

expect radical designs under the resolution which the gentleman from Louisiana [Mr. BAKER] has presented. Nevertheless, I support the idea and the effort of this well-intentioned resolution.

I would hope that this body would see fit to pass it, because I think it is the right thing to do for those of our citizens who are visually impaired and can benefit greatly by our response to their needs today.

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

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

Mr. Speaker, I wish to express my appreciation to the gentleman from New York for his courtesies and support.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana [Mr. BAKER] that the House suspend the rules and agree to the resolution, House Resolution 122.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

VETERANS' CEMETERY PROTECTION ACT OF 1997

Mr. MCCOLLUM. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 813) to amend chapter 91 of title 18, United States Code, to provide criminal penalties for theft and willful vandalism at national cemeteries.

The Clerk read as follows:

S. 813

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Cemetery Protection Act of 1997".

SEC. 2. SENTENCING FOR OFFENSES AGAINST PROPERTY AT NATIONAL CEMETERIES.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and amend the Federal sentencing guidelines to provide a sentencing enhancement of not less than 2 levels for any offense against the property of a national cemetery.

(b) COMMISSION DUTIES.—In carrying out subsection (a), the Sentencing Commission shall ensure that the sentences, guidelines, and policy statements for offenders convicted of an offense described in that subsection are—

(1) appropriately severe; and
(2) reasonably consistent with other relevant directives and with other Federal sentencing guidelines.

(c) DEFINITION OF NATIONAL CEMETERY.—In this section, the term "national cemetery" means a cemetery—

(1) in the National Cemetery System established under section 2400 of title 38, United States Code; or

(2) under the jurisdiction of the Secretary of the Army, the Secretary of the Navy, the

Secretary of the Air Force, or the Secretary of the Interior.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. MCCOLLUM] and the gentleman from New York [Mr. NADLER] each will control 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. MCCOLLUM].

GENERAL LEAVE

Mr. McCollum. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the Senate bill under consideration.

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

There was no objection.

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

Mr. Speaker, the House passed H.R. 1532, the Veterans Cemetery Protection Act, on June 23, 1997. The legislation instructed the Sentencing Commission to review and amend its guidelines to provide a sentencing enhancement for any offense against property of a national cemetery.

Under the House approach, the Sentencing Commission was directed to increase a sentence by at least four levels if property of the national cemetery was injured or defaced, and by at least six levels if such property was stolen or unlawfully sold.

The Senate recently passed S. 813, which is the bill before us today, its version of the Veterans Cemetery Protection Act, with an amendment. The Senate version differs slightly from the House-passed version. It directs the Sentencing Commission to increase the penalties for these crimes by at least two levels, not the four- and six-level enhancements which the House bill required.

Although I am somewhat disappointed that the Senate has chosen to lower the enhancement levels, I am heartened by the fact that the Senate version still retains a specific direction to the Sentencing Commission to increase penalties. Moreover, the Senate-passed bill also contains language which instructs the Commission to carefully review its entire sentencing structure regarding these crimes and ensure that penalties are appropriately severe.

By passing this legislation, the U.S. Congress sends a clear message to criminals who would desecrate or destroy property at a national cemetery that the United States will not tolerate such disrespect of its veterans. Such cowardly crimes can only be perpetrated by persons who choose to ignore the sacrifice of those men and women who have served proudly and bravely in the U.S. Armed Forces.

This issue strikes a national nerve, and I am grateful to the gentleman from California [Mr. CALVERT] for his dedication and concern for our veterans. As the prime sponsor of this bill, and I am going to recognize him in a minute, he deserves a lot of applause.

I also want to thank the gentleman from Hawaii [Mr. ABERCROMBIE] for his continued efforts to ensure the passage of this legislation. The House version, H.R. 1532 was introduced on May 6, 1997, just over 6 months ago, and today the bill has 250 cosponsors.

Many of our veterans gave their lives to protect our cherished traditions and freedoms, and when their gravesites are desecrated by foul words and pictures, it offends the dignity and sense of honor shared by all Americans. I can think of no better gift to give our Nation's heroes for this Veterans Day than to pass the Veterans Cemetery Protection Act, and underscore our intolerance of vandalism and theft at our national cemeteries.

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

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

Mr. Speaker, this bill will impose stiffer penalties for thefts and acts of vandalism that involve a national cemetery. When someone desecrates a gravesite or steals a headstone, that is an especially vile crime, especially vile when it is a national cemetery where heroes of the United States are buried. It deserves appropriate punishment. So I commend the authors of this bill. I hope it will become law soon. I urge unanimous adoption.

Mr. Speaker, I yield back the balance of my time.

Mr. MCCOLLUM. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. CALVERT], the author of this bill on the House side.

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

Mr. Speaker, the time has finally come. For over a year I have worked hard to introduce a certain piece of legislation which I think overcomes all our differences, goes beyond party affiliation, and shows the American people that when all is said and done, that this Congress is one, that it can be united.

Today especially as we go into Veterans Day weekend, and Tuesday, November 11, as Members know, is Veterans Day, I cannot think of any legislation which comes at a more appropriate time than that of the Veterans Cemetery Protection Act, introduced with my colleague, the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. Speaker, whenever a young man or woman enters the military, which some do voluntarily, they do so in order to protect our country and guard us against the uncertainties of the world. Sometimes they make the ultimate sacrifice. Over 1 million Americans have died fighting this country's wars. That is why it sickens me when I hear of ingrates and degenerates desecrating our national cemeteries.

In June of 1996, Riverside National Cemetery in California, the second largest in the Nation next to Arlington Cemetery in Virginia, fell prey to a

thief who stole bronze markers from 128 graves, and later sold them for a profit. Horribly, this theft was discovered on Fathers Day by family members who had come to pay their respects.

On April 19 vandals spray-painted racist and profane words on cemetery walls at the National Memorial Cemetery of the Pacific in Hawaii, located in the district of my colleague, the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. Speaker, enough is enough. The Veterans Cemetery Protection Act would stiffen criminal penalties for theft and malicious vandalism at cemeteries. S. 813, the companion bill to my H.R. 1532, as amended, would stiffen criminal penalties for theft and malicious vandalism at national cemeteries.

S. 813 will require the U.S. Sentencing Commission to review and amend the sentencing guidelines to enhance penalties resulting from national cemetery desecrations and theft. The bill ensures that the sentences, guidelines, and policy statements for the offenders convicted of an offense are appropriately severe and reasonably consistent with other relevant directives and with other Federal sentencing guidelines.

S. 813 seeks to protect the 114 VA national cemeteries, along with other cemeteries under the jurisdiction of the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of Interior.

Joseph Frank, National Commander of the American Legion, stated, "Deliberate acts of vandalism against the final resting place of American fallen comrades must not be tolerated." According to the Paralyzed Veterans of America News, "Demeaning and degrading the final resting place of veterans who have made the ultimate sacrifice for the Nation and their loved ones strikes at all veterans and all Americans." This bill addresses their concerns.

The Veterans Cemetery Protection Act has received the endorsement and support of numerous veterans and military organizations. I wish to recognize and thank the men and women of the Noncommissioned Officers Association of the United States of America, the Paralyzed Veterans of America, the American Legion, the Fleet Reserve Association, the Enlisted Association of the National Guard, the Veterans of Foreign Wars, the Disabled American Veterans, the Blinded Veterans Association, AmVets, and others who have expressed their support for this legislation.

Let there be no doubt, this is the Congress' gift to them and those who have gone before them. I wish to thank over 245 Members of this House of Representatives who have cosponsored this bill.

I would especially like to thank the gentleman from Hawaii [Mr. ABER-

CROMBIE] and his staff members, Lee-Ann Adams and Vivian Wolf for their support and leadership on this issue, the gentleman from Florida [Mr. MCCOLLUM] and his staff member, Nicole Nason, for their help and guidance in making S.813 a reality; to the gentleman from Illinois [Mr. HYDE] and his staff for passing this measure out of the Committee on the Judiciary in an expeditious manner; and to the gentleman from Texas [Mr. ARMEY] and his floor staffer, Siobhan McGill, for their help in bringing S.813 to the floor; and to my own staff, especially Nelson Garcia, who led on this issue.

I would like to thank my fellow colleagues from the Inland Empire, the gentlemen from California, Mr. BROWN, Mr. LEWIS, and Mr. BONO, for their help in the early stages of this bill. Being so close to Veterans Day, I solemnly ask my colleagues to put all our differences aside, accept Senate bill, S. 813, and pass the Veterans Cemetery Protection Act.

Let this be a gift of Congress to our Nation's veterans.

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

Mr. NADLER. Mr. Speaker, I ask unanimous consent to reclaim my time.

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

There was no objection.

Mr. NADLER. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Hawaii [Mr. ABERCROMBIE].

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

Mr. Speaker, despite the subject matter, which I am sure the gentleman from California [Mr. CALVERT] has explicated very clearly, this is in fact a happy day. That is to say that with the passage of the bill today, the Senate bill, S. 813, we will have addressed a very, very serious matter in a timely fashion, which is to say that the President will have the opportunity, hopefully, to sign this bill, perhaps as early as Veterans Day, upcoming Veterans Day.

Mr. Speaker, I rise today then to urge my colleagues to support passage of S. 813, the Veterans Cemetery Protection Act, as amended by the Senate Committee on the Judiciary. The gentleman from California [Mr. CALVERT] and I first introduced this bill in the House, and I am happy that we were able to work with the Senate to bring their version to the floor today for passage.

As I indicated, it is appropriate that we are able to take up this bill as Veterans Day approaches. This bill instructs the U.S. Sentencing Commission to significantly increase criminal penalties for theft and willful vandalism at national cemeteries.

First, Mr. Speaker, I would like to take some time to thank the gentleman from California [Mr. CALVERT],

who gave me the opportunity to work with him on this requisite piece of legislation. It has indeed been a pleasure to work with him, and I am pleased that together we have been successful in our effort to move this bill through Congress.

□ 1400

I might say as well, Mr. Speaker, that I have had an opportunity to work with the gentleman from California [Mr. CALVERT] as the ranking member on his subcommittee and the Committee on Resources previous to this, and it has been an extraordinarily enjoyable time for me, legislatively and personally, to be associated with him.

I would also like to sincerely thank the gentleman from Arizona [Mr. STUMP] and the gentleman from Illinois [Mr. HYDE] for recognizing the need for this legislation and for working with us, the gentleman from California [Mr. CALVERT] and myself, and giving us their support in moving this issue forward. The gentleman from California [Mr. CALVERT] has been extraordinarily patient in this endeavor, and I very much appreciate it.

I would likewise like to thank the gentleman from Florida [Mr. MCCOLLUM], who has also made a significant contribution to this bill, and I would like to extend my personal gratitude to him. I have had the opportunity to work with him in other areas as well, juvenile justice for one. And I appreciate the opportunity to extend to him my personal congratulations in helping to get this forward and extend to him my personal thanks.

On April 19, 1997, Mr. Speaker, seven Oahu cemeteries on the Island of Oahu in the State of Hawaii, including the National Cemetery of the Pacific at Punchbowl and the Hawaii Veterans Cemetery, were vandalized. Vandals used red spray paint to write racist and profane words on grave markers and cemetery and chapel walls. It is obvious that nothing is, in fact, sacred to the people who committed this act. Strict penalties must be enacted to send the message that we will not allow this type of behavior to continue unchecked.

As we have heard from the gentleman from California [Mr. CALVERT], this was not the only desecration of a national cemetery to occur in the country. Unfortunately, this type of crime is on the rise. On May 18, 1997, the New Jersey National Cemetery was also vandalized just prior to Memorial Day. These acts are an insult to the veterans who gave their lives to ensure our freedoms and to their families. Further, it is an affront to all men and women who have served or are presently serving in our Nation's Armed Forces.

I regret to say, Mr. Speaker, but it is entirely a propos that, unfortunately, just yesterday, and I arrived a little too late to know whether the gentleman from California [Mr. CALVERT] entered this into the RECORD, but there

was a Scripps Howard News Service story just yesterday, "Vandalism Rising At Veterans Cemeteries." Coincidentally, Mr. Speaker, of course, to the passage of the bill today, but very pertinent in terms of asking the Members to support it. The story says, in part, "Lawmakers hope President Clinton will sign the bill into law on Veterans Day, on Tuesday."

I want to indicate that under the sentencing guidelines which I mentioned, in case it has not been made a part of the RECORD, it gives guidelines to the judges, directing them to increase the penalties for convictions of theft and vandalism at the national cemeteries. The measure before us would set prison terms for up to 10 years for anyone convicted of vandalism causing more than \$1,000 damage and up to 15 years for thefts at the national cemeteries.

I would like to conclude, Mr. Speaker, by indicating that today we are voting to send that message that we will not forget the sacrifices made by those who made the ultimate sacrifice and that we will not tolerate further desecration of our Nation's cemeteries.

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

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

Mr. GILMAN. Mr. Speaker, I rise today in strong support of the Veterans Cemetery Protection Act. I commend the gentleman from California [Mr. CALVERT] and the gentleman from Hawaii [Mr. ABERCROMBIE] and the gentleman from Florida [Mr. MCCOLLUM] for bringing this measure to the floor at this time.

This bill tightens penalties for any offense against properties of national veterans' cemeteries. Current statutes do not include any sentencing guidelines for theft, vandalism, or desecration of national cemeteries, only generic provisions against damaging Federal property.

In the wake of several incidents of theft, vandalism, and desecration, as has been enumerated by our colleagues today, at national cemeteries last year in California, Hawaii, New Jersey, and other States, I think it is appropriate that we penalize those who have perpetrated these acts of crime to deter this kind of reprehensible behavior. We owe no less to those who gave so much for all of us.

Accordingly, I urge our colleagues to join in support of this worthy measure.

Mr. NADLER. Mr. Speaker, I yield back the balance of my time.

Mr. MCCOLLUM. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. MCCOLLUM] that the House suspend the rules and pass the Senate bill, S. 813.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

AMERICAN LEGION INCORPORATION TECHNICAL CORRECTION

Mr. MCCOLLUM. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1377) to amend the act incorporating the American Legion to make a technical correction.

The Clerk read as follows:

S. 1377

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act to Incorporate the American Legion", approved September 16, 1919 (41 Stat. 285; 36 U.S.C. 45) is amended by striking "December 22, 1961" and inserting "February 28, 1961".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. MCCOLLUM] and the gentleman from New York [Mr. NADLER] each will control 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. MCCOLLUM].

GENERAL LEAVE

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on S. 1377, the Senate bill under consideration.

The SPEAKER pro tempore. Mr. PEASE. Is there objection to the request of the gentleman from Florida?

There was no objection.

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

Mr. Speaker, I rise in support of S. 1377. This is a very simple bill. The purpose of the bill is to expand the American Legion membership eligibility dates for Vietnam-era veterans. It merely changes the dates within the confines of the American Legion Charter.

Under this bill, the commencement date of the Vietnam Conflict in the American Legion Charter will be defined as February 28, 1961, instead of the current date, which is December 22, 1961. February 28 is the date that United States Army advisers first accompanied South Vietnamese troops on patrols.

This modification tracks strictly the dates which the Veterans Administration uses in awarding benefits to Vietnam veterans. I wish to emphasize that the bill even changes the American Legion Charter and has no effect on any benefits paid to Vietnam veterans or any other effect. This bill will have no cost.

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

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

Mr. NADLER. Mr. Speaker, the gentleman from Florida [Mr. MCCOLLUM] has adequately explained this bill. It is a very simple bill. It does something we certainly should do, to enable those American veterans who served in the Armed Forces after February 28, 1961, when the first American troops accom-

panied South Vietnamese troops on patrol, but prior to December 22, 1961, which is the current date in the current legislation in the incorporating charter of the American Legion, to enable them to join the American Legion. This does track the change Congress made for veterans' benefits. I hope that this bill is unanimously approved.

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

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

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

Mr. GILMAN. Mr. Speaker, I am pleased to rise in strong support of S. 1377, the American Legion Membership Eligibility Act, which changes the date from which those persons may qualify for veterans' benefits through association with their service during the Vietnam war.

At present, anyone in the service on or before December 22, 1961, qualifies. This bill modifies that date of eligibility to February 28, 1961, and in so doing, codifies the Veterans Administration practice of using the earlier dates and expands the number of veterans eligible for various benefits and for membership in the American Legion.

Accordingly, I urge my colleagues to join in supporting this legislation, which provides eligibility assistance to our veterans who served in the Vietnam war and who seek recognition by the American Legion.

I thank the gentleman from Florida [Mr. MCCOLLUM] for yielding me the time. I want to commend the gentleman for bringing this measure to the floor at this time.

Mr. HYDE. Mr. Speaker, I also rise in support of S. 1377. I have introduced an identical bill, H.R. 2835, which expands the Vietnam-era eligibility dates for membership in the American Legion. It is very significant that the House is voting on this veterans bill on the eve of November 11th, Veterans Day. Hopefully this great Nation can remember its veterans throughout the year, not only in November. The American Legion, founded September 16, 1919, is a great service organization and is well deserving of our full support. I urge a favorable vote on this important legislation.

Mr. NADLER. Mr. Speaker, I yield back the balance of my time.

Mr. MCCOLLUM. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. MCCOLLUM] that the House suspend the rules and pass the Senate bill, S. 1377.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

DISAPPROVING CANCELLATIONS
TRANSMITTED BY PRESIDENT
OCTOBER 6, 1997

Mr. PACKARD. Mr. Speaker, I move to suspend the rules and pass the bill