

I want to commend the staff of the Subcommittee. Tim Leeth, on the majority, and Terry Sauvain, on the minority, are two experienced committee staffers. Mr. Leeth has worked for both the majority and minority and represents a proud tradition of non-partisanship on the Senate Appropriations Committee staff. Mr. Leeth is leaving the Committee and will serve on the staff of the Control Board. He has done a fine job as a member of the Committee staff and made many important contributions. I thank him for his excellent service and wish him well in his new assignment. Mr. Sauvain continues to serve as my Deputy Staff Director of the Appropriations Committee, in addition to his work for the Subcommittee.

Mr. KOHL. Mr. President, I commend the distinguished Subcommittee Chairman (Mr. JEFFORDS), in connection with the Fiscal Year 1997 District of Columbia Appropriations Bill. He has done a good job and I support him in his efforts.

The bill before the Senate recommends the \$5.1 billion Fiscal Year 1997 District of Columbia budget that was forwarded to Congress. That budget represents a consensus agreed to by the District of Columbia City Council, the Mayor, and the Control Board. The Administration supports the consensus budget.

Mr. President, last year the Congress enacted the District of Columbia Financial Responsibility and Management Assistance Act, which was designed to restore fiscal integrity of the District of Columbia. Section 201(c) of that legislation requires that progress for equalizing expenditures and revenues of the District Government must be made with the balance being achieved in 1999. The Subcommittee is keenly aware of this requirement and is working with the Control Board, the City Council, and the Mayor, to achieve the desired result.

I want to commend the staff of the Subcommittee. Tim Leeth, on the majority, and Terry Sauvain, on the minority, are two able and experienced staffers. After many years on the Committee staff, Mr. Leeth is leaving the Committee and will continue to be associated with the District of Columbia as a senior staff member of the Control Board. Tim is an excellent person and professional staff member. I have appreciated his wise counsel in matters relating to the District of Columbia. My colleagues and I will miss him here in the Senate. I am pleased that his expertise in District matters and good humor will be available to the members of the Control Board.

Mr. President, I yield the floor.

Mr. LOTT. Mr. President, I ask unanimous consent that the committee amendments be deemed agreed to, the bill be advanced to third reading, passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3845), as amended, was deemed read a third time, and passed.

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate insist on its amendments and request a conference with the House, and that the Chair be authorized to appoint conferees on the part of the Senate.

There being no objection, the Presiding Officer (Mr. BENNETT) appointed Mr. CAMPBELL, Mr. HATFIELD, Mr. KOHL, and Mr. INOUE conferees on the part of the Senate.

Mr. GORTON. Mr. President, I would like to go on record as being against this bill, which ignores the very grave problems of the District of Columbia and only throws money at what can only be called a complete mess.

In the D.C. control board we have an organization that seems incapable of dealing decisively with the D.C. government, a government that cannot provide such basic services as law enforcement, fire fighting, water, sewer and road maintenance, education, and the like. Compare this with, say, the State of North Dakota, which, with approximately the same population but with 70,636 more square miles to manage, can fulfill all its basic governing duties.

For the State of North Dakota, total government spending—State and local—for 1995 was approximately \$2.7 billion. Washington, DC, by contrast, spent a total of \$5.2 billion for 1995. In other words, the D.C. government spends twice as much as North Dakota and still comes up short. Let's look at it another way: Per capita government spending in North Dakota is \$3,857; in D.C., it's nearly \$9,000.

Comparing Washington, DC, to the rest of the Nation, the picture looks equally bleak. Looking at numbers from sworn testimony before the D.C. Appropriations Subcommittee, published studies and the Washington Post:

"D.C. employs over 37,000 people to service a population of 550,000 people. The city of Los Angeles has the same number of employees but a population of three million people—six times that of D.C." Even though Washington, D.C.—unlike Los Angeles—has responsibilities of a state government, these numbers are still striking.

"Despite a 25 percent drop in the number of school-aged children in the 1980s, D.C. public education expenditures have grown to over \$9,400 per student, the highest in the nation."

"The District spent so little on maintenance that a court had to step in to correct fire code violations."

What is the District's problem? Quite simply, there is no accountability in the D.C. control board. There is certainly no accountability in the city government. By simply continuing to write checks, and not demanding a change in behavior, we perpetuate the problem.

If it is going to improve—financially, service-wise, and in terms of just plain carrying out its day-to-day duties—if that is to happen, Mr. President, then we are going to have to stop doing the

things we've been doing. A change of course is in order. No more bailing out the District; no more saving the District from itself. The city of Washington, DC, must take the initiative and make the changes necessary to bring itself out of its present miserable condition and begin to function more efficiently and affectively. Congress cannot continue to hold the District's hand, always standing by, ready to get the city out of a tight spot. Accountability and responsibility are in order.

On a related subject, I see no justification for supporting the proposal to cut taxes in the District. The city's current woes are due not to tax rates but to an outrageously inefficient government. Attempting to cure those woes with tax incentives that are not available to my hard-working constituents or to any other taxpayers across the land, only serves to reward D.C. for its outlandish mismanagement. Again, the District must face the source of its problems—a government virtually incapable of governing—and tackle them head-on.

Mr. President, I would offer the strongest possible suggestion to my colleagues on the D.C. Appropriations Subcommittee that they take a new look at how they determine funding for the District of Columbia. Only by adapting a course of radical change can Washington, DC, hope to be a normal, functioning city.

#### INTERSTATE STALKING PUNISHMENT AND PREVENTION ACT OF 1996

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 421, H.R. 2980.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2980) to amend title 18, United States Code, with respect to stalking.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. LOTT. I ask unanimous consent that an amendment which is at the desk be immediately agreed to, the bill be advanced to third reading and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5083) was agreed to, as follows:

At the appropriate place, insert the following:

#### SEC. . GUN BAN FOR INDIVIDUALS COMMITTING DOMESTIC VIOLENCE.

(a) DEFINITIONS.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following new paragraph:

"(33) The term 'crime involving domestic violence' means a felony or misdemeanor crime of violence, regardless of length, term, or manner of punishment, committed by a

current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim under the domestic or family violence law of the jurisdiction in which such felony or misdemeanor was committed."

(b) UNLAWFUL ACTS.—Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)—

(A) by striking "or" at the end of paragraph (7);

(B) by striking the period at the end of paragraph (8) and inserting "; or"; and

(C) by inserting after paragraph (8) the following new paragraph:

"(9) has been convicted in any court of any crime involving domestic violence where the individual has been represented by counsel or knowingly and intelligently waived the right to counsel";

(2) in subsection (g)—

(A) by striking "or" at the end of paragraph (7);

(B) in paragraph (8), by striking the comma and inserting "; or"; and

(C) by inserting after paragraph (8) the following new paragraph:

"(9) has been convicted in any court of any crime involving domestic violence where the individual has been represented by counsel or knowingly and intelligently waived the right to counsel"; and

(3) in subsection (s)(3)(B)(i), by inserting before the semicolon the following: "and has not been convicted in any court of any crime involving domestic violence where the individual has been represented by counsel or knowingly and intelligently waived the right to counsel";

(c) RULES AND REGULATIONS.—Section 926(a) of title 18, United States Code, is amended—

(1) by striking "and" at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting "; and"; and

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

"(4) regulations providing for the effective receipt and secure storage of firearms relinquished by or seized from persons described in subsection (d)(9) or (g)(9) of section 922."

The bill (H.R. 2980) was ordered to be engrossed for a third reading, read the third time and passed.

Mr. LOTT. Mr. President, I do want to note that this is to amend title 18 of the U.S. Code with regard to stalking, with an amendment by Senator LAUTENBERG. I want to recognize the great work and the determined effort by Senator HUTCHISON in getting this legislation through. It is something certainly we should support, and we obviously do, and also there has been cooperation by Senator HUTCHISON and Senator CRAIG and Senator LAUTENBERG to get this language worked out.

Mr. DASCHLE. Mr. President, let me just briefly commend the distinguished Senator from New Jersey for his hard work on this issue and for his patience and his cooperation in bringing it to this point.

I also wish to thank Senator CRAIG for working with us all day long in an effort to find a way to resolve the outstanding language differences, and I am very grateful to them as well.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I would be glad to defer to Senator LAUTENBERG.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. I thank the Chair.

I rise to express my appreciation for the hard work that has gone into resolving the problem that we had. There was an attempt, a serious attempt to work it out, and at times it looked like we just could not come together. But through the persistence of the leaders, the help of Senator CRAIG and the agreement with Senator HUTCHISON, we were able to do this.

It is an important piece of legislation. I will take time later on to talk about it, but I want to express my thanks to all of those who enabled this piece of legislation to go through. It is going to be very meaningful to women and families across this country. Two million cases of violence are reported within households each and every year, and this will take the murder away from substantial numbers of them.

Again, I express my appreciation for the opportunity to get this bill passed.

Mr. LOTT. I would be happy to yield to the distinguished Senator from Texas, who moved this legislation, the idea of getting some Federal ability to deal with stalkers across State lines. It is an issue that obviously affects women and children to the greatest degree in this country. She has shown real compassion and a determination to get it done, and I commend her for her efforts. I am pleased we have been able to get it worked out tonight.

I would be glad to yield for her comments on it.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. I thank the Chair.

I thank the distinguished majority leader and the minority leader for helping us work this out. This is a bill that has been pending since Memorial Day to try to get all of the equipment and the resources of the FBI to go against the vicious people in this country who would harass and threaten women and children and would cross State lines to do it.

In the old days, we did not even have stalking bills because people did not know what the crime was, so people would be threatened and harassed and there was no way to prosecute these vicious actors. But now we do have stalking bills in almost every State, and this will allow us to look them up, and if someone crosses State lines breaking a State law, we will be able to apprehend them. I hope we will be able to prevent the harm and even murders of women and children in this country.

Senator LAUTENBERG is to be commended for working with us to make his amendment a good amendment, and it is a good amendment, and I applaud him for it. I think it adds to the bill. He was willing to work with us, and I think we now have a very strong bill.

Because of Senator LAUTENBERG's amendment, we are also going to be able to keep people who batter their wives or people with whom they live from having handguns. So I think it is going to be a great bill that will give the women and children of this country some protection that they do not now have, and I am very pleased to be supportive of this compromise.

I thank the Chair.

## HYDROELECTRIC PROJECT EXTENSION

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 234, H.R. 1051.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1051) to provide for the extension of certain hydroelectric projects located in the State of West Virginia.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. LOTT. I ask unanimous consent that the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER (Mr. BROWN). Is there objection? The Chair hears none, and it is so ordered.

The bill (H.R. 1051) was deemed to have been read three times and passed.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. LOTT. I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: No. 579, No. 676, and No. 680. I further ask unanimous consent that the nominations be confirmed en bloc and the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

#### DEPARTMENT OF JUSTICE

Glenn Dale Cunningham, of New Jersey, to be United States Marshal for the District of New Jersey for the term of four years.

#### THE JUDICIARY

Joan B. Gottschall, of Illinois, to be United States District Judge for the Northern District of Illinois.

Robert L. Hinkle, of Florida, to be United States District Judge for the Northern District of Florida.

#### NOMINATION OF GLENN CUNNINGHAM

Mr. LAUTENBERG. Mr. President, it is my pleasure to offer congratulations