

Wolf	Yates	Zeliff
Woolsey	Young (AK)	Zimmer

NAYS—30

Abercrombie	Eshoo	McKinney
Beilenson	Evans	Meek
Berman	Hastings (FL)	Miller (CA)
Clyburn	Hilliard	Payne (NJ)
Coleman	Jefferson	Pelosi
Collins (MI)	Johnson, E. B.	Stupak
Dellums	Klink	Velazquez
Deutsch	Lewis (GA)	Waters
Dingell	Markey	Waxman
Dixon	McDermott	Wynn

NOT VOTING—11

Bishop	Dickey	McDade
Brownback	Ford	Schumer
Chenoweth	Kaptur	Young (FL)
Conyers	Lincoln	

□ 1332

Mr. LEWIS of Georgia and Mr. PAYNE of New Jersey changed their vote from "yea" to "nay."

Messrs. FATTAH, MEEHAN, BECERRA, SANFORD, LUTHER, Ms. RIVERS, Mrs. MINK of Hawaii, and Mrs. MALONEY changed their vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. CHENOWETH. Mr. Speaker, today, I was unavoidably detained and missed rollcall vote 399. Had I been here, I would have voted "yea" on rollcall 399.

GENERAL LEAVE

Mr. BLILEY. 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 S. 1316.

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

There was no objection.

REPORT OF CHAIRMAN OF COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

(Mrs. JOHNSON of Connecticut asked and was given permission to address the House for 1 minute.)

Mrs. JOHNSON of Connecticut. Mr. Speaker, pursuant to rule X of the Rules of the Committee on Standards of Official Conduct, and by agreement of the committee, I am authorized to report that the committee continues to work on the issues before it. I would like to say for myself that the committee has traditionally not come to the floor of the House for instruction, as that would undermine the bipartisan foundation of our decisionmaking process, which protects every Member of this body from partisanship.

PROVIDING FOR CONSIDERATION OF A CERTAIN MOTION TO SUSPEND THE RULES

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 508 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 508

Resolved, That it shall be in order at any time on the calendar day of Friday, August 2, 1996, for the Speaker to entertain a motion offered by the majority leader or his designee that the House suspend the rules and pass a bill or joint resolution relating to the subject of combating terrorism.

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

PARLIAMENTARY INQUIRIES

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOYER. Mr. Speaker, I would just inquire as to the legislation that is being addressed in the rule. Can the Chair inform us as to the bill which is being addressed by the rule?

The SPEAKER pro tempore. The Chair is not fully aware. Under the pending rule it would be up to the majority leader to decide what bill will be called up, and the measure before the House now is House Resolution 508. The gentleman has been recognized for 1 hour for a debate on the rule.

Mr. MOAKLEY. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MOAKLEY. Mr. Speaker, is this the same matter that was discussed before the Committee on Rules last night or is this a new bill that was just dropped in 5 minutes ago?

The SPEAKER pro tempore. The gentleman from Florida [Mr. GOSS] may be explaining that during his debate.

Mr. MOAKLEY. Mr. Speaker, could the gentleman from Florida inform me?

Mr. GOSS. Mr. Speaker, the gentleman from Florida will be very happy to, but I would prefer that we do this in an orderly way and get on with the customary beginning of the rule debate.

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

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

(Mr. GOSS asked and was given permission to revise and extend his remarks and to include extraneous material in the RECORD.)

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New York [Mr. SOLOMON], chairman of the Committee on Rules.

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

Mr. SOLOMON. Mr. Speaker, I rise in support of the rule and the bill that will follow.

Mr. Speaker, I thank my colleague from the Rules Committee, the gentleman from Florida [Mr. GOSS], for yielding. He deserves our commendation for all the work he has put into the effort to combat terrorism. His background working in the intelligence community and then serving on the Intelligence Committee makes him particularly well qualified in this area.

Terrorism is an on-going problem. It is not just the recent bomb incident in Atlanta, or the possibility that the crash of the TWA flight leaving New York was caused by a bomb.

We have had American citizens killed in the Oklahoma City bombing, the World Trade Center bombing, and the barracks blast in Saudi Arabia, among other places.

It is a problem which is not going to go away. This Congress, representing the need of the American people for security, is going to have to take additional action.

According to the testimony presented to the Rules Committee in the wee hours of this morning, there was an effort in the last few days to put together a package of antiterrorism measures which included representatives of the FBI, the Justice Department, the White House, the Senate and the House of Representatives—both Democrats and Republicans.

Those negotiations bogged down. And so last night the decision was made to proceed with a package of antiterrorism proposals which the great majority of the Members of this House can support.

This rule provides for the consideration of that package under suspension of the rules, which means that it will require a two-thirds vote to pass.

If this package is criticized, it will probably be because it does not include some particular provision that some of our colleagues desire. But many of those more controversial proposals would cause the discussion to drag on for months.

This package is something that is doable now. It is not going to solve the problem of terrorism for all time. But it is a step in the right direction, and it implements changes most of us agree need to be made.

For example, according to the testimony in the Rules Committee last night, it includes a series of aviation security measures, which include things like increased baggage and passenger screening, and explosive detection improvements.

It includes increased measures against international terrorists, such as reporting on cooperation in fighting international terrorists, and action plans to sanction terrorist states.

At the same time is includes privacy act amendments to strengthen protections and to prevent and punish abuses of individual privacy rights.

Mr. Speaker, there are other proposals for action which have been suggested. But some of them involve possible infringements to individual liberties which generate opposition on both sides of the aisle. Those controversial provisions have purposely been left out of the package to be brought before the House today.

It should also be noted that this Congress has been attacking terrorism on other fronts as well.

Yesterday, in the Defense Department authorization conference report there were provisions allocating to communities the resources to deal with chemical, biological, or nuclear threats. That conference report improves the preparedness of firemen, policemen, and local emergency personnel regarding weapons of mass destruction. Border protection is also increased by authorizing money for equipment to detect and stop the movement of weapons of mass destruction into the United States.

Earlier in this Congress, the Antiterrorism and Effective Death Penalty Act was adopted, and there are provisions in the bill to be considered today which will aid in the full implementation of that act.

So, Mr. Speaker, this Congress is attacking terrorism from a number of different directions.

We should join together to pass this rule and then to pass the bill to combat terrorists who may be planning to attack innocent Americans.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia [Mr. LINDER].

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

[Mr. LINDER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas [Mr. ARMEY], our majority leader.

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

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

Mr. Speaker, we are about to come to the end of what has been, in fact, a very productive week, and a very busy week, and for many, many of us a very difficult week, with long hours of hard work. While we have been working here, we have had new fears and new concerns and new worries that have come to the American people.

Terrorism is an ugly thing. In a Nation like ours that has prided itself in its ability to, while protecting the liberties of its citizens, also secure their physical safety, shocking events, frightening events, heartbreaking events have taken place in our Nation's land.

We have been engaged in serious and extensive discussions, Members of the House, Members of the other body, and members of the administration searching for some instrument that we could bring to the floor on which we could act that could, on one hand, reassure the American people that, yes, this Congress and this administration and this Government has a resolve; we have a resolve, Mr. and Mrs. America, to protect and secure the safety of you and your children.

We have a resolve in this great land to protect our liberties. We will not take such action in a sense of emergency or panic that infringes against the liberties so precious to these Amer-

ican citizens in order to meet these threats that are so insidious in their nature.

We have worked hard and we have worked late into the night, and, yes, the gentleman from Maryland is correct to say and the gentleman from Massachusetts is correct to say the legislation is late in getting here, and I am sure you have concerns and they are legitimate concerns, and we do not want to disregard those concerns.

So, what I would suggest that we must do here and we must do in order to show the people of this great Nation that this great body shares their anxiety, feels their concern, and will maintain and give surveillance to their resolve for safety and security and liberty, that we proceed with this debate on this rule and that as we do so, the Members of the body that have concern about seeing the final detail, the final print, have that available for them for their study. At the beginning of the consideration of the resolution, if we are not satisfied that we have not had ample time to have full and thoughtful awareness of the details, perhaps we can at that time contemplate a short recess period for people to have that opportunity.

We do not want to rush to judgment. We do not want any Member here to feel that they have been left without an opportunity, but we must, I believe, demonstrate this resolve during this time.

I would ask my colleagues, as you look at this, think in terms of this is a serious business. I do not believe this is a time for political statements. I think this is a time to show America that we are a Nation with a government that understands and cares about the threat and understands and cares about our citizens' liberty.

□ 1345

I think this is a time for a serious discussion, certainly, that we may have differences or questions about some of the details, but we must move forward.

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

Mr. ARMEY. I yield to the gentleman from Maryland.

Mr. HOYER. For clarification, I have, Mr. Leader, and I appreciate the statement that the leader just made, a bill, H.R. 3953, printed August 2, 1996, at 1:51 p.m. Is that the legislation that will be offered under the rule?

The reason I ask that, Mr. Leader, as you know, the rule provides that the leader, yourself, can offer any bill that you so choose.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for his inquiry. That is the bill. I do understand and I have, incidentally, designated on my behalf to take up the bill, when we come to the point, the gentleman from California [Mr. COX]. I do understand that he has taken the bill up and made a few modest changes, and he is here on the floor during this discussion and available to discuss it.

There is nothing here that we seek to keep from anybody's eyes or understanding. We will be here and make all answers to all questions available. And if further time is needed at the conclusion of the debate on this rule, we will accommodate that. This business is too serious for anybody to do anything trifling regarding it. That will not happen.

Mr. HOYER. Mr. Speaker, if the gentleman will continue to yield, again, I want to thank him for his serious treatment of this and his concern that, as far as I know, nobody on this side of the aisle has seen the completed bill at this point in time.

I understand Mr. COX, according to what the gentleman says, has made some modifications of this printed bill. If that is the case, we clearly would like to have, Mr. Leader, as soon as possible, the substance so that we will know what we are considering.

Mr. ARMEY. Mr. Speaker, I appreciate that. I will stay on the floor and be available to be helpful in any way I can.

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

What I propose to do, if it meets with approval of the other side, is to make my opening rule statement, then I yield to the gentleman from Massachusetts [Mr. MOAKLEY], and then I would introduce a series on or side that intend to spell out what this is about for those who have not had a chance or have any uncertainty about what exactly we are talking about here.

Mr. Speaker, we find ourselves in an unusual situation. We have been challenged to reexamine our approach to combating terrorism at home and abroad. Working together in a mostly bipartisan spirit of cooperation, we put together a package for short-term measures to reduce the risk of terror attacks without infringing on the rights of our citizens.

All members are familiar with the basic procedure we are using to bring this bill to the floor today, known as suspension of the rules—in which a bill is considered without amendment, by the full House. The suspension process expedites the passage of bills and requires a super majority of two-thirds. Since the House Calendar only allows the House to consider bills under suspension on Mondays and Tuesdays, this rule is needed so we can consider the bipartisan antiterrorism package under suspension today.

Mr. Speaker, this effort comes in the wake of three horrible tragedies: The bombing of a military installation in Saudi Arabia, the loss of TWA flight 800 out of New York's JFK Airport, and the recent pipe bomb explosion in Atlanta at the Olympics. While we haven't had time to thoroughly assess these tragedies and the effectiveness of the antiterrorism law Congress passed earlier this year, these attacks tell us that our society remains vulnerable to terrorism. Unfortunately, terrorism is a fact of life. In response to recent

events, a series of proposals were offered to solve the problem—some with merit, and some that could cause more problems than they might solve by cutting deeply—and unnecessarily—into the constitutional freedoms of American citizens. I include in that category certain proposals for expanded wiretapping authority for Federal law enforcement. This is a dangerous proposition—and one that would be ceding victory to terrorists, whose goal is to disrupt our society, create anxiety and constrain our freedoms. That's the way terrorism attacks a free open society. Let me be clear, this bill does not—I repeat, does not—expand wiretapping authority. In fact, it goes the other direction, strengthening penalties for misuse of Government's existing authority. That's good news for all Americans—especially the many southwest Floridians who urged us not to succumb to the pressure to diminish our liberties. For this we owe our thanks to our able policy committee chairman, CHRIS COX.

Mr. Speaker, we have a vital need for solid, widespread foreign human intelligence capability as our first and best line of defense against attacks on Americans at home and abroad and including soldiers, civilians, tourists, businessmen, and students. I have been alarmed by recent initiatives to constrain our capabilities in this area—we are literally shutting our own eyes and closing our ears. Certain Clinton administration policies actually have the effect of tying our hands and preventing us from cultivating and maintaining useful human intelligence sources that could give us the insight we need to prevent terrorist acts. These policies are ill-advised and there is strong language in this bill charging a new blue ribbon commission with revisiting them.

I urge my colleagues to support the rule so we can get on with this debate.

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

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume. I thank my colleague and friend, the gentleman from Florida [Mr. GOSS], for yielding me the customary half hour.

Mr. Speaker, some events took place in this very building last night regarding terrorism, and they are not over yet.

A lot of Members probably do not realize it but at midnight last night, under cover of darkness, there were some terrorist-related activities going on in the House of Representatives.

But it was not what you think, Mr. Speaker, it was down in Speaker GINGRICH's office at which a plan was hatched finally to bring up the antiterrorism bill without allowing any Democratic participation whatsoever.

Now there were a few of us who suspected that this type of activity might be going on at the hour when most Members were sleeping. I asked my good friend the chairman of the Rules

Committee three times if the antiterrorism bill was going to come up. Twice he assured me the answer was "no" and the last time he said "maybe."

Now, I am not blaming my chairman because he was not the motivating force on this bill.

And, Mr. Speaker, at midnight, only a handful of Members were still here. Most people had gone home after the last vote at 10:32 p.m. last night—before anyone had an inkling that the terrorism bill would be unleashed.

And this is not a small, unimportant bill.

Every single Member of this House has a sincere interest in finding a solution to the horrible terrorism that is infecting our country and in putting a stop to it once and for all.

So I would say to my colleagues, Mr. Speaker, that dropping the bill on the Rules Committee in the wee hours of the morning is no way to conduct business as important as this.

Today this bill is going to come up and very few Democratic Members have had the chance to see it.

It is not as if Democrats have not taken the lead on this issue already.

Over a year ago President Clinton started the whole process by coming up with an antiterrorism proposal and beginning discussions with Republicans. When negotiations broke down, House Republicans wrote this bill on their own, under cover of night, and they left out one of the most important parts of President Clinton's bill—the provisions granting wiretapping authority.

Because Mr. Speaker, rather than just punishing terrorists, we need to prevent terrorism. And the one thing law enforcement officers have asked for time and again, is wiretapping authority.

But my Republican colleagues refuse to give it to them.

Instead, Mr. Speaker, my Republican colleagues have decided to make even the issue of terrorism political.

I would at least expect my Republican colleagues to allow us to offer amendments to this bill, but apparently they will not.

Mr. Speaker, as today's Washington Post reports, this important antiterrorism legislation has been slowed down because of conservative Republicans' refusal to allow law enforcement officers the wiretapping capability they ask for and President Clinton and the Democrats are trying to give them.

As far as I am concerned, Mr. Speaker, when it comes to combating terrorism, we should give law enforcement officers any and every reasonable tool they need, including wiretapping authority.

And, Mr. Speaker, the process only gets worse.

My Republican colleagues have decided on this rule; in addition to hiding the bill from Democrats until this morning; in addition to keeping Democrats from making amendments to the

bill; that they will take away the last right of the minority, a right the chairman of the Rules Committee claims he always protects, the motion to recommit.

Mr. Speaker, this rule makes the Chinese Government look permissive.

As far as I am concerned, too many Americans are worried about terrorism to rush an issue this important through in the middle of the night without the full participation of Members of the Congress and not allow any changes including wiretapping authority.

I urge my colleagues to oppose this horrible rule, the issue of terrorism should never ever be used as a political football and our law enforcement officers need every prevention tool we can give them.

Mr. Speaker, we just found out that even the meeting we had in the Committee on Rules last night, the things that were talked about are superseded by a bill that was just filed about 1 hour ago in this Chamber, 1 hour ago.

I would like, because of the lateness of the filing, I would like to address some questions to my dear friend, the honorable Congressman COX, about what changes have been made between the bill that was heard in the Committee on Rules last night and the bill we have today.

How does this treat the provisions dealing with digital communication technology?

Mr. COX of California. Mr. Speaker, will the gentleman yield?

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

Mr. COX of California. Mr. Speaker, as the gentleman knows, when we discussed this in the Committee on Rules last night I indicated that that would not be in the bill. It is, in fact, not in the bill.

Mr. MOAKLEY. Is there any specific reason for dropping that technology?

Mr. COX of California. Mr. Speaker, if the gentleman will continue to yield, yes, we are taking care of it through the appropriations process. Congressman ROGERS has informed the Congress that that is already taken care of in his bill. It will be a separate vehicle that we will take up through the normal process. It has already passed the House so we should be in conference with the Senate in 2 weeks.

Mr. MOAKLEY. How did you treat the death penalty provision?

Mr. COX of California. There is no death penalty provision. There are obviously death penalty provisions on the books for terrorism but that is not a subject in this bill. As you know, when we were discussing this before the Committee on Rules, we indicated there would not be anything about the death penalty in the bill.

Mr. MOAKLEY. Was there a death penalty provision in the bill that was before the Committee on Rules last night?

Mr. COX of California. No.

Mr. MOAKLEY. I see that there is a blue ribbon commission established.

What are we going to study on the blue ribbon commission?

Mr. COX of California. The purpose of the commission is to review across the board all aspects of U.S. terrorism policy, but in particular to deal with those things that we cannot deal with in legislation of this type on short notice. As the gentleman correctly points out, and I agree wholeheartedly with him, when we are working in this fashion, under suspension of the rules with the requirement for a two-thirds vote, it is very, very important that we have in this bill only those things that Members can digest on short notice, that we have all studied in advance, that we all agree upon.

Therefore, the critical aspects of fighting the war against global terrorism, international terrorism are directed to this commission and this study which will come back to us so that we can legislate in a more thoughtful fashion. I could not agree more with the Washington Post editorial that you cited.

Mr. MOAKLEY. Can the gentleman tell me why this bill was not the vehicle that was brought before the Committee on Rules last night?

Mr. COX of California. In fact it is. I will explain. If the gentleman would permit me, I will explain the reason that we dropped it later in the day than would otherwise have been our desire.

After I left the Committee on Rules at midnight or whenever it was last night, I proceeded immediately to legislative counsel where we put into draft form in the legislative language precisely what it was that we discussed. In consultation this morning, in normal working hours, with the ranking member on the Committee on Transportation and Infrastructure, we learned that the minority side had changes that they wished to make to the aviation security portion of this which, as you know, is the centerpiece of what we are doing.

In order to accommodate the ranking member, who was very supportive of this legislation, as you know, and in order to accommodate both sides, majority and minority, we made those changes.

I am very, very intent on doing so. I told the ranking member that I do not wish to have included in this bill anything that both the majority and minority do not support. Therefore, I think most of the objections that Members will have upon reading this will be about things that they wish were included that are not in it, not what is in that is not acceptable to them.

I apologize for that and I apologize to the gentleman from Minnesota, but I thought that it was worthwhile to try and accommodate those concerns.

Mr. MOAKLEY. Can the gentleman inform me if there are any other major changes between the resolve of last night and what was dropped in an hour ago?

Mr. COX of California. I think that you have covered them.

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

□ 1400

Mr. GOSS. Mr. Speaker, I yield 5½ minutes to the distinguished gentleman from Kentucky [Mr. ROGERS].

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

Mr. Speaker, I rise in support of this antiterrorism legislation. It contains many important provisions to step up the fight against terrorism including aviation security, criminal penalties for terrorist activities, and measures to combat international state terrorism.

This bill, important as it is, is only the first part of a four-part initiative we are undertaking today in the fight against terrorism. This is a comprehensive initiative to provide necessary laws, funding, and action to do what is necessary to mobilize as a country against the lawless criminals—foreign and domestic—who seek to wreak havoc on the innocent men, women, and children of this country.

Here is what the four-part initiative consists of. First, passage of this all-important piece of legislation, put together in less than a week to mount a frontal assault to the tragic events of the last few weeks of TWA Flight 800 and Atlanta's Centennial Park. Second, demanding today that this administration put aside its inaction and immediately spend the money Congress has already provided to exponentially increase its efforts to fight terrorism. Third, we provide the funding in the 1997 appropriations bill which the House passed last week to further expand funding for the FBI and for the Justice Department to increase their resources. Fourth, as chairman of the House Subcommittee on Commerce, Justice, State, and Judiciary of the Committee on Appropriations, I am announcing this minute that I am approving reprogrammings in the Department of Justice directing the administration to use \$54 million in surplus funds to add to existing antiterrorism efforts.

This Congress has been extraordinarily responsive in providing tools to this administration for the war against terrorists—tools the administration has failed to utilize.

In response to Oklahoma City and the World Trade Center bombings, the Congress provided \$359 million to the Department of Justice in fiscal 1995 and 1996 for counterterrorism, \$239 million for the FBI alone. As of July 27, 5 days ago, the FBI had spent 24 percent of that, \$58 million out of \$239 million.

As a result, the FBI Counterterrorism Center, designed to anticipate and prevent terrorist incidents that the President so proudly requested and we approved on July 17, 1995, does not exist. It is not functional. The money is laying there.

Critical upgrades to the FBI Command Center for terrorism, meant to

coordinate responses during multiple events—which would have been useful for Atlanta and TWA Flight 800—have not been made.

About 400 technicians, engineers, and analysts, desperately needed to support agents and tactical operations and surveillance activities for counterterrorism, have not been hired. The money is there, has been for 2 years.

That is the posture that we have come to expect of this administration: All talk, no action. Calling on the Congress in 1995 to provide resources against terrorism—which we did—and then sitting on the money, not following through, and claiming every bureaucratic reason in the book to explain why the moneys have not been spent.

I hope to God that no terrorism event that has occurred or will occur could have been prevented had this money that we gave been effectively used. We have asked the administration to come up and explain to us why these moneys have not been put to use, and we put the administration on notice that the failure to use existing resources is inexcusable.

And so today, as a third part of our initiative, we are going to go one step further. Today, as chairman of our subcommittee, by letter I am directing the FBI to move forward on 54 million dollars' worth of counterterrorism initiatives. To combat international terrorism, \$3.5 million to open four new FBI overseas offices; \$4 million to combat Middle Eastern terrorism; to provide the capability to intercept digital communications; \$6 million to establish the FBI telecommunications industry liaison unit; and \$0 million as the initial funding of the new digital telecommunications fund which we approved as a part of our bill last week.

These steps are in addition to the funding we have already voted out of this House for antiterrorism funding in fiscal 1997.

PARLIAMENTARY INQUIRY

Mr. VOLKMER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. RADANOVICH). The gentleman will state his parliamentary inquiry.

Mr. VOLKMER. Mr. Speaker, I thought we were discussing the rule on the bill on antiterrorism.

Mr. ROGERS. We are.

Mr. VOLKMER. The gentleman is discussing appropriations, an appropriation process, and what has been appropriated and not been appropriated has nothing to do with this rule, has nothing whatsoever to do with this rule.

Mr. GOSS. Mr. Speaker, this is a little discussion—

The SPEAKER pro tempore. The Chair will rule that debate on the rule may go to the issue of the need to consider a bill to combat terrorism.

Mr. VOLKMER. Has nothing to do with the bill.

Mr. ROGERS. These steps are in addition to the funding we already voted

out of the House for antiterrorism in fiscal 1997. We voted for an additional \$210 million as a part of our bill just last week including \$171 million more for the FBI alone. This House has been consistent and single minded. We have been consistent and single minded since Oklahoma City, since the World Trade Center, and since the most recent tragic events in taking steps necessary to move the war against terrorism forward.

Today this bill, a part of a four-part initiative, is moving forward to ensure that the resources and authorities to fight terrorism are in place. We expect that they will be used by the administration effectively for the first time in a long time.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. MANTON].

Mr. MANTON. Mr. Speaker, I rise in strong opposition to this rule.

Mr. Speaker, terrorists are killing our citizens and holding America hostage. We are at war with terrorism, and we must respond accordingly. We must take bold, courageous, and extraordinary measures to shut these terrorists down.

Well, Mr. Speaker, you have gotten tough—tough on the rules of the House that is. Except for the chosen few of the majority leadership, this rule will prevent every Democratic member and virtually every Republican member from having any input into this legislation whatsoever. That is indeed extraordinary.

But this rule is where your courage ends. Because in the wake of opposition from a powerful special interest group, you meekly crumble and surrender.

We have known for 20 years that taggants are a safe and effective means of tracing explosives. For the last 11 years, they have been in use in Switzerland where police have tracked down the source of more than 500 bombings or individuals illegally in the possession of explosives. U.S. law enforcement officials desperately want taggants to be used in black powder.

Yet the NRA opposes taggants. According to the Wall Street Journal, the gun lobby views taggants as an invasion of privacy. Ask the victims of terrorism or the families who have lost loved ones in terrorist attacks how their privacy has been violated.

The NRA also says taggants are unsafe. Yet a physicist who worked on an Air Force funded taggants research project called that claim pure bunk.

At least our bold leadership has agreed to include a study if it is still in the bill, and I hope it is to include a study of taggants in this legislation. I just hope we do not have to suffer another 20 years and an untold number of deaths before we can put this technology to use.

Mr. COX of California. Mr. Speaker, if the gentleman would yield, I just inform the gentleman that taggants are in the bill.

Mr. MANTON. Mr. Speaker, I understand that a study of taggants is in the

bill, but I would suggest that we defeat this rule so I may offer as an amendment legislation that I introduced shortly after the World Trade bombing in my city to require the immediate use of taggants in explosive materials.

Mr. GOSS. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Speaker, I rise in strong support of this rule, and let me outline from an aviation security point of view what we can accomplish here with the legislation if indeed we pass this rule.

First, we direct the FAA to deploy the best available bomb detection equipment while the agency attempts to develop a system that can fully certify it. Second, it subjects the security screeners at the airports to the same background checks as other airport employees. Third, it requires the FAA to establish performance standards for security personnel at airports. Next, it directs the Government to work with the airlines to develop a better package of profiling programs to spot potential terrorists. Also, it allows the airports to tap into the airport improvement program and the passage of facility charge funds to pay for better security programs, activities, personnel facilities, and equipment.

I might say as an aside it is one more reason why we need to take the transportation trust funds off budget so that money can be made available for these very important aviation security programs.

Mr. COLEMAN. Will the gentleman yield?

Mr. SHUSTER. When I am completed, I will be happy to.

It directs the FAA to review security arrangements governing air cargo and mailing to decide whether more needs to be done. It directs the FAA to work with the FBI to periodically assist the vulnerability of high-risk airports. It requires bomb-sniffing dogs to be used to supplement security at the 50 largest airports and allows grants from the aviation trust fund to pay for their training. It directs the FAA to upgrade security requirements for small aircraft. It establishes a commission to look at additional ways to improve aviation security.

I would note that in addition to this bill, I have introduced legislation this week that would address the needs of the families who lost loved ones in airline disasters, legislation which has strong bipartisan support from my colleagues on the other side of the aisle.

So these are the various matters that are accomplished in this legislation.

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

Mr. SHUSTER. I yield to the gentleman from Minnesota, the distinguished ranking member of our committee.

Mr. OBERSTAR. Mr. Speaker, I just want to make a clarification for the record about the process that was followed.

While certainly our side was not in on the takeoff, we certainly have been in on the flight and on the landing on the development of the aviation security portion of this legislation. We have had splendid cooperation from the Republican side; our chairman, the gentleman from Pennsylvania [Mr. SHUSTER], in fact sort of delegated me to participate in all of these discussions.

The gentleman from California [Mr. COX] has been marvelously cooperative where I raise questions from my background in work that I have done in aviation security over many years. They were most accommodating, responsive. Senator HUTCHISON from the other body has been very cooperative. We have crafted a good piece of legislation here on a bipartisan basis, and I just want to make that clear for the record.

Mr. SHUSTER. I thank the gentleman, and I would reemphasize that we have leaned very heavily on the expertise of the distinguished gentleman from Minnesota [Mr. OBERSTAR], the ranking member of our full committee.

I would emphasize that this is not the first time that Congress has addressed airport and airline security. In 12985 we passed the International Security and Development Cooperation Act requiring that the public be notified when airports do not meet security standards. In 1989, in response to the PanAm bombing, a presidential commission was established on aviation security. Mr. OBERSTAR, Mr. Hammer-schmidt, Senators LAUTENBERG and D'AMATO were members of that commission.

In addition, in 1990, in response to the recommendation of the Presidential commission, Congress passed the Aviation Security Improvement Act.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. WATT].

Mr. WATT of North Carolina. Mr. Speaker, I rise in opposition to the rule, and as a member of the Committee on the Judiciary, this whole process is offensive. The first bill that we saw, which was marked in the bottom left corner as having come out of the computer at 4:04 this morning, we received at about 10 o'clock this morning. This bill which is under consideration now is marked in the lower left corner 12:51 p.m. today. That is less than an hour and a half ago.

Now, one of the earlier speakers has got up and said to us and to the American people that this bill represents a frontal attack on terrorism. My friends, this bill is not a frontal attack on terrorism. This bill is a charade. We are already engaged in a crisis of confidence of the American people in our ability to deal with terrorism, and this process further undermines the confidence of the public in our ability and willingness to deal with terrorism.

□ 1415

It allows no amendments; it allows no input, and it is a charade. The

American people ought to ask themselves, and use as a standard for evaluating this bill, is there anything in this bill that would have dealt with, had the bill been in place, would have dealt with the Flight 800 in New York, or the bombing that occurred in Atlanta?

There is not a thing here in this bill that would have addressed either one of those. In fact, the thing that would have dealt with the bombing in Atlanta at the Olympics, the tagging of explosives, has been completely removed, except to study the issue, as if we have never studied the issue before.

Mr. Speaker, this is an abomination. It is a charade. We ought to reject this rule and we ought to strongly consider voting against the bill.

Mr. MOAKLEY. Mr. Speaker, I yield 30 seconds to the gentleman from Texas [Mr. COLEMAN].

Mr. COLEMAN. Mr. Speaker, that is plenty of time. I am not worried about 30 seconds. Answer the question: How much does this bill cost? On the Subcommittee on Transportation on the Committee on Appropriations, we have to answer that question.

I did not think you knew. I knew that 30 seconds was probably too much time. I thank the gentleman for yielding. There is nobody that has any idea what this costs. It is a fake and it is a fraud to tell the American people you have an antiterrorism bill. All this stuff is all a sham.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Speaker, I rise in strong opposition to the bill, and on behalf of a constituent whose daughter was lost in TWA flight 800, because this bill is an outrage and a disgrace to that family, and an outrage and a disgrace to this body.

This bill should include both taggants and enhanced wiretapping provisions. Instead, it has neither. Law enforcement has repeatedly asked for these critical tools to combat terrorism. Yet this Congress has repeatedly denied them.

When, Mr. Speaker, when are we going to say enough is enough? How many bombs have to go off? How many daughters do we have to lose? How many Americans have to die before the GOP leadership will give us a tough antiterrorism bill?

Once again we had an opportunity today to protect Americans from terrorism, and once again the Republican leadership took its marching orders from the National Rifle Association and gutted the bill. The NRA opposes taggants because it says they will be placed in the types of gunpowder that hunters and marksmen use. Taggants will also be placed in the gunpowder that terrorists use in bombs like the ones that killed and injured more than 100 in Atlanta last weekend.

The taggants in these bombs will lead us to the terrorists who planted them. Today, this Congress has hoisted the white flag of surrender in the fight

against terrorism. It is a repeat of the last time we considered terrorism legislation, when the Republican leadership talked tough and acted weak. Those responsible for weakening this bill yet again should be ashamed of themselves, because they have put Americans at risk.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Washington [Mr. DICKS].

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

Mr. DICKS. Mr. Speaker, I rarely take the floor on issues of this kind, but I wanted to just say something today about the concerns that the Speaker has made today about this administration and its dealing with the question of terrorism.

First of all, I have served on the Permanent Select Committee on Intelligence for years, been on the defense subcommittee for many years. There has always been a bipartisan effort to support the Directorate of Operations.

I am very disappointed that the Speaker today refused to meet with John Deutch, after having summoned him to the Capitol. He was able to meet with the gentleman from Missouri, Mr. GEPHARDT, and with Mr. DASCHLE, and he gave us a very wide-ranging description of what we are doing around the world on the issue of antiterrorism.

Then the Speaker puts out a statement, a statement which I think is utterly false:

We are going to ask this administration to report to us when we get back in September on how they are going to work with us to rebuild the human intelligence capabilities of the Central Intelligence Agency, which they have undermined and they have crippled, for we lack precisely the people we need to penetrate terrorist organizations and understand what is going on, and we going to insist on rebuilding this country's intelligence capabilities around the world, despite the Clinton administration.

The last thing we need, Mr. Speaker, is to politicize this issue. The best politics on national security matters and matters of importance like this is no politics. I am very disappointed that there is an effort here on the last day of this session, before our recess, to try and politicize this terrorism bill. We need to work together on a bipartisan basis to make certain we have a strong Directorate of Operations.

For the Speaker to say this, when it is utterly false, in my judgment, is an undercut. It undercuts the entire Central Intelligence Agency, undercuts the FBI, and is the wrong way to proceed.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes and 15 seconds to the gentleman from New York [Mr. NADLER].

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

Mr. NADLER. Mr. Speaker, this bill deals with aspects of the fight against terrorism that many of us have been working on for a long time. Unfortu-

nately, in a rush to do something, anything, in the heat of the moment, in their unbending partisanship and their slavish devotion to extremist special interest groups like the NRA, the Republican leadership has brought us a bill that will not do the job.

Should we vote for it? It makes a start. Should we have had the opportunity to make it tougher and more comprehensive? Absolutely. But the Republican leadership has sacrificed thoroughness to partisanship.

I have introduced two bills that would help our law enforcement authorities deal effectively with the terrorist threat. If we were having an open debate, I would have offered these two bills as amendments. Unfortunately, the majority will not let that happen. The bill before us gives us yet another study of bomb detection equipment and explosion-containing cargo containers, and asks the FAA to make recommendations.

Have we not had enough studies? Have we not wasted enough time studying the problem? We know what the technology is. It is commercially available. It is in use in Europe. Let us quit fiddling while innocent Americans get blown out of the sky. My bill would require the immediate installation, of state-of-the-art bomb detection equipment at all airports, and the immediate use of explosion-containing cargo containers, and it provides the funding to take these steps now.

Mr. Speaker, another aspect of the terrorist threat not addressed by this bill at all is the danger posed by armed militias. Groups like the Freemen and the group of people who apparently blew up the Federal Building in Oklahoma City have been arming and training to attack law enforcement officials and private citizens. Many of these groups are neo-Nazi and Klan-affiliated, yet the Republican leadership does not want to talk about the problem, much less do anything about it.

Mr. Speaker, my legislation would give law enforcement the ability to go after these groups before a tragedy occurs. The bill would violate no one's civil rights. It simply says you do not have the right to form your own private army and make war on the United States and its citizens.

It is unfortunate that the rule is so restrictive that we cannot consider these measures that would save more lives. We should be working together to fight terrorism. This bill begins the job. For that, I will support it. But we have a duty to finish the job. We must come back in September and do it right, and we should do it without this ridiculous partisanship that says that half the House has no right to make its own suggestions.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to my colleague and friend, the distinguished gentleman from Florida [Mr. MCCOLLUM], chairman of the Subcommittee on Crime.

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

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

Mr. Speaker, I rise to support this rule. I think the underlying bill it produces is an excellent product. I think all of us have to realize that we share the same common concern with the American people about the rising threat of terrorism to Americans and American interests, both here and abroad.

In April, we passed a very fine antiterrorism bill. It did not contain everything this Member supported and wanted. Some of those provisions were taken out because they were in dispute. There was a lot of controversy about them.

The President has come back on the eve of the TWA tragedy and the tragedy of our Saudi Arabian bombing and what happened in Atlanta last week and asked us to put all of those provisions in the law. We have put into the bill that has come today after a task force meeting I served on for several days, almost every one of those, with the exception of wiretap authority, is in this bill today.

It is a good bill. It is not controversial in the sense that everybody supports everything in here. We had RICO-predicate crimes for terrorism that will make penalties tougher. We have provisions in here which are going to mean that the President is really going to have to name the terrorist organizations they failed to name so far so we can exclude people who are members of those foreign organizations who might come in here, so they will not be able to raise money in the United States. We give them a drop-dead date of October 1, because they have not done that yet, and many other things.

There are questions about the taggant issue, but the responsible thing to do is to march through this with a study. What we did in the April bill is say we know the plastic explosive taggants are safe. In those, we are going to go ahead and order them to be done. But we are going to study other explosives, like nitroglycerines and so forth, and once the study is completed in a year, then the taggants can be put in if it says it is OK.

But the black powder question was more of a question, because back in 1980 the last Government study that was done said taggants in black powder can be a big problem. There have been some private studies since then, but there have been no public ones. We said, all right, in this bill we are willing to have a study done by the Government, by the National Institute of Justice, but come back to Congress after that, because we think that is really sensitive. If, indeed, we should put taggants in, in the timetable as the others, we will do it.

On the question with respect to the issue of the wiretaps, I support them. I

do not think they are well understood, what we are trying to do. The Committee on the Judiciary is going to hold hearings in September on this. We may well be able to bring out a wiretap provision at that time.

The simple fact of the matter, so everybody understands it, is today the FBI can wiretap for organized crime or terrorism or whatever if they name a specific phone to a judge and say, I want to go tap in that building, in that house, with that phone. But if somebody goes and uses a cellular phone or moves around a wee bit, they have to show that person is intentionally trying to avoid the wiretap in order to get the court order to follow the person.

That is not right. What we need to do is change that and simply make it so that if the person is effectively evading the wiretap, whether we prove intent or not, we can get the court order to go follow the bad guy wherever he is going.

A lot of people have made a lot more out of it than that. I think it is misunderstood. We do need to have time for the Members to better educate themselves about this particular issue. That is what we are going to do in this September hearing. Let us vote for this bill and let us vote for this rule. It is a good product and it is a very good furtherance of what we did in April.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Speaker, I certainly appreciate the gentleman from Massachusetts yielding me the 3 minutes.

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

Mr. VOLKMER. Mr. Speaker, I would like to tell the Members that I have had an opportunity since we first started on this to look at this 33-page bill. As I look through this bill, I find page 1 through 13 has to do with airport and aviation safety. Those are basically good provisions. They are for the future. There is nothing going to happen today, nothing going to happen tomorrow, nothing going to happen next week. That is for the future.

On pages 13 to 16, we have the RICO provisions, predicated to bring these other things under RICO. Big deal.

On pages 17 and 18, there is the big diplomatic efforts that were alluded to by the Speaker, and I think basically make this bill a partisan bill, because they are trying to say that this administration has done nothing as far as terrorism is concerned. And if Members would listen to these people over here, especially the gentleman from Kentucky who spoke in the well earlier, he would lead us to believe that the President of the United States is responsible for what happened in New York and what happened in Atlanta. That is crazy.

□ 1430

Nothing could be further from the truth. The President of the United

States is not responsible. This administration is not responsible. Why do you try to say so right in this bill?

Yes. When you add what your Speaker has said today to what is in this bill, there is no question about it. Pure politics.

Now, further on, Diplomatic Efforts on 17 and 18, and then on pages 21 through 33, you have the Commission on Terrorism. That is all for the future.

How much in this bill out of 33 pages is actually on terrorism? About 3 pages out of 33. They do not do much. There is very little in here. There is a study on black powder. I have questions in regard to that, I tell the gentleman from California. I do not like it. I do not believe in taggants in black powder. I think this study brings us to where you do have taggants in black powder. That is where it leads us, right down that road. That is another reason to vote against this thing.

Why does the Republican majority try to make this effort a political effort and blame it all on the President and this administration? Politics. We have got a Presidential election coming, folks. Their candidate is so far down in the polls you cannot even find him. Now they are trying to blame this administration, with everything else they have tried to blame on this administration, for the acts of terrorism. It is a lot of hogwash.

Why do you not have a good terrorism bill? Let us go after the terrorists. You do not go after one terrorist in this bill. Not one. This bill will not stop one terrorist. While you are home all during August and having your fun, there will not be one act of terrorism stopped by this bill.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. WELDON].

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

Mr. WELDON of Pennsylvania. Mr. Speaker, this debate is not about whether this institution is concerned with terrorism, because we have a track record in that area. Our problem has been with the administration. In this year's defense bill there was a requirement that the administration give us a report on enhancing domestic terrorism, response due by July 1. We still have not received that document. The bill that we passed 2 days ago requires it by the end of this year.

But what did we do? We took the request the President had for antiterrorism and we increased it by how much? By \$220 million. We voted on this. We passed it 2 days ago.

What did it include for my colleagues, who perhaps cannot read or who did not read? It includes \$65 million for domestic emergency response programs and training; \$30 million improved border security; \$10 million counter-proliferation; \$4 million counterterrorism explosives research;

\$16 million to replace, sustain and maintain chemical and biologic detection equipment.

None of that was requested by the President. All of that was added in by this Congress in a bipartisan manner because we held hearings last year, not after the TWA crash, not after the Saudi Arabia bombing, but all through the last 2 years, because we care about terrorism, not because it is on the front page but because of the importance to protect our citizens.

We have been working in a bipartisan manner. The problem is the administration does not follow through. We allocate the dollars, and we all voted for it. Further, beyond that, our bill that we passed 2 days ago provides for a computerized inventory of all the resources to be made available to local emergency responders. It provides for a computerized data program to analyze chemical agents so that our local people can deal with these incidents immediately.

All of these things are now passed. They are awaiting the President's signature. None of them were requested by this President. All of them were added by this Congress, under the leadership of this half of the body that has been concerned about terrorism, not in words and not in sound bites but in substance. Vote for the bill.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Speaker, in answer to the previous speaker, I do not think anybody cannot say that this is not a political bill. This is frankly a cynical attempt at the last day before we break for the summer recess to be able to go home and tell the American people, we did something about terrorism. That is what this is all about. That is why the Republican majority is doing this.

I just had this bill handed to me. It is 30 pages long. I got it a half an hour ago. I am trying to read it and look at it. As best I can figure out, there are two studies in this bill. The bill tells law enforcement and other officials to do what they are already capable of doing without this legislation.

To me this is Congress at its worst. The American people are not stupid. This is not antiterrorism legislation. This is a Republican majority phony legislation. This is just simply saying we did something, when in reality we have done nothing. The American people are not stupid. If we really want to craft a bill, a good bipartisan bill that does something on terrorism, we need to have the input of both Democrats and Republicans. Mr. Speaker, terrorist acts are not acts against Republicans or acts against Democrats. They are acts against Americans. As Americans, all of us, Democrats, Republicans, independents, we ought to be working together to craft bipartisan legislation.

There were negotiations with the White House. If the negotiations did

not work, we ought to come back and do it again. But not to kind of sneak this through in the wee hours of the morning. We all went home last night. We did not know that this was happening. This morning the radio said that antiterrorism legislation was dead. Lo and behold we have new legislation and not even the bill that we saw this morning, half an hour ago, and we are supposed to vote intelligently on this?

This is really not bipartisanship. This is Congress at its worst. Some of us have amendments that we would like to offer that we think would really give real teeth to antiterrorism legislation. We are precluded from offering it under this rule. This rule ought to be defeated.

Mr. GOSS. Mr. Speaker, I yield 3½ minutes to the distinguished gentleman from California [Mr. COX] who has been the chairman of the task force who has presented us with this legislation.

Mr. COX of California. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, let me address first the bulk of the comments that we have heard from the minority side this morning, not all of them, because many of the minority Members, including the ranking member on Transportation, as we heard, were involved in this process, drafted it, and like the bill. But for those people who are getting the bill to read just now, they are in the same position as are the Members on the majority side. The bill is only ready today in legislative form for them to review and determine whether you can support it or not.

But that is not because this is not an effort at bipartisanship. That is not because this is not an effort to cooperate between Republicans and Democrats, in fact, between the House and the Senate, and, in fact, between the Congress and the administration. To the contrary.

This week, not a month ago, not 6 months ago, not last year, but this week, just a few days ago, the President of the United States asked the Congress, not just the House, but the Senate, not just Republicans, but Democrats, to act before we left this weekend.

I notice the gentleman from Michigan [Mr. CONYERS] here. He and I sat together for several days, several hours, odd hours, working with Representatives of the administration, including the White House chief of staff, Leon Panetta, working with representatives of the FBI, the State Department, the CIA, all with one common objective, doing what can be done before we go home, with the strong sense that we will keep it up even over the recess and when we are gone.

What the White House, what the President asked us to do is the following, and this was the President's own request: He said,

Give me a bill before you go home. Do it in a process that permits it to come up by

unanimous consent in the Senate. Do it in a process that permits us to bring the same bill up in the House, so that you can send me a bill.

That means, since we are adjourning today, that there cannot be an amendment.

This is not a process that I like and I would not have designed it. Neither do the Republican Members wish to have so little time to read a bill that the Democrats are complaining they would like to have more time to read. But that is how it worked.

As to what is in the bill, everything that is in this bill has been agreed to by the White House, by your leadership, in the Senate on the Democratic and Republican sides, and by your leadership in the House of Representatives on the Democratic and the Republicans sides. That includes the provision with respect to the full implementation of the 1996 terrorism act, which we have not yet implemented, to be sure. That language, too, was signed off on by the administration.

The truth is that the administration wanted wiretapping language in this bill and, as the Washington Post points out in its editorial today, we have not included it because caution and deliberation are necessary on that topic. But we have included everything else that they wanted.

Mr. Speaker, it has been said that this does not address Flight 800, but, frankly, if Flight 800 was not mechanical failure but was a bomb, then all of the provisions in here on airport security, all of the provisions giving the FBI authority to do background checks, to supervise airplane security, to look at the baggage that goes into the hold, all of these things and more that we had the chairman of the Committee on Transportation and Infrastructure support and the ranking member of the Committee on Transportation and Infrastructure support—and they feel the same way in the Senate—all of these things are directed precisely to that problem.

It is true that we can do more, but what we can do now, we must do. Then we should come back. We shall do more, because the war on terrorism is one of the grisly realities of the 21st century. We have to be at it perpetually, and we shall do so.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. CONYERS], the ranking member of the Committee on the Judiciary.

Mr. CONYERS. Mr. Speaker, it is great to see the gentleman from California [Mr. COX] again, because the last time I saw him, we adjourned the conference for him to go speak to the Speaker about how we could close this down, and then I find out that at 1:30 last night, he introduced the bill, and then the gentleman from Pennsylvania [Mr. SHUSTER] introduced a newer bill that is on the floor this morning. I want to just welcome him back to the process. I am glad we are all together here.

But we have only got a little part of what we agreed on at the conference. That is the problem. It is not that these are bad items. They are small items. They are peanuts. What we were trying to do is deal with the major question of what most pipe bombs are made of by terrorists in their domestic weapon of choice, how we can trace them through taggants. That is of course not what is happening here. Therein lies the problem.

When the Speaker of the House who, by the way, he and the majority leader were in great agreement at the beginning of the week, and the White House, we almost got an agreement right there, and we said, "Well, let's run it through our legislative committees."

Then we got into these 4 days and nights of conferences in which the gentleman was a key player. As a matter of fact, if he will recall, everybody agreed but him. So now he comes with this little shriveled-up document saying, "Let's do this," the last thing before we go out for a month. I cannot accept it at this point and for those reasons.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. I thank the gentleman for yielding me this time.

Mr. Speaker, it is incredible, really, to listen to Members come here and talk about this very sensitive subject on which we need bipartisanship, and to have them talk about bipartisanship and inclusion, when what they have done through this rule is to move in the dead of night, after everyone was gone, to pass their version or no version and then to say to the American people, "We have a monopoly on truth."

No one else can even offer an amendment. If any American in this body or outside of this body has an idea about how we might deal with terrorism today, they are not open to it, because they have their way or no way. It was that kind of extremism that caused this to be a failed Congress, that led to last year's costly \$1.5 billion government shutdowns, waste caused by the zealotry of this Republican leadership.

So we find ourselves today coming to the end of what has been the first successful week that this Congress has had in its existence. We do something for working Americans on their health insurance.

□ 1445

We give those at the bottom a raise. Through welfare reform we encourage those who are not working to work. Progress made possible because the zealots finally yielded, realizing they could not go home emptyhanded. They needed something to show for the year and a half that they have wasted in this Congress pursuing an extremist agenda.

Mr. Speaker, it is too bad that that spirit of bipartisanship did not reach this issue of antiterrorism, as it should have.

The SPEAKER pro tempore (Mr. RADANOVICH). The gentleman's time has expired.

Mr. GOSS. Mr. Speaker, I yield 1 minute and 15 seconds to the gentleman from Indiana [Mr. BURTON], distinguished chairman of the Subcommittee on Western Hemisphere.

Mr. BURTON of Indiana. Mr. Speaker, let me just tell my colleagues of one good provision in the bill that I think everybody will agree with, and that is that there will be something at the airports that will deter terrorists that is not currently there.

The machines that we are spending \$1 to \$2 million on to deal with detecting explosives that get on planes simply have not worked. They are not in force. They are not in place. And we have been waiting 7 years for them.

We use dogs at this Capitol, we use them at the Olympics, and they use them at many other areas, but they do not use them at airports. This bill provides a mechanism to get bomb inspecting dogs, bomb-sniffing dogs at every major airport in the country. It will have a deterrent effect on terrorists. They will be able to sniff out bomb devices in luggage and it will protect the public.

Mr. Speaker, this is a step in the right direction. It is not the answer to every problem, but it is a step in the right direction. Until we get a device that is perfect, that will detect bombs getting on planes, the public in this country deserves to have these dogs at every single major airport.

Mr. MOAKLEY. Mr. Speaker, I yield the balance of my time to the gentleman from New York, the honorable Mr. SCHUMER.

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

Mr. SCHUMER. Mr. Speaker, if we want to know why people are sick and fed up with Congress, look at this debate. On Sunday the President asked and all the law enforcement people asked for two things, the top two things they needed to fight terrorism. One, taggants. Identifiers in explosives, particularly black power and smokeless; and two, multipoint wiretaps. Neither are in this bill.

Neither are in this bill because the NRA did not want it. Neither are in this bill because forces on the extreme dictated what the Republican Party was going to put forward.

This bill is a sham. It does a few good things, but it does not give law enforcement what they want, plain and simple. We all know that.

All the other provisions are an elaborate smokescreen to hide what everyone in this Chamber knows: that the majority party is not doing what the FBI, the ATF and all the other law enforcement experts have asked for. Mr. Kallstrom, long before this conference, the FBI man in the lead at TWA, said please give us multipoint wiretaps. The majority says no.

Mr. Freeh, the head of the FBI, says please give us taggants so we can trace

the kind of pipe bomb that blew up at the Olympics. The majority says no.

And last night, when we had agreement from the President, the Republican leaders of the Senate, the Democratic leaders of the Senate and the Democratic side of the House, only the Republican majority in the House refused to go along.

Members, this bill is what should make us ashamed of our inability to pull together and fight terrorism.

Mr. GOSS. Mr. Speaker, I yield myself the balance of my time, and I yield to the gentleman from California [Mr. COX].

Mr. COX of California. Mr. Speaker, I thank the gentleman from Florida for yielding.

What we just heard the gentleman from New York tell us is essentially true; that if we had included in this bill everything that is before us and one other thing, and that is multipoint and warrantless wiretaps, then there would have been agreement. And the truth is that because wiretaps are not in this bill, the gentleman is disappointed.

I have to say that this gentleman is disappointed because there is not a good faith exception to the exclusionary rule in this bill, something that would have helped us in the Oklahoma City prosecution. We passed it through this House five times. It ought to be acceptable to our body, but it was objected to by the Senate.

Now, imagine our predicament if we had brought this bill with everything in it; the only difference was it also had warrantless wiretaps and multipoint wiretaps. That is a very serious issue I think Members deserve more time to consider. And for that reason, above all, it is not put in a bill that is coming to us under a suspension of the rules that we have not had an opportunity to read.

I hope we revisit this issue, and I think we must do so. As I have said, we cannot rest against the war on terrorism. It is one of the grizzly realities of the 21st century. We have to be back at this. But just because we cannot do a subject so complicated as that before we leave this August does not mean that we cannot do all of the rest of this bill, which the gentleman from New York has agreed to, which the Democratic leadership and the Republican leadership have all agreed to, which the Senate has agreed to and which they can pass and send to the President because the administration has agreed to it, and it can be signed into law.

Mr. GOSS. Mr. Speaker, reclaiming my time, I am going to take the final 30 seconds to say it is not just a question of moving barricades on Pennsylvania Avenue. That is not all there is to terrorism. We need to fight the shadows of terrorism overseas, and we need to do it with good human intelligence.

Regrettably we have been cutting back on our resources and assets overseas, and we have been putting out policies of restraint on our abilities to

operate overseas under the Clinton administration. I think the Speaker has brought attention to that, properly. I cannot imagine what would happen if we had not brought up a bill today on this. It would have been unthinkable.

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

The previous question was ordered.

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

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 228, nays 189, not voting 16, as follows:

[Roll No. 400]

YEAS—228

Allard	Dunn	Kasich
Archer	Ehlers	Kelly
Army	Ehrlich	Kim
Bachus	English	Klug
Baker (CA)	Ensign	Knollenberg
Baker (LA)	Everett	Kolbe
Ballenger	Ewing	Largent
Barr	Farr	Latham
Barrett (NE)	Fields (TX)	LaTourette
Barton	Flanagan	Laughlin
Bass	Foley	Leach
Bateman	Fowler	Lewis (CA)
Bereuter	Fox	Lewis (KY)
Bilbray	Franks (CT)	Lightfoot
Bilirakis	Frelinghuysen	Linder
Bliley	Frost	Livingston
Blute	Funderburk	LoBiondo
Boehlert	Galleghy	Longley
Boehner	Ganske	Lucas
Bonilla	Gekas	Manzullo
Bono	Geren	McCollum
Brewster	Gibbons	McCreery
Bryant (TN)	Gilchrest	McHugh
Bunn	Gillmor	McInnis
Burr	Gilman	McIntosh
Burton	Goodlatte	McKeon
Buyer	Goodling	Metcalf
Callahan	Goss	Meyers
Calvert	Graham	Mica
Camp	Greene (UT)	Miller (FL)
Campbell	Greenwood	Montgomery
Canady	Gunderson	Moorhead
Castle	Gutknecht	Myers
Chabot	Hall (TX)	Myrick
Chambliss	Hamilton	Nethercutt
Chenoweth	Hancock	Neumann
Christensen	Hansen	Ney
Chrysler	Harman	Norwood
Clinger	Hastert	Nussle
Coble	Hastings (WA)	Orton
Coburn	Hayes	Oxley
Collins (GA)	Hayworth	Packard
Combest	Hefley	Parker
Cooley	Heineman	Paxon
Cox	Herger	Peterson (MN)
Crane	Hilleary	Petri
Crapo	Hobson	Pombo
Cremeans	Hoekstra	Porter
Cubin	Hoke	Portman
Cunningham	Horn	Poshard
Danner	Hostettler	Pryce
Davis	Houghton	Quinn
Deal	Hunter	Radanovich
DeLay	Hutchinson	Ramstad
Diaz-Balart	Hyde	Regula
Dixon	Inglis	Riggs
Doolittle	Istook	Roberts
Dornan	Johnson (CT)	Rogers
Dreier	Johnson, Sam	Rohrabacher
Duncan	Jones	Ros-Lehtinen

Roth
Royce
Salmon
Saxton
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)

Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt

Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Zeliff

NAYS—189

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Bartlett
Becerra
Beilenson
Bentsen
Berman
Bevill
Blumenauer
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Cummings
de la Garza
DeFazio
DeLauro
Dellums
Dicks
Dingell
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Esho
Evans
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flake
Foglietta
Forbes
Frank (MA)
Franks (NJ)
Frisa
Furse
Gejdenson

Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King
Kingston
Kleczka
Klink
LaFalce
LaHood
Lantos
Lazio
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Menendez
Millender-
McDonald
Miller (CA)
Minge
Mink
Moakley
Molinari
Mollohan
Moran
Murtha
Nadler

Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Scarborough
Schroeder
Schumer
Scott
Serrano
Skaggs
Slaughter
Spratt
Stark
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Williams
Wilson
Wise
Woolsey
Wynn
Yates
Zimmer

NOT VOTING—16

Bishop
Brownback
Bunning
Deutsch
Dickey
Ford

Lincoln
McDade
Meehan
Meek
Morella
Quillen

Schiff
Torkildsen
Waxman
Young (FL)

□ 1510

The Clerk announced the following pair: On this vote:

Mrs. Morella for, with Mr. Deutsch against.

Mr. DOGGETT and Ms. JACKSON-LEE of Texas changed their vote from "yea" to "nay."

Mr. LIGHTFOOT changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AVIATION SECURITY AND ANTITERRORISM ACT OF 1996

Mr. COX of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3953) to combat terrorism.

The Clerk read as follows:

H.R. 3953

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Aviation Security and Antiterrorism Act of 1996".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.

TITLE I—AVIATION SECURITY

Sec. 101. Interim deployment of commercially available explosive detection equipment.

Sec. 102. Authority for criminal history records checks.

Sec. 103. Audit of performance of background checks for certain personnel.

Sec. 104. Performance standards for airport security personnel.

Sec. 105. Passenger profiling.

Sec. 106. Authority to use certain funds for airport security programs and activities.

Sec. 107. Assessment of cargo.

Sec. 108. Assignment of FBI agents to high-risk airports.

Sec. 109. Supplemental screening.

Sec. 110. Supplemental explosive detection.

Sec. 111. Enhanced security for small airplanes.

Sec. 112. Civil aviation security review commission.

TITLE II—ANTITERRORISM

Sec. 201. Addition of terrorist offenses as RICO predicates.

Sec. 202. Enhanced Privacy Act and wiretap penalties.

Sec. 203. Combatting international state terrorism.

Sec. 204. Implementation of the Antiterrorism and Effective Death Penalty Act of 1996.

Sec. 205. Taggants in black and smokeless powder.

Sec. 206 National Commission on Terrorism.

TITLE I—AVIATION SECURITY

SEC. 101. INTERIM DEPLOYMENT OF COMMERCIALLY AVAILABLE EXPLOSIVE DETECTION EQUIPMENT.

Section 44913(a) of title 49, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

“(3) Until such time as the Administrator determines that equipment certified under paragraph (1) of this subsection is commercially available and has successfully completed operational testing as provided in 49 United States Code 44913(a)(1), the Administrator shall facilitate the deployment of