to make sure if there is any agency involved in this sort of linkage, that they be taken to the wall.

There is work to be done here. Most of it must be done in our intelligence room. I would urge my colleagues not to deal with the extreme sensationalism that is here, that sometimes gets headlines that we all kind of love. In the meantime, it is very important for America that we deal with this responsibly.

Mr. DICKS. Mr. Speaker, I yield 30 seconds to the gentlewoman from California [Ms. PELOSI].

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

Mr. Speaker, I just want to respond to the gentleman from California [Mr. LEWIS], and say that I completely agree with him that we should not be taking at face value anything we read in the newspaper, especially something of this gravity. However, we do need to look beyond the headlines. I do not take him to say anything other than that.

I wanted to make one more point. In our Committee on Appropriations last week we had a big item for interdiction, hundreds of millions of dollars we spent for interdiction. We are spending that on the intelligence community to keep drugs out of the United States, and at the same time we do not know, we might not know about one very, very egregious example of drugs coming in which we should have been aware of, that we may have been party to. I think it is a very serious issue.

Mr. COMBEST. Mr. Speaker, I yield 2 minutes to the gentleman from Washington [Mr. DICKS], and I ask unanimous consent that he may yield that time.

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

There was no objection.

Mr. DICKS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Ms. MILLENDER-MCDONALD], a new Member who is very concerned about this subject and has talked to me about it on several occasions.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I have come down because I was just getting back to my office when I recognized my colleague, the gentlewoman from California [Ms. WATERS], speaking to this whole issue that we have been plagued with in south central Los Angeles. I, too, represent the heart of Watts, Willowbrook, and Compton, those areas that were ravished by this insidious act.

While I was sitting here watching the gentleman who spoke about his inability to think that the CIA was involved in this, I had to come down to say we cannot conclude whether they were involved or not involved, but it is a serious issue that we must call up for a thorough investigation.

I join the ranks of all of the Members who have spoken this morning, because when we find crack babies lying in hospitals, when we find children who are trying to go to school and who are unable to be educated because of the mental incapacity that they have, when we have a community that has been totally destroyed, we cannot help but to come to this body to ask for a thorough investigation.

I join the ranks of all of the Members who have spoken this morning, because when we find crack babies lying in hospitals, when we find children who are trying to go to school and who are unable to be educated because of the mental incapacity that they have, when we have a community that has been totally destroyed, we cannot help but to come to this body to ask for a thorough investigation.

This has now become not just a south central Los Angeles problem or a California problem. Members heard the gentlewoman from another part of the northern States, I think Oregon, who spoke on this issue. This is a national problem. I think it is incumbent upon this body to ask for and demand a thorough investigation of this drug trafficking into south central and into other urban areas of this country.

We can ill afford to have a community think that we will not pay close attention nor will we take this very seriously and look into the allegations that are very startling in the San Jose Mercury News.

I join with all of the Members who have spoken this morning, I join with my colleague, the gentlewoman from California, Ms. MAXINE WATERS, in asking that this be brought to the forefront and that we get down to the bottom of this very insidious act that has plagued our communities and that has absolutely destroyed a whole community. I urge Members to pay close attention, and I call on my colleagues for a thorough investigation of this insidious act.

Mr. DICKS. Mr. Speaker, I yield 30 seconds to the gentlewoman from Texas, Ms. SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the ranking member of the committee very much for yielding time to me.

Mr. Speaker, in responding to the gentleman from California, let me acknowledge that we do not have to make a broad-based attack on the intelligence community. All of us acknowledge the importance of national security.

However, we must stand aside from the intelligence community and demand an investigation of the bad actors that have been alleged to have conveyed and transported dangerous and devastating drugs throughout the entire Nation, that have resulted in the loss of lives throughout my community and the loss of lives of young children and babies and families and destruction. We must now demand an investigation and have one.

I ask my colleagues to join us in agreeing with those who have spoken that we have a full investigation of these devastating charges of crack cocaine being brought in by CIA agents and others.

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

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

In closing, Mr. Speaker, I would just say, in my 8 years on the committee, one of the highlights has been the opportunity to get to know people who work in the intelligence community, not only in the United States but around the world. They do it knowing that and hoping that their successes and endeavors will not be on the front page of the paper. They do it because they are true patriots. They are people who literally put their lives on the line for this country and the national security of this country, and have done a remarkable job. I wish it were possible to talk about the successes that this country enjoys from the hard, dedicated, and very dangerous work these people do.

Mr. Speaker, I ask that Members support this conference report.

Mr. DICKS. Mr. Speaker, will the gentleman yield?

Mr. COMBEST. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Speaker, I want to concur with the gentleman from Texas. In my service on this committee, and as a member of the Committee on Appropriations over the years, the professionalism, the competence, the hard work, and the dedication of the people in the intelligence community is extraordinary. They have done a tremendous service for this country.

Having said that, I still believe we have to look at these charges seriously. I will remind everyone here that there were some extralegal questionable activities during this whole Iran-Contra period run right out of the White House. So it is conceivable that there may be some explanation besides the one that the San Jose Mercury has come up with. That is, again, another reason why we need to get to the bottom of this.

Even if it was not the CIA, I am very interested to know, how did crack cocaine get introduced into this country, who was behind it. And maybe that is not even our jurisdiction, but that is something this Congress should be interested in as well. I appreciate the gentleman yielding. I urge Members to pass the conference report.

Mr. COMBEST. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. COLEMAN].

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

Mr. Speaker, I only want to point out to the House that part of our responsibility in this committee is to see to it that, indeed, we understand and recognize our role in dealing with the issue of the hiring, the retention, the promotion of minorities and women and

the handicapped in the agencies that we oversee.

There have been allegations made public in the past that indeed the NSA, the CIA, the Department of Defense, and others may not have been doing the kind of job we want them to do.

Thanks to Chairman COMBEST's leadership and that of the ranking member, the gentleman from Washington, Mr. DICKS, there have been a series of hearings over the past several years in acquiring and achieving the kind of data that will show that this Congress does take very seriously its charge from this House that we intend to do what the President of the United States, Bill Clinton, said when he took office. That was that we wanted our Government to reflect the diversity that is America. I want to thank publicly Chairman COMBEST for permitting those hearings.

Mrs. MINK of Hawaii. Mr. Speaker, I rise today to express my strong opposition to the conference agreement on the Immigration and Nationality Act. This conference report goes far beyond efforts to curb illegal immigration in this country by unfairly targeting legal immigrants and promoting discrimination among U.S. citizens as well.

Once again the proponents of the anti-immigration sentiment in this country are using the banner of illegal immigration to impose injustice on those immigrants legally in this country—immigrants who pay taxes, contribute millions of dollars into our economy, abide by the same laws we do, and are even eligible to be drafted into the military. Yet this conference report, like the welfare bill before it, singles out legal immigrants by effectively denying them access to Federal programs.

Specifically the conference report subjects legal immigrants to deportation if they use any means-tested Federal assistance—Federal assistance in which eligibility is based on income—for more than 1 year in the aggregate. Practically speaking this provision bans legal immigrants from any Federal assistance program based on income level—student financial aid, federally funded English classes, job training, health and assistance under Medicaid, or other Federal programs.

It just escapes me why we would want to punish a legal immigrant for pursuing education or job training and making an effort to become an even more productive participant in our economy and society.

The proponents of today's measure are the same people screaming for English only legislation. They state that people in this country should learn English, people can't succeed in this country if they don't know English, yet on the other hand they support this conference report which could cause the deportation of legal immigrants because they utilize a year of federally funded English classes. One can only surmise that the intention here is not to help legal immigrants assimilate into American society but to keep them out of our country altogether.

The conference report limits legal immigration by putting a new arbitrary income barrier to family immigration into this country. It establishes a new income requirement of 200 percent of the poverty level for anyone who seeks to sponsor a parent, sibling, or adult child, and 140 percent for those sponsoring a spouse or minor child.

This provision goes against the very principle of family reunification and would deny low-income families from reunifying with their own minor children and other family members. This is an egregious example of discrimination against the poor. It says that we only care about reunifying families of a certain income level, and that because you are poor you do not deserve to be reunited with your family. I can think of nothing that is more anti-American and antifamily.

It is not only legal immigrants who are hurt under this conference report, but also U.S. citizens who will be subject to more discrimination with limited remedies for violations of their rights.

This conference report makes it more difficult for prospective employees to bring discrimination cases against an employer. A job applicant must now prove that the refusal of a job is a result of intentional discrimination, a higher legal standard than is currently required. This provision will affect U.S. citizens who look Asian or Hispanic, who will no doubt be singled out for greater scrutiny and discrimination, with very limited remedies available to them.

It gets even worse, because the conference report does not include language in the House-passed bill which would have allowed American workers who lose their jobs because of government computer errors concerning their immigration status to seek compensation. This means if someone is mistakenly discriminated against, loses their job because of a computer error, they have no way to seek just compensation.

This is not a theoretical argument, because it is already happening in our education system. Even before the passage of this bill students of Asian and Hispanic ethnic heritage are experiencing heightened scrutiny and delays because of extra measures to verify their citizenship status. Student loan checks for student loans are being revoked because of mistakes in the Social Security system, even though these students are U.S. citizens and their only crime is being born of Asian/Pacific or Hispanic ethnic origin.

It pains me to think that we have come to a place in our society that we must single out anyone who looks different or speaks differently and make them second-class citizens in this Nation. This is where this immigration bill takes us.

Mr. Speaker, many of us want to tackle the problem of illegal immigration in this country, but not at the expense of the rights of legal immigrants and citizens. I urge my colleagues to vote against this mean-spirited bill.

Mr. DINGELL. Mr. Speaker, we should be meeting here today to discuss a bipartisan bill to better protect American jobs, public services, and our borders. We have missed that opportunity. We are now faced with a bill, H.R. 2202, introduced after closed-door Republican sessions, that could damage our borders, hurt

American workers and their families, and increase the burden on our taxpayers.

Jobs are the magnet attracting illegal immigrants, and it is a criminal network of employers who hire these workers at the expense of unemployed Americans. We must make it clear to those rogue employers, who are willing to cheat hard-working Americans out of employment opportunities, that their behavior will not be tolerated.

Instead, this bill lessens the penalties against those who skip over American workers to hire foreign workers. It also reduces the number of inspectors we wanted to put in the field to combat this illegal behavior. If you are a U.S. citizen, willing to work hard and make an honest living, you may still lose out due to the growing number of employers allowed to flaunt the law and hire cheaper illegal immigrants without the real risk of punishment under the law.

Mr. Speaker, existing laws limit the ability of legal immigrants to become public charges. However, the harsh deeming requirements in H.R. 2202 will deny many legal immigrants assistance they should be entitled to. I say entitled, not only because they are legal residents who pay taxes and are eligible for the draft, but because they pay far more in taxes than they use in public services.

The Urban Institute conducted a study which found that legal immigrants pay \$40 billion more in taxes than they collect in public assistance. Similar studies have shown that legal immigrants are less likely to collect public assistance than U.S. citizens. And the conservative Federal Reserve Bank of New York published a study which shows that immigrant families contribute approximately \$2,500 more in taxes than they obtain in public services.

In addition, it appears that the anti-environment 104th Congress had to attack our environmental laws one more time in their mad rush to adjourn. The provision, deemed even by my pro-environment Republican colleagues to be outrageous, would inflict a loss of power for States and local governments anywhere along thousands of miles of our Canadian and Mexican borders to build fences, roads, or other infrastructure.

As a representative of a Canadian border district, I cannot support legislation which casts aside opportunities for public participation under the National Environmental Policy Act [NEPA] so that local communities and citizens in Michigan could have a say before the INS decides we need a giant fence to separate ourselves from our Canadian neighbors. Indeed, Speaker GINGRICH has received word from the attorney general, the Secretary of the Interior, and the chair of the President's Council on Environmental Quality that the administration objects strongly to this weakening of environmental standards.

Mr. Speaker, previous experience teaches us that: limiting services to legal immigrants can risk public health and safety, as well as raise costs; limiting employment enforcement provisions costs American's jobs; and limiting environmental protections under Federal statute can place our communities' health and well-being at needless risk as a result of incompetent legislation.

I urge support for Democratic efforts to fix some of the more obvious errors in the bill through the motion to recommit, and barring its acceptance, I urge rejection of the conference report.

Mr. SERRANO. Mr. Speaker, I rise in strong opposition to the conference agreement on H.R. 2202, the immigration reform bill.

Mr. Speaker, this bill is often described as an effort to improve border enforcement and employment eligibility verification, but, in fact, it goes far beyond these widely-supported elements to attack legal immigrants in the United States, as well as the rights and health of all Americans, citizens and noncitizens alike, and our commitment to international human rights.

Of course, this very unfortunate conference agreement is the result of the Republicans' negotiating and writing a new bill behind closed doors, with no input from Democrats—even those who were initially supporters of immigration reform—during either the negotiations or the actual public meeting of the conference committee!

The employment provisions in this bill are simply wrongheaded. First, the bill defies logic by failing to improve enforcement of our Nation's wage and hour laws despite the fact that unscrupulous employers hire undocumented immigrants precisely so they can overwork and underpay them. Better wage and hour enforcement is the best deterrent both to this exploitation and to the jobs magnet. Next, computerized employment verification systems invite the creation of national databases on every citizen and resident of the United States, without offering safeguards against improper use or disclosure of information or any recourse if the information provided to a potential employer is simply wrong. Moreover, the bill strips from our immigration law existing antidiscrimination provisions, which were originally enacted three decades ago because it was a fact that minority citizens and residents were discriminated against in the employment process.

As illogical as it may sound to my colleagues, while legal immigrants would remain eligible for certain public assistance under this bill, and many have worked and paid taxes to support public assistance and other government programs, they could be deported for actually using the benefits for which they are eligible. Worse, the deeming provisions could bar legal immigrants from receiving even emergency medical services under Medicaid. Legal immigrant children are at particular risk. They may be priced out of eligibility for means-tested programs such as Head Start or job training by deeming. Or they may be frightened away from participation in other programs such as housing, child care, or even health care lest they become deportable.

And any immigrants who, despite sponsor income and the threat of deportation, actually receive services—even emergency services or services to children—must pay the government back before they will be allowed to become naturalized citizens. I guess in the Republicans' view of American citizenship, only the rich need apply.

The conference agreement includes provisions that neither House nor Senate adopted and that conferees were not permitted to strike, that explicitly deny publicly-funded medical care for immigrants who test positive for HIV. There is no reason to treat HIV and AIDS differently from other communicable diseases such as tuberculosis or influenza except raw prejudice. This is also totally counterproductive to our efforts to control the AIDS epidemic in America.

If enacted, these public assistance provisions, which are far more extreme than the al-

ready alarming provisions in welfare reform, will cause either a vast increase in human misery in this country or, more likely, a vast cost-shift to State and local governments and to churches and charities, including our already overburdened nonprofit hospitals.

This bill would raise the income levels required to sponsor a child or spouse, sibling or parent, to levels that would disqualify 40 percent of all American families, both citizen and noncitizen, from bringing their families together in America. I guess Republican family values are not for hardworking families of modest means, but only for the wealthy.

This conference agreement would also undermine our commitment to protect people fleeing from real persecution by restricting their ability to make their case for admission and denying them a hearing and judicial review. Hundreds of bona fide refugees could be returned to their persecutors under this bill.

Mr. Speaker, this bill, like so many others presented by the Republican majority over the last 2 years, goes far beyond what Republicans claim to be its purposes and into the ugliest sort of politics. It is designed and intended to drive wedges into the population and to exploit some people's fears of people who look or sound different.

This bill is shockingly cruel and will do real harm. I urge all my colleagues to vote to defeat this conference agreement. If it is adopted, I implore the President to stand up to the demagogues and veto it. That is the right thing to do.

Mr. DURBIN. Mr. Speaker, I rise in opposition to the conference report on the Immigration and Nationality Act. I support genuine immigration reform, to end illegal immigration and protect American workers from employers who knowingly hire illegal immigrants and put Americans out of work. I regret that the conference report which is now before the House does not meet the standard of genuine immigration reform.

The United States cannot afford to absorb all those who want to settle in our country. I support continued funding of our existing efforts to deter illegal immigration. I have voted for provisions to strengthen the laws, including doubling the number of border patrol agents and increasing the number of work site inspectors to enforce laws against the hiring of illegal aliens. And I support efforts to prevent abuses in enforcement and ensure that enforcement efforts conform to our civil rights and our laws of justice.

Most Americans are immigrants or the descendants of immigrants. Legal immigrants have made and continue to make significant contributions to America's scientific, literary, artistic, and cultural resources. As the son of an immigrant, I believe America's strength is in its diversity. It is in our national interest to build upon that strength through a system which maximizes the positive opportunities legal immigration affords by allowing qualified immigrants to participate in our economy and share their talents and strengths with our communities. Family unification should be one of the key guideposts for evaluating immigration reform proposals.

I voted for the immigration reform bill which was passed by the House in March. It was not a perfect bill, but it would have made needed changes in the law to stop illegal immigration. It would have doubled the number of border patrol agents; permanently barred those who

previously entered the country illegally from ever being legally admitted; increased the number of work-site inspectors to enforce laws against the hiring of illegal aliens; and streamlined the deportation process.

The conference report which is now before the House is worse than the bill passed by the House in March in several ways. For example, the bill that was passed by the House retained civil penalties for employers who knowingly hire illegal immigrants. But the conference reports which is now before the House removes the civil penalties against employers who knowingly hire illegal immigrants, which will make it easier for unscrupulous employers to hire illegal immigrants and put Americans out of work.

I support effective and reasonable income-deeming requirements on the sponsors of legal immigrants who apply for public benefits. At the same time, I believe that immigrants and refugees who live legally in the United States, and contribute to our country's progress just as all of our ancestors have done, should not be discriminated against in the area of public assistance.

The conference report is worse than the bill passed by the House in its treatment of legal immigrants. For example, the conference report would allow the deportation of battered women and children, who are legal immigrants, if they receive public shelter and counseling for more than 1 year. The House-passed bill exempted shelter and counseling for battered women and children.

I voted for the immigration reform bill that passed the House because I believe that illegal immigration is an urgent problem that must be addressed by this Congress, and I had hoped that the bill would be improved as it moved through the legislative process. Instead, we find that the Republican leadership has decided to turn the effort to reform our Nation's immigration laws into a cynical political game.

I urge my colleagues to vote to recommit this bill to the conference committee. Reject this conference report, and instead bring genuine immigration reform legislation to the House before Congress adjourns.

Mr. DUNCAN. Mr. Speaker, just yesterday, the Knoxville News-Sentinel reported that a Tennessee Highway Patrolman stopped a van on I-75 which contained 25 illegal immigrants.

The arresting officer attempted to contact the INS but could not even get a person to answer the phone at the Memphis INS office.

He was quoted in the paper as saying: "Immigration just took the phone off the hook."

He repeatedly attempted to contact INS officials but all he got was: "360 degrees of answering machines."

So what did the trooper do? All he could do, he let illegal aliens go. Simply, he had no legal authority to detain them.

This is the sixth time this year that illegal aliens have been stopped by local authorities in my district and had to be released.

Six different vans containing at least 130 illegal immigrants have been let go because of the INS' refusal to act. When local officials have talked to INS, they were told that there were no funds available to send INS officers to arrest, detain, and deport these illegal aliens.

The INS has received a 72-percent increase in funding in the last 3 years, which is approximately eight times the rate of inflation over

that period. Almost no other Federal agency has received that type of increase in recent years.

With this increase in funding, local officials have a right to be outraged by INS' inaction. I agree with them completely. One sheriff in my district has told his deputies to not even bother questioning individuals they stop to determine if they are illegal aliens because of the INS' inaction.

Have things gotten so bad that law enforcement officials have no choice but to, in effect, condone the breaking of the law?

The six vans that I am referring to are only those reported by the local media. Just think how many other illegal aliens travel through Tennessee without being caught.

The Clinton administration bureaucrats seem unwilling to correct this situation. Mr. Speaker, I am outraged. Who do these INS bureaucrats work for, themselves, or the taxpayers?

The nearest INS office to my district is located in Memphis, 450 miles away. INS claims that they cannot apprehend illegal aliens in east Tennessee because it will cost too much to round them up.

Last spring, I asked the INS to open a branch office in east Tennessee or at least a more centrally located office in middle Tennessee. Despite my repeated requests, they have been very unresponsive and unwilling to provide service to east Tennessee.

I have met face to face with INS officials in Washington to inform them of what is going on in east Tennessee, and I have made dozens of calls about this disgraceful inaction.

In fact, this is not the first time I have had to contact the INS. Several years ago, the Sheriff's Department in Loudon County contacted me about a problem they were having with the INS and illegal aliens.

After months of work and literally dozens of phone calls from my office, the INS finally responded to our concerns. In Operation South Paw, the INS conducted a series of raids that resulted in the apprehension of many illegal aliens working in my district. I am glad that the INS finally took action, but the reluctance on their part to fulfill their mission of deporting illegal aliens is inexcusable.

After my most recent meeting with the INS, I was informed that the INS would add two trainees to the Memphis office. This would be an improvement, but this is not enough. Middle and east Tennessee desperately need more INS officials who will enforce the law.

However, I am glad that H.R. 2202, the Illegal Immigration Reform and Immigrant Responsibility Act, includes language Congressmen CHRIS COX and LAMAR SMITH and I incorporated into the House version of this legislation.

Our language, insofar as arrest and detention, will allow local law enforcement officers to act as INS officials since it is obvious that INS officials won't take action.

Specifically, it will allow law enforcement agencies to enter into agreements with the Justice Department so that local officers will be able to function as an immigration officer in relation to investigation, apprehension, or detention of illegal aliens.

I want to thank Congressmen CHRIS COX and LAMAR SMITH who worked with me in formulating this language and for the House and Senate conferees for including this language in the final version of this bill.

Mr. Speaker, I believe this legislation will help to solve the problem of illegal immigration and I urge its passage.

Mr. BUNNING of Kentucky. Mr. Speaker, it is time to take back our borders and cut off the stream of illegal aliens currently flooding across them. This can only be done by increasing the number of border patrol guards and Immigration and Naturalization Service [INS] agents. The Illegal Immigration Reform and Immigrant Responsibility Act provides over 5,000 border guards and increases the number of INS agents by 300. This additional manpower will give a significant boost to current Republican initiatives such as Operation Gatekeeper and Operation Hold the line which were started under President Bush and have clearly demonstrated their effectiveness in keeping illegal immigrants out of our country.

Unfortunately, no matter how much we try to tighten down our borders, some illegal aliens will slip through the lines. But, even though they may get by our first line of defense this bill will make it more likely that they will be hunted down and deported by the joint efforts of local, State and Federal law enforcement agencies. In addition to the increase in manpower that this bill provides, H.R. 2202, gives law enforcement agencies the technological resources and jurisdiction powers to locate illegal immigrants and deport them expeditiously.

Lastly, this bill makes a conscious effort to reform our legal immigration system. Most importantly it will hold sponsors of legal immigrants financially responsible for their guests in our country. As Congress has taken efforts to crack down on "deadbeat dads", H.R. 2202, will crack down on "deadbeat sponsors". In doing so, we will save millions of welfare dollars, which are now being collected by legal aliens.

This bill is not the end-all of immigration reform, but this bill, coupled with the Republican welfare bill which was recently signed into law will go a long way in slowing the tide.

I urge my colleagues to support it.

Mr. SMITH of New Jersey. Mr. Speaker, I intend to vote in favor of the conference report on H.R. 2202, the illegal immigration bill, because it includes many important provisions to help the United States get control of its borders: 5,000 new Border Patrol agents, stricter penalties for alien smuggling and document fraud, and procedural reforms that would make it easier to deport people who have abused our hospitality. I strongly support these provisions.

Mr. Speaker, we no longer live in an age when everyone from anywhere in the world who would like to live in the United States can do so. In an age of instant communication and easy transportation, border control has become not just a national prerogative but a practical necessity. Particularly when it comes to illegal immigrants, the American tradition of generosity is tempered by commitment to fairness and orderly procedures.

I am pleased that the House deleted provisions in the bill that would have imposed drastic cuts in the numbers of legal immigrants and refugees. The House adopted my amendment to delete a provision that would have imposed a statutory cap on the number of refugees who can be admitted into the United States. The cap would have been 75,000 in fiscal year 1997 and 50,000 in each year thereafter—less than half the number we ad-

mitted in fiscal year 1995. This may sound like a fairly high number, but even at their current levels, refugees are only about 8 percent of those who immigrate to the United States each year. Proportionally, refugees would have taken an even bigger hit than family or business immigrants. The cut would have hurt people who are in trouble because they share our values: "old soldiers" and religious refugees from Vietnam, Christians and Jews from extremist regimes in the Middle East, Chinese women who have fled forced abortion, and those who have escaped the tyranny of Fidel Castro. So I am pleased that the House adopted the Smith-Schiff-Gilman-Schumer-Boucher-Fox-Souder amendment to preserve the American tradition of providing safe haven for genuine refugees.

Unfortunately, the bill still contains provisions that subject legal immigrants, refugees, and U.S. citizens to unnecessarily harsh treatment. I think in particular of the requirement that a U.S. citizen must earn 140 percent of the official national poverty level in order to sponsor other family members. This provision leaves the unfortunate impression that family reunification is a luxury for the well-to-do, rather than a fundamental and laudable goal of millions of American families.

An even more unfortunate provision, section 633, would explicitly authorize the State Department to discriminate, by race, gender, and nationality in the processing of visas for legal immigrants.

The case of LAVAS versus Department of State, which this provision would attempt to overrule, is a carefully reasoned opinion by Judge David Sentelle, a highly respected Reagan appointee to the U.S. Court of Appeals for the D.C. Circuit. It reflects the court's shock and dismay that the State Department was violating Federal statutes as well as its own regulations by practicing nationality-based discrimination in order to force legal immigrants from Vietnam—typically the immediate relatives of United States citizens—back to the country they had fled.

The tragic consequence of the State Department's position is that many of those who have returned to Vietnam, on the assurance that their immigrant visas will be expeditiously processed by the United States, have languished for months or years because hostile and corrupt Vietnamese Government officials have refused to give them exit permits.

Fortunately, the harsh effects of section 633 can be cured by regulation, or even by sound administration. The President should direct the State Department to change its policy and to process these legal immigrants—and never, never again to discriminate invidiously by race, by gender, or by national origin.

Despite these and other deficiencies in the bill, I am voting in the affirmative, not only because I support the provisions that are directed against illegal immigrants, but also because of two provisions that cure important deficiencies in current law.

Mr. Speaker, the anti-terrorism bill passed by Congress in April contained several provisions that had nothing whatever to do with terrorism. One of these sections provided for the summary exclusion of persons attempting to enter the United States without proper documentation.

It is important that we exclude persons who would abuse our generous immigration laws, and it is important that the process of exclusion be a speedy one. It is also important,

however, that the process be fair—and particularly that it not result in sending genuine refugees back to persecution.

The counterterrorism legislation provided that no person shall be summarily excluded if, in the opinion of an asylum officer at the port of entry, he or she has a credible fear of persecution. Unfortunately, the definitions of “asylum officer” and of “credible fear of persecution” were not as clear as they might be. H.R. 2202 goes at least part of the way toward the necessary clarity.

In particular, the antiterrorism legislation defined an asylum officer as someone who has “professional training” in asylum law, country conditions, and interviewing techniques—but did not state how much training or what kind. The immigration bill makes it clear that this training is to be equivalent to that of members of the highly respected Asylum Corps. The best way to ensure that this standard is met is to provide by regulation that only experienced members of the Asylum Corps—people who by training and experience think of themselves as adjudicators rather than as enforcement officers—will exercise the extraordinary power to send people summarily back to dangerous places.

I think it should also be clear that our asylum officers will need to be very careful in applying the “credible fear” standard. In a close case, they must give the benefit of the doubt to the applicant. There are also some countries—such as Cuba, China, North Korea, Iran, and Iraq—in which persecution is so pervasive that almost any credible applicant would have a significant chance of success in the asylum process.

I hope that regulations will be promptly adopted that explicitly provide for these and other safeguards in the expedited exclusion process. In any event, however, the current legislation is a substantial improvement over the regime that would go into force on November 1 if this legislation were not adopted.

Finally, Mr. Speaker, section 601(a)(1) of the conference report will restore an important human rights policy that was in force from 1986 until 1994. It would simply provide that forced abortion, forced sterilization, and other forms of persecution for resistance to a coercive population control program are “persecution on account of political opinion” within the meaning of U.S. refugee law.

Restoration of asylum eligibility for these victims of persecution is supported by human rights advocates from across the spectrum. Protection for these refugees has also enjoyed wide bipartisan support in Congress. Section 601(a)(1) is identical to section 1255 of H.R. 1561, the Foreign Relations Authorization Act, which passed both the House and Senate but was vetoed by the President for reasons unrelated to this provision. Section 601(a)(1) is also identical to the DeWine amendment to the Senate immigration bill, which enjoyed broad bipartisan support in the Senate but was withdrawn after objections had been raised to its germaneness under postcloture rules. Finally, the Clinton administration, which initially opposed this provision, recently announced its support.

As in every other asylum case, an applicant under this provision must prove his or her claim. Contrary to the cartoon being promulgated by opponents of this provision, we would not have to let in 1.2 billion people. In fact, during the Reagan and Bush administra-

tions the number of people granted asylum on this ground was usually less than 100 per year, and never more than 200 per year.

Mr. Speaker, this provision merely states the truth. Forced abortion, forced sterilization, and other severe punishments inflicted on resisters to the PRC program are persecution on account of political opinion. PRC officials have repeatedly attacked resisters to the Chinese program as political and ideological criminals. The infliction of extraordinarily harsh punishment is also generally regarded as evidence that those who inflict such punishment regard the offenders not as ordinary lawbreakers but as enemies of the state.

Forced abortions often take place in the very late stages of pregnancy. Sometimes the procedure is carried out during the process of birth itself, either by crushing the baby's skull with forceps as it emerges from the womb or by injecting formaldehyde into the soft spot of the head.

Especially harsh punishments have been inflicted on persons whose resistance is motivated by religion. According to a recent Amnesty International report, enforcement measures in two overwhelmingly Catholic villages in northern China have included torture, sexual abuse, and the detention of resisters' relatives as hostages to compel compliance. The campaign is reported to have been conducted under the slogan “better to have more graves than more than one child.”

The dramatic and well-publicized arrival in 1993–94 of a few vessels containing Chinese boat people has tended to obscure the fact that these people have never amounted to more than a tiny fraction of the undocumented immigrants to the United States. The total number of Chinese boat people who arrived during the years our more generous asylum policy was in force, or who were apprehended while attempting to do so, was fewer than 2,000. This is the equivalent of a quiet evening on the border in San Diego.

Nor is there evidence that denying asylum to people whose claims are based on forced abortion or forced sterilization will be of any use in preventing false claims. People who are willing to lie in order to get asylum will simply switch to some other story. The only people who will be forced to return to China will be those who are telling the truth—who really do have a reasonable fear of being subjected to forced abortion or forced sterilization. The solution to credibility problems is careful case-by-case adjudication, not wholesale denial.

Opponents add rhetorical punch to the asylum-as-magnet argument by asserting that treating forced abortion victims decently will be a unique incentive to smuggling and criminal gangs. Everyone is against smuggling. But let's prosecute the smugglers. Let's not take it out on the victims. The passengers on the *St. Louis* who were forced back to occupied Europe in 1939 were smuggled aliens too.

Finally, we should be extremely careful about forcibly repatriating asylum seekers to China in light of evidence that a number of those sent back by the United States since 1993 have been subjected to “re-education camps,” forced labor, beatings, and other harsh treatment.

The passage of this legislation, despite its defects, should be good news for the dozens of people who are still being detained by INS, even though they were found to have testified credibly to a well-founded fear of forced abor-

tion or forced sterilization—or even that they have already been subjected to these procedures. People whose claims were rejected under the discredited case of *Matter of Chang* and its progeny should be released from detention immediately, and their asylum cases should be reheard under the rule that is restored by this law.

Mr. Speaker, the problem is not people fleeing persecution, and it is not people who obey our immigration laws. The problem is illegal immigration. The solution is to cut illegal immigration from 300,000 per year to zero, and to provide speedy deportation proceedings for millions of illegal immigrants who have abused our hospitality.

As President Reagan said in his farewell address: “The shining city upon a hill is still a beacon for all who must have freedom, for all the pilgrims from all the lost places who are hurtling through the darkness, toward home.” We are still the land of the free, still the most generous nation on Earth, but we must also insist on fairness and on respect for law. We must continue to work for the swift and sure enforcement of our immigration laws, without sacrificing American values.

Mr. STUDDS. Mr. Speaker, I rise to express my opposition to the bill.

We all appreciate the need for the immigration laws to be effectively enforced. But the conference agreement goes far beyond such legitimate concerns. It is an arbitrary and punitive measure which abandons our Nation's historic pledge to those seeking refuge from deprivation and persecution. It is a lamentable throwback to the anti-immigrant hysteria of bygone days, and I believe it will be so regarded by the international community and our own posterity.

The bill's numerous defects have been ably set forth by my Democratic colleagues on the committee, and I will not belabor them. I will address only one particular provision, inserted at the 11th hour, whose cruelty and illogic exceed even the extraordinary standards previously set by this Congress.

I refer to those sections of the bill that would eliminate all publicly funded HIV treatment services for both legal immigrants and undocumented individuals. Let me emphasize that the bill does this not through inadvertence but by design: the conference agreement goes out of its way to ensure access to medical care for all communicable diseases—except HIV/AIDS.

No public health rationale has been offered in defense of this mischievous provision. It has not been offered because it does not exist. Indeed, anyone concerned with public health would want to be sure that we treat every infected individual, and it is both callous and shortsighted to do otherwise.

Mr. Speaker, some of my colleagues who will vote for this bill today have on other occasions professed deep concern for the plight of children living with HIV. I do not question their sincerity, but their consistency is open to serious doubt. If this bill is enacted in its present form, there will be children living with HIV in this country to whom we are categorically denying all publicly funded medical care. I do not wish that on my conscience, Mr. Chairman, and for this and many other reasons I oppose the bill and urge its defeat.

Mr. CONYERS. Mr. Speaker, this is a weak and shameful bill, which does not deserve the Members support in its current form.

The final product produced by the conference was given to us at the very last minute, on a take it or leave it basis. There was no Democratic input whatsoever, and we were completely shut out of the amendment process.

1. FAILING TO PROTECT AMERICAN WORKERS

This bill says that we will make it easier for unscrupulous employers to hire illegal aliens once they are here. It also says that, by weakening antidiscrimination laws, it will make it harder for legal workers to get jobs.

This bill says a resounding no to more Department of Labor inspectors to check illegal sweatshop and other havens of illegal, undocumented workers. No even though at least 100,000 foreign workers overstay their visas each year.

This bill says a resounding no to Labor Department subpoena authority to review employment records, a critical tool needed to combat illegal immigration.

This bill says no to more civil penalties for abusive employers who hire the illegals. That's the magnet that brings illegal immigrants here. That's what really counts. But the special interests have had their way with this bill.

The Republicans have refused to include those provisions that can most effectively attack illegal immigration. Therefore this bill is a toothless tiger, an election year special, designed to fool voters in California and elsewhere that we are getting tough. In reality, the Republican leadership is just caving to special interests and bringing us a weak bill.

2. THIS BILL SAYS YES TO DISCRIMINATION

It's not enough to simply be weak on illegal immigration. This bill also says yes to more discrimination.

Even though not in the original bill, this bill now includes new provisions that tell employers that may engage in patterns and practices of discrimination so long as the discrimination is not so egregious as to lead itself to a showing of intent in a court of law.

The conference report also says yes to discrimination by race, gender, and nationality in visa processing. This would allow the Department to select one particular type of nationality and subject them to burdensome and dangerous new visa processing requirements—a practice that has already been found to violate the antidiscrimination laws by the D.C. Circuit. That would have the immediate effect of forcing several dozen Vietnamese nationals who are family members of United States citizens to return to Vietnam to have their visas processed. Because of the hostility and corruption of the Vietnamese Government, those forced back are likely to have their visas languish for many more years.

3. THIS BILL SAYS NO TO THE ENVIRONMENT

The National Environmental Protection Act, known as NEPA, is the Nations founding charter for environmental protection.

But this bill repeals that law, yes repeals that law, when it comes to the broader related construction.

That means that when we are constructing roads, bridges, fences, we can ignore the environment.

That means that broader construction can pollute our public waterways, dirty our air, create hazardous point sources that can create dangerous run offs, and generally ignore any adverse environmental impact of that construction.

This is just one more, yes one more Republican attack on our environment.

I plan on offering to recommit the conference report which corrects these glaring flaws. There is still time to come together and achieve a genuine bipartisan agreement on immigration.

If you want to reform the Nation's immigration laws and crack down on illegal immigration without taking extreme and counter-productive measures which harm American workers, I urge you to vote for the motion to recommit. If that motion fails, I urge you to vote against the conference report.

Mrs. MEEK of Florida. Mr. Speaker, I rise in opposition to this bill.

The United States has long been committed to the protection of refugees seeking safe haven from oppression. But this bill—under a provision called expedited exclusion—gives immigration officials the final say in deciding who has a credible fear of persecution—on the spot, with no right to an interpreter or an attorney. It strips the Federal courts of any review of these decisions.

Many of my constituents escaped from brutal dictatorships in Haiti and Cuba and the oppression of the former Soviet Union. They faced political oppression and religious persecution. In many cases, their lives were in danger. Most of these people did not speak English; some were uneducated and most were unsophisticated in their understanding of U.S. law and documents. Yet all faced danger in the countries from which they fled. I shudder to think of how many of my constituents would have been deported back into harm's way if this provision had been in effect in the past.

This bill would prevent the Federal courts from reviewing many actions of the U.S. Immigration and Naturalization Service, thereby eliminating a great safeguard against abuse. Federal court orders have often been the last resort in correcting INS decisions that violate the law or the Constitution. For example, an INS policy denied Haitian refugees the right to apply for political asylum. That INS decision was overturned—for good reason—by the Federal courts.

This bill weakens protections against job discrimination for legal U.S. residents. The bill makes it harder for employees to prove that employers illegally discriminated against them by not hiring them. The bill also restricts the documentation that legal U.S. residents can use to establish their ability to work and their identity. Unscrupulous employers would be given greater latitude to discriminate against or exploit legal U.S. residents.

This bill is as bad for what it does not do as for what it does. For the past 20 years, the taxpayers of my State and my county have been paying billions of dollars to cover the health care, education, housing, and other costs necessitated by the failures of U.S. immigration policy. Simple fairness should dictate that the Federal Government would pick up the costs of the failures of its own policies. Instead, the Federal Government abdicated its responsibilities and left our local taxpayers to pick up the bill. The bill is silent on this problem and does nothing to help us with these costs.

The immigration reform conference report is the result of last minute partisan political maneuvering, rather than thoughtful, dispassionate consideration of policy.

In the words of the American Bar Association, this bill "abandons the U.S. commitment

to the protection of refugees seeking asylum, threatens basic safeguards of due process, eliminates the historic role for the judiciary in reviewing the implementation of the immigration laws * * * and requires the deportation of legal immigrants who receive assistance for which they qualify."

Mr. GOODLING. Mr. Speaker, I rise in strong support of the conference report on the immigration legislation and thank Chairman HYDE and Representative SMITH for their able stewardship of this comprehensive and far-reaching reform bill. I also thank them for working so closely with the Committee on Economic and Educational Opportunities on the areas of the bill that concern education, human service, and workplace issues within the jurisdiction of our committee.

Mr. Speaker, this conference report represents a comprehensive approach to addressing the problem of illegal immigration that will ensure that this Nation can continue to welcome the hope and creativity that new voices can offer us while feeling secure that the wonderful opportunities that life here presents will continue to be available for generations. The legislation recognizes that one of the primary—if not the preeminent—inducements to illegal immigration is the availability of U.S. jobs. The fact of the matter is that this Nation will never be able to fully control its borders with law enforcement strategies alone. The immigration reform proposal also recognizes, however, the practical constraints on employers in policing the attempts of immigrants to illegally secure employment. Thus, the bill contains needed reforms in the work-site verification process and authorizes a workable pilot telephone verification system to allow employers to readily document which applicants for employment are legally authorized to work.

The conference report recognizes as well the role that the availability of public benefits can play in inducing individuals to unlawfully enter or remain in the United States. I am pleased that the bill takes a strong stand to stem the tide of illegal immigration. Those who break the law to come here will not be allowed to receive taxpayer-supported Federal benefits. They are barred and that is as it should be.

I am also pleased that an agreement was reached to separately consider the Gallegly amendment on the education of illegal aliens. For some border States, like California, the education of illegal aliens costs \$2 billion a year. For other States, it's not a problem. It is reasonable for States to have the right to decide this issue, and we'll have the chance to consider a separate bill, H.R. 4134, on this matter.

With respect to legal immigrants, I am pleased that the conferees saw the wisdom of continuing to make higher education student aid, school lunch and breakfast benefits, and elementary and secondary education benefits available, as under current law, without counting their sponsors' income.

In sum, Mr. Speaker, the conference report is an excellent piece of legislation that represents months of work by the relevant committees to define a set of policies that will confront the serious repercussions of illegal immigration. I urge my colleagues on both sides of the aisle to give it your strong support so we can send immigration legislation to the President's desk, where I believe it should and will receive his signature.

Ms. HARMAN. Mr. Speaker, as the daughter of a legal immigrant father who fled Nazi Germany, I understand the strength that legal immigration has brought to America. I regret that provisions unfairly targeting legal immigrants have been added to this bill.

But I firmly believe that we must act now to stop illegal immigration, and so I rise in support of H.R. 2202, the Immigration in the National Interest Act, which tackles many of the tough issues around illegal immigration, and speaks to one of our fundamental values: that all of us have to live and work by the same set of rules. As a member of the bipartisan task force that contributed many of the best features of this bill, I commend the leadership of our California colleague, ELTON GALLEGLY.

This bill doubles the number of Border Patrol agents to 10,000 over the next 5 years. And it authorizes the purchase of much-needed equipment and technology to aid these new agents in the fight against increasingly sophisticated alien smuggling rings.

It also takes some important first steps toward eliminating the jobs for undocumented workers which are the primary lure for illegal immigration. It authorizes new eligibility-verification programs to keep undocumented workers from obtaining employment, and to protect the vast majority of American businesses who would never willingly hire an undocumented worker. In addition, it strengthens much-needed anticounterfeiting laws.

Mr. Speaker, this bill is not perfect. I am firmly committed to changing its unfair provisions targeting legal immigrants. And I am disappointed to see that provisions increasing civil penalties on employers who hire undocumented workers at the expense of American labor have been removed.

But on balance, this bill is important and necessary. It represents progress. And as the Torrance Daily Breeze has editorialized, "California needs this [bill]."

I urge its passage.

Mr. RIGGS. Mr. Speaker, I rise today in strong support of H.R. 2202, the Illegal Immigration reform bill. This legislation is the product of countless hours of negotiation between House Republicans and Democrats. While this bill currently does not have the tough provisions like the Gallegly amendment, that are so important to Californians, it is a step in the right direction.

Although the United States is a Nation of immigrants, its borders should be protected from immigrants who unlawfully enter the country and become a burden on citizen taxpayers. I believe that individuals should come to this country through legal channels in order to become productive Americans.

It has been estimated that it costs California more to educate illegal immigrants children than the entire educational budget of Rhode Island and Delaware. While the Clinton administration has turned a blind eye to the strains illegal immigrants places on local economies and communities, the Republican Congress is cracking down on illegal immigration in order to save all Americans money.

According to INS, there are currently 4.5 million illegal aliens in the United States. While the illegal alien population increases by more than 300,000 every year, only about 45,000 illegal aliens are deported from the United States each year. We have clearly lost control of our borders.

Why play by the rules when it is so easy to jump to the head of the line and enter ille-

gally? H.R. 2202 does the following to ensure we are ready to combat this ever-increasing problem: It beefs up border security; it expedites deportations; it toughens penalties for illegal aliens; it gives law enforcement new tools to combat illegal immigration; and it eliminates the job magnet.

Mr. Speaker, most legal immigrants who come to this country work hard and pursue the American Dream. Unfortunately, increasing numbers come to this country in search of government handouts. Consequently, taxpayers will spend \$26 billion this year to provide welfare to noncitizens. This could rise to \$70 billion by 2004. California spends about \$3 billion annually for public education and health care for illegal aliens and incarceration of some 20,000 felons who illegally entered the country. This legislation encourages personal responsibility by requiring illegal aliens to pay their own way. It reinforces prohibition against illegal aliens receiving public benefits. In addition this legislation starts holding deadbeat sponsors legally financially responsible by one, counting the sponsor's income as part of the immigrant's in determining eligibility for welfare, and two, ensuring that sponsors have sufficient means to fulfill their financial obligations.

Mr. Speaker, it is time to act on immigration reform. My district needs it; my home State needs it; America needs it. My colleagues should vote favorably on this legislation.

Mr. KLECZKA. Mr. Speaker, I rise today to oppose the conference report on the immigration reform bill.

I voted for the immigration bill when it was considered by the House, even though I disagreed with some of its mean-spirited provisions that would kick children out of school and onto the street. I felt that it was a good, tough measure that would lead to a reduction in the level of illegal immigration. However, I rise today to oppose this conference report because special interest groups have managed to kill important provisions.

Everyone knows the real reason that immigrants enter this country illegally: jobs. Common sense tells us that if we clamp down on this demand, we will see a corresponding drop in the supply.

It is also a matter of common knowledge that employers in this country are exacerbating this problem by knowingly hiring illegal immigrants. Quite simply, they are acting as a magnet for illegal immigrants. These employers brutalize their workers by forcing them to work in sweatshop conditions at below minimum wage rates. And, significantly, they reduce job opportunities for American citizens.

Sensible immigration reform must entail a crackdown on these unscrupulous employers. Sadly, this bill fails in that respect. The House-passed version, which I supported, provided 500 new Immigration and Naturalization Service [INS] officers to investigate employers who hire illegal immigrants.

The Republican leadership, after consulting with their special interest lobbyists, decided to water down this provision. Now, the INS will get 200 fewer agents. And the agents the INS does get will be prohibited from focusing exclusively on employer violations.

This bad conference report, in fact, weakens sanctions against employers who knowingly hire illegal immigrants. If we are serious about curbing illegal immigration, it is simply illogical to pass legislation that is soft on these law-breaking employers.

At the same time, this measure radically attacks our Nation's antidiscrimination laws, making it harder for American citizens to prove that they have been discriminated against when seeking employment. It would require those claiming discrimination to prove that their employer intended to discriminate against them, which is an almost impossible legal hurdle to clear.

I find it very unfortunate that this bill, originally intended to protect the American worker by stopping illegal immigration, will actually curtail the legal rights of American workers.

Finally, Mr. Speaker, I rise to criticize provisions which will seriously undermine American families. Historically, our Nation's immigration laws permitted Americans to reunify their families by acting as sponsors for their foreign relatives. The immigration measure on the floor today raises the income level that prospective sponsors must meet to 200 percent of the poverty level. In plain terms, middle-income Americans—the police officer or the school teacher—will be denied the ability to bring their aging parents to this country.

Mr. Speaker, if we are to stem the tide of illegal immigration, we must undertake tough and effective measures. But we must insist that such measures apply to all the actors in the immigration problem—illegal immigrants as well as the employers who hire them. Unfortunately, this bad bill, by exempting the latter, insures that the problem of illegal immigration will continue, as unscrupulous employers continue to lure employees with jobs.

Mr. VENTO. Mr. Speaker, I rise today to oppose H.R. 2202, the Immigration and National Interest Act. Mr. Speaker, this legislation is not in the Nation's best interest, as the title erroneously suggests. While I agree that measures must be undertaken to reduce the influx of illegal immigrants crossing our Nation's borders, this measure goes too far by punishing legal immigrants.

Like the welfare reform measure enacted into law earlier this year, H.R. 2202 would establish a ban on means-tested Federal assistance for legal immigrants. These are not illegal immigrants, but rather those who have followed the procedures and policies of the Federal Government to enter and live lawfully in this country. Even though I supported the overall welfare measure on final passage, I specifically do not agree with the provisions that would deny legal immigrants public benefits. President Clinton has agreed that these provisions are misguided, and he has stated his commitment to see them modified. I support such changes. H.R. 2202, however, includes almost those same provisions, altering deeming requirements for legal immigrants that would effectively make them ineligible for most means-tested public assistance. This measure has a provision that states that legal immigrants can be deported for accepting a Federal student aid loan and even for attending federally funded English classes. How can a legal immigrant learn the English language and pass the citizenship test with such a policy in place?

While future legal immigrants will have legally binding affidavits to guarantee their support during difficult financial times, those who are already in the U.S. holding non-binding affidavits, or no such documents at all, will be left out in the cold. These immigrants will have nowhere else to turn for up to 5 years if their sponsor cannot or will not support them.

Cutting off such life-sustaining assistance to those immigrants who, under Federal policies, legally entered this country without a guaranteed source of financial support is unacceptable. Furthermore, enacting such provisions will not reduce the needs of these legal immigrants. It will simply allow the Federal Government to abandon its responsibility for these individuals, shifting that responsibility and expense to State and local governments that will be forced to fill that gap.

Ironically, while punitive provisions are put in place for legal immigrants already in the U.S., new categories of refugees and asylees are created by this measure. H.R. 2202 provides that the family planning policies of the individual's country of origin would become a basis for such status.

Another provision in H.R. 2202 that would harm legal immigrants relates to their ability to reunite with family members they left behind in their homelands. H.R. 2202 increases the income needed to become a sponsor to 200 percent of the poverty level in most cases, which is over \$30,000 for a family of four. Only where the sponsored immigrant is a spouse or a minor child does the bill lower that income level to 140 percent of the poverty level, which is in excess of \$20,000 for a family of four. For many immigrants who work at minimum wage jobs, even the lower figure effectively prevents them from reuniting with family members.

Furthermore, legal immigrants lose protection from discrimination in hiring, and the standards are stacked against them in the legal language of this bill. At the same time, illegal immigrants are hired by employers under the provisions of this measure with relaxed employer sanctions. This is two steps backwards from the policy enacted in 1986.

When this measure was considered by the House, I successfully amended the bill with language that would have corrected a situation that is currently hindering some Hmong residents of my district from naturalizing. Unfortunately, the majority stripped the language from the bill during the conference committee.

The Hmong who would have been affected are those who served alongside U.S. Forces in the Vietnam war, protecting and defending this nation and losing their homeland in the process. Because they served in Special Guerrilla Forces operated by the CIA, and not regular military units, they are eligible for expedited naturalization as other non-national veterans of U.S. Forces are. Additionally, extraordinary language barriers and other hardships have prevented many Hmong from meeting some naturalization requirements. The Vento Amendment would have provided for expedited naturalization for these non-citizens who have served the United States honorably during the course of the Vietnam War. I am dismayed that the authors of this bill have chosen to ignore the service of the Hmong in the Vietnam War by choosing to deny them full citizenship in the nation whose freedom and democracy they fought so hard to protect.

This bill does have some good provisions that are needed in the efforts to deal with the problem of increasing illegal entries into the United States, such as increased penalties for such activity and increasing the number of border control agents and Immigration and Naturalization Service personnel. However, it targets more than simply those immigrants

that make the unlawful trek across our borders. Punishing legal immigrants along with those without legal status who have broken the law is the wrong policy path for our nation to travel. Let's solve the problems that require solutions without creating new ones. I ask my colleagues to oppose this measure.

Mr. RADANOVICH. Mr. Speaker, I believe that States should be able to decide whether taxpayer dollars should be spent on public schooling of illegal aliens. That is why I supported the Gallegly amendment when the House passed the immigration reform bill earlier this year.

That amendment was adopted by more than a 60 percent margin in the House. If the same support level existed in the other body, we could send a final immigration reform bill to the White House, with the Gallegly amendment intact.

Regrettably, that seems not to be the case. A filibuster was threatened against any immigration bill including the Gallegly provision, and reportedly there aren't enough votes to shut it off.

That means that getting immigration reform in this Congress requires us to relinquish the Gallegly restriction in the House-Senate conference report. Thus, I shall vote for the conference report.

However, to keep faith with my belief and the wishes of the good citizens I represent, I also intend to vote, in the succeeding action, for H.R. 4134, a bill that is a stand-alone Gallegly measure.

Finally, Mr. Speaker, I want to urge my colleagues to be mindful of a workable alternative to the problem of illegal aliens who are receiving public benefits. It's called report and deport.

The immigration reform bill calls for additional INS enforcement personnel and for strengthened deportation. And, the welfare reform law this Congress enacted says that there can be no silencing of those in state and local government who communicate with the INS.

The bottom line is that those who remain in this country illegally should know they are breaking the law and are subject to being reported and deported.

Mr. FOGLIETTA. Mr. Speaker, I rise to speak in opposition to this immigration conference report.

Let's not be fooled here. We have been focusing on how wrong it is to punish children as we pull the precious words from the Statue of Liberty with this bill. But taking Gallegly out of this bill makes a mean, bad bill, just a little less mean and bad.

This is a bad bill because it creates two classes of people—those who can afford to be reunited with their families and those who cannot.

This is a bad bill because it stresses law enforcement on the border with more INS agents but it killed the proposal to increase Labor Department agents. If we really are concerned about illegal aliens taking the jobs of our constituents, why have we sacrificed workplace enforcement?

This is a bad bill because it persists with the mean spirit of the welfare law—cutting safety net benefits to children.

This is a bad bill because it denies medical care for people with HIV and AIDS.

This is a bad bill because it makes it harder for prospective employees to sue for discrimination.

I could go on and on.

Most of us are immigrants or the children of immigrants. Our parents and grandparents who arrived at Ellis Island and other immigration points helped to make this country great. And here we are tearing apart the texture and heart of America—all for another Contract on America soundbite.

My colleagues, vote against this conference report.

Mr. FLANAGAN. Mr. Speaker, I rise in strong support of the motion to recommit and against the conference report to immigration reform as it is currently written. It is with great regret that I do so, but I must in order to prevent a great injustice, a misuse of the House rules, and the enactment of a dangerous policy that threatens the health and safety of all people living in this country, not just immigrants.

Mr. Speaker, I have been a long and strong proponent of illegal immigration reform ever since I have had the privilege to serve in Congress. During the 104th Congress, I have voted for this legislation in both the Judiciary Committee and on the House floor. I have done so because I believe we must do something to halt the flood of illegals that enter our country, inflate our welfare rolls, depress the wages of working Americans, and cause a great deal of crime and hardship in our Nation.

However, the conference report to H.R. 2202, the Immigration in the National Interest Act, contains provisions that I find both shortsighted and narrow minded. These provisions would deny basic medical treatment to any ineligible and undocumented immigrant who is HIV-positive, this includes a legal immigrant who has had publicly financed medical treatment for more than 12 months. While the bill would allow the Department of Health and Human Services to do whatever is necessary to prevent the spread of all other communicable diseases, it expressly prohibits HHS from providing basic medical care and treatment to HIV-positive immigrants. Those legal immigrants who exceed the 12-month limit will be automatically deported.

These provisions were not included in either the House or the Senate versions of H.R. 2202. In fact, both Houses voted overwhelmingly to separate legal immigration reform from the bill earlier in the Congress and, instead, focus only on controlling illegal immigration.

Mr. Speaker, current law already prohibits individuals who test positive for HIV and AIDS from immigrating to the United States. Therefore, this shortsighted and, I must say, discriminatory provision would only bar treatment for HIV-positive individuals who contracted the virus while in the United States. There is no logical public health or public health or public policy argument for distinguishing HIV and AIDS from all other communicable diseases. It would make absolutely no sense to allow testing and treatment for tuberculosis, measles, and influenza but refuse it for HIV and AIDS. Mr. Speaker, these provisions would not only be cruel and inhumane for those who suffer with the AIDS virus, but it would also be dangerous for those of us who don't.

There is no doubt that this conference report contains many positive provisions that would help to stifle illegal immigration. Among the bill's initiatives are provisions to increase by 5,000 the Border Patrol, to improve border-crossing barriers along areas of high illegal immigration, and to prohibit illegal aliens from

receiving Federal means-test benefits except emergency medical services. Yet, this bill also contains provisions that are so shortsighted and so narrow-minded that it literally boggles the mind.

Mr. Speaker, the HIV provisions should be stricken from this legislation. They should be stricken because they are, first and foremost, blatantly discriminatory. They would also produce a dangerous Federal policy of allowing HIV-positive individuals from roaming the streets and neighborhoods of our cities and towns without detection and without treatment. This provision is also wrong because it violates our own Rules of the House that confines conferees to the differences contained in the bill and not allow them to attach any items they wish. Finally, this provision should be defeated because it is inconsistent with an earlier vote, when the House and the other body overwhelmingly decided to separate legal immigration reform from the bill.

Mr. Speaker, with all this said, I respectfully urge my colleagues to vote for the motion to recommit. Thank you, Mr. Speaker.

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

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report on H.R. 3259.

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

There was no objection.

CONFERENCE REPORT ON H.R. 2202, ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 528 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 528

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2202) to amend the Immigration and Nationality Act to improve deterrence of illegal immigration to the United States by increasing border patrol and investigative personnel, by increasing penalties for alien smuggling and for document fraud, by reforming exclusion and deportation law and procedures, by improving the verification system for eligibility for employment, and through other measures, to reform the legal immigration system and facilitate legal entries into the United States, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from California [Mr. DRIER] is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my friend, the gentleman from Woodland Hills, CA [Mr. BEILENSON], pending which, I yield myself such time as I may consume. All time yielded is for the purpose of debate only.

(Mr. DREIER asked and was given permission to revise and extend his remarks and include extraneous materials.)

Mr. DREIER. Mr. Speaker, illegal immigration is a major problem that exists in this country, and nearly every one of us knows it. In my State of California, this may be the single most important law and order issue we have faced in a generation. Three million illegal immigrants enter the country each year, 300,000 to stay here permanently. More live in California than in any other State. In 3 years, that is enough people, Mr. Speaker, to create a city the size of San Francisco.

Mr. Speaker, it is increasingly clear that this Congress is dedicated to results. I believe results are what the American people want from their representatives here in Washington, both in Congress and at the White House. When there is a national problem like illegal immigration, they want action. Today, with this bill that we are considering that was crafted so expertly by chairman of the subcommittee, the gentleman from Texas, [Mr. LAMAR SMITH], we are giving them a response.

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Mr. Speaker, back in the 19th century, the German practitioner of politics Otto von Bismarck made a very famous statement, with which we are all very familiar, that people should not watch sausage or laws being made.

That dictum has never been more true than in looking at what has taken place over the past couple of years. Under the barrage of 18 months and tens of millions of dollars of special interest attack ads, as well as the political rhetoric that came along with Congress changing hands for the first time in four decades, Washington has not presented a pretty picture to the American people.

But look beyond the rhetoric, the soundbites, and the smokescreens, Mr. Speaker. Look at the results. We have gotten bipartisan welfare reform, bipartisan telecommunications reform, bipartisan health insurance reform, a line-item veto measure that passed with bipartisan support, environmental protections that have had bipartisan support, and now a major illegal immigration bill that also enjoys tremendous bipartisan support. In each case, the final product from this Congress has been a major accomplishment where past Congresses have unfortunately produced failure.

Mr. Speaker, in California, illegal immigration is a problem in its own right, but it is also a factor that contributes to other problems. It undermines job creation by taxing local re-

sources, it threatens wage gains by supplying undocumented labor, it has been a major factor in public school overcrowding, forcing nearly \$2 billion in State and local resources to be spent each year educating illegal immigrants rather than California's children.

As with other major national problems, the American people want results, not rhetoric, as I was saying. H.R. 2202 fills that bill. It is not perfect. There are Members of this House who spent years trying to address illegal immigration who think that the bill could be better, and I am one who thinks that this bill could be better. This conference report is not the answer to all of our problems.

However, that is not a fair test, and it is not the test that the American people want us to use. People do not want us to kill good results in the name of perfection. There is no question that this conference report, filled with bipartisan proposals to improve the fight against illegal immigration, should pass, and pass with broad bipartisan support, as I am sure it will.

The bill dramatically improves border enforcement, fights document fraud and targets alien smuggling, makes it easier to deport illegal immigrants, creates a much needed pilot program to get at the problem of illegal immigrants filling jobs, and makes clear that illegal immigrants do not qualify for welfare programs. Together, Mr. Speaker, this is not just a good first step; it takes us a good way toward our goal of ending this very serious problem of illegal immigration.

Mr. Speaker, I must note that the 104th Congress did not just come around to this problem at the end of the session. This important bill only adds to other accomplishments, other results.

Congress tripled funding, Federal funding, to \$500 million to reimburse States like California for the cost of housing felons in State prisons if they are illegal aliens. The remarkable fact is that we are 1 week from the close of fiscal year 1996 and the Clinton administration has not distributed \$1 in fiscal year 1996 money to States like California.

The welfare reform bill, signed by the President, disqualified illegal immigrants from all Federal and State welfare programs and empowered State welfare agencies to report illegals to the INS. Congress also created a \$3.5 billion Federal fund to reimburse our hospitals for the cost of emergency health care to illegals, only to see that provision die due to a Presidential veto.

Finally, Mr. Speaker, I must add that promoting economic growth and stability in Mexico, in particular, whether through implementing the North American Free Trade Agreement or working with our neighbor to avoid a financial collapse that would create untold economic refugees on our Southern border is critical to the success of our fight against illegal immigration. We want to do what we can to