

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 bi-

partisan 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 Correc-

tions 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".

**SEC. 2. DEFINITION OF WAR CRIMES.**

Section 2441 of title 18, United States Code, is amended—

(1) in subsection (a), by striking "grave breach of the Geneva Conventions" and inserting "war crime";

(2) in subsection (b), by striking "breach" each place it appears and inserting "war crime"; and

(3) so that subsection (c) reads as follows:

"(c) DEFINITION.—As used in this section the term 'war crime' means any conduct—

"(1) defined as a grave breach in any of the international conventions signed at Geneva 12 August 1949, or any protocol to such convention to which the United States is a party;

"(2) prohibited by Articles 23, 25, 27, or 28 of the Annex to the Hague Convention IV, Respecting the Laws and Customs of War on Land, signed 18 October 1907;

"(3) which constitutes a violation of common Article 3 of the international conventions signed at Geneva 12 August 1949, or any protocol to such convention to which the United States is a party and which deals with non-international armed conflict; or

"(4) of a person who, in relation to an armed conflict and contrary to the provisions of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended at Geneva on 3 May 1996 (Protocol II as amended on 3 May 1996), when the United States is a party to such Protocol, willfully kills or causes serious injury to civilians."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee [Mr. JENKINS] and the gentleman from Michigan [Mr. CONYERS], each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee [Mr. JENKINS].

GENERAL LEAVE

Mr. JENKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which 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 Tennessee?

There was no objection.

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

Mr. Speaker, last year the House passed and President Clinton signed into law our colleague's, the gentleman from North Carolina [Mr. JONES], War Crimes Act of 1996.

That bill fulfilled the obligation the United States undertook in 1955 when the Senate ratified the Geneva Conventions for the Protection of Victims of War. The Conventions require that signatory countries enact legislation punishing grave breaches of the Conventions.

The Jones bill created a new section 2441 of title 18. The section provides that the perpetrator of a grave breach of the Geneva Conventions taking place inside or outside the United States shall be fined, imprisoned or, where death results, subject to the penalty of death.

The section grants jurisdiction to Federal courts where the perpetrator or the victim is a member of the armed forces of the United States or a national of the United States.

Today we are considering the Jones followup legislation. At a hearing the

Immigration and Claims Subcommittee held last Congress, the State Department and noted scholars of international law urged that we modify the Jones bill by expanding the criminalization of war crimes to cover a number of other offenses. That is what the present Jones bill, H.R. 1348, does.

As recommended by the State Department, H.R. 1348 would expand section 2441 to cover violations of common article 3 of the Geneva Conventions and articles 23, 25, 27, and 28 of the Hague Convention of 1907 Respecting the Laws and Customs of War. The United States is a signatory to all those conventions.

These provisions forbid atrocities occurring in both civil wars and wars between nations. They cover atrocities that have been recognized by the civilized world as abhorrent such as the torture or murder of civilians and prisoners of war, the use of weapons that cause unnecessary suffering, the bombardment of undefended towns, the unnecessary bombardment of hospitals or religious structures and the pillaging of towns.

Also, H.R. 1348 would expand section 2441 to cover other offenses at such time in the future that the United States ratifies the underlying treaties. These would include certain violations of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and other Devices, currently before the Senate.

Violations would include the willful killing or serious injuring of civilians as a result of the deployment of land mines in civilian areas with no military justification or the booby-trapping of wounded or dead soldiers or of medical supplies.

I urge my colleagues to support this legislation.

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

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from California [Ms. LOFGREN].

Ms. LOFGREN. Mr. Speaker, I rise in support of H.R. 1348, the Expanded War Crimes Act of 1997. This is a companion bill to legislation passed last year establishing Federal jurisdiction over war crimes.

I think that every Member of this body agrees that we must actively and aggressively support civility, that we must oppose oppression and war crimes and that we need to bring those to justice who commit crimes against humanity. During the Holocaust, the killing fields of Cambodia, the civil war in Bosnia and the massacres in Rwanda, many perpetrators acted without fear of retribution, and we must do more to change this attitude.

This bill expands the definition of war crimes to include violations of any convention signed by the United States, including the Hague Convention, an important source of international humanitarian law, and I urge support of this legislation.

I would like to note that, although there was strong support on both sides

of the aisle for this bill, there are those in this House who on principle oppose the death penalty. I am not among those Members but I do respect those whose religious beliefs have led them to the conclusion that they cannot support the death penalty. I think that we ought to respect those differences of opinion among us and also understand that even those who feel that the death penalty is an inappropriate sanction because of their own religious beliefs still do condemn war crimes and still do believe that we ought to do our very best to oppose crimes against humanity and war crimes throughout the world.

Mr. JENKINS. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina [Mr. JONES], sponsor of this legislation.

Mr. JONES. Mr. Speaker, I would like to take a moment to thank the gentleman from Texas [Mr. SMITH] and his committee members and their staff for their work and efforts to bring this important legislation to the floor of the House.

Last year this body passed the original War Crimes Act of 1996. It was quickly considered by the Senate and signed into law. The bill enhanced U.S. authority to prosecute certain war crimes and further U.S. implementation of the 1949 Geneva Convention.

□ 1715

It was an important time in United States history as we finally gave our men and women in uniform serving our country overseas the protection of the United States judicial system. While the passage of the original war crimes bill was a significant step for the United States in the protection of victims of war, today we have another opportunity to make an equally important step.

This bill which is before the House today reaches beyond the grave breaches of the Geneva Convention. Specifically, H.R. 1348 expands the definition of war crimes to include a more general category of war crimes, to include important sections of the fourth Hague Convention respecting laws and customs of war and land; Common Article 3 of the Geneva Convention dealing with noninternational armed conflict; and Protocol II on landmines.

This expansion will allow U.S. courts to fully protect victims of war by including these additional conventions and protocols which the United States has signed.

Mr. Speaker, it is important to note that President Clinton called for Congress to further strengthen the law in this area by enacting the very expansion proposed in this bill before us today. In fact, the Department of Defense, the State Department, the Department of Justice and the American Red Cross have also voiced their support for this expansion of the original War Crimes Act of 1996.

Mr. Speaker, this is a strong bipartisan bill which will rectify the existing

discrepancies between our Nation's intolerance for war crimes and our inability to prosecute all war criminals.

Again, I would like to thank the gentleman from Illinois [Mr. HYDE], chairman of the Committee on the Judiciary, and the Members on both sides of the aisle for their support. This bill is supported by the President of the United States, and over 50 Members of the House have signed this bill. I urge my fellow Members to support this important bill and pass H.R. 1348.

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

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

Mr. CONYERS. Mr. Speaker, with the conservatives in the House reminding me that the President supports this bill, what am I here for? That is about it, once the Democrats and the Republicans put their arms around a measure.

There are only a couple of things I want to point out, with all due respect to the author of the bill and the gentleman from Tennessee who brings it to the floor today.

In expanding the definition of war crimes in this bill to include not only grave breaches of the Geneva Convention but also breaches of any other convention or protocol to which the U.S. is or becomes a signatory, this becomes prospective. Maybe somebody can explain this to me. Why are we writing legislation to cover protocols and agreements into the future, maybe long beyond the time any of us might be serving in this distinguished body? Do any of my colleagues know the answer to that?

I will research it for us and get back to my colleagues on that.

Now, this companion piece of legislation establishes jurisdiction over the war crimes, and it became law in the last Congress. It includes a provision which permitted the imposition of the death penalty in cases where the victim of the war crime was killed, and therein lies the problem. We support our war crime legislation, but we do not believe such legislation should include a death penalty in order to be effective.

Does anybody here disagree with that? In other words, if we had left the death penalty out, we would not be here today. We would be saying President Clinton, the Republicans and the gentleman from Michigan are all in agreement.

So we want to make it clear, as the gentleman from California did, that we are not against war crimes legislation. We are against the implementation of the death penalty wherever it appears.

So my question number two is, would my colleagues have blown a gasket if the death penalty was not in there? And I assume the answer is no, they would not have.

In effect, then, our limited objection is to the net effect of this measure

broadening the scope of the death penalty. That is our only problem with this legislation. And so a number of us on the Committee on the Judiciary have opposed it and we continue to oppose it.

Why do we oppose it? Well, because the death penalty is frequently applied racially; race plays a role in the imposition of the death penalty, according to the studies that we keep looking at year in and year out. It has been like that for a long time.

So it is because of that, for some of us. Some people would probably oppose the death penalty even if it were not racially discriminatory. But that is the big hangup inside the United States where the death penalty is law and in certain instances and in certain places. We oppose it because we have seen the racial bias that can occur.

I would like to draw the attention of the author of the bill and the Member from Tennessee that is moving this, that is managing it on the floor, to the fact that the Death Penalty Information Center, which has put out a report that is called "Innocence and the Death Penalty: The Increasing Danger of Mistaken Executions," describes 69 instances since 1973 in the United States in which condemned prisoners had to be released from death row because mistakes had led to their wrongful conviction in the first place.

Now, of course, we do not know how many people went to their death despite their innocence and because no one got to them in time. And by the way, my colleagues know also that frequently many people of less financial means are not able to get the lawyers that can make sure all these kinds of technicalities are adhered to in the courts.

So this is the reason we oppose the death penalty, because of the racial implications in the administration of the death penalty. My lawyer colleagues will be pleased to know that the American Bar Association this year passed a resolution declaring that the system for administering the death penalty in the United States is unfair and lacks adequate safeguards. The resolution further declared that the executions ought to be stopped until a greater degree of fairness and due process can be achieved, which is exactly what the Supreme Court said in an earlier period in the Furman versus Georgia death penalty case, in which they suspended the death penalty at the Federal level.

Now, it is that same problem, Mr. Speaker, that we have seen in the experience of the United States, that we can see in the context of international justice. The tribunal in the Hague which prosecutes war crimes against Bosnians has received excellent resources and quite a bit of attention. But in Africa, the Rwandan War Crimes Tribunal in Zimbabwe is poorly staffed and has not been able to prosecute a single case.

I think it is fair to say that millions of people have been assassinated, pros-

ecuted, oppressed over there in their very troubled situation. The war crimes against Africans in an international context seem to be less pressing than the war crimes against Europeans. I am not trying to extrapolate in generalities, but there is a stunning similarity about how the death penalty is imposed, even in the international arena as well as domestically.

Now, here is question number three for my conservative friends in the Congress. How many of my colleagues would like to be allied with Cuba, Syria, Iraq, Iran, China and Libya? Let us raise our hands. Not all at once.

The only issue that binds us, the United States, to Cuba, Syria, Iraq, Iran, China and Libya is that we are the only nations that impose the death penalty. The only ones. Now, I am embarrassed by that. Some of my colleagues are proud of that. Some of my colleagues are happy to join with America's friends from these countries and support our death penalty, as they support their own death penalty, if there were democracies in any of those countries. But everywhere else there is not a death penalty.

So I just ask my colleagues to think about this with me and join with me, and let us vote down this resolution and go back and take out the death penalty. Let us keep war crimes legislation but remove the death penalty.

Could my colleagues go along with me on that? That is the fourth and last question. If they can, I think my colleagues will sleep better in their beds at night.

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

Mr. JENKINS. Mr. Speaker, I yield myself such time as I may consume to note that the gentleman from Michigan referred to the remarks of the gentleman from California, and I think she appropriately pointed out that there are many people in this country who have deep-seated feelings in opposition to capital punishment.

I respect those feelings and I respect the feelings of the gentleman from Michigan. But I believe in, and have always supported, capital punishment, as a legislator in a State legislative body. And I believe that there are occasions when society requires the imposition of the death penalty for certain crimes.

I believe that a majority of the people who serve in this House of Representatives agree with that. I believe that a vast majority of Americans across this land support capital punishment in some instances.

I would simply say, in respecting the viewpoint of the gentleman from Michigan, that I would disagree. I believe that it is appropriate in some circumstances, and in this circumstance, the circumstance contemplated by this bill, that there be the imposition of the death penalty.

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

Mr. CONYERS. Mr. Speaker, I yield such time as she may consume to the

gentlewoman from California [Ms. LOFGREN].

Ms. LOFGREN. Mr. Speaker, I wanted to make a brief comment because of the tenor of this discussion.

As someone who has reached a conclusion that there are occasions when capital punishment is appropriate, I am aware that other people have reached a different conclusion. I can respect those people. And this is a first time as a Member of this body that I have heard this discussion without the implication that those who have reached a different conclusion are somehow less concerned about crime or less opposed to wrongdoing. I wanted to note that and thank the gentleman from Tennessee for understanding that we can have different beliefs and yet be united in opposition to crime.

□ 1730

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 Tennessee [Mr. JENKINS] that the House suspend the rules and pass the bill, H.R. 1348, as amended.

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.

#### APPOINTMENT OF CONFEREES ON H.R. 1757, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1998 AND 1999, AND EUROPEAN SECURITY ACT OF 1997

Mr. BALLENGER. Mr. Speaker, by direction of the Committee on International Relations, pursuant to House Rule XX, I move to take from the Speaker's table the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and to ensure that the enlargement of the North Atlantic Treaty Organization [NATO] proceeds in a manner consistent with United States interests, to strengthen relations between the United States and Russia, to preserve the prerogatives of the Congress with respect to certain arms control agreements, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina? The Chair hears none and, without objection, appoints the following conferees:

For consideration of the House bill (except title XXI) and the Senate amendment, and modifications committed to conference:

Messrs. GILMAN, GOODLING, LEACH, HYDE, BEREUTER, SMITH (NJ), HAMILTON, GEJDENSON, LANTOS, and BERMAN.

For consideration of title XXI of the House bill, and modifications committed to conference:

Messrs. GILMAN, HYDE, SMITH (NJ), HAMILTON, and GEJDENSON.

There was no objection.

#### GENERAL LEAVE

Mr. WALSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days on which to revise and extend their remarks on the bill (H.R. 2209) making appropriations for the legislative branch for the fiscal year ending September 30, 1998, and for other purposes, and that I may include tabular and extraneous material and charts therein.

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

There was no objection.

#### LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore [Mr. BALLENGER]. Pursuant to House Resolution 197 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for consideration of the bill, H.R. 2209.

□ 1733

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2209) making appropriations for the legislative branch for the fiscal year ending September 30, 1998, and for other purposes, with Mr. LAHOOD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New York [Mr. WALSH] and the gentleman from New York [Mr. SERRANO] each will control 30 minutes.

The Chair recognizes the gentleman from New York [Mr. WALSH].

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, it gives me great pleasure to bring to the floor H.R. 2209, the fiscal year 1998 legislative appropriations bill. This is the first year I have had the pleasure of chairing this subcommittee.

The gentleman from California [Mr. PACKARD], the former chairman of the subcommittee, has set a very high standard for us to follow. I want to recognize the members of the Subcommittee on Legislative who have assisted me in bringing this bill to the floor.

First, let me thank the gentleman from California [Mr. CUNNINGHAM], the vice-chairman of the subcommittee. In addition, the gentleman from Florida [Mr. YOUNG], the gentleman from Tennessee [Mr. WAMP], and the gentleman from Iowa [Mr. LATHAM] all have contributed to the work on this bill.

My colleague and good friend, the gentleman from New York [Mr. SERRANO], the other part of New York, downstate New York, is the ranking minority member. He is a great friend and has worked with me on a bipartisan basis throughout the process.

In addition, the gentleman from California [Mr. FAZIO] and the gentlewoman from Ohio [Ms. KAPTUR] have helped shape this bill and have maintained the bipartisan spirit of the subcommittee. Also, the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the Committee on Appropriations, and the gentleman from Wisconsin [Mr. OBEY], the ranking minority member of the full committee, have fully participated in the subcommittee's deliberations.

Mr. Chairman, H.R. 2209 provides \$1,711,417,000 in new budget authority. This bill is \$10 million below the 1997 bill. If I could repeat that, it is 0.6 percent lower than last year's appropriation, Senate excluded. This continues a 3-year trend of making the legislative branch smaller and indeed leading the way toward smaller government.

The Congressional Research Service, in consultation with the Congressional Budget Office, has calculated that if the entire Federal budget were to be reduced in the same proportion as we have downsized the legislative branch, the entire Federal budget would show a surplus of \$183 billion for fiscal year 1998.

Here are a few general points about the bill:

We have continued the program begun in the 104th Congress to right-size the legislative branch. This is producing a more efficient, smaller work force by using technology wherever possible. The bill does not fund certain personnel costs, such as within-grade, promotion or merit pay increases. Legislative agencies will absorb these costs, just as the executive branch does.

The legislative branch work force is cut by an additional 316 positions. Since 1994, we have reduced FTE's, or full time equivalent positions, by over 3,800 positions. That is a reduction of almost 14 percent of the entire legislative branch work force. The FTE cut does not reduce agency programs. The current level of FTE's used by agencies has been maintained. However, funds for unused FTE's have been removed.

Some of the details in the bill include:

For the House of Representatives, \$708 million is provided. The Members' representational allowance appropriation has been increased to cover staff cost of living allowances. Committee funds have been increased by \$6.7 million and are extended through December 31, 1998. House administrative offices, the Clerk, Sergeant at Arms, CAO, and others are funded at a net reduction of \$2 million. Within the CAO, HIR operational costs are reduced \$1.6 million.