

All crimes are crimes of hate. Whenever a person harms another, there is hate. Should we enact federal legislation to punish hate directed towards one person more severely than hate directed against another, merely because of the victim's classification? I do not believe so.

Under our present laws, the killers of James Byrd and Matthew Shepard (crimes which would have fallen under the Kennedy hate crimes provision) were severely punished for their illegal and gruesome crimes. James Byrd's killer was sentenced to death, and Matthew Shepard's killer was sentenced to two life sentences without the possibility of parole. These and other heinous crimes are prosecuted, and the perpetrators punished; under existing laws. People who commit such crimes are not going unpunished. Current federal and state laws are effective, and they are being used. There is no void here that new, "hate" legislation is needed to fill. Moreover, the effect of this legislation, were it to be enacted, might have the opposite effect to that intended by its proponents. By making the prosecutor's job more complex, and forcing prosecutors to prove additional elements of a "hate" offense, and not defining adequately the terms in these laws, such prosecutions would be rendered more difficult than prosecutions under current laws.

However, this deficiency apparently won't slow down the political agenda at work here.

Including this bill in the Defense Reauthorization bill would clearly be putting the value of one life over and above another. Let us not send that type of signal to our citizens. All life is valuable and should be protected, equally.

Vote no on Representative JOHN CONYERS' motion to instruct.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 232, nays 192, not voting 9, as follows:

[Roll No. 471]

YEAS—232

Abercrombie	Boswell	DeFazio
Ackerman	Boucher	DeGette
Allen	Brady (PA)	Delahunt
Andrews	Brown (FL)	DeLauro
Baca	Brown (OH)	Deutsch
Baird	Capps	Diaz-Balart
Baldacci	Capuano	Dicks
Baldwin	Cardin	Dingell
Barrett (WI)	Carson	Dixon
Bass	Castle	Doggett
Becerra	Clay	Dooley
Bentsen	Clayton	Doyle
Berkley	Clement	Edwards
Berman	Clyburn	English
Biggert	Condit	Etheridge
Bilbray	Conyers	Evans
Bishop	Costello	Farr
Blagojevich	Coyne	Fattah
Blumenauer	Crowley	Filner
Boehrlert	Cummings	Foley
Bonior	Danner	Forbes
Bono	Davis (FL)	Ford
Borski	Davis (IL)	Frank (MA)

Frelinghuysen	LoBiondo	Rodriguez
Frost	Lofgren	Roemer
Gallegly	Lowey	Ros-Lehtinen
Gedjenson	Luther	Rothman
Gephardt	Maloney (CT)	Roukema
Gibbons	Maloney (NY)	Roybal-Allard
Gillmor	Markley	Rush
Gilman	Mascara	Sabo
Gonzalez	Matsui	Sanchez
Gordon	McCarthy (MO)	Sanders
Green (TX)	McCarthy (NY)	Sandlin
Greenwood	McCollum	Sawyer
Gutierrez	McCrery	Saxton
Hall (OH)	McDermott	Schakowsky
Hastings (FL)	McGovern	Scott
Hill (IN)	McKinney	Serrano
Hilliard	McNulty	Shaw
Hinchey	Meehan	Shays
Hinojosa	Meek (FL)	Sherman
Hoeffel	Meeks (NY)	Shimkus
Holden	Menendez	Sisisky
Holt	Millender-McDonald	Skelton
Hooley	Miller, George	Slaughter
Horn	Minge	Smith (NJ)
Houghton	Mink	Smith (WA)
Hoyer	Moakley	Snyder
Inslee	Mollohan	Spratt
Jackson (IL)	Moore	Stabenow
Jackson-Lee (TX)	Moran (VA)	Stark
Jefferson	Morella	Strickland
Johnson (CT)	Murtha	Stupak
Johnson, E.B.	Nadler	Tauscher
Jones (OH)	Napolitano	Thompson (CA)
Kanjorski	Neal	Thompson (MS)
Kaptur	Oberstar	Thurman
Kelly	Obey	Tierney
Kennedy	Olver	Towns
Kildee	Ortiz	Turner
Kilpatrick	Owens	Udall (CO)
Kind (WI)	Pallone	Udall (NM)
Klecza	Pascarella	Upton
Kolbe	Pastor	Velazquez
Kucinich	Payne	Visclosky
Kuykendall	Pelosi	Walsh
LaFalce	Pickett	Waters
LaHood	Pomeroy	Watt (NC)
Lampson	Porter	Waxman
Lantos	Price (NC)	Weiner
Larson	Quinn	Weller
LaTourette	Rahall	Wexler
Leach	Rangel	Weygant
Lee	Regula	Wise
Levin	Reyes	Woolsey
Lewis (GA)	Rivers	Wu
		Wynn

NAYS—192

Aderholt	Cunningham	Hutchinson
Archer	Davis (VA)	Hyde
Armey	Deal	Isakson
Bachus	DeLay	Istook
Baker	DeMint	Jenkins
Ballenger	Dickey	John
Barcia	Doolittle	Johnson, Sam
Barr	Dreier	Jones (NC)
Barrett (NE)	Duncan	Kasich
Bartlett	Dunn	King (NY)
Barton	Ehlers	Kingston
Bereuter	Ehrlich	Knollenberg
Berry	Emerson	Largent
Bilirakis	Everett	Latham
Bliley	Ewing	Lewis (CA)
Blunt	Fletcher	Lewis (KY)
Boehner	Fossella	Linder
Bonilla	Fowler	Lipinski
Boyd	Ganske	Lucas (KY)
Brady (TX)	Gekas	Lucas (OK)
Bryant	Goode	Manzullo
Burr	Goodlatte	Martinez
Burton	Goodling	McHugh
Buyer	Goss	McInnis
Callahan	Graham	McIntosh
Calvert	Granger	McIntyre
Camp	Green (WI)	McKeon
Candady	Gutknecht	Metcalfe
Cannon	Hall (TX)	Mica
Chabot	Hansen	Miller (FL)
Chambliss	Hastings (WA)	Miller, Gary
Chenoweth-Hage	Hayes	Moran (KS)
Coble	Hayworth	Myrick
Coburn	Hefley	Nethercutt
Collins	Herger	Ney
Combest	Hill (MT)	Northup
Cook	Hilleary	Norwood
Cooksey	Hobson	Nussle
Cox	Hoekstra	Ose
Cramer	Hostettler	Oxley
Crane	Hulshof	Packard
Cubin	Hunter	Paul

Pease	Schaffer	Taylor (MS)
Peterson (MN)	Sensenbrenner	Taylor (NC)
Peterson (PA)	Sessions	Terry
Petri	Shadegg	Thomas
Phelps	Sherwood	Thornberry
Pickering	Shows	Thune
Pitts	Shuster	Tiahrt
Pombo	Simpson	Toomey
Portman	Skeen	Trafigant
Pryce (OH)	Smith (MI)	Vitter
Radanovich	Smith (TX)	Walden
Ramstad	Souder	Wamp
Riley	Spence	Watkins
Rogan	Stearns	Watts (OK)
Rogers	Stenholm	Weldon (FL)
Rohrabacher	Stump	Weldon (PA)
Royce	Sununu	Whitfield
Ryan (WI)	Sweeney	Wicker
Ryun (KS)	Talent	Wilson
Salmon	Tancredo	Wolf
Sanford	Tanner	Young (AK)
Scarborough	Tauzin	Young (FL)

NOT VOTING—9

Campbell	Franks (NJ)	Lazio
Engel	Gilchrist	Reynolds
Eshoo	Klink	Vento

□ 1631

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

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

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. CAMPBELL. Mr. Speaker, I regret that I was not present for rollcall vote No. 471 because I was unavoidably detained. Had I been present, I would have voted "no."

COMMUNICATION FROM THE HONORABLE MATTHEW G. MARTINEZ, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. SIMPSON) laid before the House the following communication from the Honorable MATTHEW G. MARTINEZ, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 27, 2000.

Hon. JEFF TRANDAH, Clerk, U.S. House of Representatives, H-154, Capitol, Washington, DC.

DEAR MR. TRANDAH: Effective July 26, 2000, please change my party designation on your official records and databases to "REPUBLICAN."

Your assistance is appreciated.

Sincerely,

MATTHEW G. MARTINEZ,
Member of Congress.

COMMUNICATION FROM THE HONORABLE MARTIN FROST, CHAIRMAN, DEMOCRATIC CAUCUS

The SPEAKER pro tempore laid before the House the following communication from the Honorable MARTIN FROST, Chairman of the Democratic Caucus:

DEMOCRATIC CAUCUS,
HOUSE OF REPRESENTATIVES,
September 13, 2000.

Hon. DENNIS HASTERT, Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you that the Honorable Matthew Martinez of

California has resigned as a Member of the Democratic Caucus.

Sincerely,

MARTIN FROST,
Chairman.

COMMUNICATION FROM THE SPEAKER

The SPEAKER pro tempore laid before the House the following communication from the Speaker of the House of Representatives:

OFFICE OF THE SPEAKER,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 13, 2000.

Hon. WILLIAM F. GOODLING,
Chairman, Committee on Education and the Workforce, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This is to advise you that Representative Matthew G. Martinez's election to the Committee on Education and the Workforce has been automatically vacated pursuant to clause 5(b) of rule X effective today.

Sincerely,

J. DENNIS HASTERT,
Speaker of the House.

COMMUNICATION FROM THE SPEAKER

The SPEAKER pro tempore laid before the House the following communication from the Speaker of the House of Representatives:

OFFICE OF THE SPEAKER,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 13, 2000.

Hon. BENJAMIN A. GILMAN,
Chairman, Committee on International Relations, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This is to advise you that Representative Matthew G. Martinez's election to the Committee on International Relations has been automatically vacated pursuant to clause 5(b) of rule X effective today.

Sincerely,

J. DENNIS HASTERT,
Speaker of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the foregoing communications, the party affiliation of Representative MARTINEZ has been switched for informational voting record purposes and his committee memberships have been vacated.

Had the foregoing communication of July 27, 2000, from Representative MARTINEZ to the Clerk been laid before the House at that time, the party affiliation for voting informational purposes would have been changed or, as has been the case in the past, the process would have been timely noticed in writing to the chairman of the Democratic Caucus who, in turn, would notify the Speaker by letter pursuant to clause 5(b) of rule X.

HONORABLE MATTHEW MARTINEZ JOINS REPUBLICAN CONFERENCE

(Mr. MARTINEZ asked and was given permission to address the House for 1 minute.)

Mr. MARTINEZ. Mr. Speaker, on July 26, 2000, I participated in the House Republican Conference as a Republican.

The next day I asked the Clerk of the House to change my party designation on his official records and database to Republican.

I have also notified the chairman of the Democratic Caucus of my resignation of the caucus and my desire to be a member of the Republican conference.

Mr. Speaker, I ask unanimous consent that all records of the House as of July 26, 2000, reflect my voting status as a Republican.

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

There was no objection.

PRESIDENTIAL TRANSITION ACT OF 2000

Mr. HORN. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from the further consideration of the bill (H.R. 4931) to provide for the training or orientation of individuals, during a Presidential transition, who the President intends to appoint to certain key positions, to provide for a study and report on improving the financial disclosure process for certain Presidential nominees, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. TURNER. Mr. Speaker, reserving the right to object, and I do not plan to object, but I yield to the gentleman from California (Mr. HORN) for a brief explanation of the bill.

Mr. HORN. Mr. Speaker, I thank the gentleman from Texas for yielding to me. Mr. Speaker, the ranking member has been just inestimable in terms of all the help he has provided us on this and other pieces of legislation.

Mr. Speaker, H.R. 4931, the Presidential Transition Act of 2000, represents a bipartisan effort to update the Presidential Transition Act of 1963. H.R. 4931 would allow transition funds to be used for a formal training and orientation process for incoming appointees to senior administration positions, including cabinet members.

On November 2, 1999, the House passed a bill with similar provisions, H.R. 3137, by a voice vote under suspension of the rules.

On June 8, 2000, Senator FRED THOMPSON from Tennessee introduced a companion bill, S. 2705, the Presidential Transition Act of 2000. The Senator added some well thought out provisions that call for study and proposals to improve the financial disclosure process for presidential nominees.

In addition, the changes made in the Senate bill would require the administrator of the General Services Adminis-

tration to develop a transition directory. This directory would be a compilation of Federal publications supplementary material that would provide a new presidential appointees with a manual of information about the organization, statutory and administrative authorities, functions and duties of each department and agency in the Executive Branch. H.R. 4931, which we are considering today, includes those Senate amendments.

Over the years, there have been many examples of missteps and outright mistakes made by newly appointed officials in the White House. Those errors could have been avoided if the officials had more fully understood the scope of their responsibilities.

H.R. 3137 would set a time frame and authorize the funds for that necessary training and orientation.

I urge my colleagues to support this bill just as they supported its predecessor, H.R. 4931. It is an important step toward ensuring that a new administration, regardless of party affiliation, starts off on the right foot.

Mr. TURNER. Mr. Speaker, further reserving the right to object, I want to rise and join with the gentleman from California (Mr. HORN) in strong support of this legislation, H.R. 4931, and urge its adoption.

I want to commend the gentleman from California (Chairman HORN) and the gentleman from Indiana (Mr. BURTON) and the gentleman from California (Mr. WAXMAN), ranking member, who have all focused on this bill and to be sure that it is brought before this House today and becomes law before a new administration occupies the White House.

The Presidential Transition Act would amend the Presidential Transition Act of 1963 to authorize the use of transition funds for the purpose of providing orientations for individuals that the President-elect plans to nominate to top White House positions, including cabinet positions.

The bill would probably affect 20 to maybe 40 political appointments in the White House. It is designed to give greater assurance that the orientation process would take place shortly after the incoming administration assumes office or preferably before they assume office.

This orientation will provide a smoother transition for a new administration, eliminating mistakes, and ensuring that the Federal Government will continue to function at a high level.

Our subcommittee heard testimony from distinguished witnesses who advocated the adoption of this new provision for orientation programs for incoming members of a new administration. Witnesses such as Elliot Richardson, former Attorney General to President Nixon; the Honorable Lee White, the former Assistant Counsel to President Kennedy and counsel to President Johnson, shared the unique perspective that they have regarding the critical nature of this transition period.