crime committed in the United States is committed by only 7 percent of the population. That is a very telling statistic that sheds some light on the problem of crime in the United States.

In the last 20 years, we have seen the war on crime take on new and ominous proportions with an innovative criminal element devising new and ever more violent crimes such as with carjackings and drive by shootings. How do we battle that 7 percent of the population to ensure our safety? One of the best ways is to guarantee that the criminals who repeatedly commit violent crimes serve at least 85 percent of their sentences as House Concurrent Resolution 75 states in no uncertain terms.

In my home State of New York, we have had some of the worst reports of a criminal element at work, and only in recent years, we have been able to see a reduction in our crime rate through community policing and a get tough approach on lesser crimes. While it sounds troublesome and tedious to have the police crack down on petty crimes, the recent case of John Royster demonstrates the value of this practice. Mr. Royster was arrested by police and fingerprinted for jumping a New York subway turnstile. It was his only recorded offense. Three months later, the same prints were reportedly found to match those at a dry-cleaning business on Park Avenue where the owners had been beaten to death. It was because of this match that Mr. Royster confessed to four brutal attacks including a highly publicized attack in Central Park that left a woman in a coma. Now the next step for Mr. Royster is punishment—hard time in a State penitentiary. I will work with my colleagues, both here and in the New York State House, to make sure that Royster stays in prison.

Putting away violent, repeat offenders like John Royster is essential if we are to make successful inroads lowering crime and strengthening our communities. I thank Congressman BARCIA for his work on this problem and ask for all of my colleagues, from both sides of the aisle, to join us in strong support for this important resolution.

Mr. LEVIN. Mr. Speaker, I rise in strong support of House Concurrent Resolution 75 of which I am an original sponsor. This important legislation commends those States that have already adopted truth-in-sentencing laws and encourages the remaining States to do the same.

Most Americans believe that convicted violent offenders serve their full sentences; sadly this is not the case.

According to the Bureau of Justice statistics, violent criminals—those who commit murder, rape, assault, or armed robbery—serve only an average of 48 percent of their sentences, and one out of every three offenders admitted to State prisons were either on probation or parole for a previous offense at the time. According to the committee report accompanying this bill, on any given day there are three convicted offenders on probation or paroles for every one convicted felon in prison.

To turn this trend around over 25 States, including my home State of Michigan, and the Federal Government have truth-in-sentencing laws on the books. Under this concept, convicted violent offenders are required to serve at least 85 percent of their sentences.

Both the 103d and 104th Congresses passed legislation providing financial incentives in the form of prison construction funds to States if they adopt laws requiring criminals to serve at least 85 percent of their prison terms. Unfortunately, 25 States still have not adopted such laws.

Law-abiding citizens have the right to know that those who commit the most hideous of crimes in our society serve the time their sentences require.

The resolution before us today is simple. It asks that those who commit violent crimes do the time that the law requires of them. I wish there was not a need for this type of resolution, but until then, I hope all my colleagues vote to encourage States to do the right thing.

Mr. DAVIS of Florida. Mr. Speaker, I rise in strong support of House Concurrent Resolution 75, which expresses the Sense of the Congress that States should work aggressively to ensure that violent offenders serve at least 85 percent of their prison sentences. As a cosponsor of this legislation, I commend the gentleman from Michigan, [Mr. BARCIA], for this hard work and leadership on this issue and ask all my colleagues to support this important resolution.

Although the most recent statistics on violent crime indicate that we are beginning to make progress in our fight for safer neighborhoods, we must remain vigilant in our efforts to ensure public safety and recognize the achievements of States such as Florida which have taken strong steps to attack the problem of repeat violent offenders. Only with continued cooperation between Federal, State, and local officials can we hope to maintain the downward trend in violent crime rates.

This resolution commends Florida and 24 other States which have taken steps to ensure that violent felons serve at least 85 percent of their prison sentences. Nationwide, violent offenders serve an average of only 48 percent of the sentences they receive—a statistic which is unacceptable and greatly erodes Americans' confidence in our justice system. House Concurrent Resolution 75 applauds those States which have taken proactive steps to prevent the problem of repeat violent offenders and encourages other States to follow their lead in enacting strict sentencing guidelines. While guidelines alone will not solve our Nation's crime problem, they have proven an effective tool in ensuring that violent felons remain off our streets.

Mr. Speaker, I applaud the efforts of those States listed in this legislation, including my home State of Florida, and urge all of my colleagues to support this important resolution which recommits this Congress to the fight for safer communities.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Florida [Mr. MCCOLLUM] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 75.

The question was taken.

Mr. CONYERS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

AMENDING THE IMMIGRATION AND NATIONALITY TECHNICAL CORRECTIONS ACT OF 1994

Mr. MCCOLLUM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1109) to amend the Immigration and Nationality Technical Corrections Act of 1994 to eliminate the special transition rule for issuance of a certificate of citizenship for certain children born outside the United States.

The Clerk read as follows:

H.R. 1109

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

SECTION 1. ELIMINATION OF CERTIFICATE OF CITIZENSHIP TRANSITION RULE APPLICABLE TO CERTAIN CHILDREN.

(a) IN GENERAL.—Section 102 of the Immigration and Nationality Technical Corrections Act of 1994 (Public Law 103–416; 108 Stat. 4307) (as amended by section 671(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–1856)) is amended by striking subsection (e).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the Immigration and Nationality Technical Corrections Act of 1994.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. MCCOLLUM] and the gentlewoman from California [Ms. LOFGREN], 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 the 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.

I rise in support of H.R. 1109, which I introduced with my colleague, the gentleman from California [Mr. BERMAN], to correct an error that was part of last year's immigration bill, the Illegal Immigration Reform and Immigrant Responsibility Act.

H.R. 1109 would make a technical change regarding requirements for citizenship for people born overseas.

I want to say that I am particularly appreciative of the gentleman from Texas [Mr. SMITH], who is the chairman of the Subcommittee on Immigration and Claims, that deals with this product, for bringing it forward and recognizing the fact that we need it today. Unfortunately his commitments kept him from being here to be a party to this discussion. I am very happy to handle it for him today.

The gentleman from California [Mr. BERMAN] and I had the pleasure of working together in 1994 on this issue. The Immigration and Nationality Technical Corrections Act of 1994 granted Americans abroad the possibility of obtaining U.S. citizenship for their minor children who had not acquired citizenship at birth. It allows certificates of citizenship to be granted to a child of a U.S. citizen if the child is under 18 and if either the American parent or the American parent's parent, that is, the American grandparent,

has spent 5 years in the United States with two of those five being after the age of 14.

There were no policy problems brought before Congress with regard to this. However, the immigration bill in the last Congress included a change in this policy buried in the technical corrections part of the bill. This was most likely an innocent attempt to clean up an admittedly complicated statute, but this cosmetic change is doing harm. The change doubles the amount of time the parent or grandparent must have been in the United States for children born before November 14, 1986. That means for children between 11 and 18, the parent and grandparent must have 10 years in the United States with 5 after the age of 14. Children born after November 14, 1986 are under the old 5 and 2 rule.

There is no need for the distinction. Not only is this unfair to many families who may have one child eligible for citizenship and another who is not, but it is also an administrative nightmare for the Immigration and Naturalization Service. The correction included in H.R. 1109 needs to be enacted as soon as possible to make the situation right. The legislation has bipartisan support. I strongly urge an aye vote on it.

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

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

H.R. 1109 is a technical amendment bill introduced by the gentleman from Florida [Mr. MCCOLLUM] and the gentleman from California [Mr. BERMAN]. I understand that the Senate recently passed S. 670, which is an identical piece of legislation, and that we will be calling up S. 670 at the end of our debate on H.R. 1109 so that the legislation may go directly to the President when and if it passes.

Section 322 of the Immigration and Nationality Act was amended last year to make it more difficult for certain children of U.S. citizens living abroad to receive certificates of citizenship. Section 322 previously provided that a foreign born or adopted child of an American living abroad was eligible to receive a certificate of U.S. citizenship if he or she was under 18 years old and had an American parent or grandparent who spent a total of 5 years in the United States, at least 2 of which were after age 14.

The amendment, placed a special restriction on children born before November 14, 1986. For those children to be eligible to receive a certificate of U.S. citizenship, the American parents or grandparents are required to have been physically present in the United States for a total of 10 years, at least 5 of which were after age 14.

Unfortunately, last year's conference committee meetings were closed. I have not been able to find anybody who can fully explain how this change came about or why it came about. It certainly does impose burdens on Americans that are unwise and that on a bipartisan basis we object to. I think it is one example again of how haste in these matters can end up producing bills that have consequences no one wanted. I would urge adoption of this measure as a sensible revision for what I think was a mistake made in the last Congress.

Mr. BERMAN. Mr. Speaker, I rise in support of H.R. 1109 which Mr. MCCOLLUM of Florida and I introduced on March 18th, 1997. This bill is a technical correction of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 (Public Law 104–208). Let me explain the history behind this legislation.

Section 322 of the Immigration and Nationality Act (INA) establishes the criteria for citizenship of children born to U.S. citizens living abroad. Prior to 1986, for a U.S. citizen parent to transmit U.S. citizenship to his or her foreign-born or adopted child (before eighteen years of age), the American parent or grandparent had to have lived in the U.S. for 10 years, 5 of which had to be after age fourteen.

The Immigration Reform and Control Act of 1986 (IRCA) amended these requirements to five years of U.S. residency, two after the age of fourteen. Because the change in IRCA applied prospectively, some families had siblings subjected to different standards. Hence, section 102 of the Immigration and National Technical Corrections Act of 1994 (Public Law 103–416) was introduced to amend Section 322 of the INA and apply these lower standards retroactively.

IIRIRA amended Section 322 by placing a special restriction on children born before November 14, 1986. For those children to be eligible for U.S. citizenship, the American parent or grandparent was once again required to have been physically present in the U.S. for a total of ten years, at least five of which were after the age fourteen.

IIRIRA has inadvertently created the same problem that the 1994 amendment to the INA was designed to cure, as siblings may once again find themselves subjected to different standards. The enactment of H.R. 1109 will simply repeal this error and restore Section 322 to its pre-IIRIRA status. The bill will also eliminate the extensive administrative confusion created by last year's immigration bill.

There is no opposition to this legislation. I hope we can give favorable consideration to this technical correction of IIRIRA and I urge my colleagues to support it.

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

Mr. MCCOLLUM. Mr. Speaker, I have no further requests for time, and 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 bill, H.R. 1109.

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

A motion to reconsider was laid on the table.

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the Senate bill (S. 670) to amend the Immigration and Nationality Technical Corrections Act of 1994 to eliminate the special transition rule for issuance of a certificate of citizenship for certain children born outside the United States, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

Ms. LOFGREN. Reserving the right to object, Mr. Speaker, I shall not object, and I yield to the gentleman from Florida [Mr. MCCOLLUM] to explain the purpose of the request.

Mr. MCCOLLUM. Mr. Speaker, the purpose of the request is to cull out the identical Senate bill to the bill we just passed, which is H.R. 1109, and pass it so the legislation may go directly to the President after today. It is the identical bill. It just has a different Senate number on it instead of the House number.

Ms. LOFGREN. Mr. Speaker, continuing my reservation of objection, I will not object. I just wanted Members of the House to understand what we are doing here.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 670

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

SECTION 1. ELIMINATION OF CERTIFICATE OF CITIZENSHIP TRANSITION RULE APPLICABLE TO CERTAIN CHILDREN.

(a) IN GENERAL.—Section 102 of the Immigration and Nationality Technical Corrections Act of 1994 (Public Law 103–416; 108 Stat. 4307) (as amended by section 671(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–1856)) is amended by striking subsection (e).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the Immigration and Nationality Technical Corrections Act of 1994.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 1109) was laid on the table.

EXPANDED WAR CRIMES ACT OF 1997

Mr. JENKINS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1348) to amend title 18, United States Code, relating to war crimes.

The Clerk read as follows:

H.R. 1348

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 ''Expanded War Crimes Act of 1997''.