

Waxman	Weygand	Wu
Weiner	Wise	
Wexler	Woolsey	

## NOT VOTING—21

Barcia	Engel	Meek (FL)
Brown (FL)	Filner	Murtha
Cannon	Hyde	Rangel
Clement	Klecicka	Roybal-Allard
Cook	Kuykendall	Ryun (KS)
Cubin	Linder	Vento
Dooley	McCollum	Wynn

1407

Ms. WOOLSEY changed her vote from "yea" to "nay."

Mr. SHOWS changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4690, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. HANSEN). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

## DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 529 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4690.

1409

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4690) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Kentucky (Mr. ROGERS) and the gentleman from New York (Mr. SERRANO) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS. Mr. Chairman, I yield myself 11 minutes.

Mr. Chairman, we present to you H.R. 4690, making appropriations for the Departments of Commerce, Justice, and State, and the Federal Judiciary and related agencies for fiscal year

2001. This bill provides funding, Mr. Chairman, for the largest variety of Federal agencies of any bill. The impact ranges from safety on our streets, to the conduct of diplomacy around the world, even to predicting the weather from satellites in outer space. So we will have a chance to talk about a big chunk of the Federal Government when we talk about this bill.

The bill requires a very delicate balancing of needs and requirements. We continue in the bill to recognize the very tight funding restraints under which we are required to live because of the 1997 Balanced Budget Act. At the same time, we must keep in mind the most fundamental needs of our Nation, and we have to provide sufficient funds to ensure that those needs are met.

This bill recommends, Mr. Chairman, a total of \$34.9 billion in discretionary spending, and that is within our allocation from the Congress and the full committee. Within that limited allocation, we focused funding on priority areas to maintain our investments and to address key priorities, including maintaining our efforts in the war on crime and drugs by fully funding current operations for Federal law enforcement and the courts, as well as the growing detention needs in our prisons and our INS detention centers.

We maintain our crime fighting partnership with States and our localities to ensure that they have the tools they need to fight the war on crime and drugs, as well as the emerging threats of domestic terrorism; and we all know that it is in our local communities and in our States where the biggest war on crime and drugs and terrorism has to take place.

We maintain other important programs at current operating levels, including the weather service, weather satellites, trade promotion, law enforcement, State Department operations and small business assistance programs, as well as to provide full funding to complete the Decennial Census.

We continue and we strengthen our efforts to provide the most secure environment possible for our diplomatic personnel as they carry out their vital work overseas. We strengthen our efforts to address the growing crisis in detention, the continued problem of illegal immigration, and new and emerging crime threats as we move into the 21st century.

Within our limited resources, we have tried to stay the course, preserve proven programs, and address the highest priority problems. We have deferred funding for proposals for new programs that are undefined, untested, and unauthorized by the Congress, and may be impossible to sustain in future years.

For the Department of Justice, the biggest part of this bill, we recommend \$20.3 billion for discretionary spending. That is \$1.75 billion over the current year; and the vast majority of that increase is just to maintain current operating levels of Justice and to address

the growing detention crisis. Of the increase, 45 percent, \$789 million, is for increased detention costs to house Federal prisoners, criminal and illegal alien populations that are being detained in this country.

The bill also includes a \$415 million increase for Federal law enforcement operations, FBI, DEA, U.S. Attorneys and U.S. Marshals, just to maintain their current operations and provide targeted increases for firearms prosecutions, drugs, cyber-crime, and national security threats.

1415

In addition, \$329 million is provided to ensure that Federal, State and local law enforcements are able to continue to operate in the new technology arena that the world has entered.

For INS, the Immigration Service, in addition to detention funding, we also provide increases for another round of new Border Patrol agents and technology that supports them, and for interior enforcement within the U.S., and to try to reduce the enormous naturalization backlog that now is years long.

The bill also includes a total of \$4 billion for our State and local law enforcement partners as they fight the crime on the local level, including the COPS program. These programs are all maintained at pre-rescission fiscal year 2000 levels.

For the Department of Commerce, \$4.4 billion is recommended, and that is a net decrease of \$287 million below the comparable 2000 year level, excluding the one-time cost for the decennial Census, which we had to fund last year.

The bill maintains funding for most Commerce agencies at the current year level and provides some increases for key programs, including the weather service, weather satellites, NIST core research programs, and the U.S. and Foreign Commercial Service in our embassies overseas.

These increases have been offset by eliminating low-priority NOAA programs and the Advanced Technology Program, as well as savings from non-recurring, one-time construction costs at the National Institute of Standards and Technology.

What this bill does not do, Mr. Chairman, is fund a number of new or expanded Commerce programs requested in the budget, unauthorized and, in some cases, even undefined, and we have not funded significant program expansions whose future funding levels may not be able to be sustained in future years.

For the Judiciary, from the Supreme Court down to the district courts, we recommend \$3.49 billion, that is an increase of \$245 million above the current year. That is just to allow the courts to maintain their current operations and to provide for a limited number of programmatic increases, and to allow the new judges that are being appointed and new courthouses being opened in order to staff those offices. These increases are in line with those provided

to maintain our commitment to law enforcement. We cannot increase the investigators without increasing the courts to handle them and the prosecutors to prosecute them and the prisons, finally, to house those convicted.

For the State Department and the Broadcasting Board of Governors, we recommend \$6.4 billion. That is an increase of \$253 million over current levels, but \$405 million below what was requested of us. The recommendation includes \$3.1 billion for the domestic and overseas operations of State, and that is an amount sufficient only to maintain the current levels of staffing and our overseas presence.

The recommendation provides just over \$1 billion, \$1.06 billion, the full request, to address critical embassy security requirements and to continue designing and constructing secure replacement facilities for the most vulnerable of our overseas posts where our personnel are most at risk. This is a priority of this subcommittee, and I am delighted that we were able to meet the requests for spending in total.

We recommend \$438 million for all U.S. government-sponsored international broadcasting, now functioning as an independent agency under the Broadcasting Board of Governors.

Related Agencies. Last but not least, we include \$1.9 billion, \$507 million below the request, and \$128 million below current levels, but this level preserves current agencies and functions, and we reduce or eliminate lower priority programs. We include \$856 million for the Small Business Administration, including \$276 million for the disaster loans program and \$264 million for business loan programs.

We have tried, Mr. Chairman, to bring to the committee a clean bill. It is free of the major policy controversies that have bogged us down in the past, and it meets the highest priority needs within the allocation we were given. We give no ground in the war against crime and drugs, we maintain our commitment to core programs at Commerce, including the National Weather Service and high priority items within NOAA; we maintain our commitment to providing secure facilities for our overseas personnel, and by hitting the subcommittee allocation we were given, we maintain the principle of fiscal restraint. It represents our best take on matching needs with resources, and I hope the House will stand behind it.

I want to thank the gentleman from New York (Mr. SERRANO), the ranking member, who has been a very effective and valued partner of mine and colleague as we drafted and worked on this bill. I deeply appreciate his thoughtfulness and his tireless participation throughout the process and his frank discussions with me about our work.

I would be remiss if I failed to thank all of the members of the subcommittee: The gentleman from Arizona (Mr. KOLBE); the gentleman from

North Carolina (Mr. TAYLOR); the gentleman from Ohio (Mr. REGULA); the gentleman from Louisiana (Mr. LATHAM); the gentleman from Florida (Mr. MILLER); the gentleman from Tennessee (Mr. WAMP); the gentleman from California (Mr. DIXON); the gentleman from West Virginia (Mr. MOLLOHAN); and the gentlewoman from California (Ms. ROYBAL-ALLARD), for all of their work and assistance, and to express our thanks for all the long hard hours of our staff; it takes dedication and stamina, and they have been there. We want to thank our full committee chairman, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY), the full committee ranking member, for their help.

Mr. Chairman, I urge all Members to support this bill.

One final consideration on this bill, one note of privilege here, and that is that my staff is maintaining a list of amendments, those that are filed and those only in the drafting stages, and I would appreciate the Members letting us add their name to the list if they think they might have an amendment. Simply knowing of that will help us manage the bill and perhaps speed its consideration.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would just like to emphasize what the Chairman has just said with respect to that one point. If we are to be able to try to work on some kind of unanimous consent agreement at some point, we need to know the full universe of amendments, and what Members' full intentions are. Otherwise, it is difficult to protect those Members, and the sooner we know that, the sooner we can try to meet the demands of the House.

Mr. ROGERS. Mr. Chairman, I reserve the balance of my time.

Mr. SERRANO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to discuss H.R. 4690, the bill making appropriations for the Departments of Commerce, Justice and State, the Judiciary, and several related agencies for fiscal year 2001. I would be remiss if I did not first express my appreciation for the excellent relationship the gentleman from Kentucky (Mr. ROGERS), the chairman of our subcommittee, and I have enjoyed since I came on board as ranking Democrat, nearly a year and a half ago. He has been a good and fair leader and that made my tenure on the subcommittee both pleasant and productive, as well as educational. I must point out that this is his last year as chairman under the term limits imposed by his conference. His knowledge and experience of this bill can hardly be matched in the House, and I believe this will be a tremendous loss to us.

I also want to thank the full committee chairman, the gentleman from Florida (Mr. YOUNG) and my ranking member, the gentleman from Wis-

consin (Mr. OBEY) for their support and understanding during these very difficult times.

It has also been a pleasure to work with the other subcommittee members. Those on our side have worked particularly well together, and I must especially thank the gentleman from California (Mr. DIXON) and the gentleman from West Virginia (Mr. MOLLOHAN), both of whom have served on the subcommittee for many more years than I have who have quietly guided and graciously supported the newer members, the gentlewoman from California (Ms. ROYBAL-ALLARD) and myself.

I want to take this opportunity to also thank both the subcommittee staff and my personal staff and our committee staffs. They are all here with us right now. They are Gail and Jennifer, Mike, Christine, John, Greg, Kevin, and, of course, our subcommittee staff, Sally, Pat, and my own staff, Lucy, Nadine, and Cecelia. I am sure I left somebody out, and I am in trouble for that.

As I have said often enough each year, within ever-tighter budget allocations, it grows tougher to produce a defensible bill. But my chairman has done a decent job with the resources allocated to him. The biggest flaws in this bill flow from the artificially low allocation and the choices it has forced on the subcommittee.

Despite a very sound economy and healthy, on-budget surpluses which CBO, in its mid-session review, is soon expected to increase, the Committee on Appropriations remains bound by artificially low allocations which prevent us even from keeping all of our agencies at their current services level and making funding important new initiatives virtually impossible. This is a time when we should take advantage of the economy and the surpluses to invest directly in our people and in our Nation through programs to narrow the growing income and opportunity gaps and strengthen the economy, not just hope investment will trickle down from tax cuts for the wealthiest Americans, which is I think a foolish way to look.

The chairman of our subcommittee has provided some increases for high priority law enforcement functions, but overall, the bill is not balanced. There are serious shortfalls in areas that are important to Members on both sides of the aisle. Even within the Justice Department, the emphasis is on prisons and detention, not the programs that protect Americans' civil rights or address crime or crime prevention at the local level. The same is true for the related agencies that protect civil and employment rights. The Commerce Department is virtually frozen without even the inflationary increases needed to maintain current services for its vital activities.

Mr. Chairman, let me mention only three problems with Commerce and related programs. Trade monitoring and enforcement will need more resources, not less, to assure compliance with the

newly enacted Africa trade law and with China PNTR, even though supporters of both pledge muscular enforcement. The statistical activities that produce the data that underlie our economic decision-making have been declining under hard freezes for years, despite enormous changes in our economy, and we are approaching the point when basic data sets may become unreliable.

NOAA, with its critical work on weather, the health of our air and water, coasts and oceans and so much more, is cut \$113 million below fiscal year 2000 and more than half a billion dollars below the 2001 request. This certainly leaves no money for Commerce's proposed initiatives, including two of particular importance to me: creating a pool of minority candidates for scientific and technical jobs at NOAA and NIST through minority-serving institutions, and bridging the widening digital divide between the haves and have-nots of the information age.

In the State Department, the funding for embassy security is certainly welcome and necessary. However, provisions fencing part of our U.N. dues pending a certification that cannot be made until well into the fiscal year, and holding our contributions to international peacekeeping at the current year's level will reduce our leverage for continuing reform at the U.N. and put us back in arrears to the U.N.

The funding shortfall for the Small Business Administration will affect our small businesses and, thus, our economy. The SBA's core programs are vital to small businesses, but providing \$201 million below the request means an inadequate base for them to build upon. I am particularly concerned about the severe cuts in the request for microloan technical assistance and to the women's programs, as well as the lack of any funding for the new PRIME Technical Assistance Program.

The Legal Services Corporation, which won a final fiscal year appropriation of \$305 million, has once again emerged from full committee with an appropriation of \$141 million. For the last 5 years, floor amendments have increased LSC's appropriations to around \$250 million. This year, I am offering an amendment to increase the Legal Services Corporation to \$275 million.

1430

I will explain the offsets for this increase when I bring up my amendment.

I will also be offering an amendment with the gentleman from Michigan (Mr. CONYERS) to increase funding for the Civil Rights Division of the Department of Justice. I believe that in such a good economy, it is outrageous not to address the discrimination that keeps some Americans from full participation in our society.

Mr. Chairman, like last year, I am hopeful that by the end of the process, we will have a bill we can all support. Although I have serious problems with H.R. 4690 in its present form, and as

long as nothing happens on this floor to make it worse, I will not try to derail it, but will continue to work with the gentleman from Kentucky (Mr. ROGERS) for a better final product.

I hope that this is also the concern on the other side, because at this point this bill would be unacceptable to most Members of this caucus.

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

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. YOUNG), the very distinguished and very effective chairman of the full committee.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding me the time. I rise in part to compliment him and congratulate him for having brought what is a fairly difficult bill to the floor in what I think will be a fairly bipartisan approach.

I also thank the gentleman from New York (Mr. SERRANO), the ranking minority member, who has been just a tremendous partner in this whole effort.

I would like to say that this is Thursday, and hopefully the agreement that the gentleman from Wisconsin (Mr. OBEY) and I are working on, along with the gentleman from Kentucky (Mr. ROGERS) and the gentleman from New York (Mr. SERRANO), will allow us to complete consideration of this bill early enough tomorrow that Members can make their weekend plans.

I also want to compliment the Committee on Appropriations, the staff, and the Members of this House. This is the eighth appropriations bill that the House will have sent down to the Senate for this fiscal year. That is in addition to the supplemental that we did earlier.

Eleven of our subcommittees have marked up their bills. The full committee has marked up 10 bills and has sent them to the House. The 11th bill will be marked up on Tuesday morning. That is the foreign operations bill. Next week we expect to have on the floor the agriculture bill, which is basically ready for floor consideration, and the energy and water bill, which we intend to have on the floor before next weekend.

Also, we fully anticipate having the conference report on the military construction bill ready for House consideration next week. So all in all, by the end of June, most of these appropriations bills will be through the House and down in the other body.

One bill, the District of Columbia, will not be, and basically that is because the District of Columbia has a different fiscal year than the Federal government. We have not yet received the budget request from the District of Columbia, so we are not able to have that bill ready by the end of next week.

The appropriations committee has done a good job moving the bills. The House has done a very good job moving the bills. I want to compliment all of the Members of the Committee on Appropriations for their excellent work.

Mr. SERRANO. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, let me just simply say, in response to the remarks of my good friend, the gentleman from Florida, I certainly expect that by the end of June the House will have all or almost all of the appropriations bills through the House, but frankly, I think that means almost nothing. I do not know of a baseball game in which we score a run by having 12 or 13 men standing on first base.

The way it works in government is passage of the House gets us to first base, passage of the Senate gets us to second base, passage of the conference report after we iron out agreements between the Senate and the House gets us to third base, and signature by the President gets us home.

Six of these bills that we have ground through day after day and night after night are stuck on first base. A few of them may get to second base. All six of those are not going to get home. They are not going to get a presidential signature until they begin to reflect reality.

The problem is, we have gone through a huge debate taking many, many hours, on bills that we all know are not real. We all know that, in the end, the majority party is not going to be able to provide \$90 billion in tax cuts for those who make over \$300,000 a year, they are not going to be able to provide \$200 billion in inheritance tax cuts for the richest 400 families in this country because the President is not going to sign those bills.

When Members finally recognize that, then there will be enough room in these bills to deal with the education needs of the country, to deal with the health care needs of the country, to deal with the foreign policy needs of the country, to deal with the criminal justice needs of the country, to deal with the law enforcement problems of the country, and to eliminate some of the ludicrous shortages that we have here today in the antitrust budget, in the trade enforcement budget, and the like.

Mr. Chairman, I would simply say that, in a sense, I feel strange even taking the House's time, because these bills are going to be adjusted. Every time a bill comes to the floor we are told by the majority party, "Do not worry, this is only the second step in the process. Somewhere along the line it is going to get fixed."

What that means is somewhere along the line, somebody else is going to exercise their responsibilities. That is not much of a way to do business, in my view. But I guess since the bills are here we have no choice but to lay down clear markers about what we consider to be the shortcomings of those bills, as long as we are forced to go through this charade.

Eventually I would urge the gentleman to recognize, and I think the

gentleman from Florida knows it, I would urge the House leadership to recognize that they can pass these bills in one of two ways. We can either pass these bills, as we just passed the previous appropriation bill, with a broad bipartisan coalition and pass these bills with a margin of three to four to one with a strong bipartisan chorus of support, or we can try to pass them on their side of the aisle with a few token votes on this side.

The majority has chosen to do the latter. That gets them to first base, it gets the bills out of the House, but it does not get them any further around the base paths. And until the leadership allows us to legislate rather than produce these "let's pretend" bills, we will continue to hear "Well, we know these bills are inadequate, but we will do better in September."

It would be much better if we did better now!

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

I would just make this one point, that I think all of us who pay any attention to baseball understand that we cannot go from home plate to home plate. We have to go to first base first, and then we go to second, and then we go to third, and then we go home. We just cannot get there without passing first base.

Mr. OBEY. Taking back my time, I recognize that. But as the gentleman knows, these bills are all going to be vetoed, so they have not a prayer of getting home. The ball is never going to get out of the park on any of these bills.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. REGULA), a very valued member of our subcommittee.

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

Mr. REGULA. Mr. Chairman, it is hard to hit a home run with 2 minutes.

Mr. Chairman, I rise in support of the fiscal year 2001 Commerce-State-Justice and Judiciary appropriations bill. I certainly commend the gentleman from Kentucky (Chairman ROGERS) and the ranking member, the gentleman from New York (Mr. SERRANO) for bringing to the House a bill which was crafted under very tight budget constraints that governs the appropriations bills this year.

The bill does continue most programs at current levels, and recognizes high priority areas. I especially would like to thank the chairman for continuing the important partnership that has developed between the National Oceanic and Atmospheric Administration in the Department of Commerce and the Jason Foundation for Education.

This unique partnership continues to make available important research data collected by NOAA to over 3 mil-

lion students who currently participate in the Jason Project. The focus of the Jason Project is to excite and engage elementary and secondary students in the sciences, and to encourage them to continue their education in the field of science. We have a lot of emphasis on that now.

In addition to a yearly curriculum, students participate in annual, electronic, and interactive field trips led by preeminent explorer and scientist, Dr. Robert Ballard.

This year the electronic school bus took students to the NASA Space Center in Houston and NOAA's Aquarius Underwater Laboratory in the Florida Keys. Students studied research techniques and equipment that are used in researching the two extremes, outer space and under water.

One key to the success of the Jason Project is its teacher professional development program. This is a first-rate program which should be made available to as many students as possible. This is pioneering work in long-distance learning.

As we move through the process, I would also like to work with the chairman to find some additional funding for the United States trade ambassador to enhance efforts to ensure compliance with trade agreements. I think this is of particular importance with the recent vote in the House to grant China permanent normal trade relations. We must be sure that China meets its commitments under the U.S.-China bilateral agreement to enter the World Trade Organization.

Mr. SERRANO. Mr. Chairman, as the representative from the Bronx, home of the world champion Yankees, and keeping in line with our baseball talk, I yield 3 minutes to the gentleman from North Carolina (Mr. WATT), the star pitcher for the Democratic team.

Mr. WATT of North Carolina. Mr. Chairman, I thank the ranking member for yielding time to me.

For the very reasons that the ranking member, the gentleman from Wisconsin (Mr. OBEY) described in his statement, I have about ceased to come to the floor to debate appropriations bills because, especially at this stage in the process, we engage ourselves in a charade because we know this bill and many others are going to be vetoed.

Occasionally I pick up a bill and become so disappointed, indeed sometimes so outraged, that I just have to raise my voice. This is one of those occasions, because when we are dealing with Commerce, Justice, and the Judiciary, and matters of state, we do not have the excuse that many of my colleagues on the Republican side have when they are just beating up on poor people or trying to deny giveaways or welfare, or whatever their political or social agenda is.

This bill generally is about how we assure people who are trying to do right by the system that we give some presumptions to how we fund their programs and be of assistance to them in

meeting their obligations in the democratic process.

So when I look at a bill that funds the Legal Services Corporation at a 50 percent cut or 60 percent below what the President of the United States has requested, I say, what are we saying to people? Should they take to the streets and try to get their rights redressed in the streets, or should they continue to have confidence in our legal process and go through the legal process? What obligations do we have as a Congress to encourage them to use the legal process?

When I look at no funds in this bill to help address the digital divide, I ask myself, what message are we sending to people who are not able to, because of their station in life, to take advantage of these E advances, this technology, this booming growth that we are taking advantage of as a Nation?

When I look at a bill and see that the Equal Opportunity Commission is cut by 10 percent when people are trying to get equal justice and equal access to jobs in a growing economy, I say, what message are we sending to the people of the country?

I could go on and on and on, because this bill is simply inadequate. We should reject it and quit participating in this charade.

Mr. ROGERS. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee (Mr. WAMP), the only gentleman in the body that last year struck a home run in that infamous ballgame.

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

1445

Mr. WAMP. Mr. Chairman, I thank the gentleman from Kentucky for those kind words and for yielding me this time.

Mr. Chairman, this is a very important bill. I think few people realize how important this appropriations bill actually is to security, peace, tranquility, justice in this country. It, pound for pound and dollar for dollar, may be the most important appropriations bill of all 13.

Over the last 2 years, we have had approximately 23 hearings each year. I have attended virtually all of those hearings, and I have to tell my colleagues I am so impressed with the leadership of the gentleman from Kentucky (Chairman ROGERS). No one in this body knows their business and their subject matter better than the gentleman from Kentucky (Chairman ROGERS).

If the term limits for subcommittee chairmen rule holds, and, frankly, I hope in certain cases it does not, if it does hold, this may be his last presentation of the Commerce, Justice, State and Judiciary mark. He deserves great credit. As he hosts those hearings and interrogates our witnesses on critical matters around the globe, he knows his issues so well.

Attorney General Reno, Secretary Albright, Secretary Daley, Louis Freeh

of the FBI, we fund almost 300 embassies and consulates around the world. There are so many critical parts of this bill. He knows the ins and outs. He has steered us over these last 2 years through the difficult issues of the census and the U.N. arrearage issue, both of which we now have behind us, and he has done it remarkably well.

That is why the gentleman from New York (Mr. SERRANO), our ranking member, speaks with such respect about the gentleman from Kentucky (Mr. ROGERS). I thank him for being sensitive to the little issues as well.

It is no longer a little issue, as the gentleman from Iowa (Mr. LATHAM) and I both know very well, the issue of methamphetamine production in rural America, where in east Tennessee we have got a bad, bad problem, and kids are dying and lives are being destroyed. This bill funds the remedy for fighting methamphetamine production, and it is so critical.

It is a balanced bill. We do not have as much money as we would like. But I will tell my colleagues this is a very responsible prioritization of resources within the limits that we face.

Today I come to the floor hoping that this is not the last subcommittee mark of the gentleman from Kentucky (Mr. ROGERS) that goes through the full committee and through the House for the first time but hope, in fact, that he can stay. But if, in fact, this is his last mark, I thank the gentleman from Kentucky for his leadership, I thank him for all that he does for the United States of America. A job well done.

Mr. SERRANO. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS), one of those few States with two baseball teams.

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Chairman, I want to thank the gentleman from New York for yielding me this time.

Mr. Chairman, I rise in strong opposition to this bill for several reasons. First of all, it cuts the request by the Department of Justice for its civil rights division by \$11.8 million. It cuts the Equal Employment Opportunity Commission by \$31 million. This bill cuts the Department of Justice's community relations service by \$2.35 million. It cuts the Civil Rights Commission by \$2.1 million.

Finally, I cannot support this bill because it seriously cuts the Legal Services Corporation to a level that will effectively shut down basic legal services for the poorest and most vulnerable members of our society who are seeking justice.

When we are serious about improving race relations, relationships between law enforcement and communities, when we are serious about reducing racial profiling on our streets and roadways, in our airports and in our courtrooms, when we are serious about the real pursuit of justice for all of America, we will vote down this bill and re-

store the resources necessary so that everybody will have an opportunity to bridge the gaps between those who have and those who have not.

Mr. Chairman, I urge that we vote against this bill so that we can, in fact, ultimately move towards justice for all.

Mr. ROGERS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I hope the Members will realize that when Members come here and speak at talking about cuts that they recognize that the speaker, for the most part, is talking about cutting from the amount requested of the Congress and not from the current levels of spending.

For the most part in this bill, as I have said, we maintain agencies at least their current levels. The Legal Services Corporation is an exception to that. But most of the other agencies are either increased or kept at their current levels. Very few, if any, besides Legal Services, are actually cut in this bill from current levels.

Mr. Chairman, I yield 4 minutes to the gentleman from Iowa (Mr. LATHAM), one of the hardest working Members of our subcommittee, who all the while is concerned with the interests of his district at home especially.

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

Mr. LATHAM. Mr. Chairman, I rise today in strong support of the Commerce, Justice, State bill, the appropriations bill for fiscal year 2001, as this bill addresses so many of the priorities that are very, very important to all Americans. This bill covers, I think, the broadest jurisdiction of an appropriations bill that we will address this year.

I would like to join my colleagues in congratulating the gentleman from Kentucky (Mr. ROGERS), our great chairman, for the tremendous job that he has done the last 4 years that I have been on this subcommittee and how sensitive and responsive he is and his staff are to my concerns and the concerns of the people in the district, and, also, the gentleman from New York (Mr. SERRANO) who started in this subcommittee this Congress and has learned very, very quickly and is really a tremendous asset, and we thank him and his staff for all their hard work.

We have real problems in my part of the country, and the gentleman from Tennessee (Mr. WAMP) referred to it also as far as the meth problem. This bill really addresses what is an epidemic from the Upper Midwest with the methamphetamines that are coming in basically from the Mexican cartels, through California, up through the borders and is having such a dramatic effect on Iowans and especially our young people today.

In 1999, the DEA seized 400 meth labs in the State of Iowa. The Iowa Department of Public Safety seized an additional 500 meth labs. What people should keep in mind is that this is

about 10 percent of the amount of meth that is coming into the district and into the State. This is why we have to focus on these problems, and this bill does this.

There are \$523 million for local law enforcement block grants, \$552 million for the Byrne, local law enforcement assistance grant program. The Community Oriented Policing Services is funded at \$595 million, including \$45 million which is targeted in places like Sioux City, Iowa with the Tri-State Drug Task Force that is doing such an outstanding job today on this problem that we are experiencing.

In Iowa, as well as the rest of the country, we are experiencing real problems that I am sure this will be discussed a great deal with the INS, the fact that, last year or the last 5 years, they have released 35,000 criminal aliens into the general population. This is absolutely outrageous. People convicted of crimes, aliens of this country, and they are released into our population. The failure to bring integrity into the system as far as naturalization and the benefits process that we have throughout the country. The problem that we have as far as pending applications in the past year has increased from \$2.1 million to \$2.7 million.

We have an INS that simply cannot handle the responsibilities. We are, in fact, putting more and more money into this agency to try and solve these problems. But many of us believe that it is systemic in the agency itself and question, quite honestly, the competency of the leadership in that agency. But we are doing everything possible to make our immigration services work as they should.

It certainly is not a case of enough dollars going into it, as those budgets have been dramatically increased, at least in the 4 years that I have been on the subcommittee.

Just in closing, I would again express my strong support for this bill to thank, again, the chairman and his staff for the tremendous job and the responsiveness and the sensitivity to the issues that are before us.

I think it is an excellent bill. It can, maybe, be made even better later on. But certainly, under the restrictions we have, we are doing an outstanding job.

Mr. SERRANO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just want to address some of the comments that the gentleman from Kentucky (Chairman ROGERS) said. He made some comments about folks coming to the floor and saying that there were cuts, and he referred to them not as cuts, but, rather, turning down the full request that the administration has made. He is correct on that.

There are many parts of this bill where the amount the administration has asked for has been rejected, has not been adhered to. But we need to understand that those requests come about

because there is a need, a growing need in some of these programs. There are services that have to be rendered. There are inflationary issues that have to be dealt with. So in fact, it is a cut when one says that one will not abide by the request.

Secondly, there are parts of this bill, and the glaring one is the Legal Services Corporation, where, indeed, it is a cut from current year funding. I mean, that is clear. So while I respect the use of words by the gentleman from Kentucky, I think that some Members on this side think their use of the word cut and cuts are not improper because that is, in fact, what they are.

Mr. ROGERS. Mr. Chairman, will the gentleman yield briefly on that point?

Mr. SERRANO. Certainly, I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, if I recollect correctly, the President's budget request was brought to the floor and voted on. Is it not correct that the House rejected the President's request by some 430 to 2. I ask the gentleman, what was the correct figure?

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, the assertion of the gentleman from Kentucky is not correct. The President's budget was not brought to the floor. The majority's interpretation of what the President's budget was brought to the floor, and that interpretation was disowned by the White House as well as those of us on this side of the aisle. My colleagues were essentially bringing a false product to the floor and asking us to assume it as our own, and we were not dumb enough to do it.

Mr. SERRANO. Mr. Chairman, reclaiming my time, the gentleman from Kentucky (Mr. ROGERS) fully understands not only what the gentleman from Wisconsin (Mr. OBEY) says is correct, but also the fact that we did respond or did not respond to the administration's requests as we knew them to be, not as any other interpretation. Both our staffers had correct numbers and we had a choice to accept it or not accept it.

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

Mr. ROGERS. Mr. Chairman, may I inquire of the time remaining in general debate.

The CHAIRMAN. The gentleman from Kentucky (Mr. ROGERS) has 7½ minutes remaining. The gentleman from New York (Mr. SERRANO) has 12 minutes remaining.

Mr. ROGERS. Mr. Chairman, I yield 4 minutes to the gentleman from Alabama (Mr. CALLAHAN), a very hard-working member of the committee and the chairman of the Subcommittee on Foreign Operations, Export Financing and Related Agencies of the Committee on Appropriations.

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman from Kentucky for yielding me this time.

Mr. Chairman, I rise today, I guess, to a point of inquiry to both the gentleman from Kentucky (Chairman ROGERS), who has such vast knowledge of our judicial system, and to the gentleman from New York (Mr. SERRANO), his counterpart, who also has this same type of knowledge, to engage in a colloquy, a conversation about something I think is a very serious problem.

We have been hearing a lot of talk in the last couple of months about the breakup of Microsoft. But there is another serious problem that I think the Justice Department ought to look into, and that is a company by the name of Krispy Kreme who manufactures and bakes daily doughnuts.

Krispy Kreme readily admits on their advertising that they are the world's finest doughnuts, the same as Bill Gates talked about his computers. They are the world's largest selling doughnut, which proves my point that they have a monopoly on doughnuts, because they have developed the most delectable, delicious possibility of confection capabilities known to mankind. As a result, there is no doubt about it that they have a monopoly.

I think and I want my colleagues' help and their assistance in trying to convince Janet Reno to, maybe, bust this company up.

1500

I think maybe we ought to look at the possibility of breaking it up to a glazed division, because we also have to understand, and those of my colleagues who have ever had one of these Krispy Kreme donuts will agree, that they are the most delicious things certainly I have ever tasted. They melt in your mouth. Most donuts, when we put them in our mouths, they expand, but Krispy Kreme melts in your mouth.

In addition to that, they have signs in front of all their bakeries that say "hot," and it is almost mesmerizing to people to drive by a Krispy Kreme and see that sign that says "hot." One is almost compelled to move in there.

I think it is time for the Justice Department to look into this and to see if the same situation does not exist that existed with Microsoft, to possibly splitting this company up into several divisions. Anyone who has ever eaten one of their chocolate donuts, they are the most delicious donuts you have ever tasted. But why should one company have the best donuts and the other companies not have an opportunity to compete fairly with them on an open-ended basis?

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I do not want to punch a hole in the gentleman's argument.

Mr. CALLAHAN. Well, Mr. Chairman, let me just reclaim my time back to tell the gentleman that Krispy Kreme is now even selling the holes out of the center of the donuts.

Mr. ROGERS. Well, Mr. Chairman, if the gentleman will continue to yield, I can tell that he is an expert on this subject, and I wonder if there is a way that we could somehow taste the fruit of his labors and test whether or not there ought to be a suit brought.

Mr. CALLAHAN. Mr. Chairman, I think I could arrange for that. Because they are so inexpensive, I will be happy to provide donuts for the entire House, both sides of the aisle, so they can taste the delectability of these products that this company is making, that no doubt has given them this monopolistic situation that exists here in the United States.

Mr. ROGERS. If the gentleman will further yield, I want to compliment the gentleman for bringing this very serious matter to the attention of the Congress and the country; and I know that the Justice Department, when they learn of the monopoly that the Krispy Kreme glazed donuts have on this country, they will want to take appropriate action even as they have on other cases, and I commend the gentleman.

Mr. CALLAHAN. Mr. Chairman, we might also look at the EPA and get them involved, because any time a person drives by one of these bakeries and they sense this aroma of these fresh, hot donuts, they are almost compelled to turn their automobile into that store and buy donuts.

And another thing, too. We have to look at the good will. I know all of my colleagues witnessed the jubilation that was expressed by the lawyers of the Justice Department, when they were kissing and hugging each other, with their little bow ties on, after they won the case against Microsoft. They need some more reason to celebrate.

Ms. SANCHEZ. Mr. Chairman, I'd like to begin by thanking the members of the Appropriations Committee for their consistent support of SCAAP, The State Criminal Alien Assistance Program.

The Committee's efforts to expedite delivery of this important assistance to state and local governments is especially important to states like California, which have a large number of undocumented immigrants.

As many of my colleagues know, this program reimburses state and local governments for the costs associated with their incarceration of undocumented criminal aliens.

Since securing our nation's border is a federal responsibility, it seems only appropriate for the federal government to pay states for the costs they must expend.

It is estimated that these costs, in the 1999 fiscal year, totaled over \$576 million for the State of California.

While I'm appreciative that the Committee recommended \$585 million for the 2001 fiscal year, I am hopeful that as the appropriations process continues, Congress can work to increase funding to the authorization cap of \$650 million.

Another important program that is currently underfunded in the CJS Appropriations Bills is the COPS program, which helps law enforcement work with communities to keep our families safe.

In my district in Orange County, the COPS program has put 313 officers on the street.

Both SCAAP and COPS are very important programs that I feel are underfunded in this Appropriations bill.

These, however, are not the only programs that receive inadequate funding: the Legal Services Corporation, the Equal Employment Opportunity Commission, and the Commission on Civil Rights can also be added to the list of underfunded programs in this bill.

I hope that all members of Congress can work together to ensure that these, and other important programs in the bill, receive adequate funding in the 2001 fiscal year.

Mr. BISHOP. Mr. Chairman, while I believe this bill is deficient for a number of reasons, I want to specifically focus on what I consider to be a woefully inadequate level of funding for the Community Oriented Policing Services (COPS) program.

At a time when the country is gaining the upper hand in our long-fought war against crime, the bill we are considering slashes the Administration's request for COPS funding by more than half, eliminating all funding for community prosecutors, reducing funding to help provide police with updated technology, and failing to provide any increase for community-based crime prevent programs.

This is hardly a step forward. In fact, it is a step backward.

The fact is, the COPS program works.

I have seen the impact it has had in the area of middle and southwest Georgia that I have the privilege of representing, where COPS grants have provided communities \$12.5 million to help employ 258 additional police officers. Predictably, the result of putting more police on the streets has been more arrests and less crime.

If you ask why the country's crime rate has dramatically declined over the past few years, just ask our police officers and prosecutors and others on the front lines of the war against crime. They will tell you that a number of factors have contributed. But they will also tell you that the "COPS" program has been one of the biggest factors of all. So far, "COPS" grants have put 60,000 more police officers on community streets, and there is enough funding in the pipeline to reach 100,000 over the next couple of years. And if adequate funding is provided, we can still reach out goal of adding 150,000 officers by 2005.

While the crime rate is dropping, we should be aware of the fact that our criminal justice system has many unmet needs. At the same time, there are signs that the crime rate may be bottoming out, particularly among young people. It is a mistake to think we have already won the war against crime. If the country lets its guard down, there is every reason to believe the crime rate could begin to rise again.

Mr. Chairman, I urge our colleagues to reject a level of COPS funding that fails to meet the needs of the law enforcement community and, instead, to enact a level that will enable our police agencies and court system to continue gaining ground against the forces of crime, which cause so much human suffering and economic damage in Georgia and throughout the country at-large.

Mr. SERRANO. Mr. Chairman, I yield back the balance of my time.

Mr. ROGERS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

The Clerk read as follows:

H.R. 4690

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

#### TITLE I—DEPARTMENT OF JUSTICE

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I hope we can minimize debate on a lot of amendments, and so I would like to get something off my chest early in the process so I do not have to keep popping up and down and offering a dozen amendments to do that.

We are at a watershed time in the history of this country. Internationally, our adversary, the Soviet Union, is gone. The Cold War is over. Their conventional military capability has collapsed, and we are facing a new paradigm.

In the last century, over 600,000 Americans were killed in combat defending democracy. We fought two world wars and a lot of other big wars. Today, we have a new role. Today, conflicts are likely to be more regionalized, and our job will be to contain those conflicts. And our job often will be to serve as peacekeepers and peacemakers rather than warmakers.

That is not going to be neat. It is going to be messy. Some Americans will die. But if we do it right, and if the executive and legislative branches of government cooperate, and if we cooperate with our allies, the price that America winds up paying for participation in world affairs will be far less than the price that we paid in the last century. In my view, this bill gets in the way of that.

This bill pretends, for instance, that an appropriations subcommittee can arbitrarily dictate what peacekeeping operations are voted by the Security Council of the United Nations and what peacekeeping operations the United States will support. Now, I do not agree with every peacekeeping operation that has been undertaken, but

Congress cannot micromanage those questions. They can participate and they can help with consultation, but they cannot micromanage those without being destructive of our national interest.

Domestically, we similarly face a new paradigm. Since 1981, and the first Reagan budget, we have had 18 years of triple digit deficits; and at the same time, the gap between the wealthiest 2 percent of people and everybody else in this society has exploded. Now we have a new situation. We have huge new surpluses instead of huge deficits. This is a precious moment when, with enough vision, we can repair the seams that have held this society together for over 200 years. We can prepare for a new sustained period of economic growth and prosperity, and we dare not screw it up.

I would ask the question: With the wealthiest 1 percent of persons in this society already controlling more assets than 90 percent of all Americans combined, will we insist, really, that we are going to provide huge additional tax cuts for those folks; or will we decide, instead, to have better targeted and more disciplined tax cuts so that we have enough left to meet the basic needs of all of our people, including some of those who have been left behind in the area of health care, in the area of prescription drugs, in the area of housing? And are we going to make the needed investments that we need to make in science and in education to make this economy the wonderful arena for opportunity that it can be?

We have a third new paradigm in that new economy. We have had an incredible transformation in the way this economy works. The market capitalization of all publicly held corporations has grown in a handful of years from \$4 trillion to almost \$14 trillion. And in that process the power of some private companies to totally dominate the economy and crush competitor and consumer alike has grown to a proportion we have never yet seen. And whether the issue is gas prices, or whether the issue is in other fields, the question is whether or not consumers are going to be allowed to have the niceties of a competitive market or not.

Now, government has an obligation most of all to know what is happening in this economy. We need to know its true size. We need to know what is really happening with price changes.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. OBEY) has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 3 additional minutes.)

Mr. OBEY. We need to know what is happening with production changes. And the effect that this bill has on our ability to know all of that is decimated because we are cutting the budgets of the agencies that do the statistical analysis to tell us what is really happening. Just one question for example: How do we really tell the price of a



product when the nature of that product is being changed every 3 months, as computers are, for instance?

The second thing I would like to say is that the fundamental right of any business in an economy is a free marketplace. That is as important to each and every business as the Bill of Rights is to every individual in this country. And yet at the very time that this economy is creating tremendous opportunities, it is also creating tremendous possibilities for anti-competitive practices to go unpunished and unregulated in the marketplace. And this bill makes that problem worse because it cuts the funds that are needed to police the anti-competitive practices of many of those corporations, including, just for one example, the oil companies, which are the subject of so much suspicion today.

We have one more challenge; that is the challenge of globalization. How do we compete with countries with different cultures, different economies, and a different understanding about what the rules of the game ought to be? When we do something like pass the China trade bill, as we passed last week, we have an obligation to provide the resources to enforce the rules that we say we are going to hold other nations to, and this bill cuts back on that effort as well.

This time is not a time of crisis. It is a time of unparalleled opportunity, if we use our surpluses the right way. If we can restrain the impulse to give tax cuts away to everyone in this society, including those who need it the least, and focus those tax cuts, instead, on those who need it the most, we can have room in the budget to strengthen Social Security, to fill in the gaps in health care, we can strengthen public education, we can assure a competitive marketplace, and we can create a sense of shared prosperity and create a new generation of progress which will stand with us for years to come.

The problem with this bill is that it, along with five or six others that we have passed so far, denies us the opportunity to use this precious moment to do what is necessary to knit this country together again in a united fashion for the entire coming generation. That is the failure of this bill, and we will outline those failures as we go through section to section, but that is the failure that has to be corrected before we will support this or any other major appropriation bill.

Mr. LARGENT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Kentucky, the chairman of the subcommittee.

I would like to address the gentleman about a problem that I have been working on. It is a real threat to our families today. I have been working to find a way to ensure the enforcement of Federal statutes for the prosecution of illegal pornography.

With the advent of the Internet, material that is illegal under both State

and Federal statutes has been allowed to continue to grow unchecked as the Department of Justice has looked the other way, and now is the time for Congress to act on this most important issue.

Adult entertainment sites on the Internet account for the third largest sector of sales in cyberspace, with an estimated \$1 billion to \$2 billion per year in revenue. Given the aggressive marketing techniques of the adult entertainment industry, it should be no surprise that a recent study of children ages 10 to 17 revealed that one in five of our children have been solicited for sex over the Internet in the last year. And the average age of children continues to decline, of those that are exposed, or have their initial exposure to pornography. It is now down to 11 years old.

Mr. Chairman, I would ask the gentleman from Kentucky to commit with me to work to ensure funding for the prosecution of illegal pornography under Federal statutes by the Child Exploitation and Obscenity Division of the Department of Justice.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. LARGENT. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I thank the gentleman for raising this very important issue, and one that we all recognize is a growing problem.

1515

I will be happy to work with him to ensure that sufficient funding is given to the Child Exploitation and Obscenity Program within the Department of Justice.

Mr. LARGENT. Mr. Chairman, reclaiming my time, I thank the chairman and would remind all of my colleagues that mothers and fathers across this country will be watching our actions and the actions of the Department of Justice on this very important issue.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### GENERAL ADMINISTRATION

##### SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$84,177,000, of which not to exceed \$3,317,000 is for the Facilities Program 2000, to remain available until expended: *Provided*, That not to exceed 43 permanent positions and 44 full-time equivalent workyears and \$8,136,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 2000: *Provided further*, That not to exceed 41 permanent positions and 48 full-time equivalent workyears and \$4,811,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: *Provided further*, That the latter two aforementioned offices may utilize non-reimbursable details of career employees within the caps described in the aforementioned proviso: *Provided further*, That the Attorney General is authorized to transfer, under such terms and conditions as the Attorney General shall specify, forfeited real or personal property of limited or marginal value, as such value is determined by guidelines established by the Attorney General, to

a State or local government agency, or its designated contractor or transferee, for use to support drug abuse treatment, drug and crime prevention and education, housing, job skills, and other community-based public health and safety programs: *Provided further*, That any transfer under the preceding proviso shall not create or confer any private right of action in any person against the United States, and shall be treated as a reprogramming under section 605 of this Act.

#### JOINT AUTOMATED BOOKING SYSTEM

For expenses necessary for the nationwide deployment of a Joint Automated Booking System including automated capability to transmit fingerprint and image data, \$1,800,000, to remain available until expended.

#### NARROWBAND COMMUNICATIONS

For the costs of conversion to narrowband communications as mandated by section 104 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 903(d)(1)), including the cost for operation and maintenance of Land Mobile Radio legacy systems, \$177,445,000, to remain available until expended.

#### AMENDMENT OFFERED BY MR. SERRANO

Mr. SERRANO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SERRANO:

Page 3, line 20, after the dollar amount, insert the following: "(decreased by \$82,000,000)".

Page 13, line 14, after the dollar amount, insert the following: "(decreased by \$23,000,000)".

Page 23, line 2, after the dollar amount, insert the following: "(decreased by \$45,000,000)".

Page 71, line 1, after the dollar amount, insert the following: "(decreased by \$10,000,000)".

Page 92, line 9, after the dollar amount, insert the following: "(increased by \$134,000,000)".

Page 92, line 10, after the dollar amount, insert the following: "(increased by \$130,425,000)".

Page 92, line 11, after the dollar amount, insert the following: "(increased by \$975,000)".

Page 92, line 14, after the dollar amount, insert the following: "(increased by \$2,600,000)".

Mr. SERRANO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SERRANO. Mr. Chairman, here we go again. For the sixth year in a row, the FY 2001 Commerce-Justice bill includes only \$141 million for the Legal Services Corporation. This is \$164 million below the fiscal year 2000 appropriation of \$305 million and \$199 million below the President's fiscal year 2001 request of \$340 million.

When it was first presented to the House in fiscal year 1996, \$141 million represented one-third of the prior year's level. But it has since become a meaningless number.

For each of the past 5 years, a floor amendment offered by the ranking member of the subcommittee and supported by a bipartisan majority has



raised the funding level for the LSC to about \$250 million by shifting funds within the bill. Action by the Senate and in conference has typically resulted in a more realistic, but still meager, final appropriation.

However, as funding allocations for the bill have gotten increasingly tight, it has become much harder to find accounts to cut as offsets for the add-back for LSC. And by now, the \$250 million level that the House has typically adopted is far short of the amount needed to provide needed legal assistance to the country's poor and disadvantaged.

It baffles me that some of our colleagues object to a Nixon-era entity, the role of which is to assure that low-income Americans have access to the civil justice system, surely a basic human and constitutional right, and which raises substantial non-Federal resources and promotes pro bono service by private lawyers to increase legal assistance to the poor.

It was one thing to identify problems with LSC that certainly existed, but these problems have for the most part been fixed.

In fiscal year 1996, for example, Congress enacted reforms requiring competitive bidding for all grants and accounts and imposing restrictions on the kinds of cases LSC grantees may engage in. Grantees remain prohibited from abortion, redistricting, or class-action litigation, from representing prisoners or undocumented immigrants, from welfare reform advocacy, and from any sort of lobbying.

The cases LSC does work on include domestic violence, child abuse and neglect, as well as child custody and visitation, foreclosures and evictions, access to health care, bankruptcy, wage, unemployment and disability claims, consumer fraud, and similar problems faced by low-income individuals and families.

During 1999, LSC closed more than 924,000 such cases, the overwhelming majority concerning women and children. That 924,000 figure shows how LSC responded to a problem by moving to correct it. LSC guidance on the definition of a "case" for purposes of case service reports, CSR, has become out of date and unclear, which led some grantees to report as cases activities that were not.

LSC responded by providing new instructions guidance, training, requiring grantees to self-inspect their CSR data, increasing oversight to test grantee compliance, and following up where grantees need to take corrective action.

Based on what LSC learned during this process, they were able to adjust the million-plus cases reported in 1999 by the estimated 11 percent error rate to arrive at the more accurate figure.

Anyway, Mr. Chairman, this year I am offering an amendment to increase LSC funding by \$134 million, from \$141 to \$275 million. This increase would be offset by cutting \$82 million from

Narrowband Communications, which would otherwise receive a nearly 75 percent increase; \$23 million from the Assets Forfeiture Fund, which was one of my offsets last year; \$10 million from the Diplomatic and Consular Programs account of the State Department, an account of \$2.7 billion; and \$45 million from the Salaries and Expenses Account of the Bureau of Prisons, which is re-estimating the amount of funding that it will likely carry over into fiscal year 2001.

Let me just say that, as with last year, I am not wedded to these offsets and expect these and other accounts will be adjusted as we proceed to conference.

The House has repeatedly rejected \$141 million as insufficient for the important work the Legal Services Corporation does. I urge my colleagues to do so again by voting for this amendment.

Mr. RAMSTAD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I join as the second sponsor of this answer to prevent the devastating 54-percent cut in Legal Services Corporation funding.

Mr. Chairman, every Member of the House before voting on this Draconian 54-percent cut in Legal Services should walk across the way and read the words etched on the Supreme Court of the United States. They say, "Equal Justice Under Law." Because if this amendment is defeated, there will be no equal justice in America. Our poorest people, our most vulnerable people, will be shut out of the courts if we wipe out Legal Services.

Congress has already cut Legal Services 30 percent since 1995. If we enact this cut on top of that, thousands and thousands of domestic violence victims, neglected children, vulnerable senior citizens, and people with disabilities would have absolutely no access to civil justice.

As a sponsor of this amendment, Mr. Chairman, I had hoped to restore Legal Services funding to the same level funding as this fiscal year. Unfortunately, as the gentleman from New York (Mr. SERRANO) explained, we were only able to find offsets to bring the funding up to \$275 million, which is \$30 million less than current funding and \$65 million less than the request.

So even if we pass this amendment today to restore partial funding, we are still experiencing a real cut, a reduction of 11 percent over this year's funding.

Last year, critics of Legal Services were down here on the floor, and I am sure we are going to hear the same songs sung out of the same hymn book today, arguing that Legal Services should be cut because some local programs were confused about the proper method of case reporting. Remember the arguments?

Well, my colleagues, that problem has been fixed. That problem has been resolved. Legal Services has educated

the local programs about the proper method of reporting cases, and it as is vigorously ensuring there is accuracy and consistency in reporting. So there is no more problem in reporting cases.

Also, it is time to set the record straight about the misleading, outdated charges by Legal Services critics, and I am here sure we are going to hear more of that here today, who ignore the fact that the Legal Services Corporation was already reformed by Congress in 1996.

Remember in 1996, those of my colleagues who were here, we enacted tight restrictions on Legal Services. So there are no class action suits anymore, no lobbying, no legal assistance to illegal aliens, no political activity, no prisoner litigation, no redistricting representation, no collection of attorney's fees, and no representation of people evicted from public housing due to drugs. Although I am sure we are going to hear critics complaining about Legal Services attorneys bringing those cases, it does not happen.

I hope we have an honest debate on the merits today of Legal Services. Those restrictions, Mr. Chairman, are in permanent law and are restated once again in this bill. And these tight restrictions are not limited just to Legal Services Corporation funds. Legal aid programs cannot even use State or private funding on these purposes if they receive just one penny from the Legal Services Corporation.

So there is no argument about a fungibility any longer. If they violate these restrictions, in fact, attorneys can be disbarred and programs lose their LSC funding and their ability to apply for funding in the future. So I think we have taken care of those extracurricular activities that we limited back in 1996.

Some critics also continue to point to a few isolated cases that appear to be abusive, and may have been in the past, but in these cases the facts show that no LSC program was generally involved or the LSC is enforcing sanctions against the abuses. But even if those alleged abuses are true, and we are going to hear about that again today, these are only a mere handful of aberrations in a program with countless success stories of service to people who need access to civil justice, domestic violence victims, children in need of support, and seniors, people with disabilities in danger of losing services that they need just to survive.

Now, in my home State of Minnesota, I am thankful support for legal aid by the Bar Association, the State Bar, the general public, and the legislature is strong. But even in Minnesota, local programs last year had to turn away 20,000 people because of the scarce resources and another 58,000 did not even file a claim, did not even pursue their case because there are not enough resources.

So we all know what is going on in this country. There are not enough resources at the current level of funding

to help people and to make those words on the Supreme Court meaningful, "Equal Justice Under Law."

So, Mr. Chairman, let us not shut the courthouse door to poor people in America. Let us give the most vulnerable Americans their day in court like every other American.

Mr. DELAHUNT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to acknowledge the fine work of both the subcommittee chair, the gentleman from Kentucky (Mr. ROGERS), and the ranking member, the gentleman from New York (Mr. SERRANO).

At the same time, I, too, want to express my disappointment to have to participate once again in what has become an annual ritual in which the Committee on Appropriations slashes funding for Legal Services and the House restores it.

While I regret the necessity for this amendment, its passage is absolutely critical; and I am proud once again to join with the ranking member and the gentleman from Minnesota in offering it.

Last year, LSC provided support to 237 local Legal Services programs serving every county and congressional district in America. Ninety-seven percent of the funds we appropriated went directly to local programs. This appropriation is truly a lifeline for hundreds of thousands of people with no other means of access to the legal system.

Last year alone, Legal Services closed nearly one million cases brought on behalf of some two million individuals.

Now, who are these people? Over two-thirds are women, and most mothers with children, women seeking protection against abuse of spouses, children living in poverty and neglect, elderly people threatened with eviction or victimized by consumer fraud, veterans denied benefits, and small farmers in America facing foreclosure.

Let me tell my colleagues about one recent case in my own congressional district. A woman, whom I will call Pauline, was married to a man I will call Frank. Frank, on a regular basis, brutalized Pauline in front of their two children. After repeated exposure to this behavior, the children became fearful and disruptive in the schoolhouse.

Eventually, after one particularly brutal beating, Pauline sought help from Legal Services for Cape Cod and the islands. They helped her get a divorce and a permanent abuse prevention order. Since then she has managed to put her life back together, and now the children are excelling in school and their behavior problems have ceased.

1530

These are the kinds of people who will be hurt if this amendment is not adopted today. If LSC is forced to absorb the huge cuts made in committee, over 200 of the 925 neighborhood Legal

Services offices will have to be closed. This will leave one Legal Services lawyer to service every 23,600 poor and disadvantaged Americans. Over 250,000 families in need of legal services will have to be turned away. Nevertheless, as the gentleman from Minnesota suggested, we will hear from some critics of LSC that we should cut the funding for the program. Why? Because a few local grant recipients overstated the number of cases they handled back in 1997, chiefly by reporting telephone referrals as cases. Never mind the fact that the agency itself uncovered the problem, the agency itself brought it to the attention of the Congress, and the agency itself moved speedily to correct it. Never mind the fact that despite the cries of fraud and abuse, neither LSC nor its affiliates derive any financial gain from erroneous reports because case numbers have no bearing on the program's funding goals. Allocations are based on eligible population living in each service area, not on the numbers of cases handled or even referred. This has been pointed out, yet repeatedly the allegations continue to be made.

The CHAIRMAN. The time of the gentleman from Massachusetts (Mr. DELAHUNT) has expired.

(By unanimous consent, Mr. DELAHUNT was allowed to proceed for 1 additional minute.)

Mr. DELAHUNT. Mr. Chairman, there is a wonderful irony in those figures, because those who criticize LSC for counting referrals as cases fail to appreciate that referrals are what an agency does for the thousands of needy people whom it is unable to help. And even without the proposed cuts, referrals must be made in many thousands of cases because current funding needs meet only the needs of 20 percent of those who are eligible. Let me suggest that that is unconscionable. When we speak of justice for all, remember that we are denying it to oh so many in this country.

I urge my colleagues to support this amendment. It is a crucially important vote. It is the right thing to do.

Mr. GEKAS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, many Members will remember that last year, those of us who are interested in this particular issue and I, notwithstanding some tremendous reservation that I had, supported and voted for and spoke on behalf of the amendment to increase last year's budget for Legal Services. I did so even though I knew there was a cloud, a gigantic cloud, over the Legal Services arena by reason of rumor and factual information based on rumor and then facts, rumors and all of that put together in statistical reports that there was a tremendous overreporting of cases rampant throughout the system.

I did so, and I stated, I am going to give the Legal Services the benefit of the doubt. I am going to vote for the increase in the funding notwith-

standing these doubts, because if an increase is based, as all the time we see on the floor it is based when we are asking for increases on increased workload, then it is not justified at all. But I was still willing to give the Legal Services the benefit of the doubt and voted in support of that increase.

Then my committee, which has jurisdiction over this subject matter, conducted hearings. We found indeed that that overreporting, which was only rumor, that overreporting which people scoffed at as being clerical error, was indeed the fact and that we had to deal with it. We were buttressed by information that was presented to us at that hearing by the statistics gathered by the IG within the Legal Services Corporation which found, and I am quoting from the chart here, overstated cases in the thousands. In cases where there were actual files but no services actually rendered, 30,053 cases. What does that mean? It means that in 30,000 cases, no services were rendered and overreporting.

Those who say that these statistics do not matter are blind to the fact that an increase in funding is supposed to systematically go for the increased workload. So either they were overfunded last time or they are properly funded this time. That is why I have to oppose the amendment and to fulfill my pledge in front of the committee when I stated that I was not going to support an increase in the funding this year but to remain steadfast and support the recommendation of the committee for the level of funding.

I must say, in addition to this, for all those who would doubt it, I am a supporter of Legal Services. From the very beginning, from a year in service where in Pennsylvania it was unheard of and became a product of State justice for Pennsylvania to undergo a Legal Services program, I was in on the ground floor of that movement and I support it today. The only differences I have had over the years is the methodology of providing those legal services to the poor. No one is going to be able to with any veracity claim that I am an opponent of Legal Services, and that is why it becomes important for me to note that I did support the effort last year on the extra funding. I do not this year, for the same rationale, my deep interest in making the Legal Services work and to have the confidence of the taxpayer and to have the confidence of the people who must make use of it.

I urge the defeat of the amendment.

Mr. HOEFFEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Serrano-Ramstad-Delahunt amendment that would restore some of the proposed cut in the Legal Services Corporation budget that the committee has brought to the floor. The Serrano amendment is desperately needed and we must pass this amendment. I am proud to stand with them in this regard.

I listened carefully to the remarks of my colleague from Pennsylvania, the previous speaker, with whom I served for several years in the Pennsylvania House and for whom I have the highest regard. I would respectfully suggest to the gentleman from Pennsylvania that the issue is not the question of phantom caseloads or of problems from 1997 or 1995 or any other year. The problem is what will these cuts do to Legal Services in 2001? What will be the impact in our communities if we cut Federal support for Legal Services by over 50 percent? I would suggest to the gentleman and to the Members of the House that the impact will be dramatic.

Let me talk a little about Legal Services in Montgomery County, Pennsylvania, where I come from. The Montgomery County Legal Aid Society has already had its Federal support cut from a high of \$300,000 per year to \$200,000 a year. If this proposed cut goes through, they will be cut again to \$100,000 a year. Their caseload in the past has been as high as 2,000 cases a year; but that has been reduced by 250 or 300 cases because of the cuts from 1995 they have already had to absorb in Federal support. If this cut goes through, they will have to reduce their caseload another 250 or 300 cases a year.

Now, this is a county that is actually pretty fortunate, because it is in a State, Pennsylvania, that has increased support for legal aid. While the Federal support in Montgomery County is \$200,000 a year, the State support is another \$200,000 a year; and Montgomery County government provides \$300,000 a year to the Montgomery County Legal Aid Society. Private lawyers and the county bar association provide another \$100,000. We are better off than many counties that have a lower level of local resources available to support such a necessary program.

But the problem is that when this Federal support is reduced, the impact is not on phantom cases. We are not sending a message to bureaucrats. We are not reading the riot act to the people that run Legal Services Corporation in Washington. We are reducing services to people in Montgomery County, Pennsylvania, and across this Nation. Most of these people that will lose services will be women. Two-thirds of the clients of Legal Services are women, poor women, working poor women. These are women that need help with protection from abuse cases. These are women that need help in consumer fraud cases. These are women that need help with financial problems, women that need help with foreclosures, women that need legal services. This cut will deny in my county another 250 or 300 cases from being represented for poor people and the working poor in my county.

We have a principle in this country of equal justice for all. To make that principle come true, we have to give equal access to the courts for all. The

bill attacks that principle. This amendment would correct that problem and would provide adequate funding for legal services.

I support the Serrano amendment and urge the House to do the same.

Mr. UPTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment to restore funding for the Legal Services Corporation. Justice for some is no justice at all. As my colleagues may recall, the Legal Services Corporation was created in 1974 to provide financial support for legal assistance in civil proceedings to persons unable to afford legal services. Legal services for people who cannot afford it.

The Legal Services Corporation is the Government's vital and often only link between our disadvantaged constituents and meaningful access to the courts and our legal system. Too many in our Nation lack real access to our justice system. Access to the justice system and righting a wrong should not be a privilege of the wealthy but instead a right for all.

As chairman of the Subcommittee on Oversight and Investigations of the Committee on Commerce, I am among the first to go after fraud and abuse. However, we must remember that it is also our job to correct the mismanagements within government programs to ensure that these programs continue to fulfill their obligation.

A number of years ago, yes, there were problems with the Legal Services. But with Congress' help, the Committee on the Judiciary adopted a number of significant restrictions and restructuring; and in fact now the Legal Services Corporation has become an institution that the Congress, Republicans and Democrats, can be proud of. We must continue to invest in this important program that continues to fulfill the American principle of equal justice under the law.

I welcome this opportunity to highlight a few of the examples of how the Legal Services Corporation has benefited my district in Michigan. The Legal Aid Bureau of Southwest Michigan helped a mother of three keep her home and avoid eviction after a corrupt landlord alleged nonpayment of rent. In fact, the family's rent was paid up to date. However, the landlord applied the rent to the cost of water repairs that were actually his fault, not the family's. Through the assistance of the Legal Aid Bureau, the court dismissed the fraudulent claim and awarded the family enough money to relocate. Without this assistance, who knows where they would be today?

Two mentally disabled constituents rented a condemned apartment and their slumlord threatened to physically throw them out. Through court action, the Legal Aid Bureau retrieved all of the money which my constituents had paid to the slumlord. I ask who would represent these people if it were not for Legal Services?

The governor of the State of Michigan, John Engler, understands the importance of providing legal assistance to low-income residents. I have a letter from the Michigan governor in support of providing long-term stable financial support for civil legal aid. He recognizes that in Michigan only 20 percent of the civil legal needs of low-income residents are being met. In Michigan, there is one lawyer for every 340 folks. However, there is only one civil aid lawyer for every 6,500 citizens with low income.

I encourage my colleagues to remember that access to the justice system and righting a wrong should not be a privilege of the wealthy but a right to all. Please support this amendment to ensure that all Americans have access to our justice system. Justice for some is no justice at all.

STATE OF MICHIGAN,  
OFFICE OF THE GOVERNOR,

Lansing, MI, October 4, 1999.

DEAR FRIENDS: As Governor and a Michigan attorney, I endorse the State Bar of Michigan's Access to Justice for All (ATJ) Development Campaign. I have delivered my pledge to the ATJ Campaign and am writing today to encourage all members of the State Bar to do so as well.

Only 20 percent of the civil legal needs of Michigan low-income residents are being met, despite the volunteer service of many lawyers and the civil legal aid programs in our communities. Although there is one lawyer for every 340 people in Michigan, there is only one civil legal aid lawyer for every 6,500 citizens with low-income. This affects 1.5 million Michigan residents who qualify for civil legal aid.

These low-income families need legal assistance on essential family, housing and consumer issues. We expect all Michigan residents to use our institutions to resolve their disputes, and we must make certain that everyone has meaningful access to our justice system.

Across Michigan, lawyers are taking the lead to address this important issue. The ATJ Development Campaign, a permanent endowment using private funds, has been established by the State Bar to ameliorate this societal problem. Earnings from the endowment will be distributed to our community legal aid programs, allowing the principal to grow. The State Bar is underwriting the costs of this bold development campaign for the first three years.

The ATJ Development Campaign will provide long term, stable financial support for civil legal aid. Additionally, the State Bar is undertaking other unique initiatives to give Michigan a stronger, more efficient and effective legal aid system.

That State Bar's ATJ Campaign is historic. No other state bar has undertaken a comparable development campaign. In recognition, the American Bar Association awarded the prestigious Harrison Tweed Award to the State Bar of Michigan.

Please join me and deliver your pledge to the ATJ Campaign. Justice for some is no justice at all.

Sincerely,

JOHN ENGLER,  
Governor.

1545

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I strongly rise in support of the Serrano-Ramstad-Delahunt

amendment. America has a 25-year commitment to helping those who cannot afford legal assistance and it is outrageous that today's Commerce, Justice, State appropriations bill severely cuts back on this commitment.

For my colleagues who are not satisfied that every single mistake has been corrected that this legal assistance group has made in the past, I ask my colleagues, do we cut the Defense budget by 50 percent when the Defense Department loses their records and costs this country millions and billions of dollars? Of course, we do not.

By providing the Legal Services Corporation with less than half of its current funding, 50 percent less, this bill is effectively denying low-income individuals, including women, seniors, and veterans access to legal advice and representation that they need, help that they must have.

Mr. Chairman, Legal Services funding has a direct impact on thousands and thousands of peoples' lives, and this amendment will put some of the money back. It will help low-income individuals. It will particularly help low-income mothers, mothers who are victims of domestic violence, mothers whose fathers, husbands, their children's fathers who have abandoned them. It will help these individuals fight back and regain control of their lives.

Legal Services Corporation-funded programs provide these women, victims of domestic violence, with more legal assistance than any other organization across this Nation.

This base legislation tells women and tells their children that they are not a priority. How can we do this? I urge my colleagues, join together and vote for this amendment. Vote to increase funding for legal services to help veterans, to help seniors, to help mothers and to help their children.

Mrs. MORELLA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Serrano-Ramstad-Delahunt amendment to increase some funding for Legal Services Corporation.

The Legal Services Corporation is very important in assisting vulnerable people in our society. Women and children are among the vulnerable who, without assistance, often find themselves in abusive situations that they cannot control. The impact of these situations is significant, and it could well result in homelessness and a loss of necessary financial resources for food, maintenance, and health care.

To give one example from my own district, as a result of domestic violence and in fear for her safety and that of her 5 children, a woman left her husband of 15 years. He had been the primary support for the family; and she was able, on her own, to obtain housing although it was still neither decent nor safe. Yet, because of her financial situation, she was threatened with eviction.

Legal Services helped her to get Section 8 housing, and the family was able to relocate to decent housing with adequate space. This stabilized the family during a very disruptive and unsettling time.

Millions of children are the victims of abuse from their parents and others who are responsible for their care. This abuse goes on somewhere in the country every minute of the day, and Legal Services in Maryland represents children who are neglected or abused.

Such neglect or abuse ranges from a child being left alone by a parent or not being provided a nutritional meal, to physical or sexual abuse that results in severe injury and, all too often, death.

Legal Services has helped the infant that has been abandoned at birth, the child who is left unattended, the children who have been beaten, burned by cigarette butts because he would not stop crying or scalded by hot water to teach him a lesson.

These children are vulnerable and, without the protection of the law, they would be endangered and lost. Legal Services advocacy on behalf of children assures that they will not be the subject of abuse, it helps to secure services for children such as housing support, health care, food, educational programs and necessary counseling.

The work of Legal Services on behalf of families and children touches at the very heart of what we value in this country, decent housing, adequate health care, food and a safe environment.

Because of the importance of safety in our society, these legal service programs have supported legislation to prevent abuse and to protect the abused. In general, the States are not allocating funds for civil legal services for poor citizens.

Without this federally-funded program, the most vulnerable members of our society will not have the ability to get inside that courtroom door to seek the judicial protection of their rights that they deserve.

We must assure that sufficient funds are available, and I, therefore, support very strongly and urge support by my colleagues for this amendment.

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. MILLER of Florida) assumed the Chair.

#### SUNDRY MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

#### DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The Committee resumed its sitting.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I thank the chairman of the subcommittee, the gentleman from Kentucky (Mr. ROGERS) and the ranking member, the gentleman from New York (Mr. SERRANO).

Just a few minutes ago, the Texas Board of Pardons and Paroles denied the requests of Gary Graham for clemency and an opportunity for a new hearing. At this time, his execution is set for 6:00 p.m. today.

Gary Graham continues to press his case to show his innocence and argues that witnesses that could have presented his case of innocence were not heard. Gary Graham, 17 years old, did not have the counsel that might have generated a trial that might have had the opportunity for fact finders to make a full and open decision.

Justice in this Nation should not be determined by one's wealth, and although the Legal Services Corporation does not deal in criminal matters or death penalty cases, I use this day's tragedy to argue for the amendment before us, because it is important for the American people to understand that we are a Nation of laws.

I believe the American people accept that. It is a voluntary system where we commit ourselves to be governed by laws. We seek to address our grievances by the legal system, and we go into courts or proceed under administrative proceedings.

The Legal Services Corporation that generates dollars into our local community, in my instance, the Gulf Coast Legal Foundation in Houston, Texas that I served as a board member on, argues for those who cannot speak for themselves. It argues for those who cannot afford the billable hours, and it provides the bare minimum quality of life issues that many of us take for granted.

It works with families who do not have housing. It assists the homeless or those who are in transition, and it is interesting as we look at the history of the funding of Legal Services, it has had a very rocky history over these last couple of years.

There has been no denial that it has not done good work, that it has not worked with those in the Indian population here in America, that it has not worked with mothers of children needing services, as I indicated, educational services, special education, housing, food services and mental health services.

But yet this organization has been attacked, and I wonder has it been attacked because its clientele is voiceless. It cannot lobby the United States Congress to ensure that it gets the money. I look at its budgeting, and I see that over the years 1995, \$400 million, but yet steadily it has gone down, and this committee puts in \$141 million, a mere \$141 million to fund Legal Services Corporation for the whole Nation.