

Republican Majority is all talk and no action in helping the children of America. This resolution offers to count the number of children who are abandoned, but provides nothing toward preventing these devastating events from occurring.

I am all for keeping good statistics on America's social problems, however I am more interested in providing funding to programs necessary to address these problems. Teenage pregnancy, parents' substance abuse and lack of access to mental health benefits are the most cited causes by researchers for abuse and neglect of children.

Instead of increasing access to these services, this Congress has denied people access to these services. Last year, Congress reduced the Social Services Block Grant by \$125 million. This program has been essential in providing funding for family planning services.

HHS released a report last year that found parental substance abuse to be a problem in 26 percent of child welfare cases. Last year, the Majority House Appropriations bill responded to this report by reducing the funding to the SAMHSA Substance Abuse Block Grant by \$115 million under the President's request.

The Majority also refuses to act on bills that increase the affordability and accessibility of mental health benefits to Americans. I have a bill, the National Mental Health Parity Act of 1999, that would require parity for physical and mental private health benefits and increase mental health benefits in Medicare. The Majority has refused to act on it or any other item. This bill is just one of many that attempt to ensure that Americans receive adequate mental health benefits.

I wish the Majority would stop providing resolutions that are nothing more than empty statements. It is time to help the American people and pass substantive legislation to prevent the tragedy of parents abandoning their children in public places. Congress could achieve this by increasing accessibility and affordability to family planning services, mental health benefits and counseling for substance abuse—not through empty resolutions like the one offered here today.

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

The SPEAKER pro tempore (Mr. HANSEN). The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and agree to the resolution, House Resolution 465.

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.

PROJECT EXILE: THE SAFE STREETS AND NEIGHBORHOODS ACT OF 2000

Mr. MCCOLLUM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4051) to establish a grant program that provides incentives for States to enact mandatory minimum sentences for certain firearms offenses, and for other purposes.

The Clerk read as follows:

H.R. 4051

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 "Project Exile: The Safe Streets and Neighborhoods Act of 2000".

SEC. 2. FIREARMS SENTENCING INCENTIVE GRANTS.

(a) PROGRAM ESTABLISHED.—Title II of the Violent Crime Control and Law Enforcement Act of 1994 is amended—

(1) by redesignating subtitle D as subtitle E; and

(2) by inserting after subtitle C the following new subtitle:

"Subtitle D—Firearms Sentencing Incentive Grants

"SEC. 20351. DEFINITIONS.

"For purposes of this subtitle:

"(1) The term 'violent crime' means murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault, or a crime in a reasonably comparable class of serious violent crimes as approved by the Attorney General.

"(2) The term 'serious drug trafficking crime' means an offense under State law for the manufacture or distribution of a controlled substance, for which State law authorizes to be imposed a sentence to a term of imprisonment of 10 years or more.

"(3) The term 'part 1 violent crime' means murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault as reported to the Federal Bureau of Investigation for purposes of the Uniform Crime Reports.

"(4) The term 'State' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.

"SEC. 20352. AUTHORIZATION OF GRANTS.

"(a) IN GENERAL.—From amounts made available to carry out this subtitle, the Attorney General shall provide Firearms Sentencing Incentive grants under section 20353 to eligible States.

"(b) ALLOWABLE USES.—Such grants may be used by a State only for the following purposes:

"(1) To support—

"(A) law enforcement agencies;

"(B) prosecutors;

"(C) courts;

"(D) probation officers;

"(E) correctional officers;

"(F) the juvenile justice system;

"(G) the expansion, improvement, and coordination of criminal history records; or

"(H) case management programs involving the sharing of information about serious offenders.

"(2) To carry out a public awareness and community support program described in section 20353(a)(2).

"(3) To build or expand correctional facilities.

"(c) SUBGRANTS.—A State may use such grants directly or by making subgrants to units of local government within that State.

"SEC. 20353. FIREARMS SENTENCING INCENTIVE GRANTS.

"(a) ELIGIBILITY.—Except as provided in subsection (b), to be eligible to receive a grant award under this section, a State shall submit an application to the Attorney General that complies with the following:

"(1) The application shall demonstrate that such State has implemented firearms sentencing laws requiring 1 or more of the following:

"(A) Any person who, during and in relation to any violent crime or serious drug

trafficking crime, uses or carries a firearm, shall, in addition to the punishment provided for such crime of violence or serious drug trafficking crime, be sentenced to a term of imprisonment of not less than 5 years (without the possibility of parole during that term).

"(B) Any person who, having at least 1 prior conviction for a violent crime, possesses a firearm, shall, for such possession, be sentenced to a term of imprisonment of not less than 5 years (without the possibility of parole during that term).

"(2) The application shall demonstrate that such State has implemented, or will implement not later than 6 months after receiving a grant under this subtitle, a public awareness and community support program that seeks to build support for, and warns potential violators of, the firearms sentencing laws implemented under paragraph (1).

"(3) The application shall provide assurances that such State—

"(A) will coordinate with Federal prosecutors and Federal law enforcement agencies whose jurisdictions include such State, so as to promote Federal involvement and cooperation in the enforcement of laws within that State; and

"(B) will allocate its resources in a manner calculated to reduce crime in the high-crime areas of the State.

"(b) ALTERNATE ELIGIBILITY REQUIREMENT.—

"(1) IN GENERAL.—A State that is unable to demonstrate in its application that such State meets the requirement of subsection (a)(1) shall be eligible to receive a grant award under this section notwithstanding that inability if that State, in such application, provides assurances that such State has in effect an equivalent Federal prosecution agreement.

"(2) EQUIVALENT FEDERAL PROSECUTION AGREEMENT.—For purposes of paragraph (1), an equivalent Federal prosecution agreement is an agreement with appropriate Federal authorities that ensures 1 or more of the following:

"(A) If a person engages in the conduct specified in subsection (a)(1)(A), but the conviction of that person under State law for that conduct is not certain to result in the imposition of an additional sentence as specified in that subsection, that person is referred for prosecution for such conduct under Federal law.

"(B) If a person engages in the conduct specified in subsection (a)(1)(B), but the conviction of that person under State law for that conduct is not certain to result in the imposition of a sentence as specified in that subsection, that person is referred for prosecution for such conduct under Federal law.

"SEC. 20354. FORMULA FOR GRANTS.

"(a) IN GENERAL.—The amount available for grants under section 20353 for any fiscal year shall be allocated to each eligible State, in the ratio that the number of part 1 violent crimes reported by such State to the Federal Bureau of Investigation for the 3 years preceding the year in which the determination is made, bears to the average annual number of part 1 violent crimes reported by all eligible States to the Federal Bureau of Investigation for the 3 years preceding the year in which the determination is made.

"(b) UNAVAILABLE DATA.—If data regarding part 1 violent crimes in any State is substantially inaccurate or is unavailable for the 3 years preceding the year in which the determination is made, the Attorney General shall utilize the best available comparable data regarding the number of violent crimes for the previous year for the State for the purposes of allocation of funds under this subtitle.

"SEC. 20355. AUTHORIZATION OF APPROPRIATIONS.

"(a) AUTHORIZATIONS.—There are authorized to be appropriated to carry out this subtitle—

- "(1) \$10,000,000 for fiscal year 2001;
- "(2) \$15,000,000 for fiscal year 2002;
- "(3) \$20,000,000 for fiscal year 2003;
- "(4) \$25,000,000 for fiscal year 2004; and
- "(5) \$30,000,000 for fiscal year 2005.

"(b) LIMITATIONS ON FUNDS.—

"(1) USES OF FUNDS.—Funds made available pursuant to this subtitle shall be used only to carry out the purposes described in section 20352(b).

"(2) NONSUPPLANTING REQUIREMENT.—Funds made available pursuant to this section shall not be used to supplant State funds, but shall be used to increase the amount of funds that would, in the absence of Federal funds, be made available from State sources.

"(3) ADMINISTRATIVE COSTS.—Not more than 3 percent of the funds made available pursuant to this section shall be available to the Attorney General for purposes of administration, research and evaluation, technical assistance, and data collection.

"(4) CARRYOVER OF APPROPRIATIONS.—Funds appropriated pursuant to this section during any fiscal year shall remain available until expended.

"(5) MATCHING FUNDS.—The Federal share of a grant received under this subtitle may not exceed 90 percent of the costs of a proposal as described in an application approved under this subtitle.

"SEC. 20356. REPORT BY THE ATTORNEY GENERAL.

"Beginning on October 1, 2001, and each subsequent July 1 thereafter, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the implementation of this subtitle. The report shall include information regarding the eligibility of States under section 20353 and the distribution and use of funds under this subtitle."

(b) CLERICAL AMENDMENT.—The table of contents in section 2 of that Act is amended—

(1) by redesignating the item relating to subtitle D of title II as subtitle E of such title; and

(2) by inserting after subtitle C of such title the following:

"Subtitle D—Firearms Sentencing Incentive Grants

"Sec. 20351. Definitions.

"Sec. 20352. Authorization of grants.

"Sec. 20353. Firearms sentencing incentive grants.

"Sec. 20354. Formula for grants.

"Sec. 20355. Authorization of appropriations.

"Sec. 20356. Report by the Attorney General."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. McCOLLUM) and the gentleman from Virginia (Mr. SCOTT) 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 and include extraneous material 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.

Mr. Speaker, today we bring to the House floor legislation that offers a bipartisan, common sense solution to the problem of gun violence. The real heart ache regarding so much gun violence is that it involves avoidable tragedy. Avoidable in the sense that so many gun criminals are back on the streets before they should be and they are then committing additional violent crimes.

The legislation before us today, Project Exile, the safe streets and neighborhoods act of 2000, provides incentive block grants for State criminal justice systems totaling \$100 million over 5 years. To qualify, a State must ensure a mandatory minimum 5-year prison sentence without parole for anyone who uses or carries a firearm during any violent crime or serious drug trafficking crime or for a previously convicted violent felon who is caught possessing a gun. The mandatory minimum sentence must be in addition to the punishment provided for the underlying crime. States can qualify through State sentencing laws or an agreement with the Federal Government to prosecute under existing Federal gun criminal laws which carry minimum mandatory sentences.

Project Exile will make neighborhoods and communities safer by promoting tough State prison time for violent criminals who use guns. This proven approach to reducing gun crime combines enforcing the gun laws already on the books and ensuring mandatory minimum sentences for criminals who break them. Project Exile is a common sense approach that is enjoying growing bipartisan support around the country. At the Subcommittee on Crime hearing on this legislation, we received testimony from across a broad spectrum in support of Exile.

It provides some common ground for Congress as we seek to do what we can to address gun violence. I am hopeful that many of my colleagues from the other side of the aisle will join us today to support this responsible enforcement initiative. In States and cities around the country where aggressive prosecution of gun crimes has been coupled with tough prison sentences, violent crime has gone down.

Getting such criminals off the streets leads to a dramatic reduction in crime and sends an unmistakable deterrent message, we will not tolerate gun crimes. Project Exile builds on the success of the truth-in-sentencing program that Congress has funded over the last 5 years. Truth-in-sentencing is an incentive grant program to support State prisons for States which require convicted violent offenders and drug traffickers to serve at least 85 percent of their sentences. Since the grant program was first offered, the number of States with truth-in-sentencing has gone from five to 27. Most experts credit this program with much of the violent crime reduction reflected in recent national statistics. Funds received by

States under Project Exile can be used for hiring and training more judges, prosecutors and probation officers, increasing prison capacity, strengthening juvenile justice systems and for a wide variety of other improvements in State criminal justice systems.

Florida is one of six States which already qualifies for funding under the bill thanks to Governor Jeb Bush's 10-20-Life bill which became law last July. In Florida, if during a crime you pull a gun on another person, you will go to prison for 10 years. If during a crime you pull the trigger, it means 20 years in prison. And if you shoot someone during commission of a crime, you will get 25 years to life in prison. Project Exile encourages other States to follow suit.

I want to make clear that Project Exile is only part of the solution to the gun and school violence problems. These are complex problems that demand comprehensive response. As legislators and as citizens, we must do also what all is within our power to address the strength of families and the health of our culture. We must reform our overwhelmed juvenile justice systems, and we must do much more to enforce gun laws already on the books.

In addition to taking action to make this bill a reality on a national level, certain other measures need to be taken. Such provisions include child safety locks, workable mandatory gun show background checks, a juvenile Brady law, a ban on juvenile possession of assault weapons and a ban on the importation of large capacity ammunition clips.

But let us be clear. Even if we did all of these things tomorrow, we would not really be getting at the problem unless we are serious about enforcing the laws already on the books, there are more than 20,000 of them at the Federal and State level, and making sure that violent gun criminals serve appropriate sentences. Tough mandatory sentences for violent gun criminals must be the cornerstone of any meaningful effort to make our neighborhoods safer.

The success of Project Exile in Virginia where the program was first initiated has been truly remarkable. Prior to Project Exile's implementation, Richmond, Virginia had one of the highest murder rates in the world and an exploding violent crime problem. Since 1997 when Project Exile was begun in Richmond, homicides have dropped 46 percent, the lowest level since 1987; crimes involving guns have dropped 65 percent; aggravated assaults have dropped 39 percent; and the overall number of violent crimes have dropped by 35 percent.

Mr. Speaker, at the hearing on Project Exile, we heard from Rick Castaldo, the father of Richard Castaldo, a Columbine high school student who was shot eight times during the tragic school shooting at Columbine last April. Richard survived but is now paralyzed from the chest down. Mr. Castaldo asked the following

question during his testimony: "How do we communicate to the public that we are serious about solving the crime problem?" He suggested the answer to his own question: "One way is clear: swift and tough prosecution of laws that we already have in this country. Nothing could be more simple and nothing has more of an impact on crime."

I think most of us in the House and the overwhelming majority of Americans would agree with Mr. Castaldo. Better enforcement of our current laws against gun criminals is not the only thing we must do but it must be a central part of our comprehensive response.

Mr. Speaker, Project Exile will save lives. I ask my colleagues to join me in passing this important bill.

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

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

Mr. Speaker, although this sounds good and makes for a good slogan, this is not good policy. First, this bill goes down the failed road of mandatory minimum sentencing. We have heard anecdotes from proponents of the bill suggesting that Project Exile, like the Shadow, strikes fear in the hearts of evil men. However, we have not been presented with any convincing evidence that mandatory minimums and Project Exile have reduced violent crime to any greater extent than the decrease in Virginia generally without Project Exile.

□ 1215

This fearful shadow, therefore, is just merely a shadow.

Mr. Speaker, mandatory minimums are bad policy for a number of reasons. In the March 17, 2000, letter to the Committee on the Judiciary, the Judiciary Conference of the United States reiterated its opposition to mandatory minimum sentences for the 12th time, noting that the mandatory minimum sentences undermine the sentencing guidelines established by Congress to promote fairness and proportionality, and that far from fostering certainty in punishment, mandatory minimums result in unwarranted sentencing disparity because they require the sentencing court to impose the sentence on offenders, when sound policy and common sense called for different punishments.

In addition to being unfair, several studies have reflected the discriminatory impact of mandatory minimums, concluding that minorities were substantially more likely than whites under comparable circumstances to receive mandatory minimum sentences.

Like the emperor who has no clothes, Mr. Speaker, there is no evidence that these mandatory minimums have worked in the city of Richmond. The evidence has been shown that the violent crime rate under mandatory minimums is not affected. Several studies have concluded that. The Rand study,

for example, showed that mandatory minimums essentially wasted the taxpayers' money because there were much more effective ways of reducing crimes than mandatory minimums.

The mandatory minimums associated with Project Exile show no better results. The proponents suggest that the violent crime rate has gone down 39 percent in the city of Richmond under Project Exile. At the same time it went down 43 percent in Norfolk, 58 percent in Virginia Beach and 81 percent in Chesapeake without Project Exile.

Even if Project Exile had some value, this bill is simply inadequate. According to the sponsors, only six States would qualify for funding under the bill, and even if 10 States qualified, the funding is only for \$10 million on average per State, and simple math at \$25,000 per year per incarceration would reflect that each State could only incarcerate about five additional defendants per year.

In the city of Richmond we have over 3,000 people in jail today, and incarcerating a handful more certainly is not a serious attempt to reduce the overall crime rate in the Commonwealth of Virginia or across our Nation.

Accordingly, Mr. Speaker, I oppose the use of this costly, unfair, ineffective mandatory minimum sentence. If we are going to be serious about doing anything about crime, we should take the common sense approach recommended by the Bipartisan Task Force on Juvenile Crime, which encourages us to use funds for prevention and early intervention programs that have been proven to reduce crime, and we should ignore the rhymes and slogans which are ineffective and waste the taxpayers' money. We can start doing that by voting against this bill.

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

Mr. MCCOLLUM. I yield 2 minutes to the gentlewoman from North Carolina (Mrs. MYRICK), the author of a predecessor bill to this one.

Mrs. MYRICK. Mr. Speaker, in my hometown of Charlotte, North Carolina, a disturbing number of criminals are set free because of a lack of funding for prosecutors in the court system. It also seems that every day we are reading about another story of some gun-toting criminal committing a violent act against a law-abiding citizen.

A recent news item tells the story of a young man in our city who began a life of crime at the age of 8. By the time he was 16, he was carrying a gun. In the 20 months after his 16th birthday, he was arrested seven times, but none of those arrests resulted in jail time. In April of 1997 he was walking free, carrying a gun, when he began to punch a man sitting in his car. As the man drove away trying to escape, the thug fired two shots. The police caught him, but again he was released on bond. Two months later he shot a man in the thigh. Prosecutors dropped the case. Finally, two weeks later, he shot and killed a 38-year-old man after an

argument. At long last a guilty plea helped put this lifelong criminal in jail. In a jailhouse interview, the murderer explained how easy it was to avoid serving time.

Under Project Exile this gun-carrying criminal would have served hard time much earlier and may have been deterred by the tough mandatory minimum sentences the bill would impose.

We must conduct a two-pronged assault on these problems. Project Exile does just that. If States enact the laws, violent criminals and drug traffickers with guns will pay a price for their crime. In return for the strict laws, the States will get critical funding for law enforcement and prosecution, and the key here is that the funding can be used wherever the community needs it, which is not the case in most of the things that we do up here.

As I showed in my Federal mandatory minimum sentencing bill last Congress, I strongly favor a zero tolerance approach for gun violence. I urge all of my colleagues to pass this bill unanimously, as they did that bill last year.

Mr. SCOTT. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. CONYERS), the ranking member of the Committee on the Judiciary.

Mr. CONYERS. Mr. Speaker, I want to commend the gentleman from Virginia (Mr. SCOTT), who has followed this measure more closely than most, because it has never had a fair chance for a hearing in the House of Representatives or in the Committee on the Judiciary.

Mr. Speaker, this bill has a certain measure of incorrectness about it, and I think the Republican leadership knows it. It is a measure endorsed by the National Rifle Association, and I think it is a kind of way of getting political cover for us not taking action on the gun safety measures that are before us, because here the Republican leadership has aborted the normal legislative process.

Here is a measure before the House that has never had a markup in a subcommittee of the Committee on the Judiciary, has never had a markup or hearing in the full committee, and in the Committee on Rules there was no rule. This just went straight to the floor. There must be a reason for this, and I am the one that has been assigned to raise this now.

Why have we thrown the regular legislative process away to get this measure before the House today? I think it is happening because the majority fears that amendments that we have on enforcement and gun safety would unveil this bill for the fraud that it is. They know this because of the way our alternatives, the Democratic alternatives, have uncovered the posturing of the National Rifle Association and the majority who have sponsored gun safety initiatives.

Now, what is wrong with this bill? Number one, because only six States

would qualify for funds, funds so small, as the gentleman from Virginia (Mr. SCOTT) has indicated, they would never be sufficient to do the job; because those States that do use the funds can use them for any purpose that they choose, including carpeting of judges' offices, paving tennis courts, or anything, you name it; there are no restrictions, and because this bill continues to parrot the NRA line that we cannot close the gun enforcement loopholes in the law that allow criminals to rearm with guns and ammunition by utilizing the "restoration of rights" loophole. In other words, they pit gun safety versus prosecution of gun violations.

I say that enforcement of the law and gun safety are not positions that we have to choose between. We can have both. That is what we want to do. So we know the majority in this Congress is using this process really as an excuse to thumb their nose at the American people, who want both gun safety and enforcement legislation. We can and should have both. Somehow they are saying that process prevents them from coming to a conference meeting on the bipartisan gun show loophole that is begging to be closed.

Mr. Speaker, I do not think the people are going to be fooled, because they know that our leadership now is in the throes of the NRA's control. This leadership is being run on this subject by the NRA. They reject the idea we can have gun safety and gun enforcement, and the truth is we can have both. The truth is that we need both; and if we are to do enforcement, it should be real, and not just the political cover that this bill represents.

The gentlewoman from New York (Mrs. MCCARTHY) and I have introduced the Enforce Act. This bill does nothing to crack down on the bad apple gun dealers, the 2 percent who are responsible for up to half the guns that are traced back to crime. They cannot do that because the NRA continues to resist any attempts to crack down on bad-apple dealers.

Unlike the Enforce Act, this bill does nothing to fund the agencies with responsibility for investigating gun crimes, like ATF, Alcohol, Tobacco and Firearms. They cannot do it because, again, the National Rifle Association does not want it. They call the ATF "jack-booted thugs," but we still will not give them the resources that they need to do the enforcement that is being complained about.

Unlike the Enforce Act, this bill urges Federal prosecution of gun crimes without providing any money for the Federal prosecutors' need. Unlike the Enforce Act, this bill provides money to States that does not even have to be used for enforcement, but instead could be used for any purposes whatsoever.

The Republican leadership wants us to forget that they have been promising to call a gun safety conference since August 5, 1999, and that the anni-

versary of Columbine is fast approaching without enacting into law a single piece of Federal gun safety legislation. But this bill does nothing to close the loophole that allows criminals to buy guns at gun shows. This bill does nothing to require child safety locks. This bill does nothing to ban the importation of large-capacity ammunition clips.

REQUEST TO OFFER AMENDMENT TO H.R. 4051

Mr. CONYERS. Mr. Speaker, it is for that reason, Mr. Speaker, that I ask unanimous consent to offer the Senate-passed gun safety provisions as an amendment to this bill.

The SPEAKER pro tempore. Under suspension of the rules, any amendment is to be included in the original motion, in this case by the gentleman from Florida.

The Chair will not entertain other proposals to amend.

Mr. CONYERS. Mr. Speaker, in that case, then I would like to ask unanimous consent to offer the McCarthy-Conyers measure called the Enforce Act as an amendment in the nature of a substitute to this bill.

The SPEAKER pro tempore. To the gentleman from Michigan, the Chair can only reiterate what was said before. Under suspension of the rules, any amendment is to be included in the original motion, in this case by the gentleman from Florida.

The Chair will not entertain other proposals to amend.

Mr. CONYERS. Mr. Speaker, what I am finding out then is that we are now using the rules to prevent any amendments and alternatives to this measure whatsoever from our side of the aisle. Is that correct?

The SPEAKER pro tempore. The pending motion is not amendable.

□ 1230

Mr. CONYERS. Mr. Speaker, we regret the process. We have never been to the Committee on Rules. We have never been to the full committee, the Committee on the Judiciary.

Mr. MCCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. EHRLICH), who has been a principle author of this bill and a cosponsor.

Mr. EHRLICH. Mr. Speaker, five quick points.

One, congratulations to the chairman, the gentleman from Florida (Mr. MCCOLLUM). It is a terrific bill.

Secondly, I share concerns with respect to mandatory minimum sentences. However, when it deals with gun-toting criminals, felons who are caught with guns, minimum mandatory sentences are clearly appropriate.

Third, contrary to what we just heard, the NRA and Handgun Control supports Project Exile. Handgun Control supports Project Exile.

Fourth, contrary to what we just heard with respect to allowable uses under Project Exile, under this bill we have police prosecutors, courts, probation officers, the juvenile justice sys-

tem, prison expansion, criminal history record improvements, and case management program innovation. They are allowable uses under this bill.

Fifth and finally, Mr. Speaker, my personal road here is an interesting one. I have complained an awful lot in this House about the failure of both sides to talk about gun control effectively.

I heard a year and a half ago about Richmond. I have gone down to Richmond. I have talked to the prosecutors, the Governor, the gentlemen down there. It just works. It may not be the gun control agenda from the left, but Project Exile just works, and it works because the State legislature is involved passing statutes that comport with the Federal statutes so we do not federalize the criminal justice system, prosecutors work together. Egos are put aside, unbelievably, in this town so that State and Federal prosecutors work together. Thirdly, the private sector funds the communications effort that educates the bad guys that they should not carry guns on the streets. That is what the minority party opposes today.

Mr. Speaker, this is a great piece of legislation. I again congratulate my good friend, the gentleman from Florida (Mr. MCCOLLUM).

Mr. SCOTT. Mr. Speaker, I yield 4 minutes to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Speaker, I thank the gentleman for yielding time to me, and I thank the gentleman from Michigan (Mr. CONYERS).

Mr. Speaker, I am sorry that we were not able to work together on this bill, because I think it could have been even a better bill than what it is. I will support H.R. 4051 with the hopes that when it gets to the Senate, that we can improve it to the point where it will help all 50 States.

Members need to understand what they are voting on today. This Project Exile bill is not the same Project Exile program as most Members know it. The Project Exile program that occurred in Richmond, Virginia, was a successful Federal, State and local partnership to increase gun prosecutions.

The legislation before us block grants more than \$1 million to just six States over 5 years. These States include Virginia, Florida, Texas, Colorado, Louisiana, and South Carolina, according to the bill's sponsor. That leaves 44 States without funding to enhance gun enforcement.

I personally think if we are going to do this, all the States should be involved in this. The legislation permits these six States to use the money on gun enforcement. They could also use it on juvenile justice programs, correction officers, and public awareness programs.

Earlier this year, the gentleman from Michigan (Mr. CONYERS) and I introduced legislation supported by the

Clinton administration. It is called the ENFORCE bill, and it is a comprehensive gun enforcement bill that affects all 50 States and costs \$280 million.

Let me tell the Members what H.R. 4051 does not do that our bill does do:

First, H.R. 4051 does not fund a single ATF agent or inspector. ENFORCE funds 600 ATF agents and inspectors.

We constantly talk about that we are not enforcing the laws that are already on the books. Our bill would do that.

Second, H.R. 4051 does not fund a single local, State, or Federal gun prosecutor. ENFORCE funds more than 1,100 local, State, and Federal gun prosecutors, everyone working together to make our State safer.

Third, H.R. 4051 does not close the loophole that now permits felons to get their gun rights back. ENFORCE does close this loophole.

Fourth, H.R. 4051 does not fund the National Forensic Ballistics Network to assist law enforcement in solving crimes. ENFORCE funds the national ballistics network.

We have already spent considerable time during the 106th Congress when it comes to gun safety legislation. The House leadership has brought this bill to the floor today by short-circuiting the legislative process. The gentleman from Illinois (Chairman HYDE) from the Committee on the Judiciary chose neither to have a subcommittee markup nor a full committee markup. He has denied Members of this House the right to offer floor amendments.

H.R. 4051 is a start. It will assist a selected group of States with gun enforcement. It is my hope that working with the gentleman from Florida (Mr. MCCOLLUM) and others in the Senate, that we could amend H.R. 4051 with ENFORCE to bring more gun enforcement to all 50 States.

If we are going to make a commitment in this House to reduce gun violence in this country, we should have had the opportunity to work together so that all 50 States could make sure we are all on the same page. So I support this amendment, but I hope we can make it a better amendment.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent that time on this debate be extended by 20 minutes, equally divided.

Mr. MCCOLLUM. Mr. Speaker, reserving the right to object, I yield to the gentleman from Virginia to please explain what he is asking.

Mr. SCOTT. Mr. Speaker, I request 20 additional minutes of debate, to be equally divided between the majority and the minority.

Mr. MCCOLLUM. Reserving the right to object, Mr. Speaker, we have a legislative schedule to keep today. I understand that we would not be able to do that if we yielded or agreed to it.

Mr. Speaker, I regrettably must object. I do object.

The SPEAKER pro tempore (Mr. HANSEN) Objection is heard.

Mr. MCCOLLUM. Mr. Speaker, I yield 3 minutes to the gentlewoman from

New Mexico (Mrs. WILSON), one of the principal cosponsors of this bill.

Mrs. WILSON. Mr. Speaker, I want to thank and commend the gentleman from Florida (Mr. MCCOLLUM) for bringing forward this bill, and also the gentleman from Maryland (Mr. EHRlich) for his leadership on this issue.

I have to admit that I did not initially hear about it from them. I heard about this issue and this project from my Community Crime Advisory Council in Albuquerque, New Mexico. It was Ray Wilkinson, who volunteers with a group called Student Pledge Against Gun Violence, that initially brought this to my attention. He told Eileen Maddock, who is with the Metro Crimestoppers in Albuquerque, and we talked about it there in the community first.

It has the support of my sheriffs, Joe Bowdich in Bernalillo County, and Pete Golden out in Tarrant County, and the chief of police of the Albuquerque Police Department, Chief Galvin. So this is not about a Washington bill, it is about how we get States and D.A.s and the Federal government and the U.S. Attorneys to start working together to prosecute and give a hard time to armed crime.

There is a little neighborhood in my district called the Trumbull La Mesa neighborhood. Charlene and Don Gould are the head of the Trumbull Neighborhood Association. That neighborhood has been troubled for a long time with drug dealers and real serious problems with folks who are moving in and out of that neighborhood and causing all kinds of problems.

They got together the landlords and the cops, and they started taking back their neighborhood from the drug dealers. One of the problems that they have had is that they go down to the courts and watch these guys who have gotten arrested turned back into their neighborhood with a slap on their wrist when they have been doing serious drug trafficking offenses with weapons. It is time those people spend at least 5 years behind bars for trafficking drugs in our neighborhoods to our kids.

We talk about mandatory minimums, here. I am one that believes in judicial flexibility, but I have to tell the Members, this idea that somebody who uses a gun to murder somebody, rape somebody, aggravated assault, serious drug trafficking, or robbery, and 5 years is too much?

If one uses a gun in a crime in my neighborhood like that, I do not want to see that person back. It is time to stop the revolving door of justice in this country and put these people away in Federal prison or State prison, or any way we can.

I want to commend the gentleman from Florida for his leadership. Ultimately, this is not so much about sentencing as it is about fear. We live in the freest country in the world, but if we are afraid to walk around our neighborhoods at night, then we are not really free. It is time to restore free-

dom to normal, everyday Americans so that they can let their kids play outside in their front yards.

Mr. SCOTT. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. WEINER), a member of the Committee on the Judiciary.

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

Mr. Speaker, it is truly heartening to sit on this floor and watch my colleagues on the other side of the aisle trip over themselves to embrace Project Exile and find a way to somehow do it without giving credit to the creators of the program. Project Exile, as we all know here, is a Clinton administration policy. It was put into place by a Clinton-appointed U.S. Attorney.

There are good reasons why my friends are rushing to adopt Clinton's crime-fighting strategies. Simply put, they have been the most successful in history. Violent crime has dropped 20 percent between 1992 and 1998. Since 1993, funding for State and local law enforcement has increased by nearly 300 percent, due in large part to the crime bill that so many of my Republican friends oppose.

Twenty-two percent more criminals are incarcerated for State and Federal weapons charges than when the Clinton administration took office. The number of prosecutions has increased by more than 34 percent under the Clinton administration. The bottom line is this chart. Since 1992, violent crimes with firearms have dropped precipitously under Bill Clinton and Janet Reno.

But my friends, as they try to ride the Clinton coattails on crime, they have made some mistakes, some omissions. First, they have left out the other half of the crime-fighting plan, and that is reasonable gun control legislation, gun locks, an enhanced Brady law.

I could not help noticing they also left out about 40 States. Surprise, Florida is not one of them. I am shocked that Texas is one of the States that is eligible. Apparently, if one's Governor is not named Bush, they really do not need to apply to this program this year.

I just hope, Mr. Speaker, that when this Clinton Project Exile comes to Florida and comes to Texas, I hope Governor Jeb and Governor W. stand up and invite Janet Reno to the press conference, because she deserves the credit for the results.

Mr. MCCOLLUM. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. BARR), a member of the committee.

Mr. BARR of Georgia. Mr. Speaker, I thank the gentleman from Florida for his leadership on this issue.

Mr. Speaker, this is a very unusual program that we are talking about here today, Project Exile. It is a project that we have heard through testimony and through action that is supported by both ends of the gun control spectrum; by the grass roots organization, the National Rifle Association, on the one hand, and Handgun

Control on the other. Both organizations have come together in Richmond in support of Project Exile because, as the gentleman from Maryland stated, it works. It simply works.

We had the Clinton administration last year and again this year testify before committees of this Congress, and far from not giving them credit, we are eager to give the Clinton administration credit for Project Exile as it has been instituted in Richmond, Virginia, which is simply a program using existing resources and existing laws to prosecute criminals who use firearms. It is not a program that clamored for new laws and massive new funding. Perhaps that is why those on the other side of the aisle do not like it.

However, what we have also urged the Clinton administration to do is to learn from its success, to use this program, put politics aside, put the gun control agenda aside, and help the American people through replicating Project Exile in communities across America.

In the absence of support from the Clinton administration, the chairman of this subcommittee and others are putting forward a commonsense approach to help communities across America and States across America support Project Exile as it has worked in Richmond. Let us make it work across this land by supporting this legislation.

Mr. SCOTT. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATERS), a member of the Committee on the Judiciary.

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

Here we go again. If it is an election year, then it must be time to pass another mandatory minimum sentencing law. Today the Republican leadership has decided to put H.R. 4051 on suspension because they do not want a real debate on the gun control issue.

What this bill would really do is placate the NRA's demand for a meaningless gun law. Nothing in this bill provides for a mandatory background check, gun locks, or closing the loophole in gun show laws. A minor could go to a gun show and buy a gun, get into a brawl, brandish the gun, and end up with mandatory minimum sentencing and even be tried as an adult at 14 years old.

Instead, this bill would establish a grant program that provides \$100 million over a period of 5 years to those States that have enacted a mandatory 5-year minimum sentencing for firearm offenses. We know that mandatory minimums do not work. We are witnessing the abysmal failure of mandatory minimum drug sentences, and now the Republican leadership wants to extend that failure to the gun area.

Studies conducted by the Rand Commission and the Judicial Center clearly show that mandatory minimums fail to prevent crime, distort the sentencing process, and discriminate against people of color and low-level offenders.

Even the conservative Supreme Court Justice Rehnquist has criticized Congress' reliance on mandatory minimum sentences.

If the Republicans want to prevent senseless deaths they would support the McCarthy-Conyers bill, which incorporates the administration's \$280 million gun enforcement initiative that would fund 600 new ATF agents, over 1,000 additional Federal, State, and local gun prosecutors, forensic ballistics testing and smart gun technology research & development.

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Unfortunately, this is an election year. That means that crime will once again be politicized for cheap political gain. The Million Mom March will be here, and they will not be tricked or fooled by this legislation.

Mr. MCCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise today in support of H.R. 4051, The Safe Streets and Neighborhoods Act of 2000. This bill will authorize incentive grants to States which impose 5-year mandatory minimum sentences on convicted violent felons who possess firearms or on anyone who uses a firearm in the commission of a violent felony.

This program has proven its worth by imposing swift and serious consequences on armed criminals and produced results demonstrating that prosecution is prevention. A recent poll has shown that only 2 percent of Americans would like to see more gun control legislation coming out of this Congress, whereas a vast majority would like to see rigorous prosecution of criminals who commit crimes with a weapon.

The recent case of Joseph Palczynski is an excellent example, after multiple convictions for violent crimes, some with a weapon, he ultimately killed four people and held three people hostage for many weeks in Maryland. That man should have been behind bars. This legislation is needed. I recommend its strong support.

The SPEAKER pro tempore (Mr. HANSEN) The gentleman from Virginia (Mr. SCOTT) has 1 minute remaining, the gentleman from Florida (Mr. MCCOLLUM) has 4½ minutes remaining.

Mr. MCCOLLUM. Mr. Speaker, I yield 1½ minutes to the gentleman from Arkansas (Mr. HUTCHINSON), a member of the committee.

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman for yielding me the time, and I appreciate his work on this important bill.

Mr. Speaker, I am pleased to support Project Exile, The Safe Streets and Neighborhoods Act. Let me first make a couple points that this is not a mandate upon the States. I read the bill, I was concerned about that. It is not a mandate. It is an incentive program

that if the States want to utilize this \$100 million, then they will have to comply with the mandatory minimums for crimes of drug trafficking or violent crime that have a gun.

To my friends on this side of the aisle, I just heard the gentlewoman from California object about mandatory minimums, and I share their concerns that we should not extraordinarily expand mandatory minimums; I think that moves us in the wrong direction. If my colleagues believe there is a problem with the use of guns in this country, if they believe that is the case, then surely, a mandatory minimum of 5 years is appropriate, is appropriate to deal with the problems of violence and criminals using guns.

I think it is a strong statement. It addresses a serious national issue and, therefore, I think it is appropriate, this one area for a mandatory minimum. I have seen how it works in Federal court wherever we have a marijuana patch in Arkansas in which a person uses a firearm to protect that marijuana patch, they have a mandatory minimum of 5 years.

Will it work? I believe that that discourages the use of firearms, the illegal use of firearms, the criminal action with firearms. I believe that it is certainly important. It is appropriate for the States.

The SPEAKER pro tempore. The gentleman from Florida (Mr. MCCOLLUM) has 3 minutes remaining, the gentleman from Virginia (Mr. SCOTT) has 1 minute remaining.

Mr. MCCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, I rise in support of this bill. I thank my colleague for yielding me the 1 minute. Project Exile first started in Richmond, Virginia, and it has overwhelming success. In my home State of Texas, we have started the only State-wide version of this innovative crime-control program. Hopefully, that is why Texas is one of the States that was selected to participate.

Last fall, Texas State officials launched Texas Exile, which has assigned eight new prosecutors to major Texas cities. Their sole purpose is to lock up criminals who use guns to commit crime. To date, the program is responsible for 197 arrests, 115 indictments, 10 convictions, and 632 guns confiscated.

The word on the street, it is on the street. Just last week, when Austin police arrested a career criminal with a gun, they asked him why he ran from the scene, his response was "I heard about that new program that would get me 5 extra years in jail."

It is about time that the criminals, not citizens, are the one running scared. Thanks to this program, they are. And in Texas, criminals know that gun crime means more hard time in Texas.

Mr. SCOTT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York, (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Speaker, I rise today to protest the House leadership's continued refusal to enact reasonable gun safety legislation.

We are now one week from the first anniversary of the tragedy at Columbine. But instead of reasonable legislation that requires child-safety locks on all guns, closes the gun show loophole, and bans large-capacity clips the Republican leadership is putting forward a limited half-measure that will only help six states.

Does the Republican leadership truly believe that only children in those states deserve to be protected from gun violence?

Mr. Speaker, this legislation will do nothing for the victims of gun violence in my state. It will not help the thousands of New Yorkers who are victims of gun violence. It will do nothing to prevent criminals from buying guns at gun shows. It will do nothing to prevent another six year-old from bringing an unlocked gun to school.

Mr. Speaker, before another child dies from senseless gun violence we must take action. I implore the leadership of the Congress to move forward with reasonable gun-safety legislation.

Mr. SCOTT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. LOWEY).

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Speaker, this is a sad, sad day for the American people. Because as the first anniversary of the Columbine massacre approaches, we in Congress have done nothing. We have done nothing to close the gun show loophole. We have done nothing to keep guns out of the hands of children and criminals. And we have done nothing to support our state and federal governments as they enforce existing gun safety laws designed to keep our streets and schools safe.

And I'm sorry to say, that today's offering from our Republican leadership is more of the same—nothing. This bill, jammed down our throats with no opportunity for serious debate or amendment, will not fund 500 new ATF agents, it will not fund 1,000 federal, state, and local gun prosecutors, and it will not fund ballistics testing and smart gun research. The ENFORCE bill, which I have cosponsored and which we have not been allowed to debate today, will. And while this bill thankfully will not reverse existing gun safety or enforcement measures—it is merely a drop in the bucket compared to what the American people deserve from Congress.

We have been waiting for nearly a year, as the Republican leadership has delayed and procrastinated in doing anything about the problem of gun violence in our society. And, at long last, this is what they offer the American people? They should be ashamed.

Those of us who have been fighting this fight, who believe the American people deserve more than the smoke and mirrors they are getting from the other side of the aisle, will

continue to work toward making real progress on reducing gun violence. I urge my colleagues to make this bill a point of departure, not a destination. I am voting for this bill but let's not stop until we have passed the real gun safety and enforcement measures that our country deserves.

Mr. SCOTT. Mr. Speaker, although there was no subcommittee mark and no committee mark, we have been denied an extension of time. Everybody knows this is a waste of money.

Mr. Speaker, I have one speaker remaining within the time period. I yield that 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE), a member of the committee.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Virginia (Mr. SCOTT) for yielding me the time.

This is difficult. Mr. Speaker, I wish we had more time to discuss this issue, primarily because I agree with my colleague, the gentleman from Arkansas (Mr. HUTCHINSON), this is an issue that is tragically impacting Americans, guns in America.

I say to the gentleman from Florida (Mr. MCCOLLUM), I would like to work with the gentleman, but the difficulty that we have with this legislation is that it should have gone through the committee process. It is good legislation, to the extent that it would have the ability of having the input of all of the Members to be able to design and craft legislation that would address the question of gun prevention, gun safety in this Nation, along with the enforcement of gun laws against those who would use them illegally.

What we have in Project Exile is the opportunity to serve only a few States. Yes, I stand here from the State of Texas, but not the 44 other States. Tragically every single day, gun violence occurs.

What do we do to the 9-year-old in my community that lost his life because he had a gun accidentally held in his hand? This bill does not answer those concerns and I would appreciate if we could work collaboratively together, Mr. Speaker.

I would hope that we would pass gun safety legislation, gun prevention and gun laws.

Mr. Speaker, I rise to take a moment to discuss the abuse of the legislative process by certain members of the majority.

The latest abuse of the legislative process is represented by H.R. 4051. "Project Exile: The Safe Streets and Neighborhoods Act of 2000." The bill is sponsored by Representative MCCOLLUM.

The Subcommittee on Crime held a hearing on April 6 concerning this legislation, but has taken no further action on this legislation. Indeed, the legislation was not even scheduled for an ordinary mark-up. The Republicans have placed this legislation for consideration on today's suspension calendar so that no one can debate the merits of the bill.

In the past week, the Judiciary Republicans have regrettably abused the process in the same way on the Partial Abortion bill and the constitutional amendment on tax increases, scheduled for later this week.

This procedural gamesmanship is designed because Republicans fear a debate and vote on Democratic and Administration alternatives. They do not want too much discussion about their failure to allow debate about meaningful gun control legislation.

H.R. 4051 is the latest in a series of efforts by opponents of common senses gun safety measures like those passed by the Senate last year to shift the focus away from resources like the legislation that would close the gun show loophole that is currently bottled up in the juvenile justice conference.

Project Exile was established in 1997, in response to Richmond, Virginia's homicide rate. The goal was to reduce gun violence by changing the culture of violence by using a multi-dimensional strategy, which includes a law enforcement/prosecution effort as well as community outreach and education programs.

An essential part of the project has been an innovative community outreach/education effort through various media to get the message to the criminals about this crackdown, and build a coalition directed at the problem. The program has been very successful, increasing citizen reports about guns and emerging the community to support police efforts.

Project Exile soon became a symbol of a successful enforcement effort that involved exclusive prosecution of gun enforcement. That has, unfortunately, come for at the expense of an emphasis on gun prevention.

Indeed, Project Exile's appeal as a symbol for gun enforcement has prompted state officials to develop their own versions at the state level, including in my state.

Unfortunately, the "Project Exile" legislation would not allow Democrats to address the fact 44 states will not qualify for funds, that federal funds can be used for as trivial purposes as carpeting judges offices, and that the Republican proposal is altogether too barren and fails to close enforcement loopholes.

The bill reflects the NRA's common approach to deceive the public into thinking that we should simply enforce the laws already enacted to make streets safer.

Specifically, H.R. 4051 would (1) provide resources to states that ensure a mandatory minimum sentence of five years (without parole) for any person who uses or carries a firearm during a violent crime; (2) requires that the mandatory minimum sentence must be in addition to the punishment provided for the underlying crime; and (3) gives states the option to prosecute offenders in either state or federal court, so long as the states ensure that mandatory minimum sentence of five years is served.

The Republicans are pushing this legislation to the floor as a matter of pure politics. The arrival of the one-year anniversary of the Columbine Massacre on April 20 has basically given the Republicans the impetus to do something, however hollow regarding real common senses gun control it may be.

H.R. 4051 imposes stiff 5-year mandatory minimum sentences in addition to the punishment for the underlying crime.

This is especially objectionable to Democrats because in there is a strong perception that federalizing all crimes gun crimes in Richmond and in other cities has had a disproportionate effect on African Americans, because prosecuting them in federal court changed the composition of the federal juries and resulted in stiff 5-year mandatory minimum sentences.

"Texas Exile," modeled after the Virginia model, will be implemented in my state over the next two years. The goal of Texas Exile is the reduction of gun violence statewide by targeting criminals who use and carry weapons. This prosecution effort will be complemented by a public awareness campaign which markets the message to criminals that if they illegally possess or commit a crime with a gun, they will go to prison for a significant period of time.

Law enforcement officials from my state say they have scheduled meetings with U.S. Attorneys, District Attorneys, Mayors, and Police Chiefs in several cities in Texas, including Houston, to discuss implementation to Texas Exile.

As officials begin to gather statistics on the number of prosecutions relating to Texas Exile, I am concerned that not enough community outreach and education will be devoted to education about gun prevention.

Programs that empower citizens to keep guns away from their communities can work if they work in strong collaboration with local and federal officials.

Finally, statistics show that the record on enforcement of existing gun laws in Texas is less than ideal.

In Texas, many cases have not been prosecuted despite Governor Bush's efforts to show the effect of solid enforcement of existing gun laws in Texas.

Data indicates that between January 1, 1996 and August 31, 1999, 2658 applications for concealed carry licenses were denied. As many as 771 of these denials were because the applicant was a convicted felon (including applicants from people who were convicted of sexual assault of a child, homicide, attempted murder, indecency with a child, and aggravated assault with a weapon).

Because they as already taken the prerequisite safety course, they had broken state law by possessing a gun. As was made clear last week during the Subcommittee on Crime of the House Judiciary Committee, the Texas government officials have not yet responded as to why any of these 771 people had not been prosecuted since 1996.

Without a coordinated approach that includes community outreach and education regarding gun prevention efforts, we will not obtain the results we seek in reducing gun violence in America.

Mr. McCOLLUM. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I want to thank everybody for this debate today. I realize there are some differences about what we should be doing today or not be doing today, but I have heard very little real criticism of the substance of this legislation but rather there are concerns that there are other things that could help in the effort of gun violence. I think all of us would agree there are other things. Certainly more funding for the Bureau of Alcohol, Tobacco and Firearms would be helpful, and I would support an appropriate level of increase in that.

We have already talked about the need for trigger locks and for other gun safety measures which are in other pieces of legislation that are pending right now, but today we have a chance to pass a bill, a bill that will provide

incentive grants to the States to do something that we know is proven and effective to stop gun violence.

The real heartache, as I said earlier, regarding so much violence with guns involves avoidable tragedies, avoidable in the sense that many gun criminals are back on the streets before they should be and they are committing additional violent crimes.

This bill today provides \$100 million in grants to the States that are willing to pass laws that assure that those who carry or use guns in violent crimes have to serve at least a minimum mandatory 5-year sentence without parole, in addition to any underlying sentence, or that they must agree in some manner to prosecute those felons that are back out on the streets who carry a gun or possess a gun, whether they are committing a crime or not. I think that that is a very positive step.

We have seen the results in Richmond and elsewhere on Project Exile which is what this is today. We should pass these incentive grants to encourage States to do that and, no, all States do not qualify, only six do, but that is the whole idea.

When we did Truth in Sentencing, we went from 5 to 27 States that had those laws that now require those who commit violent crimes to serve at least 85 percent of their sentences. If we pass this incentive grant program today, we should go from at least the 6 States who qualify to the 27 and probably a whole lot more when this bill is law that have a provision that says that if one commits a crime carrying a gun or using a gun they are going to have to serve a minimum mandatory sentence of at least 5 years.

Ms. LEE. Mr. Speaker, I rise today in strong support of the motion to instruct the conferees on the Juvenile Justice bill.

These laws would help bring an end to the unnecessary deaths occurring among our children; unfortunately, we have seen too many massacres, too much heartbreak and too many tragedies, sometimes, even at the hands of our children.

We promised the American people common sense gun control legislation. We have not delivered on that promise. In fact, we have gone in the other direction—engaging in a war of words only. Two weeks ago, the Congress had an opportunity to act responsibly and at a minimum insist that the conferees to the juvenile justice bill meet immediately. Yet the motion was pulled from the calendar.

In my district, in Northern California, the Oakland City Council has taken a strong stance on gun control. They are putting human lives first by prohibiting the sale of compact hand guns, penalizing firearms "straw sales," and prohibiting people under the age of 18 from entering establishments that display firearms. Yet here in Congress we won't, even take the minimum steps, such as child safety trigger locks, to ensure the safety of our children.

We can no longer afford to play partisan politics while so many children's lives remain at stake. The Juvenile Justice Conferees must meet immediately. Congress must pass common sense gun control legislation and deliver on its promise.

Ms. STEARNS. Mr. Speaker, today we are taking a positive step toward effectively addressing gun violence. H.R. 4051, fashioned after the successful enforcement program in Richmond, VA, will send the message to criminals that an illegal gun will get you an automatic 5 year sentence without parole.

Under this bill, States like Florida that have similar firearms laws would qualify for funding under this legislation. The grants can be used to strengthen all aspects of the State's criminal and juvenile justice systems.

This is a commonsense approach to curbing gun violence. We are not just throwing money at new federal agents, we are addressing this issue at the State and local level—where it counts. Giving those States with tough firearms laws the assistance to aggressively enforce them, and helping other States adopt similar laws so that eventually, every criminal will know that wherever he travels within the U.S., if he has an illegal firearm—he is exiled to prison.

Mr. REYES. Mr. Speaker, I rise in strong support of this bill.

Gun violence is a growing concern of the public. We have watched with horror as gun related incidents have taken place around the country. With multiple shooting at our schools, community centers, in the workplace, and in every part of the country, we have tragically seen innocent victims injured and killed from gunfire. While some of these have been isolated incidents with a variety of circumstances, it is wake up call that more must be done to stem gun violence and deter those who would freely carry weapons and use them to commit acts of violence.

In response, Project Exile has established itself as an excellent initiative to address this problem, having originated in Virginia and now being replicated around the country, and specifically in my state of Texas.

Project Exile, establishes five year minimum mandatory sentences for carrying or using a gun during the commission of a crime. It also establishes greater coordination between state and federal prosecutors, so that prosecutors can more readily access the heavier sentences available under the federal sentencing guidelines. As a consequence, Project Exile works because it brings together all of law enforcement—local, state and federal law—to focus on the illegal use of guns along with stiff sentencing. As someone who spent over 26½ years in law enforcement, I can tell you that the threat from gun violence requires this kind of coordinated approach from law enforcement and the community.

Since the Texas Exile program was initiated at the beginning of this year, we have already seen positive results from this approach.

The Safe Streets and Neighborhoods Act which we are considering today, provides an important incentive to other states to replicate Project Exile for their state residents. By providing \$100 million dollars in incentive grants to those states implementing Project Exile through this bill, we establish a national initiative to aggressively prosecute and sentence gun offenders.

In conclusion, with passage of this bill I am convinced that we put criminals around the nation on notice that if they use a gun during the commission of a crime they will face extremely aggressive prosecution and lengthy sentences without parole upon conviction. In this way we can reduce violent crime not only in Virginia and Texas, but around the country.

I therefore support this bill, and ask my colleagues to vote for its passage.

Mr. CROWLEY. Mr. Speaker, I rise today to express my serious concerns with H.R. 4051, Project Exile, the Safe Streets and Neighborhoods Act.

Project Exile is a worthwhile program that provides collaboration between federal, state and local law enforcement, along with community involvement. Too bad H.R. 4051 only seeks to link itself to Project Exile in name and does not take this lesson to heart. H.R. 4051, despite its stated intentions, will not do enough to keep our streets safe and keep guns out of the hands of criminals and children.

In 1998 Congress appropriated \$1.5 million to provide Philadelphia prosecutors with funding to help combat gun violence. However, H.R. 4051 provides only \$10 million for all of the States eligible for grants under this program. Clearly, this level of funding is insufficient to address the monumental problem of gun violence in our society.

Now, I agree with the supporters of this legislation in one key respect, the U.S. Congress must provide enhanced resources to enforce existing gun control laws.

That is why I have joined with Ranking Member CONYERS, Congresswoman CAROLYN MCCARTHY and a number of my colleagues in supporting H.R. 4066, the Act for the Effective National Firearms Objectives for Responsible Common-sense Enforcement of 2000 or ENFORCE Act.

H.R. 4066, unlike H.R. 4051, provides real resources to assist law enforcement officials in the apprehension and prosecution of those who violate our gun control laws.

Mr. Speaker, H.R. 4066 authorizes funding for 500 new Alcohol, Tobacco and Firearms agents and inspectors, as well as over 1,000 Federal, state and local gun prosecutors. This legislation also improves gun tracing and ballistics testing systems, funds smart gun technologies and closes the dangerous loopholes that allow criminals and children to obtain guns by hindering the enforcement of gun control laws.

H.R. 4066 would go a long way toward apprehending and prosecuting criminals who violate gun control laws. Too bad H.R. 4051 was brought directly to the floor as a suspension without any opportunity for Democrats to offer amendments. Too bad my colleagues across the aisle are only interested in paying lip service to the enforcement of existing gun control laws, because if they were serious, they would bring up the ENFORCE Act under suspension or allow it as an amendment.

Mr. Speaker, I find it hard to believe that despite the overwhelming desire by the American people for reasonable and common sense limitations on access to guns, this Congress has still not passed and sent to the President the Senate version of the Juvenile Justice bill.

The parents of America are concerned. And, given the tragedies that have occurred across this nation, they have a right to be. They are concerned about the proliferation of guns, of kids gaining access to guns without trigger locks, of guns being bought and sold at gun shows and flea markets without adequate background checks, and of the ability to buy guns anonymously over the Internet.

They are concerned, Mr. Speaker, because current U.S. law is inadequate to prevent guns

from easily falling into the wrong hands. They are concerned and want action by this Congress.

Mr. Speaker, despite my very serious concerns with H.R. 4051, I plan to vote in favor of this legislation for two reasons. One, it does provide some additional resources for the fight against gun violence. Two, I have high hopes that the Senate will do the right thing and make this into a better piece of legislation that will make our streets and neighborhoods safer.

Mr. BARR of Georgia. Mr. Speaker, I commend you for bringing H.R. 4051 the "Project Exile; Safe Streets and Neighborhoods Act" to the House Floor for a vote. Project Exile is an extremely successful program that drastically reduces gun violence, and needs to be expanded throughout the United States.

This project, run by the U.S. Attorney's office, is credited with substantially reducing violent crime in Richmond, Virginia. Under "Exile," all felons, without exception, who illegally possess firearms are prosecuted and sentenced to stiff, federal mandatory prison terms. The program publicly and visibly advertises the new sentencing procedure, to further deter the illegal possession of firearms, and emphasizes joint, coordinated prosecution involving federal, state, and local police and prosecutors.

The program proves that when political debates about gun control take a back seat to coordinated, consistent and aggressive enforcement of existing laws, violent crime is dramatically reduced and lives saved. "Project Exile" sends a clear message to criminals, that having an illegal firearm will earn a swift and tough sentence in federal prison. Under this plan, the efforts of prosecutors, backed by a community advertising plan, has made it common knowledge on the streets of Richmond that felons caught with firearms will be swiftly "exiled" to federal prison for a minimum of five years. We know the vast majority of gun violence is committed by individuals with prior felonies. If we can keep these felons from carrying firearms, we can dramatically reduce gun violence.

In return for taking these simple steps, the City of Richmond has achieved a significant drop in violent crime. Richmond's homicide rate alone has been cut over 33% by the program, in the past two years. In the process, prosecutors have achieved a 90% conviction rate on 509 indictments.

This is a program that should be extended by the Department of Justice to other cities across America. The Department of Justice's failure to direct "Exile" projects in other major U.S. cities such as Atlanta, is unacceptable. It is another example of the Department's refusal to enforce existing gun laws. For example, in 1998, the Department prosecuted only one felon who tried to purchase a firearm and was caught by the instant check system. In the same year, there were 6,000 students caught with guns in school, but only eight prosecutors. From 1992 to 1998, the number of federal prosecutions for criminal use of guns has declined almost fifty percent while funding to the Department of Justice and Department of Alcohol, Tobacco and Firearms has almost doubled.

Programs such as "Project Exile" are proven to be effective in the fight against crime. It is time for all cities to implement such a program and get tough with criminals. H.R. 4051

will allow this to happen. I am proud to be a supporter of the "Project Exile" program and a cosponsor of this bill. I urge you to support both.

Mr. UDALL of Colorado. Mr. Speaker, I will support this bill, but I am disappointed with the way it is being brought to the floor and with the bill itself.

I am disappointed that the Republican leadership has brought the bill before the House under a procedure that prohibits any amendments and allows for only a minimal time for discussion.

I also am disappointed with the way the bill has been drafted. Parts of it are too narrow, so that only a few states would qualify for the proposed law-enforcement assistance. Other parts are too broad, so that the funds that would be provided to the states would not necessarily be used for better enforcement of gun laws. Instead, it could go for almost anything related to law enforcement or corrections.

I think the House can and should do better than this. We can and should take time to fully discuss this bill and to consider amendments that could strengthen it so that it would come closer to living up to its title of the "Project Exile: The Safe Streets and Neighborhood Act of 2000."

I strongly support the kind of increased enforcement that the bill's title tries to suggest would be the result of enacting this measure. In Colorado our United States Attorney, Tom Strickland, is working in cooperation with state and local law-enforcement officials, for that kind of increased enforcement.

I want to do all I can to help that important initiative—so, while this bill is not everything that I think it could and should be, I will support it. The bill would at least take a small step toward better enforcement in Colorado and the five other states that now meet the bill's criteria for receiving assistance, and I urge its approval.

Mr. BLILEY. Mr. Speaker, I am supporting the expansion of a program that has been extremely successful in my hometown of Richmond, VA—Project Exile. I am pleased to be an original cosponsor of this legislation, Project Exile: The Safe Streets and Neighborhood Act of 2000 (H.R. 4051), introduced by Congressman BILL MCCOLLUM (R-FL).

Crime is a serious problem which effects every member of society, yet I do not feel that gun control is the solution. I let my record speak best of my views of the Second Amendment. I have never voted to ban guns because I believe they infringe upon the rights of responsible citizens who own guns or would like to own them in the future. We do not need more gun control laws; we need more enforcement of the laws we already have. That is exactly what Project Exile does.

Until Project Exile, people in Richmond were afraid to leave their homes at night—parts of Richmond had been taken over by gun toting criminals. Richmond had one of the highest murder rates in the world. Then in 1997, Project Exile started. The turn around has been remarkable. In three short years, homicides have dropped 46 percent. Crimes involving guns have dropped a remarkable 65 percent. Aggravated assaults fell 39 percent. Violent crimes have fallen 35 percent.

The citizens of Richmond are taking back our city—they did this by letting the criminals know that if they use a gun illegally, they are

going to prison. It is for this reason that I support expanding this program—a program that stops crime—to the rest of the country. Project Exile saves lives and protects families and their children from the destructive and deadly acts of violent criminals. If you doubt me, then I invite you to drive down to Richmond and talk to our police, business owners, religious leaders and the hard working citizens of Richmond. You will quickly see the positive impact Project Exile has had on Richmond.

Law enforcement and stronger penalties, including prison without the possibility of parole, remain the most powerful weapons of the Congress in fighting crime. In Richmond, Project Exile has proven that effective law enforcement along with aggressive prosecution reduces violence and crime. Project Exile saves lives and protects families and their children from the destructive and deadly acts of violent criminals.

As an original cosponsor of this legislation, I look forward to the day that all people in this country will be protected by this effective program that saves lives. I ask my colleagues to vote yes on this important legislation.

Ms. WOOLSEY. Mr. Speaker, H.R. 4051 is another smoke screen for the Republicans and the NRA to hide behind. While Republicans are wasting time with this “do nothing” gun bill, 12 children will die today from gun violence. That’s 12 children gone forever.

This is not a game, Mr. Speaker, this is about children’s lives.

Next week we will commemorate the one year anniversary of Columbine. As Representative MCCULLOM admitted, our children need mandatory safety locks; they need powerful ammunition clips to be banned; they need effective background checks; and, they need the gun show loopholes closed.

Additionally, what is truly needed is for the NRA to loosen its grip on the Republican leadership. Our children need real gun safety legislation and they need it now.

Guns kill, It’s that simple.

This bill does nothing more than say we should have enforcement of gun laws. What a joke.

I urge my Republican colleagues to stop standing up for the NRA and, instead, stand up for children.

Mr. WATTS of Oklahoma. Mr. Speaker, for months we have engaged in a national debate or rhetoric on the issue of gun violence. Both sides of the political spectrum have had their opinion on how to end gun violence in our country. Today, this body will consider common sense legislation that will be the first step to ending gun violence. Today, this Congress sends a simple and convincing message to criminals around the country. If you are a convicted felon and are in the possession of a firearm you will go to prison for at least 5 years. If you possess a firearm on school property in a threatening manner you will go to prison for at least 5 years. If you possess a firearm and illegal drugs such as heroin or cocaine you will go to prison for at least 5 years.

My colleagues on both sides of the aisle agree that tougher enforcement of gun laws is needed. We all have a common goal. Today we make our goal a reality. Today, we give our state and local governments the means to achieve this desired goal. We have the opportunity to provide \$100 million dollars in grants to our states to prosecute violators of gun laws. This money will be used to hire and train

judges, hire criminal prosecutors, and pay for new prisons to hold those convicted of violating our gun laws. Today we will start making our gun laws work, we will start enforcing them across the country.

I urge all of my colleagues to stand together today and send a message to all criminals across America. I urge you to stand tall and say we will no longer stand for gun violence in our country. We need to stop infringing on the Constitution, and actually enforce the laws that are on the books. I urge you to stand with me and vote for H.R. 4051, “Project Exile: The Safe Streets and Neighborhoods Act of 2000.”

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. 4051.

The question was taken.

Mr. MCCOLLUM. 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 358, nays 60, not voting 16, as follows:

[Roll No. 115]

YEAS—358

Abercrombie
Ackerman
Aderholt
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggart
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon

Capps
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fletcher
Foley
Forbes
Fossella

Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gedjenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inlee
Isakson
Istook
Jefferson
Jenkins

John
Johnson (CT)
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kind (WI)
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Menendez
Metcalfe
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler

Allen
Berman
Brady (PA)
Campbell
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Conyers
Cummings
Davis (IL)
Delahunt
Fattah
Filner
Ford
Frank (MA)
Hastings (FL)
Hinchee
Jackson (IL)

Cook
Cubin
DeGette
Ewing
Gilman
Goodling

Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Ose
Oxley
Packard
Pallone
Pascarelli
Pastor
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Wamp
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows

NAYS—60

Jackson-Lee
(TX)
Johnson, E. B.
Jones (OH)
Kennedy
Kilpatrick
LaFalce
Lee
Lewis (GA)
Lofgren
Markey
McCarthy (MO)
McDermott
McGovern
McKinney
Meek (FL)
Meeks (NY)
Millender-
McDonald
Olver
Owens

NOT VOTING—16

Hefley
Johnson, Sam
Klecicka
Martinez
McIntosh
Morella

Shuster
Simpson
Sisisky
Skeen
Skeltton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancred
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vento
Visclosky
Vitter
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

Paul
Payne
Pelosi
Rangel
Rush
Sabo
Sanders
Sanford
Schakowsky
Scott
Serrano
Snyder
Stark
Thompson (MS)
Tierney
Towns
Velazquez
Waters
Watt (NC)
Woolsey

□ 1316

Mr. DELAHUNT, Ms. MILLENDER-MCDONALD, and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from "yea" to "nay."

Mr. GUTIERREZ and Mr. BECERRA changed their vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. EWING. Mr. Speaker, on rollcall No. 115, had I been present, I would have voted "yes."

Mr. GILMAN. Mr. Speaker, during rollcall No. 115 I was unavoidably detained, while attending the funeral of Jack Brady, former Chief of Staff of the House International Relations Committee, and missed the vote. If I had been present I would have voted "aye."

VISA WAIVER PERMANENT PROGRAM ACT

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3767) to amend the Immigration and Nationality Act to make improvements to, and permanently authorize, the visa waiver pilot program under section 217 of such Act, as amended.

The Clerk read as follows:

H.R. 3767

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 "Visa Waiver Permanent Program Act".

TITLE I—PERMANENT PROGRAM AUTHORIZATION

SEC. 101. ELIMINATION OF PILOT PROGRAM STATUS.

(a) IN GENERAL.—Section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) is amended—

(1) in the section heading, by striking "PILOT";

(2) in subsection (a)—

(A) in the subsection heading, by striking "PILOT";

(B) in the matter preceding paragraph (1), by striking "pilot" both places it appears;

(C) in paragraph (1), by striking "pilot program period (as defined in subsection (e))" and inserting "program"; and

(D) in paragraph (2), in the paragraph heading, by striking "PILOT";

(3) in subsection (b), in the matter preceding paragraph (1), by striking "pilot";

(4) in subsection (c)—

(A) in the subsection heading, by striking "PILOT";

(B) in paragraph (1), by striking "pilot";

(C) in paragraph (2)—

(i) by striking "subsection (g)" and inserting "subsection (f)"; and

(ii) by striking "pilot"; and

(D) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking "(within the pilot program period)";

(ii) in subparagraph (A), in the matter preceding clause (i), by striking "pilot" both places it appears; and

(iii) in subparagraph (B), by striking "pilot";

(5) in subsection (e)(1)—

(A) in the matter preceding subparagraph (A), by striking "pilot"; and

(B) in subparagraph (B), by striking "pilot";

(6) by striking subsection (f) and redesignating subsection (g) as subsection (f); and

(7) in subsection (f) (as so redesignated)—

(A) in paragraph (1)(A) by striking "pilot";

(B) in paragraph (1)(C), by striking "pilot";

(C) in paragraph (2)(A), by striking "pilot" both places it appears;

(D) in paragraph (3), by striking "pilot"; and

(E) in paragraph (4)(A), by striking "pilot".

(b) CONFORMING AMENDMENTS.—

(1) DOCUMENTATION REQUIREMENTS.—Clause (iv) of section 212(a)(7)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(7)(B)(iv)) is amended—

(A) in the clause heading, by striking "PILOT"; and

(B) by striking "pilot".

(2) TABLE OF CONTENTS.—The table of contents for the Immigration and Nationality Act is amended, in the item relating to section 217, by striking "pilot".

TITLE II—PROGRAM IMPROVEMENTS

SEC. 201. EXTENSION OF RECIPROCAL PRIVILEGES.

Section 217(a)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(2)(A)) is amended by inserting ", either on its own or in conjunction with one or more other countries that are described in subparagraph (B) and that have established with it a common area for immigration admissions," after "to extend)".

SEC. 202. MACHINE READABLE PASSPORT PROGRAM.

(a) REQUIREMENT ON ALIEN.—Section 217(a) of the Immigration and Nationality Act (8 U.S.C. 1187(a)) is amended—

(1) by redesignating paragraphs (3) through (7) as paragraphs (4) through (8), respectively; and

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

"(3) MACHINE READABLE PASSPORT.—On and after October 1, 2006, the alien at the time of application for admission is in possession of a valid unexpired machine-readable passport that satisfies the internationally accepted standard for machine readability."

(b) REQUIREMENT ON COUNTRY.—Section 217(c)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)(B)) is amended to read as follows:

"(B) MACHINE READABLE PASSPORT PROGRAM.—

"(i) IN GENERAL.—Subject to clause (ii), the government of the country certifies that it issues to its citizens machine-readable passports that satisfy the internationally accepted standard for machine readability.

"(ii) DEADLINE FOR COMPLIANCE FOR CERTAIN COUNTRIES.—In the case of a country designated as a program country under this subsection prior to May 1, 2000, as a condition on the continuation of that designation, the country—

"(I) shall certify, not later than October 1, 2000, that it has a program to issue machine-readable passports to its citizens not later than October 1, 2003; and

"(II) shall satisfy the requirement of clause (i) not later than October 1, 2003."

SEC. 203. DENIAL OF PROGRAM WAIVER BASED ON GROUND OF INADMISSIBILITY.

(a) IN GENERAL.—Section 217(a) of the Immigration and Nationality Act (8 U.S.C. 1187(a)), as amended by section 202, is further amended by adding at the end the following:

"(9) AUTOMATED SYSTEM CHECK.—The identity of the alien has been checked using an

automated electronic database containing information about the inadmissibility of aliens to uncover any grounds on which the alien may be inadmissible to the United States, and no such ground has been found."

(b) VISA APPLICATION SOLE METHOD TO DISPUTE DENIALS OF WAIVER BASED ON GROUND OF INADMISSIBILITY.—Section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), as amended by section 101(a)(6) of this Act, is further amended by adding at the end the following:

"(g) VISA APPLICATION SOLE METHOD OF DISPUTING GROUND OF INADMISSIBILITY FOUND IN AUTOMATED SYSTEM.—In the case of an alien denial a waiver under the program by reason of a ground of inadmissibility uncovered through a written or verbal statement by the alien or a use of an automated electronic database required under subsection (a)(9), the alien may apply for a visa at an appropriate consular office outside the United States. There shall be no other means of administrative or judicial review of such a denial, and no court or person otherwise shall have jurisdiction to consider any claim attacking the validity of such a denial."

(c) PAROLE AUTHORITY.—Section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) is amended—

(1) in subparagraph (A), by striking "subparagraph (B)" and inserting "subparagraph (B) or (C)"; and

(2) by adding at the end the following:

"(C) The Attorney General may not parole into the United States an alien who has applied under section 217 for a waiver of the visa requirement, and has been denied such waiver by reason of a ground of inadmissibility uncovered through a written or verbal statement by the alien or a use of an automated electronic database required under section 217(a)(9), unless the Attorney General determines that compelling reasons in the public interest, or compelling health considerations, with respect to that particular alien require that the alien be paroled into the United States."

SEC. 204. EVALUATION OF EFFECT OF COUNTRY'S PARTICIPATION ON LAW ENFORCEMENT AND SECURITY.

(a) INITIAL DESIGNATION.—Section 217(c)(2)(C) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)(C)) is amended to read as follows:

"(C) LAW ENFORCEMENT AND SECURITY INTERESTS.—The Attorney General, in consultation with the Secretary of State—

"(i) evaluates the effect that the country's designation would have on the law enforcement and security interests of the United States (including the interest in enforcement of the immigration laws of the United States);

"(ii) determines that such interests would not be compromised by the designation of the country; and

"(iii) submits a written report to the Committee on the Judiciary of the United States House of Representatives and of the Senate regarding the country's qualification for designation that includes an explanation of such determination."

(b) CONTINUATION OF DESIGNATION.—Section 217(c) of the Immigration and Nationality Act (8 U.S.C. 1187(c)) is amended by adding at the end the following:

"(5) WRITTEN REPORTS ON CONTINUING QUALIFICATION; DESIGNATION TERMINATIONS.—

"(A) PERIODIC EVALUATIONS.—

"(i) IN GENERAL.—The Attorney General, in consultation with the Secretary of State, periodically (but not less than once every 5 years)—

"(I) shall evaluate the effect of each program country's continued designation on the law enforcement and security interests of the United States (including the interest in